

**ALASKA STATE LEGISLATURE**  
**HOUSE STATE AFFAIRS STANDING COMMITTEE**

April 15, 2010

8:05 a.m.

**MEMBERS PRESENT**

Representative Bob Lynn, Chair  
Representative Paul Seaton, Vice Chair  
Representative Carl Gatto  
Representative Craig Johnson  
Representative Peggy Wilson  
Representative Max Gruenberg  
Representative Pete Petersen

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

SENATE BILL NO. 184

"An Act relating to public access to legislative committee meetings during regular legislative sessions by Internet broadcast."

- MOVED HCS SB 184(STA) OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: SB 184

SHORT TITLE: INTERNET ACCESS TO LEG COMMITTEE MTGS

SPONSOR(s): SENATOR(s) FRENCH

04/07/09	(S)	READ THE FIRST TIME - REFERRALS
04/07/09	(S)	STA, FIN
01/28/10	(S)	STA AT 9:00 AM BELTZ 105 (TSBldg)
01/28/10	(S)	Moved SB 184 Out of Committee
01/28/10	(S)	MINUTE(STA)
01/29/10	(S)	STA RPT 5DP
01/29/10	(S)	DP: MENARD, FRENCH, MEYER, PASKVAN, KOOKESH
04/07/10	(S)	FIN AT 9:00 AM SENATE FINANCE 532
04/07/10	(S)	Heard & Held
04/07/10	(S)	MINUTE(FIN)
04/09/10	(S)	FIN AT 1:30 PM SENATE FINANCE 532
04/09/10	(S)	Moved SB 184 Out of Committee

04/09/10 (S) MINUTE(FIN)  
04/10/10 (S) FIN RPT 6DP 1NR  
04/10/10 (S) DP: HOFFMAN, STEDMAN, HUGGINS, THOMAS,  
EGAN, ELLIS  
04/10/10 (S) NR: OLSON  
04/12/10 (S) TRANSMITTED TO (H)  
04/12/10 (S) VERSION: SB 184  
04/12/10 (H) READ THE FIRST TIME - REFERRALS  
04/12/10 (H) STA, FIN  
04/15/10 (H) STA AT 8:00 AM CAPITOL 106

#### **WITNESS REGISTER**

SENATOR HOLLIS FRENCH  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Introduced SB 184 as sponsor.

SUE GULLUFSEN, Manager  
Legislative Information Office (LIO)  
Legislative Affairs Agency  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on SB 184.

TIM POWERS, IT Coordinator  
Legislative Information Office (LIO)  
Legislative Affairs Agency  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on SB 184.

#### **ACTION NARRATIVE**

[8:05:05 AM](#)

**CHAIR BOB LYNN** called the House State Affairs Standing Committee meeting to order at 8:05 a.m. Representatives Seaton, Gatto, Wilson, Petersen, and Lynn were present at the call to order. Representatives Johnson and Gruenberg arrived as the meeting was in progress.

#### **SB 184-INTERNET ACCESS TO LEG COMMITTEE MTGS**

[8:05:21 AM](#)

CHAIR LYNN announced that the only order of business was SENATE BILL NO. 184, "An Act relating to public access to legislative committee meetings during regular legislative sessions by Internet broadcast."

[8:08:14 AM](#)

SENATOR HOLLIS FRENCH, Alaska State Legislature, introduced SB 184 as sponsor. He said the proposed bill would bring the workings of the legislature to everyplace in Alaska where there is a computer. He said allowing the people of Alaska to watch live-streaming of every committee meeting will make them feel more connected to what goes on in the capitol. Senator French acknowledged that Gavel to Gavel currently provides coverage of meetings on cable television throughout the state, but said Gavel to Gavel is not able to cover every meeting.

SENATOR FRENCH noted that video cameras were recently installed by the Legislative Affairs Agency on a trial basis in select committee rooms in the capitol - the House State Affairs Standing Committee room being one - and prior to the start of the meeting, some committee members were able to see what that live-streaming looks like on a computer screen. Senator French stated, "It's not nearly the same quality as Gavel to Gavel, but I think, ... in the interest of balancing expense versus expediency, the web camera is a fair ... compromise." He noted that the bill would not require the live-streams be archived; the intent of the bill is to make the video available to the public as the committees are meeting.

[8:12:43 AM](#)

REPRESENTATIVE SEATON directed attention to the last sentence of SB 184, on page 1, lines 13-14, which read as follows:

The electronic recordings produced by a fixed camera under this section are not public records and are not required to be retained or stored.

REPRESENTATIVE SEATON asked the bill sponsor to confirm that that would not prohibit the public from recording that which would be live-streamed from the fixed camera.

SENATOR FRENCH said that language is directed at the state, and he offered his understanding that the public would be able to keep records if desired.

8:14:10 AM

SUE GULLUFSEN, Manager, Legislative Information Office (LIO), Legislative Affairs Agency, in response to a question from Representative Johnson, confirmed that the live-streaming would be operated simultaneously with the LIO's audio recording, which means that the video would be turned off when the audio is turned off, for example, during an at-ease. In response to Representative Seaton, she said the intent of the LIO is to live-stream only during committee meetings. However, she said the LIO could accommodate the legislature if, for example, it wanted a special presentation live-streamed.

8:16:22 AM

MS. GULLUFSEN, in response to Representative P. Wilson, said she had not considered offering live-streaming from meetings that take place in Anchorage during the interim, but she said that would be a good idea.

8:17:36 AM

TIM POWERS, IT Coordinator, Legislative Information Office (LIO), Legislative Affairs Agency, in response to Representative Gatto, clarified that although the audio was not running until the red light was on, the video camera was.

8:18:00 AM

MS. GULLUFSEN, in response to Representative Petersen, said the LIO could consider installing video cameras in all the LIOS throughout the state.

MR. POWERS surmised that Representative Petersen is talking about a video conferencing solution that would allow the public to be in an LIO and watch a presenter. He explained that that would be a separate project; the infrastructure being set up now is designed to be only a one-way video stream rather than a synchronized, two-way video stream.

8:19:08 AM

MS. GULLUFSEN, in response to Representative Johnson, said the budget reflected in the fiscal note would be used to hire someone part-time and seasonally to run the live-streaming. The \$56,000 designated for equipment would be used to outfit the

other seven committee rooms. She said the LIO plans to absorb the bandwidth within its present budget.

8:19:54 AM

REPRESENTATIVE JOHNSON said he receives a message on his computer four to five times a day stating that his mailbox is full, and his requests for expanded bandwidth have been denied. He indicated that he has been unable to send committee packet information to his committee because of a lack of bandwidth, and he expressed concern that the proposed legislation would exacerbate that problem. He questioned what the addition of live-streaming in seven other committee rooms would cost and what it would do to existing bandwidth.

MR. POWERS said he cannot speak to the financial aspect of the project. Regarding the process, he explained that currently all the LIO's video is streamed to a company called Watershed. A person who watches that video is actually pulling that information off Watershed's web site. He explained that the LIO has dedicated digital subscriber line (DSL) in place for the live-streaming that is separate from the state's network.

MS. GULLUFSEN, in response to a follow-up question from Representative Johnson, said the DSL is the bandwidth that the LIO plans to absorb in its budget. She offered her understanding that the state had expressed concern about the LIO's use of the state's network, which is why the LIO chose to use an outside vendor.

REPRESENTATIVE JOHNSON said he appreciates knowing the LIO would be using a dedicated DSL line, because he said he wants to ensure he will not be more restricted in bandwidth use. He stated his support of the concept of the bill.

8:22:58 AM

CHAIR LYNN, after ascertaining that there was no one else who wished to testify, closed public testimony.

8:23:15 AM

REPRESENTATIVE SEATON moved to adopt Amendment 1, labeled 26-LS0833\A.1, Cook, 4/14/10, which read as follows:

Page 1, line 10:

Delete ", except for executive sessions,"

Page 1, line 13, following "progress.":

Insert "However, periods when a committee is in executive session, in recess, or at ease may not be recorded, nor may a live audio or video feed of those periods be made available to the public through Internet broadcast."

CHAIR LYNN objected for discussion purposes.

8:23:47 AM

REPRESENTATIVE GRUENBERG objected for discussion purposes. He asked what assurance there would be that the video live-streaming is turned off during an executive session.

CHAIR LYNN stated his assumption that it would work the same way as when the committee goes to an at-ease.

[SENATOR FRENCH nodded.]

8:24:34 AM

REPRESENTATIVE P. WILSON recollected that [Mr. Powers] had said that during an at-ease, the audio would be shut off, but the video would still be running. She offered her understanding that the person who runs the LIO equipment during meetings will have the extra responsibility of running the live-streaming video.

8:25:52 AM

MR. POWERS confirmed that the LIO plans to turn off the audio, but leave the video running during an executive session, just as it would during an at-ease. However, he said the LIO can put a different plan in place if that is the desire of the legislature. In response to Representative Wilson, he indicated that [under SB 184], there would be one person sitting in a room watching the video streams - up to 9 at the same time; therefore, that person would have to be contacted for the video to be shut off.

8:26:41 AM

REPRESENTATIVE P. WILSON opined that this is a policy call that should be made before any other video equipment is wired. She surmised that with Amendment 1, the audio and video would be

turned off automatically when the LIO turned off the recording, which would mean the person who is watching the video from another office would not have to be contacted.

[8:27:33 AM](#)

CHAIR LYNN said he thinks Amendment 1 would "put what we always had intended" in statute to be clear.

REPRESENTATIVE SEATON stated his preference that the audio and video or live-streaming be shut off whenever a meeting is at a standstill, and for a message to show on the video screen during those times stating what is coming up next, or that the committee is at-ease, for example. He said he thinks the intent to broadcast all committee meetings is a good idea, and he indicated that Amendment 1 would eliminate the unintended consequence of having the video streaming all day long.

[8:30:29 AM](#)

REPRESENTATIVE PETERSEN asked Mr. Powers if it would be possible to control the audio and video with the same button.

[8:30:39 AM](#)

MR. POWERS said currently the LIO has two models of equipment in place, and some of the older equipment has a "physical, mechanical relay," which switches on and off. He said that older model's relay "would probably suffice to cut the video stream also if the video was wired through it." In some of the newer [meeting] rooms, he related, there is a newer digital audio system and the red button functions much differently, in that there is no relay. Where the newer system is used, Mr. Powers said, the LIO would probably have to figure out a way to "wire that through in that system also." In response to Representative Seaton's suggestion to have upcoming information showing on the screen - "overlays" - he said that would be more time consuming and would require more staff and more equipment, because of the need to watch for stops and starts during the meetings.

[8:31:49 AM](#)

REPRESENTATIVE JOHNSON expressed his support of Amendment 1. He said he is not concerned about the issue of at-eases, but he emphasized the importance of maintaining the confidentiality of executive sessions.

[8:34:36 AM](#)

CHAIR LYNN removed his objection.

[8:34:57 AM](#)

REPRESENTATIVE GRUENBERG asked what steps would be taken by the LIO to prevent any of its staff from inadvertently watching the video during an executive session.

[8:35:16 AM](#)

MS. GULLUFSEN said she cannot immediately say what steps she would take; however, she emphasized that she clearly understands the importance of executive sessions. Currently, she said, when committees go into executive session, the moderator in the room flips a switch so that the session is not recorded. She stressed that under SB 184, with Amendment 1, it would be important for that moderator to communicate closely with the LIO staff who would be running the live-streaming in the other office, to tell him/her to shut off the video.

[8:36:31 AM](#)

REPRESENTATIVE GRUENBERG said he thinks it is important that there be specific policies in place to address this issue, and that those policies need to be okayed by Legislative Council.

[8:37:10 AM](#)

REPRESENTATIVE PETERSEN asked if adopting Amendment 1 would result in an increased fiscal note.

[8:37:23 AM](#)

MR. POWERS imparted that tackling executive sessions only could be handled by one staff person, because the number of times executive sessions occur during the course of a legislative session is very low.

[8:37:55 AM](#)

REPRESENTATIVE PETERSEN suggested that it may be beneficial to amend Amendment 1, so that the language applies only to executive sessions.

[8:38:31 AM](#)

REPRESENTATIVE SEATON reminded the committee that [Mr. Powers] had said that the system could be wired so that the video and audio are turned off together, which would not require any further staff. He acknowledged that [Mr. Powers] had said the increase in cost would come from adding overlays to the video live-streaming, and Amendment 1 does not proposed that be done.

[8:40:19 AM](#)

REPRESENTATIVE P. WILSON said any committee she has ever served on has known well in advance if it was going to go into an executive session during its meeting; therefore, she said it would be possible to give the LIO staff notice to pay special attention to know when to shut down the video for an upcoming executive session.

[8:41:09 AM](#)

REPRESENTATIVE GRUENBERG reiterated his concern that Legislative Council should have the authority to implement the proposed language, and he asked if the council already has that authority.

MS. GULLUFSEN responded that she thinks the council probably does have the authority, since it already oversees the LIO's agency.

REPRESENTATIVE GRUENBERG said he would like confirmation on that point.

[8:42:24 AM](#)

REPRESENTATIVE GRUENBERG removed his objection to the motion to adopt Amendment 1. There being no further objection, Amendment 1 was adopted.

[8:42:40 AM](#)

REPRESENTATIVE JOHNSON spoke of a recent incident in which "our private information had been hacked into" and "potentially became public." He said he advocates for public access, but is particularly concerned about security, especially during executive session. He stated that he does not want someone to be able to hack into an executive session.

[8:44:33 AM](#)

REPRESENTATIVE GRUENBERG noted that the proposed bill, as amended, does not include special sessions.

REPRESENTATIVE SEATON pointed out that the legislature sometimes meets outside of Juneau during special sessions, and if special sessions were included in the bill language, then [video live-streaming equipment would have to be set up] around the state and every committee meeting outside of Juneau would have to be live-streamed. Not including special sessions in the bill language would not mean meetings outside of Juneau could not be live-streamed; it would just not make it mandatory that they are.

[8:46:30 AM](#)

REPRESENTATIVE GRUENBERG said the bill only addresses those rooms that are already set up with fixed cameras. He then noted that special sessions often take place in Juneau. He stated, "I'm wondering if there's a reason, since we're only dealing with rooms that are already set up for this, why this does not include special sessions, because all it would require is them turning on the camera."

[8:47:22 AM](#)

SENATOR FRENCH said he shares Representative Seaton's concerns that [including special sessions in the language of the bill] could result in inadvertently requiring live-streaming from places other than the capitol. He said the bill, as amended, would cover "95 percent of what we do."

CHAIR LYNN concurred with Senator French.

[8:48:02 AM](#)

REPRESENTATIVE PETERSEN said he thinks SB 184, as amended, is a good idea. He said Alaska is "one of the most wired states in the Union, if not the most," and any way to make sessions more available to the public is "a good thing."

[8:48:16 AM](#)

REPRESENTATIVE PETERSEN moved to report SB 184, as amended, out of committee with individual recommendations and the accompanying fiscal notes.

8:48:29 AM

REPRESENTATIVE SEATON asked for confirmation that the fiscal note that would be attached is dated 1/29/2010.

CHAIR LYNN and REPRESENTATIVE PETERSEN confirmed that is correct.

8:48:44 AM

CHAIR LYNN announced that without objection, HCS SB 184(STA) was reported out of the House State Affairs Standing Committee.

CHAIR LYNN thanked supporting staff for their help during session.

8:49:19 AM

**ADJOURNMENT**

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 8:49 a.m.