

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

April 1, 2014

8:08 a.m.

**MEMBERS PRESENT**

Representative Bob Lynn, Chair  
Representative Wes Keller, Vice Chair  
Representative Lynn Gattis  
Representative Shelley Hughes  
Representative Doug Isaacson  
Representative Jonathan Kreiss-Tomkins

**MEMBERS ABSENT**

Representative Charisse Millett

**OTHER LEGISLATORS PRESENT**

Representative Benjamin Nageak

**COMMITTEE CALENDAR**

SENATE BILL NO. 127

"An Act authorizing the commissioner of administration to enter into agreements with agents to perform for compensation certain transactions related to vehicles; relating to the duties of those agents; and providing for an effective date."

- MOVED HCS SB 127(STA) OUT OF COMMITTEE

HOUSE JOINT RESOLUTION NO. 32

Urging the United States government to take decisive and concrete action to require the release of Mother Pelagia Sayaf, the orphans she cares for, and Bishops Youhanna Ibrahim and Boulos Yazigi; and urging the United States government to condemn violent acts of religious persecution and bring a peaceful resolution to the conflicts in Syria.

- MOVED CSHJR 32(STA) OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 216(STA)

"An Act adding the Inupiaq, Siberian Yupik, Central Alaskan Yup'ik, Alutiiq, Unangax, Dena'ina, Deg Xinag, Holikachuk, Koyukon, Upper Kuskokwim, Gwich'in, Tanana, Upper Tanana,

Tanacross, Hän, Ahtna, Eyak, Tlingit, Haida, and Tsimshian languages as official languages of the state."

- MOVED CSHB 216(STA) OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: SB 127

SHORT TITLE: VEHICLE TRANSACTION AGENTS

SPONSOR(S): SENATOR(S) GIESSEL

01/22/14	(S)	READ THE FIRST TIME - REFERRALS
01/22/14	(S)	STA
02/13/14	(S)	STA AT 9:00 AM BUTROVICH 205
02/13/14	(S)	Heard & Held
02/13/14	(S)	MINUTE(STA)
02/20/14	(S)	STA AT 9:00 AM BUTROVICH 205
02/20/14	(S)	Moved SB 127 Out of Committee
02/20/14	(S)	MINUTE(STA)
02/21/14	(S)	STA RPT 3DP 1DNP
02/21/14	(S)	DP: DYSON, GIESSEL, COGHILL
02/21/14	(S)	DNP: WIELECHOWSKI
02/21/14	(S)	STA RECOMMENDS ADDITIONAL FIN REFERRAL
02/21/14	(S)	FIN REFERRAL ADDED AFTER STA
03/03/14	(S)	FIN AT 5:00 PM SENATE FINANCE 532
03/03/14	(S)	Moved SB 127 Out of Committee
03/03/14	(S)	MINUTE(FIN)
03/05/14	(S)	FIN RPT 4DP
03/05/14	(S)	DP: MEYER, FAIRCLOUGH, BISHOP, DUNLEAVY
03/14/14	(S)	TRANSMITTED TO (H)
03/14/14	(S)	VERSION: SB 127
03/17/14	(H)	READ THE FIRST TIME - REFERRALS
03/17/14	(H)	STA, FIN
04/01/14	(H)	STA AT 8:00 AM CAPITOL 106

BILL: HJR 32

SHORT TITLE: PROTECTION OF CHRISTIAN SYRIANS

SPONSOR(S): REPRESENTATIVE(S) SADDLER

02/26/14	(H)	READ THE FIRST TIME - REFERRALS
02/26/14	(H)	STA
04/01/14	(H)	STA AT 8:00 AM CAPITOL 106

BILL: HB 216

SHORT TITLE: OFFICIAL LANGUAGES OF THE STATE

SPONSOR(S): REPRESENTATIVE(S) KREISS-TOMKINS, MILLETT, EDGMON, NAGEAK, HERRON

01/21/14 (H) PREFILE RELEASED 1/10/14  
01/21/14 (H) READ THE FIRST TIME - REFERRALS  
01/21/14 (H) CRA, STA  
02/18/14 (H) CRA AT 8:00 AM BARNES 124  
02/18/14 (H) Moved Out of Committee  
02/18/14 (H) MINUTE(CRA)  
02/19/14 (H) CRA RPT 5DP  
02/19/14 (H) DP: FOSTER, HERRON, DRUMMOND, LEDOUX,  
NAGEAK  
03/27/14 (H) STA AT 8:00 AM CAPITOL 106  
03/27/14 (H) Heard & Held  
03/27/14 (H) MINUTE(STA)  
04/01/14 (H) STA AT 8:00 AM CAPITOL 106

**WITNESS REGISTER**

FORREST WOOLFE, Staff  
Senator Cathy Giessel  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Explained the changes made in the proposed House committee substitute (HCS) for SB 127, Version 28-LS1263\C, Strasbaugh, 3/26/14, on behalf of Senator Giessel, prime sponsor.

SENATOR CATHY GIESSEL  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** As prime sponsor, presented SB 127.

TIM TOTH, Vice President  
Alaska Auto Dealers Association  
Anchorage, Alaska

**POSITION STATEMENT:** Offered a background on the current sales environment of dealerships during the hearing on SB 127.

TROY JARVIS  
Alaska Auto Dealers Association;  
Lithia Auto Dealers  
Anchorage, Alaska

**POSITION STATEMENT:** Testified during the hearing on SB 127.

MELISSA CUCULLU, General Manager  
Alaska Tags and Titles  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of SB 127.

AVES THOMPSON, Executive Director  
Alaska Trucking Association (ATA)  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of SB 127.

AMY ERICKSON, Director  
Division of Motor Vehicles  
Department of Administration  
Anchorage, Alaska

**POSITION STATEMENT:** Testified during the hearing on SB 127.

DUANE BANNOCK  
Kenai, Alaska

**POSITION STATEMENT:** Testified in support of SB 127.

REPRESENTATIVE DAN SADDLER  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** As prime sponsor, presented HJR 32.

SELINA EVERSON  
Alaska Native Sisterhood (ANS)  
Juneau, Alaska

**POSITION STATEMENT:** Testified in support of HB 216.

XH'UNEI LANCE A. TWITCHELL, Professor  
Alaska Native Languages  
University of Alaska Southeast (UAS)  
Juneau, Alaska

**POSITION STATEMENT:** Testified in support of HB 216.

PAUL BERG  
Juneau, Alaska

**POSITION STATEMENT:** Testified in support of HB 216.

#### **ACTION NARRATIVE**

[8:08:17 AM](#)

**CHAIR BOB LYNN** called the House State Affairs Standing Committee meeting to order at 8:08 a.m. Representatives Keller, Isaacson, Gattis, Hughes (via teleconference), Kreiss-Tomkins, and Lynn were present at the call to order.

#### **SB 127-VEHICLE TRANSACTION AGENTS**

8:08:51 AM

CHAIR LYNN announced that the first order of business was SENATE BILL NO. 127, "An Act authorizing the commissioner of administration to enter into agreements with agents to perform for compensation certain transactions related to vehicles; relating to the duties of those agents; and providing for an effective date."

8:09:46 AM

FORREST WOOLFE, Staff, Senator Cathy Giessel, Alaska State Legislature, stated that the proposed House Committee Substitute (HCS) for SB 127, Version 28-LS1263\C, Strasbaugh, 3/26/14, would "clean up some of the language" in SB 127 by changing some uses of the word "may" to "shall". He said it would allow the Division of Motor Vehicles (DMV) "to honor the current agreements while the department promulgates and adopts regulations" and "to begin providing the 15 percent retained commissions on the effective date of the bill, without waiting for enabling ... regulations."

8:10:21 AM

SENATOR CATHY GIESSEL, Alaska State Legislature, as prime sponsor, presented SB 127. She said the proposed legislation would continue the support of a strong private/public partnership in the DMV. She related that ten years ago, the concept of making the division more available, convenient, and responsive was made a reality. She explained that at that time, Advanced Business Partnerships (ABPs) were formed to handle the following for the DMV under contract: vehicle titles and renewals; registration renewals; duplicate registrations; lost license plates; lost tabs; transfers of plates; and driving record transactions for truck drivers, among other functions. She stated that the ABPs are run by car dealerships and private companies located across the state; the locations and hours are convenient, and the service is prompt.

SENATOR GIESSEL said the process is also used by the Alaska Department of Fish & Game (ADF&G), which uses ABPs to issue fishing licenses in convenient locations. The difference is that ADF&G allows the stores that sell fishing licenses to retain a small fee from the cost of each license, in order to cover the cost of the personnel selling the licenses. She said the DMV does not allow its business partners to do that; all of the costs of conducting business for the DMV is incurred by the

APBs. A few of the private businesses charge the consumer a separate fee in order to cover their costs.

[8:12:47 AM](#)

SENATOR GIESSEL said the concept of having ABPs sell services for the DMV has resulted in a huge shift in the number of customers who go to the DMV. She directed attention to a graph included in the committee packet, labeled, "DMV Revenue Sources FY97-FY07," which she said indicates a rise in the number of people using ABPs and a subsequent decline in the number of people seeking the same services from the DMV. She said consumers prefer the more convenient hours and locations available through the ABPs. Currently, the ABPs are doing more than 25 percent of the DMV's work. She stated that the goal of SB 127 would be to allow the ABPs to retain some of the fee to cover their costs, because they have to provide the facilities and pay for utilities, printers, office supplies, credit card systems, computers, and personnel. She said the transactions performed for the DMV are more complex than those performed by vendors selling fishing licenses for ADF&G, which means it costs more.

[8:14:11 AM](#)

SENATOR GIESSEL said under SB 127, the ABPs providing DMV services would be allowed to keep 15 percent of the fee, and the rest of the fees would be passed on to the DMV. She pointed out that there are 16 communities that charge a local motor vehicle tax, and the ABPs collect that tax for the local governments. She said all that tax money is sent to the DMV, which retains 8 percent of it and sends the rest on to the local governments. She said calculations show that ABPs are doing over 336,000 transactions per year for the DMV. She said if the DMV covered the 336,000 transactions, it would have to hire 32 new state employees, which means the local businesses are doing the work of 32 employees. Senator Giessel pointed to the fiscal note, and she explained that it reflects a cost just under \$2 million, which is zeroed out by the just under \$2 million it would cost to hire the 32 employees, without the cost of hiring the three supervisors for the 32 employees included. She said it is virtually a zero fiscal note.

[8:16:19 AM](#)

SENATOR GIESSEL said SB 127 would support the continuation of convenient services, hours, and locations for the public to

access DMV services outside of the DMV. She stated, "It's a small step toward reducing the size of state government."

[8:16:42 AM](#)

SENATOR GIESSEL, in response to Chair Lynn, stated that there are a total of 48 ABPs: 11 are stand-alone private businesses, and 37 are automobile dealers.

CHAIR LYNN recollected that the last time he purchased a vehicle, he was given a choice of going to the DMV for registration or having the dealer take care of it for him.

CHAIR LYNN opened public testimony.

[8:18:07 AM](#)

TIM TOTH, Vice President, Alaska Auto Dealers Association, offered a background on the current sales environment of dealerships. He indicated that auto dealers were involved in a class action lawsuit - regarding wage and overtime - that they lost, because the judge followed the letter of the law rather than the spirit of the law. He relayed that the dealers in Alaska are paid in the same manner in which the dealers in the Lower 48 are paid. He said another class action lawsuit has begun, which will cost the dealerships in expenses.

MR. TOTH said dealerships incur many expenses, including those for property taxes, utilities, health care, and in responding to the demands from manufacturers to maintain a standard in facilities. He said more dealerships have been entering the market, which "splits the pie a little bit thinner." He said it is getting increasingly difficult to absorb all the costs of doing business. He said he does not know who initiated the dealerships' involvement with collecting fees for the DMV. He stated that the 15 percent, which auto dealerships that offer DMV services would stand to get under SB 127, would not cover all the extra costs, but would "help some." He opined that the best option for the dealers would be to give the burden back to the state; however, they have decided they will take on "some of that burden" because it provides a convenience to their customers. He emphasized the importance of the proposed 15 percent, because some of the dealers have said they are not willing to continue the program anymore without it.

[8:22:00 AM](#)

MR. TOTH, in response to Representative Isaacson, said if auto dealers decided not to participate in the program any longer, then the burden would be shifted back to the state as it was in the past. In response to a follow-up question, he reviewed that years ago, the application for title and registration would be printed out at the dealership, and at the end of business, a courier would bring those applications to the DMV, which had a special section that would accept them.

REPRESENTATIVE ISAACSON observed that the DMV-related service offered by the car dealerships was convenient for the customer, and the proposed legislation would allow the continuation of that benefit, to which consumers have become accustomed.

MR. TOTH confirmed that Representative Isaacson was correct. He reiterated that the proposed 15 percent would not cover all the costs the dealers incur for offering these services, but dealers are willing to make up for the rest of it to provide the convenience to their customers.

[8:24:36 AM](#)

REPRESENTATIVE GATTIS asked if the dealers have the option to say they do not want to offer the DMV services.

[8:25:04 AM](#)

MR. TOTH said he does not know. He said most dealers he knows have DMV clerks; however, he does not know whether that resulted from a state mandate.

REPRESENTATIVE GATTIS asked the prime sponsor if she knew the answer. She said she is pro-private business and is willing to pay extra to have a service available that will allow her not to have to stand in line for a service; however, she would not want a car dealership to be forced to offer the service.

[8:26:23 AM](#)

SENATOR GIESSEL ventured that offering the service is optional for car dealers, based on the information that there are 37 auto dealers that provide the service currently, and there are more than 37 dealers in state.

[8:26:49 AM](#)

MR. TOTH clarified that the auto dealers do not charge extra to the customer for the DMV services they provide. In response to Representative Gattis, he surmised that the dealers could charge an extra fee; however, he would be fearful that doing so may result in litigation.

8:28:08 AM

TROY JARVIS, Alaska Auto Dealers Association; Lithia Auto Dealers, stated that he was born and raised in Alaska and has been in the auto business for over 35 years; therefore, he knows what it was like before the dealers offered the DMV services and the effects of doing so now. He said the [participating] dealerships have been offering the services for free for 10 years, and during that time, their expenses have risen and margins have shrunk. He echoed Mr. Toth's statement that the 15 percent that would be offered the dealers under SB 127 would only cover a portion of those expenses. He indicated that the dealerships are still willing to bear the remaining expense, because they feel "it's a good value for the state" and is part of good customer service both for car dealership customers and DMV customers.

MR. JARVIS asked if anyone recollected the hours of waiting in line at the DMV ten or more years ago. He opined that it was a nightmare to go to the DMV back then. He said the dealerships need the support of the state, and without it would consider giving the burden back to the state. He echoed the joint sponsor's remarks about the 32 people that the DMV would have to hire and the associated expense of doing so, and he added that that expense would only increase in the future. Further, he suggested that the hiring of that many people would take time, during which the wait time at the DMV would return to how it was in the past. He characterized [the 15 percent offered under SB 127] as a "fair compromise for everybody."

MR. JARVIS, in response to the previous comments about charging customers at the dealerships extra to provide the DMV services, said he would not want to do that, because the public already has the perception of car dealers as making profits, so charging for the service would not be good for customer relations. He indicated that the dealerships would most likely choose to hand the service back to the state before it would consider charging its customers for it.

CHAIR LYNN remarked that it is okay to make a profit, because that is what businesses are supposed to do.

8:32:17 AM

MELISSA CUCULLU, General Manager, Alaska Tags and Titles, echoed the prime sponsor's testimony that the private sector provides the staff, facilities, technology, and office supplies to process transactions for the DMV. She said the transactions create millions of dollars for the State of Alaska. She said the proposed legislation would allow the businesses to hire additional employees, open new facilities, operate extended hours, and create more options for Alaska residents, while helping the businesses offset the incurred credit card fees. She said SB 127 is about fairness and is a winning answer for the state, the private businesses, and the public.

8:33:21 AM

AVES THOMPSON, Executive Director, Alaska Trucking Association (ATA), said ATA is a statewide association representing the interest of its nearly 200 member companies from across the state. The association is also a business partner with the DMV. He stated support of SB 127. He relayed that ATA was approached [by the DMV] in late December, 2006, to find out if ATA was interested in becoming a business partner. He said ATA thought that the partnership could benefit its trucking members to facilitate the handling of its members' DMV transactions. He said not only ATA members, but also the general public that walks into its offices has benefited. Mr. Thompson said about half of ATA's customers are commercial vehicle operators, while the other half are walk-in personal vehicle operators. He stated that the association member companies enjoy prompt service, and "members pay a lower fee for our DMV services." He said ATA's walk-in customers are a cross section of the Anchorage population, and they receive service from ATA that is "generally prompt, friendly, supportive, and helpful." He said ATA's customers appreciate the extra effort the association puts into the transactions "to make the DMV experience a little more user friendly."

MR. THOMPSON said ATA feels that asking the DMV to pay a modest 15 percent commission is a value for the work for which business partners [currently] receive no compensation. He clarified, "Every workday since 2006, we've processed transactions for the State of Alaska with no compensation, other than the nominal service fee that we charge our customers." He said the DMV provides some supplies, including title and registration forms, tags for the license plates, and the license plates themselves;

however, it has been the business responsibility of the ATA to provide and pay for the following: personnel, reception space, secure office space, dedicated computer systems, technical support, copiers, paper, postage, and credit card fees.

MR. THOMPSON said ATA's business has grown over the years, and compensation became an issue when the association realized that more income was needed to finance its growth. He said ATA has had to borrow money to make the payment schedules to the DMV, and he offered his understanding that ATA has not missed a settlement deadline since 2006. He reported that in 2013, ATA processed more than 11,000 transactions for the DMV and generated revenue of more than \$1.6 million in fees and local taxes, which means that ATA is not only a revenue generator for the State of Alaska, but is also a tax collector for local governments. He said, "Our calculations indicate that of the \$1.6 million, we generated a total of more than \$1.1 million in fee revenue for DMV."

[8:36:37 AM](#)

MR. THOMPSON paraphrased the page in the committee packet from the prime sponsor labeled, "SB 127 Vehicle Transaction Agents Explanation of Changes," which read as follows [original punctuation provided]:

The change between version C and version A of SB 127 is simply to allow the DMV to honor the current agreements during the time it takes for the department to promulgate and adopt regulations covering the agreement prerequisites and provisions set out in this statute.

It will allow the department to begin providing the 15% retained commissions to the Business Partners on the effective date of the bill without waiting for enabling regulations.

This language is clear in that all proceeds, with the exception of municipal taxes or other fees, are eligible for the 15% retained commissions.

MR. THOMPSON added that the changes would also provide a 15 percent retained commission rather than a sliding scale. He indicated that ATA believes the business partners are providing valuable service, without increasing operating costs. Further, he said ATA believes that the DMV's business partners should be

compensated for the service they provide for the state. He said, "It boils down to sharing the revenue with the partner that generates the revenue." He urged the committee to support SB 127.

[8:37:58 AM](#)

AMY ERICKSON, Director, Division of Motor Vehicles, Department of Administration, confirmed that the DMV has been partnering with businesses to conduct title and registration transactions since "the 2000s." She said the partnerships comprise DMV services storefronts, car and snow machine dealerships, credit unions, and banks. She said the DMV provides its business partners with all the necessary supplies to conduct title and registration transactions, including license plates, month and year tabs, forms, commercial, non-commercial, and motorcycle driver manuals, as well as handicap placards - all free of charge. The DMV further provides free training to process transactions, as well as free access to the DMV database. She said the business partners charge fees for their services that are not regulated by the DMV.

MS. ERICKSON relayed that while the business partners make up approximately 26 percent of the DMV's revenues, the businesses do not function autonomously; the DMV still touches each transaction conducted by a business partner. In fact, she noted, each DMV transaction has three separate components, which must be completed before it's closed out: The first component is the initial transaction where fees are collected; the second is the auditing to verify the receipts of all information and that the forms have been filled out correctly; and the third is the reconciliation to verify that all [fees] were received and put into the correct fee code. She said business partners conduct about 30 percent of the transaction, whereas the DMV conducts about the other 70 percent. She said the DMV has a staff of seven people dedicated to support the everyday operations of the business partners; it serves as the "de facto help desk," spending hours proofing and correcting documents. When errors have been made, the DMV uses its resources to resolve them. She stated that the DMV is shifting into using more on-line transactions. Currently, approximately 48 percent of all its vehicle transactions are conducted on line, and the DMV is working on legislation to provide even more services on line.

[8:40:09 AM](#)

DUANE BANNOCK stated that he was a champion of the business partnership program in his former career as a state bureaucrat, and remains so in his current "financial affiliation with a small used car operation." He said, "We use a business partnership exclusively to perform our customers' title and registration work - not putting that on the burden of the local DMV office." He indicated that the major purpose behind the ABP expansion was to offer, as a courtesy, time-saving convenience to Alaska residents who must go to a DMV office; it was designed as a time-saving effect, not a cost-saving effect. He referred to the past testimony relating the long wait times at the DMV in the past, and submitted that ABPs are the number one reason those wait times have decreased.

[8:42:00 AM](#)

MR. BANNOCK cited the first part of AS 28.10.421(2), which read as follows:

(2) an additional fee of \$10 shall be added to the registration fee set out in this section for registration not conducted by mail or not conducted at an emissions inspection station or contract office offering vehicle registration services;

MR. BANNOCK concluded, "For the State of Alaska or for any legislator to somehow criticize the surcharge, in my humble opinion, sir, is the proverbial pot calling the kettle black."

CHAIR LYNN recognized Mr. Bannock's service [as former director] of the DMV.

[8:43:01 AM](#)

CHAIR LYNN closed public testimony.

[8:43:08 AM](#)

SENATOR GIESSEL summarized that SB 127 was not just about convenience, but was also about fairness, because the ABPs have been doing work for the state for free. She mentioned a press release from another committee, and she read as follows: "The Division of Motor Vehicles director testified that they brought in \$48 million surplus ..., from DMV, in fiscal year 2013, from registration fees." She opined that \$2 of that actually belongs to the ABPs.

[8:44:02 AM](#)

REPRESENTATIVE KELLER moved to adopt the proposed House Committee Substitute (HCS) for SB 127, Version 28-LS1263\C, Strasbaugh, 3/26/14, as a work draft. There being no objection, Version C was before the committee.

[8:44:15 AM](#)

REPRESENTATIVE KELLER moved to report the proposed House committee substitute (HCS) for SB 127, Version 28-LS1263\C, Strasbaugh, 3/26/14, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HCS SB 127(STA) was reported out of the House State Affairs Standing Committee.

[8:44:40 AM](#)

The committee took an at-ease from 8:45 a.m. to 8:46 a.m.

### **HJR 32-PROTECTION OF CHRISTIAN SYRIANS**

[8:46:28 AM](#)

CHAIR LYNN announced that the next order of business was HOUSE JOINT RESOLUTION NO. 32, Urging the United States government to take decisive and concrete action to require the release of Mother Pelagia Sayaf, the orphans she cares for, and Bishops Youhanna Ibrahim and Boulos Yazigi; and urging the United States government to condemn violent acts of religious persecution and bring a peaceful resolution to the conflicts in Syria.

[8:46:47 AM](#)

REPRESENTATIVE KELLER moved to adopt the proposed committee substitute (CS) for HJR 32, Version 28-LS1532\N, Bullock, 3/21/14, as a work draft. There being no objection, Version N was before the committee.

[8:47:02 AM](#)

REPRESENTATIVE DAN SADDLER, Alaska State Legislature, as sponsor, presented HJR 32. He said Alaskans historically have had a willingness to "live and let live," respecting the rights of people to live and behave as their consciences dictate and "tolerate those of other ethnic, cultural, and religious backgrounds." Further, he said many Alaskans have a strong

connection to the Holy Land, comprising Israel, Egypt, Lebanon, and Syria. He said it is the birthplace of Christianity; the apostle Paul had his conversion in Syria on the road to Damascus. He stated, "That's why Alaskans care about this area, and that's the reason for this resolution." He said constituents of his that work at the St. John's Orthodox Church, in Eagle River, Alaska, brought the issue to his attention out of concern for their fellow Christians in Syria. He said Syria has been involved in civil war since 2011, with varying Muslim sects, Al Qaeda factions, Jihadi groups, and Christians all fighting each other. He said, "It's a mess; I couldn't ... explain it if I tried."

REPRESENTATIVE SADDLER opined that what is important is that during the civil war, Christians and Christian churches appear to have been the target of systematic attacks, during which innocent women and children have been murdered, Christians have been kidnapped, murdered, or forced to convert under pain of death, and Christian churches are being "burned, desecrated, and destroyed." He relayed that Christian Syrians make up approximately 8 percent of the 22 million people in Syria, but make up nearly 25 percent of the 2 million refugees of the civil war and unrest. He said, "They're not safe no matter what side they support, and many fear for their lives."

REPRESENTATIVE SADDLER said two bishops, Youhanna Ibrahim and Boulos Yazigi, were kidnapped in Aleppo, Syria; Mother Pelagia Sayaf and dozens of orphaned children in her care were kidnapped from the Monastery of Saint Thecla in Maaloula. He said Mother Sayaf and the orphans were released after three months of captivity; however, the bishops and others remain in captivity, and the destruction of churches continues.

REPRESENTATIVE SADDLER relayed that it has been said that all that is required for evil to triumph is for good men and women to do nothing. He said Alaskans could raise their collective voices against the crimes in Syria. The proposed legislation would call on the United States "to exercise our moral authority and its diplomatic influence," in an effort to seek an end to the atrocities occurring in Syria against people of faith and their houses of worship.

[8:49:51 AM](#)

CHAIR LYNN said situations like the one in Syria make him appreciate the freedom of religion in the U.S. He said he

thinks people sometimes take that for granted, but should never do so.

[8:50:13 AM](#)

REPRESENTATIVE ISAACSON thanked the sponsor for bringing forward HJR 32. He remarked that it is one thing to have verbal assault, but quite another to have deadly assault. He said, "This is happening throughout the world, and this draws attention." He indicated that the proposed joint resolution is a fitting step in considering human rights, and he expressed his hope that it would be a resounding message passed through [the U.S. Senate and the House of Representatives.]

[8:50:52 AM](#)

CHAIR LYNN ascertained that there was no one else who wished to testify.

[8:51:05 AM](#)

The committee took a brief at-ease.

[8:51:27 AM](#)

REPRESENTATIVE KELLER moved to report the proposed committee substitute for HJR 32, Version 28-LS1532\N, Bullock, 3/21/14, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHJR 32(STA) was reported out of the House State Affairs Standing Committee.

[8:51:47 AM](#)

The committee took an at-ease from 8:52 a.m. to 8:54 a.m.

**HB 216-OFFICIAL LANGUAGES OF THE STATE**

[8:54:31 AM](#)

CHAIR LYNN announced that the final order of business was HOUSE BILL NO. 216, "An Act adding the Inupiaq, Siberian Yupik, Central Alaskan Yup'ik, Alutiiq, Unangax, Dena'ina, Deg Xinag, Holikachuk, Koyukon, Upper Kuskokwim, Gwich'in, Tanana, Upper Tanana, Tanacross, Hän, Ahtna, Eyak, Tlingit, Haida, and Tsimshian languages as official languages of the state."

[An objection to the motion to adopt Conceptual Amendment 1, labeled 28-LS0905\U.1, Martin, 3/14/14, was left pending from the 3/27/14 House State Affairs Standing Committee meeting.]

8:55:05 AM

REPRESENTATIVE KELLER withdrew his motion to adopt Conceptual Amendment 1.

8:55:27 AM

REPRESENTATIVE ISAACSON moved to adopt the proposed committee substitute (CS) for HB 216, Version 28-LS0905\P, Martin, 3/31/14, as a work draft. There being no objection, Version P was before the committee.

8:55:48 AM

REPRESENTATIVE ISAACSON said he and [Representative Kreiss-Tomkins], a joint prime sponsor, worked on the language for Version P to ensure that under the proposed legislation, the state would not be required to print out official documents in all the languages of Alaska. He explained that that had been the intent, but since intent language does not "travel with the bill," language clarifying that intent was worked into HB 216. He emphasized that Version P would not restrict municipalities or the state from conducting bilingual meetings, but it also would not require all 21 languages to be spoken at the same meeting.

8:57:14 AM

REPRESENTATIVE KREISS-TOMKINS thanked committee members for their cooperation and corroboration.

8:57:35 AM

CHAIR LYNN asked members of audience to stand up if they supported HB 216, and then he offered his understanding that "it looks fairly unanimous."

8:58:37 AM

SELINA EVERSON, Alaska Native Sisterhood (ANS), opened her remarks with a few words in Tlingit. She spoke about the impact of being denied the right to speak ones Native tongue. She said there is a 90-year-old man in Angoon who breaks down crying when

he recollects being forbidden to speak his language. She said her brothers were forbidden to speak their language on the Sheldon Jackson School grounds, but they would "jump up in the air to say some words in our language." She stated that she does not want anyone to forbid Native Alaskans to speak their language, because "it is our very being; it's our culture." She said there is respect among the speakers of Native languages, including Tlingit, Haida, and Tsimshian. Ms. Everson stated that it would be an honor to be recognized for the culture and language that is the heart and soul of Native Alaskans. She thanked the committee in Tlingit. In response to Chair Lynn, she noted that ANS would turn 100 in 2015; the Alaska Native Brotherhood (ANB) had celebrated its one-hundredth anniversary in 2012.

[9:00:53 AM](#)

XH'UNEI LANCE A. TWITCHELL, Professor, Alaska Native Languages, testified in support of HB 216. He said he is in search of equal rights in terms of language recognition. He said he is speaking not only on his own behalf but for "every person in this room and elsewhere who have asked me to speak for them today." He said, "I will speak in the language of our grandparents, and I say 'our grandparents' because you are here with me on this land where this wonderful Tlingit Language has been spoken for about 9,000 years longer than the English Language has been in existence." He explained that he did not say that to establish a hierarchy. He said diversity is not about who is best, but is "appreciating the beauty of all things without having to compare it to yourself; without having it be yourself."

[9:01:57 AM](#)

MR. TWITCHELL spoke in Tlingit.

[9:02:41 AM](#)

MR. TWITCHELL continued his testimony in English, as follows:

Self-respecting people, please listen carefully. Our language is our life breath; it is the last thing. Through our language we are still holding each other's hands - yesterday, today, tomorrow. Because of this, from my little grandchildren I am speaking to you. But it is not me that you hear. No, you hear the voices of my grandparents; you hear my magnificent

uncles. They have come here - yes. We are dying; right before your eyes our languages are dying. Help us.

9:03:20 AM

Someone has taken all the fish out of the sea. They are on the beaches gasping for air. I hear someone say, "How did this happen? Oh, no!" Someone else says, "Let's form a committee to talk about our options. Let's preserve them where they are in this condition." Yet another suggests a statewide holiday for the dying fish; a resolution of support. If you could speak their languages, you would hear how they are screaming. It would tear you apart - if you could hear them. But listening is not what it used to be.

Now let me tell you this: These fish did not decide to get out of the ocean; they did not outgrow their need for it - no. They were tortured as children for speaking their languages - tortured. If you think this type of thing happened [a] long time ago, then you should know that it happened to people in this very room - such suffering. If you don't know what to do, then I'll tell you. You put them back in the sea. You get as many people together as you can, and work together very quickly to undo what has been done. You fix things. There is no humane counterargument to this.

We are here today for our elders, who have suffered tremendously to keep our languages alive. They were beaten, humiliated, and tortured in schools sanctioned by state and federal governments and run by churches. We are here for our parents. Many of them lived a life without their languages and feel left out, alone, isolated, lost. We are here for our combat veterans who shed blood for this country and state. There were code talkers in World War II, who used Alaska Native languages to help win battles and wars. We are here for your children, who are killing themselves in record numbers. Our children are killing themselves.

This is more than symbolic; this is historic. History will not remember you for specialized license plates and parking ticket processes; history will remember you for this moment right here - what you say and do

when we ask you to help us live, to find a brighter future for our languages, cultures, and people. If you are worried about racial divisions, because you choose to recognize us as equals, then you must understand this: You cannot have multiculturalism in Alaska and monolingualism at the same time. You just get language death. The greatest way to achieve unity is to look at your fellow man and say, "You are of equal value." ...

9:06:00 AM

MR. TWITCHELL said HB 261 would make Alaska the second state in the U.S. to officially recognize indigenous languages and end suffering, humiliation, and racial superiority. He said Hawaii is the only one currently reducing language shift, which means the state is producing more Hawaiian speakers than it is losing. He stated, "People cannot be something other than what they were born to be, which is coded in their languages. These languages root people - whether they are Alaska Native or not - to a place. This is what unity feels like." He opined that HB 216 would be a step in the right direction by elevating Alaska Native languages at the highest level, which would help in the fight against addiction, depression, suicide, violent crimes, and high school dropout rates, and it would create a better state by "overcoming outdated notions that we are inferior." He told the committee to have courage and support the proposed legislation through the committee and on the House floor. He concluded, "We will share with you the joy of overcoming the worst of times." He thanked the committee in Tlingit and English.

9:07:25 AM

PAUL BERG noted that he has been a teacher in Alaska since 1977, but was speaking on behalf of himself. He said he had been involved in multi-cultural education, including being part of President George H. W. Bush's Indian Nations at Risk Task Force approximately 20 years ago. He related that on the prior Friday he "came home from a war." He explained that he gathered with people to hear a senator announced that Alaska was going to address a wrong. A Vietnam veteran took the microphone and recounted his experience returning to the U.S., having people spit on his uniform, and not being able to get a cab driver to take him to his house. Mr. Berg said hearing the story brought him back to his experience in San Francisco, in 1968, standing in formation with his fellow military comrades, just having

arrived home, when people came and threw garbage on their uniforms. He said he contained himself, but the man next to him sobbed. They were not prepared for such a reception. Returning to the Senator's words on that Friday, he recounted how the group was told they were to receive a welcome home certificate from the State of Alaska. He said at the end of that ceremony he felt "a spike had been removed from the core of my soul." He said it was an incredible healing, and he thanked the legislature for making that happen.

[9:09:19 AM](#)

MR. BERG said veterans do not consider that the garbage and spit was directed at them, but at their uniforms. He explained that those in the military consider the uniform as "where we had been, what we had done," and the "friends who didn't come back with us." He said in the years he has traveled through Alaska, especially during his work in the Yukon-Kuskokwim (Y-K) Delta, he has witnessed the same pain. He said he is 69, and many his own age have had their language torn away from them, through sanctioned "physical and emotional brutality," and they have borne the wounds "like a spike through the soul." He said that pain frequently is passed down to their children and grandchildren. He said, "It's called, 'secondary post-traumatic stress.'" He opined that this is an historic moment for the legislature, because it has the opportunity to right "a second great wrong," to "restore balance," and "to begin healing a great, open, and festering wound." He asked the legislature to extend the same kindness and healing opportunity that was extended to him last Friday, by "welcoming these languages and their speakers home at last."

[9:11:08 AM](#)

CHAIR LYNN closed public testimony.

[9:11:18 AM](#)

REPRESENTATIVE KREISS-TOMKINS, as joint prime sponsor, said he was completely unfamiliar with Alaska Native languages until he ran for office. He said through the process of campaigning, he got to know a woman in Klawock, whom he described as in her 80s, "tough as nails," a "beautiful, resilient woman whose smile has not aged one year with time." He said he visits her when he travels to Klawock. She is a fluent speaker of Tlingit. He said although he hopes to speak Tlingit one day, he does not currently understand it; however, when the woman speaks in

Tlingit, "you can really see her soul come alive; it is the essence of her being, and it's a beautiful experience." He characterized the woman as a cultural treasure of Alaska, as is Tlingit and the other Native languages of Alaska. He said it has been gratifying to work on HB 216 in an attempt to honor and revitalize the languages. He thanked the committee and participants in the room, especially all the elders in Alaska who are "the culture-bearers of these languages."

[9:13:31 AM](#)

CHAIR LYNN stated that people living in Alaska are Americans, Alaskans, and brothers and sisters. He stated that language, beyond being communication, is "our heart and soul." He said he could not imagine trying to think without having some kind of language. He said the proposed legislation would not fix everything, but he indicated that it could be a step in a long journey.

[9:14:25 AM](#)

REPRESENTATIVE ISAACSON asked that the [joint-prime sponsor] move the bill with full concurrence.

[9:14:32 AM](#)

REPRESENTATIVE KREISS-TOMKINS moved to report the proposed committee substitute (CS) for HB 216, Version 28-LS0905\P, Martin, 3/31/14, out of committee with individual recommendations and the accompanying zero fiscal note. There being no objection, CSHB 216(STA) was reported out of the House State Affairs Standing Committee.

[9:15:26 AM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 9:15 a.m.