

ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE

April 15, 2014

8:05 a.m.

MEMBERS PRESENT

Representative Bob Lynn, Chair
Representative Wes Keller, Vice Chair
Representative Lynn Gattis
Representative Shelley Hughes
Representative Doug Isaacson

MEMBERS ABSENT

Representative Charisse Millett
Representative Jonathan Kreiss-Tomkins

COMMITTEE CALENDAR

CS FOR SENATE BILL NO. 206(STA)

"An Act relating to motor vehicle registration and fees; relating to licensing of school bus drivers; relating to notice of an accident involving a motor vehicle; and providing for an effective date."

- MOVED CSSB 206(STA) OUT OF COMMITTEE

HOUSE BILL NO. 356

"An Act establishing the Advisory Committee on Wellness; and relating to the administration of state group health insurance policies."

- MOVED CSHB 356(STA) OUT OF COMMITTEE

SENATE JOINT RESOLUTION NO. 26

Recognizing June 14, 2014, as the 60th anniversary of the first recital of the United States Pledge of Allegiance with the words "under God."

- MOVED SJR 26 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 206

SHORT TITLE: VEHICLE REGIS/LICENSING/ACCIDENT REPORTS

SPONSOR(S): SENATOR(S) MICCICHE

02/26/14 (S) READ THE FIRST TIME - REFERRALS
 02/26/14 (S) STA
 03/18/14 (S) STA AT 9:00 AM BUTROVICH 205
 03/18/14 (S) Heard & Held
 03/18/14 (S) MINUTE(STA)
 03/20/14 (S) STA AT 9:00 AM BUTROVICH 205
 03/20/14 (S) Heard & Held
 03/20/14 (S) MINUTE(STA)
 03/25/14 (S) STA AT 9:00 AM BUTROVICH 205
 03/25/14 (S) Moved CSSB 206(STA) Out of Committee
 03/25/14 (S) MINUTE(STA)
 03/26/14 (S) STA RPT CS 3DP 1NR SAME TITLE
 03/26/14 (S) DP: DYSON, COGHILL, GIESSEL
 03/26/14 (S) NR: WIELECHOWSKI
 04/09/14 (S) TRANSMITTED TO (H)
 04/09/14 (S) VERSION: CSSB 206(STA)
 04/10/14 (H) READ THE FIRST TIME - REFERRALS
 04/10/14 (H) STA
 04/15/14 (H) STA AT 8:00 AM CAPITOL 106

BILL: HB 356

SHORT TITLE: ADVISORY COMMITTEE ON WELLNESS

SPONSOR(s): REPRESENTATIVE(s) SEATON

02/26/14 (H) READ THE FIRST TIME - REFERRALS
 02/26/14 (H) HSS, STA
 03/20/14 (H) HSS AT 3:00 PM CAPITOL 106
 03/20/14 (H) Heard & Held
 03/20/14 (H) MINUTE(HSS)
 04/10/14 (H) HSS AT 3:00 PM CAPITOL 106
 04/10/14 (H) Moved Out of Committee
 04/10/14 (H) MINUTE(HSS)
 04/11/14 (H) HSS RPT 2DP 3NR
 04/11/14 (H) DP: SEATON, NAGEAK
 04/11/14 (H) NR: PRUITT, KELLER, HIGGINS
 04/15/14 (H) STA AT 8:00 AM CAPITOL 106

BILL: SJR 26

SHORT TITLE: PLEDGE OF ALLEGIANCE

SPONSOR(s): SENATOR(s) COGHILL

02/21/14 (S) READ THE FIRST TIME - REFERRALS
 02/21/14 (S) STA
 03/13/14 (S) STA AT 9:00 AM BUTROVICH 205
 03/13/14 (S) Moved SJR 26 Out of Committee
 03/13/14 (S) MINUTE(STA)

03/14/14 (S) STA RPT 3DP
03/14/14 (S) DP: DYSON, COGHILL, GIESSEL
04/12/14 (S) TRANSMITTED TO (H)
04/12/14 (S) VERSION: SJR 26
04/13/14 (H) READ THE FIRST TIME - REFERRALS
04/13/14 (H) STA
04/15/14 (H) STA AT 8:00 AM CAPITOL 106

WITNESS REGISTER

SENATOR PETER MICCICHE
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, presented CSSB 206(STA).

BARBARA HUFF TUCKNESS, Director
Teamsters Local 959
Anchorage, Alaska

POSITION STATEMENT: Testified in support of CSSB 206(STA).

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

POSITION STATEMENT: Answered questions during the hearing on CSSB 206(STA).

REPRESENTATIVE PAUL SEATON
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, presented HB 356.

RYNNIEVA MOSS, Staff
Senator John Coghill
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented SJR 26 on behalf of Senator Coghill, prime sponsor.

ACTION NARRATIVE

[8:05:31 AM](#)

VICE CHAIR WES KELLER called the House State Affairs Standing Committee meeting to order at 8:05 a.m. Representatives Gattis, Isaacson, Hughes, and Keller were present at the call to order. Representative Lynn arrived as the meeting was in progress.

SB 206-VEHICLE REGIS/LICENSING/ACCIDENT REPORTS

8:05:50 AM

VICE CHAIR KELLER announced that the first order of business was CS FOR SENATE BILL NO. 206(STA), "An Act relating to motor vehicle registration and fees; relating to licensing of school bus drivers; relating to notice of an accident involving a motor vehicle; and providing for an effective date."

8:06:34 AM

SENATOR PETER MICCICHE, Alaska State Legislature, as prime sponsor, presented CSSB 206(STA). He said the bill was about three things: efficiency of the Division of Motor Vehicles (DMV), timely reporting of highway accidents, and ensuring appropriate employees are entrusted to drive children to school. He said he envisions a DMV where most of the business is done on line. People would set up an account where they could manage the registration and other payments on their vehicles, using PayPal or a credit card. He said statutes need to be updated to facilitate the use of current technology, which he said he believes would reduce costs. He said the proposed legislation would allow the DMV to use e-mail notification, would put into statute the current process of waiving the \$10 fee for using the web site to renew registrations, and would allow accident reports to be submitted electronically.

SENATOR MICCICHE emphasized that the only licenses that would be affected under CSSB 206(STA) would be those of school bus drivers. He named the following crimes as allowed in the past history of school bus drivers: murder, assault, kidnapping, indecent exposure, and felony prostitution. The proposed legislation would give a 10-year "look back" for existing school bus license holders and require a background check every five years at renewal. It would give [the DMV] discretion for licensing a person convicted of a misdemeanor within the prior two years, if the crime did not involve a child.

8:09:54 AM

SENATOR MICCICHE said he likes the common sense aspect of the proposed legislation, as well as the focus on increasing efficiency. He asked the committee to think about a fleet manager and how easily he/she could manage stock in a couple hours a year by using on line resources. He asked for the

committee's support of CSSB 206(STA), and noted that there were representatives available from the DMV and the Department of Administration (DOA) to answer questions.

8:10:33 AM

REPRESENTATIVE HUGHES noted that some people change their e-mail addresses frequently. She asked if, under CSSB 206(STA), people would have the option of being notified by e-mail or the United States Postal Service (USPS), or if the DMV would use the e-mail option if it had the person's e-mail address.

SENATOR MICCICHE responded that the purpose of the proposed legislation was to make it legal for the DMV to make the change; it would not set up the details for the department. He offered his understanding that the DMV would not rely on just one method of communication; it would ensure that people are notified. He said he envisions a box that could be checked to indicate that the individual wants to receive notifications by e-mail, and the person would periodically go the web site and update his/her e-mail notification. He said it would be similar to people who get mailed notifications and notify the DMV when they have an address change.

REPRESENTATIVE HUGHES said she supports paperless transactions, but knows that sometimes spam filters "catch" e-mails so the intended recipient does not see them. She indicated she would hear what the DMV's plans would be. She explained that she does not want people to have to pay a penalty if they do not receive an e-mail.

SENATOR MICCICHE, in response to Vice Chair Keller, clarified that the language in the bill relating to criminal convictions relates solely to the licensing of school bus drivers, but Section 8 addresses licensing in general.

8:14:03 AM

REPRESENTATIVE ISAACSON said, "So, Section 3 starts with the school bus drivers."

SENATOR MICCICHE said, "Right."

REPRESENTATIVE ISAACSON thanked the bill sponsor for proposing the improvements under CSSB 206(STA). He asked him to confirm that under the proposed legislation, all actions currently made

with the DMV would be available electronically or would be omitted.

SENATOR MICCICHE offered his understanding that none were left out; however, he deferred to the director of the DMV. He stated his assumption that there are some documents that would require an applicant to be physically present to sign his/her name.

[8:15:12 AM](#)

VICE CHAIR KELLER opened public testimony.

[8:15:35 AM](#)

BARBARA HUFF TUCKNESS, Director, Teamsters Local 959, testified in support of CSSB 206(STA). She assured the committee that she trusts the hundreds of school bus drivers that Teamsters Local 959 hires, because of the due diligence of the DMV, which currently runs background checks on the drivers. Notwithstanding that, she said Teamsters Local 959 supports "cleaning up that effort." She said she has spoken with the staff of the bill sponsor and the director of the DMV regarding language on page 5, lines 1-3, which read as follows:

A person may renew a license under this section within one year before its expiration upon proper application, payment of the required fee, and the completion of a background check under (b)(4) of this section.

[8:18:27 AM](#)

MS. HUFF TUCKNESS said this is new language, and she questioned whether the language needs to be clarified. She explained that the understanding of Teamsters Local 959 is that "the current practice shall continue to apply," which is: a bus driver applies for a license from the DMV, in conjunction with his/her commercial driver's license (CDL); a background check is done by the State of Alaska once the bus driver has applied for the job; the application is made directly to the school district or to a contractor with the school district; once awarded the job, the bus driver goes through the DMV licensure process. Ms. Huff Tuckness said in addition to the state background check, there is a federal background check done; however, the federal government is not as quick with the results. She expressed concern with allowing bus drivers to start work before the federal results are reported and then terminating their

employment if and when the federal background check finds a criminal record. She explained that it is difficult to hire and retain school bus drivers because of the number of hours available, the unusual schedule, and the nine-month duration of the school term. She stated that Teamsters Local 959 supports all the other changes in CSSB 206(STA), but wants to make sure that an already difficult hiring process is not further complicated. She added, "Because if they are awarded and then they have to wait six months, they're probably going to be looking for other employment."

[8:19:36 AM](#)

MS. HUFF TUCKNESS, in response to Representative Isaacson, clarified that under the proposed legislation, a prospective employee would have to wait until the federal response had been received before being allowed to go to work. She said that has not been the practice. She indicated concern that the proposed legislation may negatively impact current practice of clearing someone for hire through the state background check. She said, "Once they've actually been cleared through the state background check - and those new provisions that they will be checked for will be included in that - then they are actually awarded the job, pending anything negative coming from the federal background check."

[8:20:49 AM](#)

REPRESENTATIVE ISAACSON said he appreciates that Ms. Huff Tuckness wants to put people to work and does not want to lose good drivers; however, he said there could be a situation in which a person who had committed a type of crime that would make him/her unfit to be a school bus driver would be hired, because the state's background check showed nothing, but six months later the federal background check results would show that criminal background. He said that may not be the normal situation, but on the other hand, for a person looking for work, "that's maybe a good place to hide, unless the word goes out you will be found."

[8:21:37 AM](#)

MS. HUFF TUCKNESS said she does not know how to speed up the federal process, which she indicated she had heard can take up to six months. She deferred to the director of the DMV to answer questions, but said the issue concerns Teamsters Local

959. She said she thinks Representative Isaacson's point was well taken.

[8:22:04 AM](#)

REPRESENTATIVE GATTIS said, "If you don't know your information, you do the best with what you have." She said if someone is hired and information comes in that shows the person has committed an offense that warrants firing him/her, then actions are taken at that point to dismiss the person. She expressed her hope that Teamsters Local 959 supports that idea. She stated, "I certainly would not want to have a school district not be able to let that employee go based on that new information that they received."

[8:23:08 AM](#)

MS. HUFF TUCKNESS emphasized that Teamsters Local 959 supports the current practice wherein the school district immediately terminates the employment of a school bus driver if it receives a negative report from the federal background check. She said Teamsters Local 959 respects good bus drivers and appreciates that they drive with up to 85 children behind them and make sure these children make it safely to school.

[8:24:22 AM](#)

VICE CHAIR KELLER remarked that rushing the federal government is not an option. He said he would resist giving the federal government precedence over what Alaska does, because the state has a good system and the responsibility to make that system work.

[8:25:08 AM](#)

AMY ERICKSON, Director, Division of Motor Vehicles (DMV), Department of Administration, said she believes Ms. Huff Tuckness was correct in her outlining of the DMV process. She said the DMV accepts the application, takes a check for [payment of] the background check, and submits the fingerprints. There is a review of the applications, at which time the fingerprint cards are sent to the Department of Public Safety (DPS), which takes 30-60 days to deliver a response back to the DMV. If the background check comes back with "anything on the record," then the DMV sends an immediate cancellation.

[8:25:46 AM](#)

REPRESENTATIVE ISAACSON asked how much of the background check process of the state mirrors that of the federal government.

[8:26:11 AM](#)

MS. ERICKSON said she is not certain how they compare, but said the DMV reviews the results of the state's background check for disqualifying offenses.

REPRESENTATIVE ISAACSON noted that the statute under which the DMV submits the applicant's information is AS 12.62.160. He asked if that information is sent to the Alaska State Troopers.

MS. ERICKSON confirmed that the information is sent to the Department of Public Safety.

REPRESENTATIVE ISAACSON offered his understanding that much of the information that the [federal] criminal background check would cover may also be covered in a more expedited way by the Alaska State Troopers. He added that there are some gaps, but there is a lot of overlap.

VICE CHAIR KELLER said that is a question that would be left unsatisfactorily answered in order to move the proposed legislation. He indicated that he was comfortable with that, because there has been "no indication of a problem in this area."

[8:27:43 AM](#)

REPRESENTATIVE HUGHES asked Ms. Erickson to outline how the DMV would handle the electronic method proposed under CSSB 206(STA).

MS. ERICKSON answered that the DMV envisions that customers would be able to opt in [to electronic communication], and if they do not, the division would continue to send notices out by mail. She said under statute, everyone must update his/her address when it changes, and it is a good question as to whether the DMV should have the same requirement for those using e-mail addresses.

REPRESENTATIVE HUGHES said she thinks an update on e-mail addresses may be more important sometimes than an update on a physical address.

[8:28:40 AM](#)

VICE CHAIR KELLER noted that Chair Lynn had joined the meeting and had indicated to him he would like him to continue leading the discussion.

[8:28:51 AM](#)

REPRESENTATIVE GATTIS said from a customer standpoint, she would like to access all her vehicle information on line.

[8:29:50 AM](#)

REPRESENTATIVE ISAACSON commended the department for the offerings it has already put in place on line, and he emphasized how much time is saved by doing business with the DMV on line.

[8:30:31 AM](#)

MS. ERICKSON said the DMV is excited, because it has "borrowed a web master" from DOA to "spruce up our web site and make it even easier for customers."

[8:30:44 AM](#)

VICE CHAIR KELLER closed public testimony.

[8:31:00 AM](#)

REPRESENTATIVE GATTIS opined that CSSB 206(STA) is a clean-up bill that should have been passed years ago, and she expressed appreciation for "where DMV is going with this."

[8:31:20 AM](#)

REPRESENTATIVE GATTIS moved to report CSSB 206(STA) out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSSB 206(STA) was reported out of the House State Affairs Standing Committee.

[8:31:58 AM](#)

The committee took an at-ease from 8:32 a.m. to 8:36 a.m.

HB 356-ADVISORY COMMITTEE ON WELLNESS

[8:35:59 AM](#)

CHAIR LYNN announced that the next order of business was HOUSE BILL NO. 356, "An Act establishing the Advisory Committee on Wellness; and relating to the administration of state group health insurance policies."

[8:36:06 AM](#)

REPRESENTATIVE PAUL SEATON, Alaska State Legislature, as prime sponsor, presented HB 356. He stated that HB 356 would require the commissioner of the Department of Administration (DOA) to implement procedures for decreasing the incidence of disease in Alaska in order to hold the inflation of healthcare costs. He said the proposed legislation focuses on the prevention of the incidence of disease as opposed to the treatment of disease. It would create an Advisory Committee on Wellness, which would be charged with making recommendations to the commissioner. Representative Seaton relayed that HB 356 would enforce a paradigm shift for DOA, and it would require the agencies to implement policies in Alaska to keep State of Alaska employees and their independents healthy by preventing disease.

[8:37:15 AM](#)

REPRESENTATIVE SEATON offered a PowerPoint presentation, which he explained would outline a possible plan that would come from the [Advisory Committee on Wellness] to aid in lowering the amount of money paid out by the State of Alaska for health care. He referred to a graph at the beginning of the PowerPoint, which shows the \$3.8 billion unfunded liability in the Public Employees Retirement System (PERS) and Teachers Retirement System (TRS) directly related to the increase of health care cost beyond what was originally estimated in 2002. The original estimation was for a long-term escalation in health care costs of 2 percent, but now the escalation is between 4 and 6 percent. He showed the "Why are we here?" slide, which states that there are approximately 17,000 members, including dependents, in the active plan, and approximately 64,000 members in the retiree plan, with a total cost to the state of approximately \$600 million [spent in fiscal year 2013 (FY 13)]. He noted that \$1.6 million was [Medicaid] related expenditure [in FY 13]. He said these expenses are part of a contractual relationship.

REPRESENTATIVE SEATON directed attention to the "What Do Alaska's Health-Care Dollars Buy?" slide, which shows that [31.5] percent of those dollars go to hospital care and 28 percent to doctors and clinical services. He said finding ways to avoid visits to hospitals, doctors' offices, and clinics by

means of disease prevention would address the crux of the problem. Referring to information on the next slide, he relayed that currently insurance focuses on constraints to the healthcare providers, including limitations on coverage and limitations on compensation to doctors. He said the Department of Labor established rules to prevent accidents by setting limitations on the length of a working day and requirements for safe working conditions. Representative Seaton stated that the Department of Health and Social Services (DHSS) focuses on childhood vaccination, as well as voluntary lifestyle changes and prescription drug safety. The Department of Environmental Conservation (DEC) [and the Department of Natural Resources (DNR)] address food safety requirements, such as paralytic shellfish poisoning (PSP) testing, requirements for the pasteurization of milk, and restaurant and food processor inspections. The Department of Public Safety (DPS), he said, enforces laws addressing illegal drugs and smoking in close public places.

[8:40:13 AM](#)

REPRESENTATIVE SEATON turned to "The Question" slide, and he indicated that the question to ask is how to avoid diseases instead of just paying for sick care. He said the ensuing slides show ideas for what can be done in "one little category" and what the economic impact of that would be. The first slide he highlighted shows a list of [health] issues of active care members, and [x's] at the far right indicate which of the conditions could be prevented by taking vitamin D supplements. He said vitamin D deficiency is prevalent in Alaska. He showed the next slide, which is the same chart for retirees. He said 66 percent of the total diseases in the active work force are directly related to vitamin D status, while that number for retirees is 61 percent.

REPRESENTATIVE SEATON directed attention to the next slide, showing "Meta-analysis of breast cancer risk." He explained that the graph is set up in quintiles. It shows that those with higher risk for breast cancer are those with lower serum levels of vitamin D. He said the average vitamin D level for the U.S. population is 21 nanograms per milliliter (ng/ml), but the average for Alaskans is generally much lower, because vitamin D is made through exposure to sunshine on the skin, and during Alaska winters, the angle of the sun is so low, that all of the ultraviolet B is absorbed coming through the atmosphere. That means that for seven months of the year in Alaska, a person can be out in the sun and not make any vitamin D. He explained that

the graph shows that with a 50 percent reduction in breast cancer [through use of vitamin D] by active and retired employees and their dependents, the state could save \$3 million a year.

[8:43:14 AM](#)

REPRESENTATIVE SEATON directed attention to another meta-analysis graph showing the relation of vitamin D and colorectal cancer. He stated that breast cancer and colorectal cancer are two big cost drivers in Alaska. The graph shows a projected reduction in incidence with 34 ng/ml. He said currently the state has no policy to encourage people to [take vitamin D supplements] to lower the percentage who get colorectal cancer, but doing so could save the state approximately \$2 million annually.

REPRESENTATIVE SEATON directed attention to another slide showing results of a clinical trial related to type 2 diabetes. He said the slide shows that the average U.S. population has 8.5 people per 1,000 annually who will be diagnosed with type 2 diabetes. During the clinical trial, 2,200 people got their vitamin D levels up to 48 ng/ml, and the number of people per 1,000 diagnosed annually with type 2 diabetes dropped to [0.9]. He indicated that the cost to an individual to supplement vitamin D is about \$10 a year. Representative Seaton said this kind of action could save the state approximately \$4.3 million a year.

[8:45:42 AM](#)

REPRESENTATIVE SEATON turned next to a slide showing results of vitamin D supplementation on pre-term childbirth, which is a focus of the March of Dimes. He explained that pre-term birth not only has negative effects on health, but is also costly. He related that the March of Dimes has been conducting a program in South Carolina, wherein by raising the levels of vitamin D in participants, the number of pre-term births was reduced to 7 percent - 2 percent below the national goal for the March of Dimes for the year 2020. He said, "That's a 32 percent reduction in the number of pre-term births, and for every 25 pre-terms births avoided, that saves about \$1.3 million."

REPRESENTATIVE SEATON directed attention to a slide showing results from a Canadian study on the effects of vitamin D supplementation on the frequency of occurrence of upper respiratory tract infections in children. He indicated that a

comparison was made between those children who were given 30 ng/ml and those that were given 20 ng/ml, and he said, "There's a 70 percent reduction in upper respiratory tract infections, [such] as tuberculosis, pneumonia, bronchitis, influenza, and colds."

REPRESENTATIVE SEATON highlighted information on the next slide, which showed the effect of vitamin D supplementation on inflammatory gum disease. He said the study came out of India in 2013. It shows that with a placebo, there was no change in 90 days; with 2,000 IU of vitamin D, people's vitamin D levels were raised to about 50 ng/ml, and there was a reduction in inflammation of more than 80 percent. He stated that gum disease not only results in tooth loss, but when the body is not able to fight inflammation, the result can be a hardening of the arteries. He said that is why gum disease is also related to heart disease.

[8:48:00 AM](#)

REPRESENTATIVE SEATON indicated that the proposed legislation has one main purpose, outlined in Section 2, which read as follows:

***Sec.2.** AS 39.30.090(a) is amended by adding a new paragraph to read:

(13) To the greatest extent legally and reasonably practicable, the Department of Administration shall work to hold the escalation of health care costs to less than two percent annually by administering policies of group health insurance obtained under this subsection in a manner that is likely to reduce the incidence of disease in the state's population and that facilitates implementation of the recommendations of the Advisory Committee on Wellness established under AS 39.30.093.

REPRESENTATIVE SEATON said his goal in presenting HB 356 is to illustrate an example of what the state could be doing. He said he presumes the Committee on Wellness would look at this data and determine whether the State of Alaska could hold down the incidence of disease and save money. He said the State of Alaska is self-insured; therefore, "every dollar that we save is a savings to the State of Alaska." He continued as follows:

The bill that establishes this has a minimum of seven members. The Department of Administration selects

those members. When they had a voluntary advisory committee, which they do now, previously what they did was they had over 90 people to apply to be on it. This is a non-paid position. But people, members of our employment workforce, do want to save health care, do want to save the issues of health and the pain and suffering that comes to families.

REPRESENTATIVE SEATON said HB 356 uses the model of the citizen advisory committee used in relation to Alaska's Child in Need of Aid (CINA); the department would have to answer within six months if and how it would be implementing certain programs. He said the proposed legislation would give "more of a push" and "more authority" for the recommendations of the Advisory Committee on Wellness to be heard. It is all within DOA, and there are three positions. Members could participate in meetings telephonically, so travel would not be required.

REPRESENTATIVE SEATON opined that attempting to move the state forward in holding down the escalation of [health care] costs, thereby removing some of the state's unfunded liability in the retirement system is a good goal. He said some things that could cut down on health care costs, such as losing 30 or 40 pounds, are difficult to do; however, other things that the Advisory Committee on Wellness could consider are much easier to accomplish.

[Vice Chair Keller handed the gavel back to Chair Lynn.]

[8:51:42 AM](#)

REPRESENTATIVE KELLER commended Representative Seaton's focus on prevention and wellness. He explained that he had a problem with the intent language, beginning on page 1, line 9, through page 2, line 1. He said he would like to delete [paragraphs] (2), (3), and (4), which read as follows:

(2) the state has not adequately focused state policy on avoiding disease and maintaining good health in the state's population;

(3) the state relies on federal one-size-fits-all human health policy recommendations, creating federal overreach into the state's administration of health policy;

(4) the state's human health policies have not incorporated peer-reviewed scientific studies that illustrate health-related differences between the

population of the state and the populations of other states;

REPRESENTATIVE KELLER, regarding paragraph (2), said that may be true, but opined that it would be better to say that the state should focus more, because the state has focused on a state policy on avoiding disease and maintaining good health. Regarding [paragraph] (3), he suggested saying instead that the state relies "in part" on federal policy recommendations. As written, he said the language sounds like federal recommendations are the only thing on which the state's policy is based, which he said he does not believe is true. Regarding [paragraph] (4), he said he would argue that the state certainly has incorporated peer-reviewed studies, at least to some degree. He said he knows this, because he has reviewed the studies and has been involved in the process of making recommendations. He stated that he does not think it would take away from the intent of HB 356 to delete paragraphs (2), (3), and (4), in Section 1. He said he supports the proposed legislation, but would like to hear what the prime sponsor thinks about his recommendations for changes.

[8:56:09 AM](#)

REPRESENTATIVE ISAACSON recommended instead to leave paragraphs (2)-(4) in the proposed legislation, but to amend the language to reflect that: state policy should focus on avoiding disease and maintaining health, the state relies in part on federal recommendations, and the state's human health policies should always incorporate peer-reviewed studies. He emphasized his support of peer reviewed studies that are made transparent to the public and are opened for public comment. He clarified, "I wouldn't take those out; I would just make them affirmative."

[8:57:14 AM](#)

REPRESENTATIVE KELLER responded that he had considered that and would be open to it.

[8:57:34 AM](#)

REPRESENTATIVE SEATON said he fully agrees. He echoed Representative Isaacson's suggestion by recommending "should" replace "has not adequately", on line 9.

CHAIR LYNN suggested changing the language to "should focus more".

REPRESENTATIVE SEATON suggested the language could read "should focus state policy more on avoiding disease and maintaining good health". He said he thinks the intent of paragraph (4) was being misread, possibly because the language in paragraph (4) begins on one page and ends on the next: "differences between the population of the state and the populations of other states". He said he did not intend for the language to mean that "we" have not looked at peer-reviewed science. He suggested switching the order of the words to emphasize that the studies that have not been incorporated in the state's human health policies are those comparing states.

[8:59:10 AM](#)

REPRESENTATIVE KELLER asked the prime sponsor what he thought of Representative Isaacson's suggestion to strike "have not" and replace it with "should".

REPRESENTATIVE SEATON said that would be fine.

[8:59:29 AM](#)

REPRESENTATIVE KELLER said he would like the words "in part" to follow "relies", on page 1, line 11, because one-size-fits-all recommendations from the federal government are not the only thing on which the state relies.

[8:59:53 AM](#)

REPRESENTATIVE KELLER moved to adopt Conceptual Amendment 1, as follows:

Page 1, line 9, between "the state" and "state":

Delete "has not adequately focused"
Insert "should focus"

Page 1, line 9, between "policy" and "on":

Insert "more"

Page 1, line 11, between "relies" and "on":

Insert "in part"

Page 1, line 13, between "policies" and
"incorporated":

Delete "have not"
Insert "should"

9:01:38 AM

The committee took a brief at-ease at 9:02 a.m.

9:02:25 AM

REPRESENTATIVE KELLER [moved to adopt an amendment to Conceptual Amendment 1], so that the language on page 1, line 9, would read as follows: "the state policy should focus more on avoiding disease and". [There being no objection, the amendment to Conceptual Amendment 1 was treated as adopted.]

9:03:06 AM

CHAIR LYNN announced that there being no objection, Conceptual Amendment 1, [as amended], was adopted.

9:03:22 AM

REPRESENTATIVE ISAACSON imparted that he had begun a regimen of taking vitamin D, and has seen improvement in a former pre-diabetes diagnosis; he expressed his hope that the use of vitamin would further improve his test results. He said, "This is not a vitamin D commission, this is a wellness commission." He acknowledged that the prime sponsor had shown one way to improve the health of Alaskans through the use of vitamin D; many more methods exist, including exercising, cutting out certain substances, and moderating smoking and drinking. He asked Representative Seaton if his intent was to instigate an Advisory Committee on Wellness, in order to bring the national discussion on wellness to the administration.

9:04:20 AM

REPRESENTATIVE SEATON confirmed that was his intent exactly. He clarified that the proposed legislation would not take over the Health Care Commission, which is a broad, statewide entity that considers the entire population of the state. The committee proposed under HB 356 would focus on individuals with whom the State of Alaska has a contractual relationship as a provider of health insurance. He said the result could be not only a cost

savings to the state, but also a relief from pain and suffering by many. He reiterated that the vitamin D aspect was one of many the Advisory Committee on Wellness might consider.

[9:06:19 AM](#)

REPRESENTATIVE KELLER said a positive approach is a good one, and he does not know anyone who is against vitamin D or wellness.

[9:06:48 AM](#)

REPRESENTATIVE KELLER moved to report HB 356, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 356(STA) was reported out of the House State Affairs Standing Committee.

[9:07:32 AM](#)

The committee took an at-ease from 9:07 a.m. to 9:08 a.m.

[9:08:29 AM](#)

SJR 26-PLEDGE OF ALLEGIANCE

[9:08:32 AM](#)

CHAIR LYNN announced that the final order of business was SENATE JOINT RESOLUTION NO. 26, Recognizing June 14, 2014, as the 60th anniversary of the first recital of the United States Pledge of Allegiance with the words "under God."

[9:08:51 AM](#)

RYNNIEVA MOSS, Staff, Senator John Coghill, Alaska State Legislature, presented SJR 26 on behalf of Senator Coghill, prime sponsor. She said earlier in 2014, 30 other states passed resolutions that recognized February 10 as the sixtieth anniversary of the introduction of House Joint Resolution 243, which added the words "under God" to the Pledge of Allegiance. Under SJR 26, Alaska would recognize June 14, 2014, as the sixtieth anniversary of the first recital of the Pledge of Allegiance. She noted that June 14 is Flag Day in the United States.

MS. MOSS relayed that the original Pledge of Allegiance was written in 1892 by Francis Bellamy, a minister, whom she said

"used the pledge as a symbol to all nations to pledge allegiance to their flags as individual countries." She said by 1923, the U.S. had been through World War I, and "they wanted to make the pledge more near and dear to Americans," so the American Legion and the Daughters of the American Revolution had the Pledge of Allegiance changed to include "one nation."

MS. MOSS stated that in 1954, President Dwight D. Eisenhower attended a church where he heard Reverend George M. Docherty give a sermon about the pledge, during which the reverend pointed to Lincoln's repeated use of the phrase "under God," in the Gettysburg Address. She said Reverend Docherty was "pressing to see what was missing in this country during a time when ... 8 million people had already been killed under Communism." She referred to the penultimate sentence of the sermon, which read as follows [original punctuation provided]:

In this land, there is "neither Jew nor Greek, neither bond nor free, neither male nor female", for we are one nation indivisible under God, and humbly as God has given us the light we seek liberty and justice for all.

MS. MOSS said the sermon inspired President Eisenhower to meet with Senator Homer S. Ferguson and Representative Charles G. Oakman, who introduced resolutions to the Senate and House, respectively, proposing to add "under God" to the Pledge of Allegiance.

[9:12:23 AM](#)

MS. MOSS indicated that the history of the Pledge of Allegiance does not give "the human touch to reciting the pledge." She continued as follows:

Recognizing the history of the pledge reminds us that it has a deep, independent meaning for each and every one of us. It's not a mundane verse that we have memorized because we've recited it every day in school. It reminds us that we live in a country that doesn't persecute us, because we pledged to preserve the God-given, inherent rights this country was founded in. It reminds us that we are a government of 50 individual states who are united as a nation of free people. It reminds us that this flag, Old Glory, has [been] carried through battlefields, and blood has been shed by millions to protect the freedom that we

have to speak our minds and disagree with each other, without the threat of retaliation. It reminds us that people from all over the world come to our country at a risk to live the American dream.

When I stand in the gallery at the Senate Chambers and recite the Pledge of Allegiance, with a room full of citizens and the Senators, what I hear is group of Americans, united, ... indivisible in preserving this Republic and the God-given rights our Forefathers strived to preserve. This resolution is yet one reminder that we are Americans united as one nation, under God.

MS. MOSS said the words, "under God," were added on June 14, 1954, during the Cold War, as a way to distinguish the United States from communism. On that day, President Eisenhower signed the change into law and declared, "From this day forward, the millions of our school children will daily proclaim, in every city and town, every village and rural school house, the dedication of our nation and our people to the Almighty. To anyone who truly loves America, nothing could be more inspiring than to contemplate this rededication of our youth on each school morning to our country's true meaning."

MS. MOSS imparted that as a teenager in the 1960s, she heard a comment made by comedian Red Skelton, regarding the addition of the words "under God" to the Pledge of Allegiance. [The words, as follows, are from the committee handout, original punctuation provided]:

Since I was a small boy, two states have been added to our country and two words have been added to the Pledge of Allegiance; "under God". Wouldn't it be a pity if someone said that is a prayer and be eliminated from school.

MS. MOSS said currently there is a court case challenging the use of "under God" as a prayer. She said the court decision will be made "any day." She said the proposed resolution is being used by states all across the country "to preserve history so that courts can't change history."

[9:15:53 AM](#)

CHAIR LYNN stated that the Pledge of Allegiance and the invocation [given on the House floor] are the most comforting

parts of his day. He talked about being reminded of "why we are here." He opined, "The whole process is all messed up, but it's the best in the world; the best we'll ever have." He stated support for SJR 26. He mention the former way of pledging allegiance by holding one hand up and forward, followed by the current method of holding the hand over the heart [depicted in the committee packet].

[9:17:23 AM](#)

REPRESENTATIVE ISAACSON expressed thanks for the booklet that includes all the information of the committee packet, and he questioned whether it could be made available to those who would like a copy. He indicated that some of the history might be found on line under procon.org. He mentioned the recent lawsuits against including "under God" in the Pledge of Allegiance. He said he appreciated remarks by President Ronald Reagan encouraging every Native born United States citizen to attend an immigration ceremony or speak to those immigrants who have become a citizen by choice, because doing so would renew the country's desire to preserve peace for another 200 years. Representative Isaacson said he has had the opportunity to witness the moment when people have abandoned one citizenship to become a citizen of the U.S. He said doing so may seem crazy to most, but some are seeking a better life and see the U.S. as a better place. He said it has helped him question why he should ever become complacent about his own citizenship. He opined that the proposed legislation helps people remember the importance of the Pledge of Allegiance as a means of remembering those who have given their lives to protect the U.S.

[9:20:20 AM](#)

CHAIR LYNN acknowledged Representative Isaacson's statement. He said his second child married a woman from China, and it took her five years to get her citizenship, and he said he was honored to be present at her citizenship ceremony, which he described as "uplifting."

[9:21:07 AM](#)

REPRESENTATIVE KELLER said yesterday he gave the invocation on the House floor. He expressed his appreciation to the bill sponsor for bringing SJR 26 forward. He stated that the concept of "under God" goes back to the country's beginning. He said the Declaration of Independence refers to people being created equal, a creator endowing us with individual rights, and a

supreme judge of the world. He said the signers of the Declaration of Independence were at risk for becoming criminals, but firmly relied on divine providence. He explained that he wanted the record to reflect that reference to God was part of the foundation of the U.S. and "is consistent throughout."

[9:22:52 AM](#)

CHAIR LYNN directed attention to a "whereas" clause on page 2, lines 15-16, which read as follows:

WHEREAS it is the policy of the legislature to recognize and honor important dates that strengthen the ties of history and bind us to our Christian heritage;

CHAIR LYNN said he would like to see "Christian" changed to "Judeo-Christian", because the Bible is split into the Old Testament, which is Jewish, and the New Testament, which is Christian. He asked if the prime sponsor would object to that change.

[9:23:56 AM](#)

MS. MOSS offered her understanding that the prime sponsor would strongly oppose such an amendment, because he feels strongly that the United States was established under Christian principles and, thus, the language should reflect that.

CHAIR LYNN asked for comments from the committee.

[9:24:21 AM](#)

REPRESENTATIVE KELLER stated that he would like to "honor the perspective of the sponsor."

[9:24:34 AM](#)

REPRESENTATIVE ISAACSON said he appreciates the comment from Chair Lynn about including Judaism. He continued as follows:

Definitely, the heritage of Christianity flows from the ... similar belief of the one true God, almighty God, creator of heaven and earth, which was affirmed in Jewish tradition. But it was even before the Jews, Adam had that personal relationship, so you could say

it's a biblical faith, of which Christianity is definitely the proud banner carrier of that ... faith.

REPRESENTATIVE ISAACSON opined that honoring the wishes of the prime sponsor would still incorporate the rich heritage that Chair Lynn mentioned.

[9:25:29 AM](#)

REPRESENTATIVE HUGHES said, "To me, Judeo-Christian encompasses Christian, as well." She asked if there had been a conversation with the prime sponsor, in which he had specifically said he did not want to use the term.

MS. MOSS answered that there had been several discussions to broadening the language, even to include Muslim. She said, "He feels very strongly that ... he doesn't want this to be the slippery slope; he wants it to be a Christian heritage."

[9:26:13 AM](#)

REPRESENTATIVE KELLER stated that the government, with its checks and balances reflects the Christian heritage more than Judaism. He referred to a famous painting of the signers of the Declaration of Independence, and said, "No doubt, it was a group of Christian folks that were there." He stated that the influence of Christianity on the government system is "profound and deep." He reiterated that he concurs with keeping the language in the proposed joint resolution as is.

[9:27:07 AM](#)

CHAIR LYNN responded, "Of course, we're not talking about the people who landed here; we're talking about the heritage."

[9:27:30 AM](#)

REPRESENTATIVE GATTIS stated that while she can appreciate the conversation, her concern is that "we'll get into something that is not what the bill sponsor really wanted to celebrate in these 60 years."

[9:28:14 AM](#)

CHAIR LYNN restated his preference for the use of "Judeo-Christian," but acknowledged that he was outnumbered; therefore, he said would not offer an amendment.

MS. MOSS said she would pass that information on to the prime sponsor.

[9:28:45 AM](#)

REPRESENTATIVE KELLER moved to report SJR 26 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, SJR 26 was reported out of the House State Affairs Standing Committee.

[9:29:30 AM](#)

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 9:29 a.m.