

**ALASKA STATE LEGISLATURE**  
**SENATE LABOR AND COMMERCE STANDING COMMITTEE**

April 16, 2014

7:04 a.m.

**MEMBERS PRESENT**

Senator Mike Dunleavy, Chair  
Senator Peter Micciche, Vice Chair  
Senator Donald Olson

**MEMBERS ABSENT**

Senator Bert Stedman  
Senator Johnny Ellis

**COMMITTEE CALENDAR**

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 281(L&C)

"An Act relating to prescription of drugs by a physician without a physical examination."

- MOVED CSHB 281(L&C) OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 309(L&C)

"An Act relating to distillery licenses."

- MOVED CSHB 309(L&C) OUT OF COMMITTEE

HOUSE BILL NO. 357

"An Act relating to the purchase of alcoholic beverages at a club and to access by certain persons under 21 years of age to a club's licensed premises when alcoholic beverages are present."

- MOVED HB 357 OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 169(L&C)

"An Act relating to the authority of the Regulatory Commission of Alaska to regulate the production and distribution of telephone directories."

- MOVED CSHB 169(L&C) OUT OF COMMITTEE

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 8

"An Act establishing procedures and guidelines for auditing pharmacy records; and providing for an effective date."

- BILL HEARING CANCELED

**PREVIOUS COMMITTEE ACTION**

BILL: HB 281

SHORT TITLE: PRESCRIPTION WITHOUT PHYSICAL EXAMINATION

SPONSOR(S): REPRESENTATIVE(S) GATTIS

01/27/14	(H)	READ THE FIRST TIME - REFERRALS
01/27/14	(H)	HSS, L&C
02/13/14	(H)	HSS AT 3:00 PM CAPITOL 106
02/13/14	(H)	Heard & Held
02/13/14	(H)	MINUTE(HSS)
02/27/14	(H)	HSS AT 3:00 PM CAPITOL 106
02/27/14	(H)	Moved CSHB 281(HSS) Out of Committee
02/27/14	(H)	MINUTE(HSS)
02/28/14	(H)	HSS RPT CS(HSS) 4DP
02/28/14	(H)	DP: SEATON, PRUITT, KELLER, HIGGINS
03/17/14	(H)	L&C AT 3:15 PM BARNES 124
03/17/14	(H)	Heard & Held
03/17/14	(H)	MINUTE(L&C)
03/26/14	(H)	L&C AT 3:15 PM BARNES 124
03/26/14	(H)	Heard & Held
03/26/14	(H)	MINUTE(L&C)
03/28/14	(H)	L&C AT 3:15 PM BARNES 124
03/28/14	(H)	Moved CSHB 281(L&C) Out of Committee
03/28/14	(H)	MINUTE(L&C)
03/31/14	(H)	L&C RPT CS(L&C) 2DP 4NR
03/31/14	(H)	DP: CHENAULT, OLSON
03/31/14	(H)	NR: HERRON, JOHNSON, SADDLER, JOSEPHSON
04/07/14	(H)	TRANSMITTED TO (S)
04/07/14	(H)	VERSION: CSHB 281(L&C)
04/08/14	(S)	READ THE FIRST TIME - REFERRALS
04/08/14	(S)	HSS, L&C
04/11/14	(S)	HSS AT 1:30 PM BUTROVICH 205
04/11/14	(S)	-- MEETING CANCELED --
04/14/14	(S)	HSS AT 1:30 PM BUTROVICH 205
04/14/14	(S)	Moved CSHB 281(L&C) Out of Committee
04/14/14	(S)	MINUTE(HSS)
04/15/14	(S)	HSS RPT 1DP 3NR
04/15/14	(S)	DP: KELLY
04/15/14	(S)	NR: STEDMAN, MICCICHE, ELLIS
04/16/14	(S)	L&C AT 7:00 AM BELTZ 105 (TSBldg)

BILL: HB 309

SHORT TITLE: DISTILLERY LICENSES  
SPONSOR(s): REPRESENTATIVE(s) TUCK

02/17/14 (H) READ THE FIRST TIME - REFERRALS  
02/17/14 (H) L&C  
04/02/14 (H) L&C AT 3:15 PM BARNES 124  
04/02/14 (H) Moved CSHB 309(L&C) Out of Committee  
04/02/14 (H) MINUTE(L&C)  
04/03/14 (H) L&C RPT CS(L&C) NT 3DP 4NR  
04/03/14 (H) DP: MILLETT, JOSEPHSON, OLSON  
04/03/14 (H) NR: CHENAULT, HERRON, REINBOLD, SADDLER  
04/11/14 (H) TRANSMITTED TO (S)  
04/11/14 (H) VERSION: CSHB 309(L&C)  
04/11/14 (S) READ THE FIRST TIME - REFERRALS  
04/11/14 (S) L&C  
04/16/14 (S) L&C AT 7:00 AM BELTZ 105 (TSBldg)

BILL: HB 357

SHORT TITLE: ACCESS TO LICENSED PREMISES  
SPONSOR(s): REPRESENTATIVE(s) SADDLER

02/26/14 (H) READ THE FIRST TIME - REFERRALS  
02/26/14 (H) L&C  
04/07/14 (H) L&C AT 3:15 PM BARNES 124  
04/07/14 (H) Moved Out of Committee  
04/07/14 (H) MINUTE(L&C)  
04/08/14 (H) L&C RPT 4DP 1NR  
04/08/14 (H) DP: CHENAULT, JOSEPHSON, SADDLER, OLSON  
04/08/14 (H) NR: REINBOLD  
04/11/14 (H) TRANSMITTED TO (S)  
04/11/14 (H) VERSION: HB 357  
04/11/14 (S) READ THE FIRST TIME - REFERRALS  
04/11/14 (S) L&C  
04/16/14 (S) L&C AT 7:00 AM BELTZ 105 (TSBldg)

BILL: HB 169

SHORT TITLE: RCA REGULATION OF TELEPHONE DIRECTORIES  
SPONSOR(s): REPRESENTATIVE(s) OLSON

03/15/13 (H) READ THE FIRST TIME - REFERRALS  
03/15/13 (H) L&C  
04/05/13 (H) L&C AT 3:15 PM BARNES 124  
04/05/13 (H) <Bill Hearing Canceled>  
04/06/13 (H) L&C AT 3:15 PM BARNES 124  
04/06/13 (H) Moved CSHB 169(L&C) Out of Committee  
04/06/13 (H) MINUTE(L&C)  
04/08/13 (H) L&C RPT CS(L&C) 6DP

04/08/13 (H) DP: HERRON, CHENAULT, REINBOLD,  
JOSEPHSON, SADDLER, OLSON  
04/03/14 (H) TRANSMITTED TO (S)  
04/03/14 (H) VERSION: CSHB 169(L&C)  
04/04/14 (S) READ THE FIRST TIME - REFERRALS  
04/04/14 (S) L&C  
04/16/14 (S) L&C AT 7:00 AM BELTZ 105 (TSBldg)

**WITNESS REGISTER**

REPRESENTATIVE LYNN GATTIS  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of HB 281.

REID HARRIS, Staff  
Representative Lynn Gattis  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided information related to HB 281 on behalf of the sponsor.

LAURA BROOKS, Health Care Administrator  
Department of Corrections (DOC)  
Anchorage, Alaska

**POSITION STATEMENT:** Answered questions related to HB 281.

SARA CHAMBERS, Director  
Division Corporations, Business and Professional Licensing  
Department of Commerce, Community and Economic Development  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions related to HB 281.

REPRESENTATIVE CHRIS TUCK  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of HB 309.

HEATHER SHADE, Co-owner  
Port Chilkoot Distillery  
Haines, Alaska

**POSITION STATEMENT:** Testified in support of HB 309.

DALE FOX, President and CEO  
Alaska Cabaret, Hotel, Restaurant and Retailer's Association  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 309.

SHIRLEY COTÉ, Director  
Alcoholic Beverage Control Board (ABC)  
Department of Commerce, Community and Economic Development  
(DCCED)

**POSITION STATEMENT:** Answered questions related to HB 309 and HB 357.

REPRESENTATIVE DAN SADDLER  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of HB 357.

ANNA LATHAM, Staff  
Representative Kurt Olson  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Introduced HB 169 on behalf of the sponsor.

TED MONINSKI  
Alaska Communication Systems  
Anchorage, Alaska

**POSITION STATEMENT:** Thanked the sponsor for introducing HB 169.

#### **ACTION NARRATIVE**

**CHAIR MIKE DUNLEAVY** called the Senate Labor and Commerce Standing Committee meeting to order at 7:04 a.m. Present at the call to order were Senators Micciche, Olson and Chair Dunleavy.

#### **HB 281-PRESCRIPTION WITHOUT PHYSICAL EXAMINATION**

[7:05:21 AM](#)

CHAIR DUNLEAVY announced the consideration of HB 281. "An Act relating to prescription of drugs by a physician without a physical examination." He noted that this was the first hearing. [CSHB 281(L&C) was before the committee.]

[7:05:39 AM](#)

REPRESENTATIVE LYNN GATTIS, Alaska State Legislature Juneau, Alaska, speaking as sponsor stated that HB 281 is essentially Section 2 of Senator Dyson's SB 80, which this committee heard previously. HB 281 clarifies in statute that physicians may not be sanctioned for dispensing or administering prescription

medications without a physical examination of the patient if the prescription drug is not a controlled substance, or if it is a controlled substance that a licensed medical provider is present with the patient during the examination. This practice, which is called telemedicine, will allow patients to obtain over the phone or online consultations from physicians that are located in Alaska who can diagnose an ailment and provide a prescription, if necessary. Telemedicine has worked well in Alaska for the Alaska Native Tribal Health Consortium, the Veterans' Administration, and the military. It would work well for anyone in the state.

[7:07:34 AM](#)

SENATOR OLSON asked if the Alaska State Medical Association (ASMA) had voiced an opinion on the bill.

[7:07:49 AM](#)

REID HARRIS, Staff, Representative Lynn Gattis, sponsor of HB 281, reported that ASMA supports the bill.

SENATOR OLSON asked if the sponsor had solicited support from the chief medical officers in departments such as the Department of Health and Social Services (DHSS) and the Department of Corrections (DOC).

REPRESENTATIVE GATTIS said yes, and that is why the bill provides an exemption for controlled substances.

SENATOR OLSON asked if mid-level practitioners have a position on the bill.

MR. HARRIS said a number of nurses have submitted comments, but the bill deals strictly with physicians.

[7:09:47 AM](#)

LAURA BROOKS, Health Care Administrator, Department of Corrections (DOC), said she oversees inmate health care and appreciates the sponsor's efforts to ensure that the bill allows DOC to continue to practice as it has been. The changes that were made in the other body allow this.

SENATOR OLSON asked if the bill allows something that wasn't allowed before or if it simply adds clarity to existing guidelines and regulations.

MS. BROOKS replied the bill doesn't change anything about DOC's practice, but initially it didn't allow prescriptions for

controlled substances. That was cause for concern because thousands of people enter the corrections system every year that require the prescription of controlled substances. The amendments made in the House allow the department to continue to prescribe controlled substances to these high needs, at-risk individuals without sending them to the local hospital or having to have a provider on site 24/7 in every facility in the state.

SENATOR OLSON asked if Dr. Lawrence is in favor of the bill.

MS. BROOKS answered yes.

CHAIR DUNLEAVY opened and closed public testimony.

[7:12:37 AM](#)

SENATOR MICCICHE said his office addressed questions nurses had about physicians being located out of state, confidentiality, post op care, and whether the bill was limited to physicians. Those nurses are satisfied with the bill and he personally supports it.

SENATOR OLSON asked Ms. Chambers how to ensure that these physicians aren't adversely affected by inordinate investigations.

[7:13:36 AM](#)

SARA CHAMBERS, Director, Division Corporations, Business and Professional Licensing, Department of Commerce, Community and Economic Development (DCCED), said her understanding is that the Medical Board doesn't support the bill solely because they believe that a physician-to-physician relationship is in the best interest of the health care priorities of the state. Her perspective is that telemedicine would be regulated fairly and according to the same investigative boundaries as any medical practice.

SENATOR OLSON expressed hope that she was aware that physician-to-physician interaction is not a reality in rural Alaska because health care is delivered by mid-level practitioners.

SENATOR MICCICHE related his personal experience using Teladoc services for relatively minor conditions, and opined that it may add levels of care for people who tend to wait until their condition gets more serious. He asked Senator Olson if his constituents generally have the federal waiver.

SENATOR OLSON confirmed that they're covered under federal tort.

SENATOR MICCICHE restated his support for the bill as a means of reducing the cost of low-impact medical care.

CHAIR DUNLEAVY found no further questions or comments and solicited a motion.

[7:18:49 AM](#)

SENATOR MICCICHE moved to report HB 281, Version N, from committee with individual recommendations and attached fiscal note(s).

CHAIR DUNLEAVY announced that without objection CSHB 281(L&C) was reported from the Senate Labor & Commerce Standing Committee.

[7:19:04 AM](#)

At Ease

### **HB 309-DISTILLERY LICENSES**

[7:20:07 AM](#)

CHAIR DUNLEAVY reconvened the meeting and announced the consideration of HB 309. "An Act relating to distillery licenses." He noted that this was the first hearing. [CSHB 309(L&C) was before the committee.]

[7:20:29 AM](#)

REPRESENTATIVE CHRIS TUCK, Alaska State Legislature, Juneau, Alaska, sponsor of HB 309, introduced the legislation speaking to the following sponsor statement:

The purpose of HB 309 is to modernize the distillery laws in Alaska, which are outdated and fail to address the new trend in craft beverage production. This legislation brings Alaska's small distillers on par with local wine and beer makers by allowing for tastings, sales of small amounts for on premise consumption, and limited direct sales for off premise consumption. The ability to retail in-house allows a distillery to subsidize a visitor-friendly gift shop or hospitality room and increases the marketability of tours. This will help promote Alaskan-made products and enable this new local industry to compete with imported goods.

Alaska's small distilleries are attempting to enter a market and compete in a field that, since Prohibition ended, has been dominated by large manufacturing companies that have the economic benefit of extremely large-scale production. Allowing distilleries to cater to tourists helps offset the substantial competitive disadvantage that our local distillers have when competing with out-of-state distillers.

Small distilleries in Alaska purchase local agricultural products, create jobs, support their local economies, create export products for Alaska, and have the potential to significantly contribute to the tourism industry in Alaska.

Locally distilled spirits are part of an exciting growth in artisanal, small scale, domestic manufacturing. The current restrictions prevent the businesses producing these products from reaching their full potential in the state's tourism industry and to position themselves to compete on a national and global level.

The changes are on par with what breweries have done to promote regionally-based micro-breweries. Small-scale spirits producers need similar changes to allow them to innovate, create Alaskan-based manufacturing jobs, support Alaskan agriculture, support tourism through visitor centers and tasting rooms, and compete effectively in the marketplace with reasonably-priced handcrafted spirits.

REPRESENTATIVE TUCK stated that HB 309 will allow the public to purchase up to one gallon of the product for consumption off premises and not more than three ounces for consumption on premises. The public will also be able to sample small portions of the product free of charge while in the facility. He noted that the House Labor and Commerce Committee amended the bill to require servers to take an alcohol server education course and establishments to post the necessary warning signs. The bill has wide support throughout the state and has the potential to stimulate the economy.

SENATOR OLSON asked how the legislation would affect Alaskans, particularly in rural areas, who are vulnerable to alcohol abuse and whether he'd heard from that population.

REPRESENTATIVE TUCK stated that the local option laws regarding the sale, importation, and possession of alcohol still apply. The ABC Board issues the specific license types and local review is conducted before any business can operate.

SENATOR OLSON asked what affect the legislation would have on damp and dry communities.

REPRESENTATIVE TUCK suggested that Shirley Coté with the ABC Board be added to the discussion.

[7:24:26 AM](#)

CHAIR DUNLEAVY said his understanding is that this is a tourism bill.

REPRESENTATIVE TUCK agreed and added that there are five distilleries throughout the state from Fairbanks to the Kenai Peninsula to the small community of Haines in Southeast.

CHAIR DUNLEAVY asked how the bill addresses people who sample the product daily and to excess.

REPRESENTATIVE TUCK directed attention to the restrictions in paragraphs (1), (2), and (3) on page 2, lines 1-7. These provisions establish that the distillery cannot reflect a drinking establishment. Responding to a further question about safeguarding against over consumption, he opined that the distillers probably wouldn't give multiple free samples to the same person because it wouldn't benefit their business.

SENATOR MICCICHE recapped what the bill allows.

REPRESENTATIVE TUCK noted that distilleries are able to sell proportionally less than wineries and breweries.

[7:27:28 AM](#)

HEATHER SHADE, Co-owner, Port Chilkoot Distillery, Haines, Alaska, testified in support of HB 309. She stated that her small distillery creates a specialty product that is specifically marketed to tourists, but the current laws hinder potential growth. HB 309 updates the laws so that distilleries can participate in the tourism industry just as breweries and wineries do. She reported that the community of Haines supports the legislation which will create jobs and add to the economy.

[7:28:42 AM](#)

DALE FOX, President and CEO, CHARR, Anchorage, Alaska, testified that the Alaska CHARR Government Affairs Committee unanimously endorsed HB 309. It gives distilleries the same rights to sell small quantities of alcohol as was previously given to breweries and wineries in Alaska. He concluded that the bill is fair and uncontroversial and it helps a new Alaska industry.

[7:29:38 AM](#)

SHIRLEY COTÉ, Director, Alcoholic Beverage Control (ABC) Board, Department of Commerce, Community and Economic Development (DCCED), introduced herself and offered to answer questions.

SENATOR MICCICHE asked how the bill would affect wet and damp communities.

MS. COTÉ replied the importation of alcohol laws would pertain to this new distillery license as well.

SENATOR MICCICHE asked if the restrictions under AS 04.16.030 would apply to distilleries.

MS. COTÉ answered yes and the bill also requires the alcohol server education course. It teaches the characteristics of an intoxicated person and how to ensure that underage people are not gaining access to alcohol.

[7:31:47 AM](#)

KATHLEEN STRAUSBAUGH, Drafting Attorney, Legislative Legal Services, Legislative Affairs Agency, Juneau, Alaska, offered to answer questions.

CHAIR DUNLEAVY opened and closed public testimony. Finding no further questions or comments, he solicited a motion.

[7:32:18 AM](#)

SENATOR MICCICHE moved to report HB 309, Version R, from committee with individual recommendations and attached fiscal note(s).

CHAIR DUNLEAVY announced that without objection CSHB 309(L&C) was reported from the Senate Labor & Commerce Standing Committee.

[7:32:40 AM](#)

At Ease

**HB 357-ACCESS TO LICENSED PREMISES**

[7:32:47 AM](#)

CHAIR DUNLEAVY reconvened the meeting and announced the consideration of HB 357. "An Act relating to the purchase of alcoholic beverages at a club and to access by certain persons under 21 years of age to a club's licensed premises when alcoholic beverages are present." He noted that this was the first hearing.

[7:33:49 AM](#)

REPRESENTATIVE DAN SADDLER, Alaska State Legislature Juneau, Alaska, sponsor of HB 357 stated that this legislation is not a bill to allow anybody under the age of 21 to drink alcohol legally. He continued to introduce the legislation paraphrasing the following sponsor statement:

House Bill 357 is an effort to support the young men and women serving in the armed services in Alaska, by clarifying language to make it easier for them to enjoy companionship in the clubhouses of service and patriotic organizations.

Young soldiers, airmen, sailors, marines and coast guard personnel stationed in Alaska face special challenges. Separation from loved ones, the rigors of barracks life and the monotony of three mess hall meals a day can take their toll on morale. Patriotic clubs - such as those operated by the American Legion, Veterans of Foreign Wars, Disabled American Veterans and others - are places to relax with buddies and enjoy the special understanding and support from others who have "been there" and understand the rigors of military life.

The Legislature recognized this value, and in 2006 passed SB 209 to allow these young men and women access to such clubs using their military ID cards. However, some language remains in statute that creates confusion as to when such access is permitted. HB 357 will eliminate that confusion by making it clear that such access is not limited solely to special events.

It is important to note that HB 357 makes no change in law that would allow service members under the age of 21 to purchase or consume alcohol in service clubs.

Your support of HB 357 will be a clear demonstration that Alaska understands and works to address the special needs of those who defend our freedom.

REPRESENTATIVE SADDLER pointed out that Section 1 of the bill removes the provision that limits access to special occasions and also allows access to accompanying spouses. Section 2 allows persons under age 21 to enter licensed premises if they are members or guests of a member of the patriotic club. Military commanders sometimes use patriotic clubs for off-base commander calls and excluding soldiers who are under 21 would potentially erode unit cohesion and diminish morale in a small unit. Section 3 is conforming language to allow the club admission granted in Section 2. He concluded that the bill does not grant underage drinking, it clarifies that soldiers over 21 and their spouses do not have to wait for a special occasion to enter a licensed patriotic club and that soldiers under age 21 can visit a patriotic club if they are members or guests.

[7:36:21 AM](#)

SHIRLEY COTÉ, Director, Alcoholic Beverage Control Board (ABC), said she was available to answer questions.

CHAIR DUNLEAVY asked if she had any thoughts on HB 357.

MS. COTÉ answered no.

SENATOR MICCICHE referenced Section 3 and asked if she sees situations when this legislation could cause confusion for servers trying to determine ages.

MS. COTÉ said she believes there is a risk.

SENATOR MICCICHE asked for suggested solutions.

MS. COTÉ replied the board has a compliance check program but amendments several years ago to AS 04.06.110 made it more difficult to get into clubs than the typical beverage dispensary or retail store or restaurant. She reiterated that she has some concern with the legislation.

SENATOR OLSON asked if the risk is great enough that she is not in favor of the bill.

MS. COTÉ said she's a state employee so she's trying to remain as neutral as possible on the bill.

SENATOR OLSON asked, "If you had a son that was less than 21 years old, would you like to see this bill go through, from a personal standpoint?"

MS. COTÉ replied she doesn't analyze bills from a personal standpoint.

SENATOR MICCICHE asked if the bill could be amended to bring more comfort.

MS. COTÉ said she has no doubt about the sponsor's commitment to keep under age people from having access to alcohol and she understands the motivation to allow access to all military personnel. However, there is concern because it's comparatively difficult for the ABC compliance officers to gain access to these clubs to check whether or not underage persons have access to alcohol.

CHAIR DUNLEAVY opened and closed public testimony.

[7:42:14 AM](#)

At Ease

[7:42:54 AM](#)

CHAIR DUNLEAVY reconvened the meeting and asked if there were additional questions or comments.

SENATOR MICCICHE asked the sponsor what he would suggest to allow access to the ABC Board to ensure that under age people aren't drinking alcohol.

REPRESENTATIVE SADDLER pointed out that state law already has provisions to allow access to licensed premises to persons between the ages of 16 and 21 if they are accompanied by an adult guardian and are not in the section of the premises that serves alcohol. Second, ABC enforcement officers have been offered access to patriotic clubs for enforcement activities with the knowledge of the club managers. Third, this legislation extends access to a very small subset of under age 21 people. Finally, the ABC director has not opposed the bill.

SENATOR MICCICHE asked the sponsor to discuss the requirement to possess a valid active duty military identification card to gain access to these clubs.

REPRESENTATIVE SADDLER restated that a provision in current state law says that a person under age 21 who possesses a valid

active duty military identification card is eligible for access to a patriotic club as long as the person doesn't drink and is not in the section where the alcohol is being served.

SENATOR MICCICHE commented on the tendency with veteran bills to be overly patriotic at the expense of close scrutiny for potential issues.

REPRESENTATIVE SADDLER noted that earlier testimony indicated that there aren't many violations at VFW clubs.

[7:46:29 AM](#)

SENATOR MICCICHE asked Ms. Coté to discuss compliance levels at patriotic clubs.

MS. COTÉ confirmed there is not a preponderance of violations at VFW clubs.

CHAIR DUNLEAVY found no further questions or comments and solicited a motion.

[7:46:56 AM](#)

SENATOR MICCICHE moved to report HB 357, Version A, from committee with individual recommendations and attached fiscal note(s).

CHAIR DUNLEAVY announced that without objection HB 357 was reported from the Senate Labor and Commerce Standing Committee.

[7:47:12 AM](#)

At Ease

### **HB 169-RCA REGULATION OF TELEPHONE DIRECTORIES**

[7:47:55 AM](#)

CHAIR DUNLEAVY reconvened the meeting and announced the consideration of HB 169. "An Act relating to the authority of the Regulatory Commission of Alaska to regulate the production and distribution of telephone directories." He noted that this was the first hearing on the bill. [CSHB 169(L&C) was before the committee.]

[7:48:07 AM](#)

ANNA LATHAM, Staff, Representative Kurt Olson, Alaska State Legislature, Juneau, Alaska, stated that HB 169 would eliminate the regulation and production of telephone directories by the Regulatory Commission of Alaska (RCA). Currently, the Alaska

Administrative Code (AAC) requires the RCA oversight on the production and distribution of white page directories, but not yellow page directories. At one time white page directories were very useful, but people now create their own directories in the address book on their cell phone and other mobile devices and no longer rely on printed directories. According to the National Center for Health Statistics, one in four households in 2009 relied completely on cell service. Consumers have also expressed strong opinions about automatically receiving printed directories and often return or throw them away. In an effort to modernize Alaska's regulatory requirements, HB 169 allows telecommunication providers to directly meet the wants and needs of their customers. She highlighted that the RCA has already approved an interim program in Anchorage, Fairbanks and Kenai allowing customers to opt out of receiving a directory.

CHAIR DUNLEAVY observed that people who want the book delivered to their house still have that option.

MS. LATHAM agreed.

CHAIR DUNLEAVY opened public testimony.

[7:50:29 AM](#)

TED MONINSKI, Alaska Communication Systems, thanked the sponsor for bringing HB 169 forward.

CHAIR DUNLEAVY closed public testimony and solicited a motion.

[7:50:54 AM](#)

SENATOR MICCICHE moved to report HB 169, Version N, from committee with individual recommendations and attached fiscal note(s).

CHAIR DUNLEAVY announced that without objection CSHB 169(L&C) was reported from the Senate Labor & Commerce Standing Committee.

[7:51:27 AM](#)

There being no further business to come before the committee, Chair Dunleavy adjourned the Senate Labor & Commerce Standing Committee meeting at 7:51 a.m.