

ALASKA STATE LEGISLATURE
SENATE STATE AFFAIRS STANDING COMMITTEE

April 4, 2013

9:01 a.m.

MEMBERS PRESENT

Senator Fred Dyson, Chair
Senator Cathy Giessel, Vice Chair
Senator John Coghill
Senator Bill Wielechowski

MEMBERS ABSENT

Senator Bert Stedman

OTHER LEGISLATORS PRESENT

Senator Johnny Ellis

COMMITTEE CALENDAR

CONFIRMATION HEARINGS

Alaska Police Standards Council

Bob Kean

- CONFIRMATION ADVANCED

Alaska Public Offices Commission

Ron King

- CONFIRMATION ADVANCED

CS FOR HOUSE JOINT RESOLUTION NO. 12(EDT)
Encouraging the manufacture of firearms and firearms accessories
in the state.

- MOVED CSHJR 12(EDT) OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1(STA) AM
"An Act relating to issuance of drivers' licenses."

- MOVED CSHB 1(STA) AM OUT OF COMMITTEE

HOUSE BILL NO. 113

"An Act relating to the membership of the Alaska Fire Standards Council."

- HEARD & HELD

CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(EDT)

Recognizing the Alaska Center for Unmanned Aircraft Systems Integration at the University of Alaska Fairbanks as a national leader in unmanned aircraft research and development; and relating to a Task Force on Unmanned Aircraft Systems.

- HEARD & HELD

SENATE BILL NO. 64

"An Act establishing the Alaska Sentencing Commission; relating to jail-time credit for offenders in court-ordered treatment programs; allowing a reduction of penalties for offenders successfully completing court-ordered treatment programs for persons convicted of driving while under the influence or refusing to submit to a chemical test; relating to court termination of a revocation of a person's driver's license; relating to limitation of drivers' licenses; relating to conditions of probation and parole; and providing for an effective date."

- BILL HEARING POSTPONED

PREVIOUS COMMITTEE ACTION

BILL: HJR 12

SHORT TITLE: SUPPORT IN-STATE FIREARMS MANUFACTURING

SPONSOR(S): REPRESENTATIVE(S) CHENAULT

03/14/13	(H)	READ THE FIRST TIME - REFERRALS
03/14/13	(H)	EDT
03/26/13	(H)	EDT AT 11:15 AM BARNES 124
03/26/13	(H)	Moved CSHJR 12(EDT) Out of Committee
03/26/13	(H)	MINUTE(EDT)
03/27/13	(H)	EDT RPT CS(EDT) 7DP
03/27/13	(H)	DP: HIGGINS, PRUITT, HERRON, JOHNSON, GATTIS, DRUMMOND, HUGHES
03/28/13	(H)	TRANSMITTED TO (S)
03/28/13	(H)	VERSION: CSHJR 12(EDT)
03/29/13	(S)	READ THE FIRST TIME - REFERRALS
03/29/13	(S)	STA
04/04/13	(S)	STA AT 9:00 AM BUTROVICH 205

BILL: HB 1

SHORT TITLE: DURATION OF DRIVER'S LICENSE

SPONSOR(s): REPRESENTATIVE(s) LYNN, HAWKER, CHENAULT, JOHNSON

01/16/13 (H) PREFILE RELEASED 1/7/13
01/16/13 (H) READ THE FIRST TIME - REFERRALS
01/16/13 (H) STA, JUD
01/29/13 (H) STA AT 8:00 AM CAPITOL 106
01/29/13 (H) Moved CSHB 1(STA) Out of Committee
01/29/13 (H) MINUTE(STA)
01/30/13 (H) STA RPT CS(STA) 7DP
01/30/13 (H) DP: HUGHES, MILLETT, ISAACSON, KELLER,
GATTIS, KREISS-TOMKINS, LYNN
02/18/13 (H) JUD AT 1:00 PM CAPITOL 120
02/18/13 (H) Heard & Held
02/18/13 (H) MINUTE(JUD)
03/27/13 (H) JUD AT 1:00 PM CAPITOL 120
03/27/13 (H) Moved CSHB 1(STA) Out of Committee
03/27/13 (H) MINUTE(JUD)
03/28/13 (H) JUD RPT CS(STA) 5DP 2NR
03/28/13 (H) DP: MILLETT, PRUITT, LYNN, FOSTER,
KELLER
03/28/13 (H) NR: GRUENBERG, LEDOUX
04/01/13 (H) TRANSMITTED TO (S)
04/01/13 (H) VERSION: CSHB 1(STA) AM
04/02/13 (S) READ THE FIRST TIME - REFERRALS
04/02/13 (S) STA
04/04/13 (S) STA AT 9:00 AM BUTROVICH 205

BILL: HB 113

SHORT TITLE: ALASKA FIRE STANDARDS COUNCIL

SPONSOR(s): REPRESENTATIVE(s) FEIGE

02/13/13 (H) READ THE FIRST TIME - REFERRALS
02/13/13 (H) STA, FIN
03/05/13 (H) STA RPT 3DP 2NR
03/05/13 (H) DP: ISAACSON, KREISS-TOMKINS, LYNN
03/05/13 (H) NR: GATTIS, KELLER
03/05/13 (H) STA AT 8:00 AM CAPITOL 106
03/05/13 (H) Moved Out of Committee
03/05/13 (H) MINUTE(STA)
03/22/13 (H) FIN AT 1:30 PM HOUSE FINANCE 519
03/22/13 (H) Moved Out of Committee
03/22/13 (H) MINUTE(FIN)
03/25/13 (H) FIN RPT 7DP
03/25/13 (H) DP: GUTTENBERG, HOLMES, MUNOZ, EDGMON,
GARA, COSTELLO, AUSTERMAN

03/28/13 (H) TRANSMITTED TO (S)
03/28/13 (H) VERSION: HB 113
03/29/13 (S) READ THE FIRST TIME - REFERRALS
03/29/13 (S) STA
04/04/13 (S) STA AT 9:00 AM BUTROVICH 205

BILL: HCR 6

SHORT TITLE: EST. LEG. TASK FORCE ON UNMANNED AIRCRAFT
SPONSOR(S): REPRESENTATIVE(S) HUGHES

03/15/13 (H) READ THE FIRST TIME - REFERRALS
03/15/13 (H) EDT
03/26/13 (H) EDT AT 11:15 AM BARNES 124
03/26/13 (H) Moved CSHCR 6(EDT) Out of Committee
03/26/13 (H) MINUTE(EDT)
03/27/13 (H) EDT RPT CS(EDT) 5DP 2NR
03/27/13 (H) DP: PRUITT, JOHNSON, GATTIS, DRUMMOND,
HUGHES
03/27/13 (H) NR: HIGGINS, HERRON
03/29/13 (H) TRANSMITTED TO (S)
03/29/13 (H) VERSION: CSHCR 6(EDT)
04/01/13 (S) READ THE FIRST TIME - REFERRALS
04/01/13 (S) STA
04/04/13 (S) STA AT 9:00 AM BUTROVICH 205

WITNESS REGISTER

RON KING, Appointee
Alaska Public Offices Commission
Kasilof, Alaska

POSITION STATEMENT: Presented information related to his confirmation hearing.

CHUCK KOPP, Staff
Senator Fred Dyson
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified on behalf of Mr. Bob Kean, appointee, Chugiak, Alaska, who was unable to be present.

TOM WRIGHT, Staff
Representative Mike Chenault
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Introduced HJR 12 on behalf of the sponsor.

MIKE COONS, representing himself

Lazy Mountain, Alaska

POSITION STATEMENT: Testified in support of HJR 12 and HB 1.

REPRESENTATIVE BOB LYNN
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of HB 1.

DEAN WAUSON, Supervisory Special Agent
Homeland Security Investigations
Immigration and Customs Enforcement
U.S. Department of Homeland Security
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 1.

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

POSITION STATEMENT: Answered questions related to HB 1.

SHELLY MELLOTT, Deputy Director
Division of Motor Vehicles
Department of Administration
Anchorage, Alaska

POSITION STATEMENT: Answered questions related to HB 1.

FORREST WOLFE, Staff
Representative Bob Lynn
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions related to HB 1.

JEFFERY MITTMAN, Executive Director
American Civil Liberties Union (ACLU) of Alaska
Anchorage, Alaska

POSITION STATEMENT: Provided testimony in opposition to HB 1.

MICHAEL PASCHALL, Staff
Representative Eric Feige
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of HB 113.

BUDDY LANE, Chair
Alaska Fire Standards Council
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 113.

REPRESENTATIVE SHELLEY HUGHES
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of HCR 6.

ACTION NARRATIVE

[9:01:28 AM](#)

CHAIR FRED DYSON called the Senate State Affairs Standing Committee meeting to order at 9:01 a.m. Present at the call to order were Senators Coghill, Giessel, and Chair Stedman. Senator Wielechowski arrived shortly thereafter.

CONFIRMATION HEARINGS
Alaska Police Standards Council
Alaska Public Offices Commission

[9:02:46 AM](#)

CHAIR DYSON announced that the first order of business would be two Confirmation Hearings.

RON KING, Appointee, Alaska Public Offices Commission, presented information related to his confirmation hearing. He said he is currently retired and when asked by the Republican Party to represent the Restricted Republican Seat, he immediately agreed to do so. He shared his background with the Republican Party and his work history, stating he is qualified to serve on APOC.

CHAIR DYSON thanked Mr. King. He maintained that what is needed is someone who is a clear thinker with good judgment and has the courage of his or her convictions.

SENATOR COGHILL noted that he recommended Mr. King. He described his good work and highly recommended him.

[9:06:34 AM](#)

At ease

CHUCK KOPP, Staff, Senator Fred Dyson, testified on behalf of Mr. Bob Kean, appointee, Chugiak, Alaska, who was unable to be present. He shared Mr. Kean's exemplary service on the Police Standards Council.

CHAIR DYSON thanked Mr. Kopp.

CHAIR DYSON moved to forward the following appointments to a joint session for consideration:

Alaska Police Standards Council
Bob Kean

Alaska Public Offices Commission
Ron King

CHAIR DYSON clarified that the motion does not reflect an intent by any of the members to vote against or for the confirmation of the individuals during any further sessions. There being no objection, it was so ordered.

HJR 12-SUPPORT IN-STATE FIREARMS MANUFACTURING

[9:09:20 AM](#)

CHAIR DYSON announced that the next order of business would be HJR 12.

TOM WRIGHT, Staff, Representative Mike Chenault, sponsor of HJR 12, introduced the bill on behalf of the sponsor. He related that HJR 12 is based on a resolution recently introduced in Montana. The bill encourages and invites gun manufacturers, gun accessory manufacturers, and suppliers to come to Alaska, especially from states that are passing more restrictive gun laws. He gave an example of a company that stated it would move from Colorado because of the strict gun laws that were recently enacted.

He stated that a number of states are considering this legislation, but none so far have passed a resolution.

CHAIR DYSON thanked Mr. Wright. He expected that the bill would pass out of committee.

MIKE COONS, speaking on his own behalf, testified in support of HJR 12. He said that Alaska is a firearms-friendly state, with a great workforce and plenty of room for firearms manufacturers. He suggested expanding the resolution to include ammunition manufacturers. He spoke of Second Amendment rights.

[9:13:04 AM](#)

SENATOR COGHILL asked if there has been any discussion about gun manufacturers applying for a business license in Alaska.

MR. WRIGHT replied that he was not aware of any. He said that the sponsor has invited Magpul Gun Manufacturers to come to Alaska and has let them know that Alaska is gun-friendly and has a trained labor force.

CHAIR DYSON added that Alaska has one of the best air-freight connections in the world and an excellent marine transportation system.

MR. WRIGHT said New Hampshire is also inviting gun manufacturers to their state. He pointed out that ammo makers are included in gun accessory manufacturers.

CHAIR DYSON said the bill addresses "firearm-related groups and businesses."

[9:15:02 AM](#)

SENATOR GIESSEL moved to report CS for HJR 12, labeled 28-LS0619\U, from committee with individual recommendations and attached zero fiscal note. There being no objection, CSHJR 12(EDT) was reported from the Senate State Affairs Standing Committee.

[9:15:30 AM](#)

At ease

HB 1-DURATION OF DRIVER'S LICENSE

[9:16:13 AM](#)

CHAIR DYSON announced that the next order of business would be HB 1. [CSHB 1(STA) AM was before the committee.]

REPRESENTATIVE BOB LYNN, sponsor of HB 1, introduced the bill to the committee. He said the bill does one thing; it permits the Department of Motor Vehicles (DMV) to issue a driver's license for less than five years. He pointed out that today a person can walk into a DMV with a visa that expires in two weeks and obtain a driver's license for five years. HB 1 links the duration of a driver's license to the duration of a legal document. In rare cases such as when a person has a visa for an indefinite period for refugee status or asylum, a driver's license can be issued for a year with a renewal for up to five years with no additional cost to the applicant. This bill does not change how anyone currently obtains a driver's license and it does not change who can get one.

He said that HB 1 is considered "best practices" by the American Association of Motor Vehicles. A similar bill has passed in 36 states plus the District of Columbia. The House State Affairs Committee and the House Judiciary Committee vetted the bill, as has the Department of Law and Legal Services.

CHAIR DYSON referred to a letter from the University of Alaska. He explained the letter raises the question as to how the bill would affect foreign students.

[9:19:15 AM](#)

DEAN WAUSON, Supervisory Special Agent, Homeland Security Investigations, Immigration and Customs Enforcement, U.S. Department of Homeland Security (DHS), testified in support of HB 1. He explained his involvement with enforcing immigration law. He agreed with Representative Lynn's opinion of the bill as it relates to immigration law. He offered to answer questions regarding foreign students and the application of the law.

CHAIR DYSON asked if DHS is comfortable with the bill.

MR. WAUSON clarified that he is representing himself today, not DHS.

CHAIR DYSON asked if DHS has taken an official position.

MR. WAUSON said no.

SENATOR GIESSEL asked if the federal government determines a person's legal presence in this country and how long they can stay.

MR. WAUSON said yes.

[9:22:26 AM](#)

SENATOR GIESSEL asked why it is a problem to have a driver's license beyond the expiration date of a visa.

MR. WAUSON explained it becomes a problem when the visa is used as an identification card. For example, a person currently is able to obtain a driver's license that's good for five years even if their visa expires next week. That allows an individual to further an illegal presence in the United States and could lead to illegal employment and other benefits.

CHAIR DYSON suggested that unemployment insurance, welfare, and other issues could also be abused. A driver's license validates their qualifying for those benefits.

MR. WAUSON said that is correct. He explained that HB 1 would provide for issuing a driver's license only for the period of time a person may legally remain in the country. It would apply mainly to foreign visitors, not immigrants.

[9:25:33 AM](#)

CHAIR DYSON asked when someone's visa expires, how the agency finds out if they have left the country.

MR. WAUSON said in some cases the agency knows and in some cases they don't.

[9:26:09 AM](#)

AMY ERICKSON, Director, Division of Motor Vehicles (DMV), Department of Administration, answered questions related to HB 1.

CHAIR DYSON said he is impressed by how well DMV works. He asked which credentials are required in order for a non-American to get a driver's license.

MS. ERICKSON listed the credentials: a foreign passport, a resident alien or temporary resident alien authorization, or evidence of comparable validity, such as a birth certificate abroad.

CHAIR DYSON asked what Alaskans need.

MS. ERICKSON said they would need a social security card, birth certificate, or marriage license.

SENATOR GIESSEL asked what a foreign student would have to present to DMV in order to obtain a license.

MS. ERICKSON responded that they would need an F-1 visa, a foreign passport, and an I-120 Form.

SENATOR GIESSEL asked how many foreign students have been processed.

MS. ERICKSON deferred to DMV to answer.

[9:28:58 AM](#)

MR. WAUSON explained that an F-1 student would have a passport and an F-1 visa in order to enter the United States. The F-1 visa only lasts a few days and would not be indicative of the duration of status. An I-120 form would show lawful admission and the duration of their stay. Foreign students are in a category of individuals whose time period is less narrowly defined. The university is required to provide documentation of enrollment verification every semester to DHS.

SENATOR GIESSEL related her son's positive experience with foreign students in college in Fairbanks. She noted that foreign students were involved in 9/11.

MR. WAUSON agreed that foreign students do pose a significant threat. He said one of the priorities of the Homeland Office is to keep an eye on foreign students.

CHAIR DYSON asked what happens to a student who must extend the length of their stay.

MR. WAUSON explained that the process is not so important because they are a student and can apply to immigration to change the duration of their stay. They would be eligible for temporary relief and eligible to obtain documentation from Citizenship and Immigration Services stating their current status.

[9:34:10 AM](#)

CHAIR DYSON gave an example a foreign student who is in school for 48 months to get a degree and becomes injured and has to leave school for a time.

MR. WAUSON explained that the student could easily extend their status.

CHAIR DYSON noted the arrival of Senator Wielechowski.

SENATOR WIELECHOWSKI asked about applying for a driver's license.

CHAIR DYSON said the question has been answered.

MS. ERICKSON reiterated the process.

SENATOR WIELECHOWSKI noted a U.S. Supreme Court case on the purpose of driver's licenses - United States v. Campos-Serrano. He said the primary purpose of a driver's license is to allow

its bearer to lawfully drive a car. He asked if that is still the law.

MS. ERICKSON said yes.

SENATOR WIELECHOWSKI asked if a driver's license is intended to document ones immigration status.

MS. ERICKSON said it is not.

CHAIR DYSON related that people often misuse driver's licenses and try to claim immigration status in order to apply for benefits.

[9:37:42 AM](#)

SENATOR WIELECHOWSKI asked if people can renew their licenses by mail.

MS. ERICKSON said yes, if they have not renewed by mail the previous time.

SENATOR WIELECHOWSKI gave an example of someone who moved to Alaska on a temporary visa and their job requires them to stay longer. He inquired if that person can mail in a renewal.

MS. ERICKSON deferred to someone from DMV to answer.

SHELLY MELLOTT, Deputy Director, Division of Motor Vehicles, Department of Administration, answered questions related to HB 1. She described the process whereby people in rural Alaska can mail in their renewal application if there is no DMV available.

SENATOR WIELECHOWSKI understood that there was a renewal-by-mail-provision that was stricken in the House.

FORREST WOLFE, Staff, Representative Bob Lynn, explained that the phrase "by mail" was removed at DMV's recommendation because they felt it might be too limiting. In the future licensing may be done on the internet.

[9:40:38 AM](#)

SENATOR WIELECHOWSKI continued with his example of a person in Aniak with a three-month visa that expires so the person renews their driver's license by mail. He asked if the bill would allow the license to be automatically renewed and for what period of time.

CHAIR DYSON assumed if the bill passes, the driver's license would have only been extended to the end of the visa period.

MS.MELLOTT said Senator Dyson is correct. She explained the license would have been initially issued for 90 days and to get it renewed they would need to send in information that shows the visa was extended. The license would be extended for the time the visa stated.

SENATOR WIELECHOWSKI concluded that under the bill the license could be renewed solely by mail.

MS.MELLOTT said yes.

[9:42:21 AM](#)

JEFFERY MITTMAN, Executive Director, American Civil Liberties Union (ACLU) of Alaska, provided testimony in opposition to HB 1. He suggested that the committee contact Margaret Stock, an attorney who specializes in this issue.

He noted that a driver's license does not establish residency. He stressed that the purpose of the license is to allow one to drive safely. A variety of states require that individuals who are not in the country legally cannot drive. Some states have decided that it is better practice to have the DMV ensure that the roads are safe and those who are driving are insured and know how to drive.

He noted that the bill deals with those who are lawfully present. The ACLU questions how the federal government would view a bill that treats lawful immigrants who are a suspect class under the law, differently than citizens. He spoke in opposition to the provision in the bill that requires a temporary worker to experience the burden of renewal. He maintained there is no benefit to the state. He recalled case law. He suggested that it is the federal government's responsibility to govern immigration status and lawful presence.

[9:46:27 AM](#)

SENATOR COGHILL asked if there are lawsuits against other entities that require identification, such as banks or TSA.

MR. MITTMAN said there have been none to date. He gave an example of a situation where a driver's license is not adequate for identification such as lawful presence in the country. He noted that REAL ID has imposed some additional requirements;

however, Alaska has stated that it does not want a national ID card.

[9:48:30 AM](#)

SENATOR COGHILL shared a story about a person who could not travel without a driver's license. He spoke of the variation in visas and the fact that the license cannot track the duration of a visa. He questioned a greater restriction on using driver's licenses.

MR. MITTMAN suggested getting Attorney Stock's opinion. He opined that it is not fair to the DMV to assume they will become experts in the area of types of visas.

[9:50:40 AM](#)

MR. COONS inquired if the person who is not a citizen could use their driver's license to sign up for voter registration and vote. He asked how voter registration would know whether the person is an alien and not eligible to vote. He wondered if the licenses are flagged when the visa expires.

He stated full support for HB 1 because it gives law enforcement officers a valuable tool in determining those who are legally in the United States.

MS. ERICKSON explained that when a person fills out an application for a driver's license, they are asked if they are a U.S. citizen and they can register to vote at that time.

CHAIR DYSON restated Mr. Coons' question about qualifying to vote.

MR. WOLFE understood that more documentation showing U.S. citizenship must be shown in order to vote, such as a social security card.

CHAIR DYSON agreed.

MR. COONS reiterated his question about flagging driver's licenses.

[9:55:02 AM](#)

MR. WOLFE, clarified that the license is not flagged, just the expiration date. They would have to prove their length of state was approved.

SENATOR WIELECHOWSKI asked how many licenses are issued to non-Americans.

MS.MELLOTT said DMV does not keep track of that.

SENATOR WIELECHOWSKI inquired if the bill fixes a problem that exists.

MS. ERICKSON could not say whether DMV is fixing a problem, but noted that it supports the legislation.

SENATOR WIELECHOWSKI asked if DMV is in the business of immigration.

MR. WAUSON addressed the question. He said misuse of a driver's license is a problem. He knew of people in the country illegally who traveled to Alaska to get the 5-year license and said it happens on a regular basis.

He addressed a previous question about applying for the license by mail. He pointed out that even though Mr. Mittman clouded the issue between immigrants and non-immigrants, he said that under HB 1, an immigrant would be handled the same way as a U.S. citizen and be issued 5-year driver's license. A non-immigrant with a defined period of stay doesn't need an Alaska driver's license. Temporary visitors for work or tourism for 90 days can drive using their foreign licenses.

[9:59:54 AM](#)

SENATOR WIELECHOWSKI asked if the bill is a furthering of the federal REAL ID law.

MR. WAUSON said he did not know.

MR. WOLFE said it has nothing to do with it.

SENATOR WIELECHOWSKI asked what the purpose of the bill is.

MR. WOLFE responded that sponsor does not believe that Alaska should be issuing official documentation that outlasts and contradicts the federal government's documentation. Also, someone can get a driver's license even though their visa is soon to expire. This legislation is already on the books in 36 states and has never been challenged.

SENATOR WIELECHOWSKI asked if the legislation is for making sure Alaska has qualified drivers or for immigration reasons.

MR. WOLFE said has nothing to do with immigration. The provisions are for temporary visitors.

SENATOR WIELECHOWSKI continued to argue the issue.

MR. WOLFE replied that the bill does determine whether a temporary visitor is allowed to drive or not and it is an officially recognized piece of identification.

[10:03:20 AM](#)

SENATOR WIELECHOWSKI noted that there are many Hmong in his district and many refugees without identification. He asked how this legislation would affect them.

CHAIR DYSON suggested DHS answer the question.

MR. WAUSON said all refugees are eligible for employment documents for one-year periods while their legal status is being checked. He noted Laos refugees are not illegal and do have documentation of their arrivals. After a year they can apply for, and receive, residency.

SENATOR WIELECHOWSKI stated he believes that DMV is becoming a de facto immigration regulator. He maintained that the federal government should regulate immigration.

[10:07:04 AM](#)

CHAIR DYSON understood that the sponsor intends to keep the Alaska driver's license from becoming something other than a license.

MR. WOLFE agreed.

SENATOR WIELECHOWSKI questioned why DMV needs this bill. Other organizations decide which documents prove immigration status. He wished to know what the purpose of issuing drivers' licenses is.

MS. ERICKSON said DMV does not intend to become an immigration enforcement agency. She said DMV would continue to evaluate government-provided documents and issues licenses based on the information on the documents.

SENATOR WIELECHOWSKI restated his question.

SENATOR COGHILL maintained that the question has been answered.

SENATOR WIELECHOWSKI disagreed.

CHAIR DYSON pointed out that a DMV driver's license is used as identification to buy liquor. People are using the license for other purposes, which is not DMV's fault. The bill is trying to make sure people are not using their licenses illegally.

He noted that the sponsor agrees.

SENATOR WIELECHOWSKI asked about the Hmong identification issue and whether the bill will impact their ability to get a license.

[10:10:01 AM](#)

MS. ERICKSON understood that it would not. She said the Hmong are refugees and have some form of documentation.

SENATOR WIELECHOWSKI noted that many do not have documentation.

CHAIR DYSON said that issue needs to be taken up with immigration.

SENATOR GIESSEL referred to an email from Ms. Stock and a letter from the Attorney General that states there is no basis for a constitutional challenge of HB 1.

SENATOR WIELECHOWSKI asked if they could hear from Ms. Stock.

MR. WOLFE said Ms. Stock has been invited to three committee hearings and has not attended. He suggested Mr. Wauson could refute her testimony.

SENATOR WIELECHOWSKI asked if she has been asked to testify.

CHAIR DYSON said no, nor has she volunteered to testify.

SENATOR WIELECHOWSKI asked what the next committee of referral is.

CHAIR DYSON did not think the bill had a Judiciary referral.

SENATOR COGHILL said it didn't.

MR. WOLFE said it was vetted in House Judiciary where Ms. Stock's issues were rebutted. He noted letters of support.

[10:13:25 AM](#)

CHAIR DYSON asked if there were court challenges in the other 36 states.

MR. WOLFE said never. He noted a review of the bill by Representative Gruenberg that discovered no problems.

CHAIR DYSON asked how long the states have had this legislation.

MR. WOLFE offered to find out.

CHAIR DYSON inquired if it was more than a year.

MR. WOLFE said yes.

CHAIR DYSON asked which version was before the committee.

MR. WOLFE said version 28-LS0008\O.A.

[10:15:06 AM](#)

SENATOR GIESSEL moved to report CS for HB 1, labeled 28-LS0008\O.A, from committee with individual recommendations and attached zero fiscal note.

SENATOR WIELECHOWSKI objected. He asked if the bill has a referral to another committee.

CHAIR DYSON thought it went to Senate Rules Committee.

MR. WOLFE said that is correct.

SENATOR WIELECHOWSKI stated that he has to object to moving the bill because it is a fairly major change in law and there are no more referrals. He said he needs more time to study the bill.

A roll call vote was taken. Senators Giessel, Coghill, and Chair Dyson voted in favor of reporting HB 1 from committee and Senator Wielechowski voted against it. Therefore, CSHB 1(STA) am passed from the Senate State Affairs Standing Committee by a 3:1 vote.

[10:16:33 AM](#)

At ease

HB 113-ALASKA FIRE STANDARDS COUNCIL

[10:17:44 AM](#)

CHAIR DYSON announced that the next order of business would be HB 113.

MICHAEL PASCHALL, Staff, Representative Eric Feige, sponsor of HB 113, introduced the bill. He stated a possible conflict, noting that both he and Representative Feige are both firefighters, but not currently eligible to serve on the Alaska Fire Standards Council. He explained the mission of the Fire Standards Council is to establish professional standards for fire service personnel and curriculum requirements for the certification of training programs. There are currently eleven members on the Council. The Council, along with three statewide organizations, has requested the composition of the Council to be changed. He said there were currently three statewide organizations that represent those in the fire service: the Alaska State Fire Chiefs Association, the Alaska State Firefighters Association, and the Alaska Professional Firefighters Association. He noted that each organization has asked to have a seat at the table and the only way to do so, while keeping a balance between the current membership in terms of firefighters versus fire chiefs, is to add one member to the Council.

SENATOR GIESSEL asked who pays for the meetings of the Council.

MR. PASCHALL deferred to the chair of the Council. He said there are fees associated with some of the certifications, and there is also a general fund transfer for travel. He recalled it cost \$2,400 a year for one member to travel.

BUDDY LANE, Chair, Alaska Fire Standards Council, testified in support of HB 113. He offered to answer questions.

[10:22:14 AM](#)

SENATOR GIESSEL said the fiscal note is zero, yet no board or commission can exist with a zero fiscal note. She requested clarification.

MR. LANE thought the original fiscal note was around \$2,000 for travel for an additional seat. That was removed in the last committee.

SENATOR GIESSEL asked who pays for travel, the assessment of fees.

MR. LANE said that is correct. He explained that fees and general fund appropriation make up the Council's funds. The fees

vary every year depending on the number of certificates processed.

SENATOR GIESSEL asked if the Council is not self-supporting and requires general funds.

MR. LANE said that is correct.

CHAIR DYSON held HB 113 in committee.

HCR 6-EST. LEG. TASK FORCE ON UNMANNED AIRCRAFT

[10:24:34 AM](#)

CHAIR DYSON announced that the final order of business would be HCR 6. [CSHCR 6(EDT) was before the committee.]

REPRESENTATIVE SHELLEY HUGHES, sponsor of HCR 6, explained that HCR 6 would establish a legislative task force on unmanned aircraft. She explained that the issue came to her attention because of constituents' concerns about privacy as it relates to drones. She said her research turned up positive things happening in Alaska involving drones. She said she learned that the University of Alaska - Fairbanks, Center for Unmanned Aircraft Systems Integration was a leader in the nation regarding drone technology and was harnessing it for good purposes. She noted it was important to recognize the good, but also address privacy matters.

Representative Hughes explained that the resolution does two things. It recognizes the accomplishments of the University of Alaska - Fairbanks, Center for Unmanned Aircraft Systems Integration and the research conducted to advance this technology in a safe manner. It establishes a task force within the legislative branch to come up with policy recommendations regarding privacy protection, as well as the use for public and private purposes, including for law enforcement.

She recalled a presentation on the House side by retired Air Force Brigadier General Rowe Bailey who brought a model of an unmanned aircraft named Scout. She listed some of the tasks drones can do.

She said HCR 6 also recognizes that with new technology comes the need to revisit certain laws to ensure the safety of our citizens.

[10:28:44 AM](#)

CHAIR DYSON thought the bill was on the right track.

SENATOR GIESSEL said she is supportive of the program, but not of another task force of 15 members and the expense of it.

SENATOR WIELECHOWSKI also wondered about the fiscal note for a large task force and why 15 members and commissioners are needed on it.

CHAIR DYSON said that is a legitimate concern. He commented that a drone is being used to survey the beaches for tsunami debris. He noted that private aviation has concerns about the military using drones.

CHAIR DYSON held HCR 6 in committee. He suggested the sponsor address some of the concerns at a later hearing.

10:30:41 AM

REPRESENTATIVE HUGHES pointed out that April 10 is the date the Center is trying to put forward its application. She said the commissioners are included on the task force because of the areas in which a drone might be used, such as Natural Resources. She added that the expenses of the task force will be absorbed by departments for commissioners attending. The thought was that the funding within the legislative budget was adequate for private industry members. Thus, the zero fiscal note.

SENATOR GIESSEL observed that there are two legislators on the task force and they would not accrue a zero note.

10:31:42 AM

There being no further business to come before the committee, Chair Dyson adjourned the Senate State Affairs Standing Committee at 10:31 p.m.