

**FALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

April 16, 2016
10:10 a.m.

MEMBERS PRESENT

Representative Gabrielle LeDoux, Chair
Representative Wes Keller, Vice Chair
Representative Bob Lynn
Representative Neal Foster
Representative Matt Claman
Representative Jonathan Kreiss-Tomkins

MEMBERS ABSENT

Representative Charisse Millett
Representative Kurt Olson (alternate)

COMMITTEE CALENDAR

CS FOR SENATE BILL NO. 123(JUD)

"An Act relating to the bail forfeiture schedule and the penalty for the use of electronic devices while driving; and providing for an effective date."

- MOVED CSSB 123(JUD) OUT OF COMMITTEE

CS FOR SENATE BILL NO. 121(JUD)

"An Act relating to a security freeze on the consumer credit report of a minor, incapacitated person, or protected person."

- MOVED CSSB 121(JUD) OUT OF COMMITTEE

SENATE JOINT RESOLUTION NO. 2

Proposing an amendment to the Constitution of the State of Alaska relating to contracting state debt for postsecondary student loans.

- MOVED SJR 2 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 123

SHORT TITLE: USE OF ELECTRONIC DEVICES WHILE DRIVING

SPONSOR(S): SENATOR(S) MEYER

01/19/16 (S) PREFILE RELEASED 1/8/16
 01/19/16 (S) READ THE FIRST TIME - REFERRALS
 01/19/16 (S) STA, JUD
 02/13/16 (S) STA AT 10:00 AM BUTROVICH 205
 02/13/16 (S) Heard & Held
 02/13/16 (S) MINUTE (STA)
 02/16/16 (S) STA AT 9:00 AM BUTROVICH 205
 02/16/16 (S) Moved SB 123 Out of Committee
 02/16/16 (S) MINUTE (STA)
 02/17/16 (S) STA RPT 3DP 2NR
 02/17/16 (S) DP: COGHILL, HUGGINS, MCGUIRE
 02/17/16 (S) NR: STOLTZE, WIELECHOWSKI
 02/22/16 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)
 02/22/16 (S) Heard & Held
 02/22/16 (S) MINUTE (JUD)
 02/24/16 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)
 02/24/16 (S) Moved CSSB 123(JUD) Out of Committee
 02/24/16 (S) MINUTE (JUD)
 02/26/16 (S) JUD RPT CS 3DP NEW TITLE
 02/26/16 (S) DP: MCGUIRE, COGHILL, COSTELLO
 03/16/16 (S) TRANSMITTED TO (H)
 03/16/16 (S) VERSION: CSSB 123(JUD)
 03/18/16 (H) READ THE FIRST TIME - REFERRALS
 03/18/16 (H) STA, JUD
 04/07/16 (H) STA RPT 6DP 1NR
 04/07/16 (H) DP: SPOHNHOLZ, STUTES, TALERICO,
 VAZQUEZ, KREISS-TOMKINS, LYNN
 04/07/16 (H) NR: KELLER
 04/07/16 (H) STA AT 8:00 AM CAPITOL 106
 04/07/16 (H) Moved CSSB 123(JUD) Out of Committee
 04/07/16 (H) MINUTE (STA)
 04/13/16 (H) JUD AT 1:00 PM GRUENBERG 120
 04/13/16 (H) Heard & Held
 04/13/16 (H) MINUTE (JUD)
 04/16/16 (H) JUD AT 10:00 AM GRUENBERG 120

BILL: SB 121

SHORT TITLE: SECURITY FREEZE ON CERTAIN CREDIT REPORTS
 SPONSOR(s): SENATOR(s) MEYER

01/19/16 (S) PREFILE RELEASED 1/8/16
 01/19/16 (S) READ THE FIRST TIME - REFERRALS
 01/19/16 (S) L&C, JUD
 01/26/16 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
 01/26/16 (S) Heard & Held
 01/26/16 (S) MINUTE (L&C)
 01/28/16 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)

01/28/16 (S) Moved SB 121 Out of Committee
 01/28/16 (S) MINUTE (L&C)
 01/29/16 (S) L&C RPT 4DP
 01/29/16 (S) DP: COSTELLO, GIESSEL, MEYER, ELLIS
 02/08/16 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)
 02/08/16 (S) Heard & Held
 02/08/16 (S) MINUTE (JUD)
 02/17/16 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)
 02/17/16 (S) Moved CSSB 121(JUD) Out of Committee
 02/17/16 (S) MINUTE (JUD)
 02/19/16 (S) JUD RPT CS 3DP NEW TITLE
 02/19/16 (S) DP: MCGUIRE, COGHILL, WIELECHOWSKI
 03/02/16 (S) TRANSMITTED TO (H)
 03/02/16 (S) VERSION: CSSB 121(JUD)
 03/04/16 (H) READ THE FIRST TIME - REFERRALS
 03/04/16 (H) L&C, JUD
 04/08/16 (H) L&C AT 3:15 PM BARNES 124
 04/08/16 (H) Moved CSSB 121(JUD) Out of Committee
 04/08/16 (H) MINUTE (L&C)
 04/09/16 (H) L&C RPT 3DP 3NR
 04/09/16 (H) DP: HUGHES, COLVER, OLSON
 04/09/16 (H) NR: LEDOUX, TILTON, JOSEPHSON
 04/13/16 (H) JUD AT 1:00 PM GRUENBERG 120
 04/13/16 (H) Heard & Held
 04/13/16 (H) MINUTE (JUD)
 04/16/16 (H) JUD AT 10:00 AM GRUENBERG 120

BILL: SJR 2

SHORT TITLE: CONST. AM: G.O. BONDS FOR STUDENT LOANS

SPONSOR(s): SENATOR(s) MACKINNON

01/21/15 (S) PREFILE RELEASED 1/9/15
 01/21/15 (S) READ THE FIRST TIME - REFERRALS
 01/21/15 (S) STA, EDC, FIN
 02/10/15 (S) STA AT 9:00 AM BUTROVICH 205
 02/10/15 (S) Moved SJR 2 Out of Committee
 02/10/15 (S) MINUTE (STA)
 02/11/15 (S) STA RPT 3DP 2NR
 02/11/15 (S) DP: COGHILL, MCGUIRE, WIELECHOWSKI
 02/11/15 (S) NR: STOLTZE, HUGGINS
 02/24/15 (S) EDC AT 3:30 PM BUTROVICH 205
 02/24/15 (S) Heard & Held
 02/24/15 (S) MINUTE (EDC)
 03/12/15 (S) EDC AT 3:30 PM BUTROVICH 205
 03/12/15 (S) Moved SJR 2 Out of Committee
 03/12/15 (S) MINUTE (EDC)
 03/13/15 (S) EDC RPT 3DP 1NR

03/13/15 (S) DP: DUNLEAVY, STEVENS, HUGGINS
 03/13/15 (S) NR: GARDNER
 03/26/15 (S) FIN AT 9:00 AM SENATE FINANCE 532
 03/26/15 (S) Heard & Held
 03/26/15 (S) MINUTE (FIN)
 04/09/15 (S) FIN AT 1:30 PM SENATE FINANCE 532
 04/09/15 (S) Moved SJR 2 Out of Committee
 04/09/15 (S) MINUTE (FIN)
 04/10/15 (S) FIN RPT 3DP 3NR
 04/10/15 (S) DP: MACKINNON, BISHOP, HOFFMAN
 04/10/15 (S) NR: KELLY, DUNLEAVY, OLSON
 04/13/15 (S) TRANSMITTED TO (H)
 04/13/15 (S) VERSION: SJR 2
 04/13/15 (H) READ THE FIRST TIME - REFERRALS
 04/13/15 (H) EDC, JUD, FIN
 03/23/16 (H) EDC AT 8:00 AM CAPITOL 106
 03/23/16 (H) Heard & Held
 03/23/16 (H) MINUTE (EDC)
 03/30/16 (H) EDC RPT 2DP 5NR
 03/30/16 (H) DP: TALERICO, SEATON
 03/30/16 (H) NR: VAZQUEZ, DRUMMOND, COLVER,
 SPOHNHOLZ, KELLER
 03/30/16 (H) EDC AT 8:00 AM CAPITOL 106
 03/30/16 (H) Moved SJR 2 Out of Committee
 03/30/16 (H) MINUTE (EDC)
 04/13/16 (H) JUD AT 1:00 PM GRUENBERG 120
 04/13/16 (H) Heard & Held
 04/13/16 (H) MINUTE (JUD)
 04/16/16 (H) JUD AT 10:00 AM GRUENBERG 120

WITNESS REGISTER

EDRA MORLEDGE, Staff
 Senator Kevin Meyer
 Alaska State Legislature
 Juneau, Alaska

POSITION STATEMENT: During the hearing of SB 123, offered testimony.

EDRA MORLEDGE, Staff
 Senator Kevin Meyer
 Alaska State Legislature
 Juneau, Alaska

POSITION STATEMENT: During the hearing of SB 121, offered testimony and answered questions.

KRISTIN PRATT, Staff
Senator Anna MacKinnon

Alaska State Legislature, Juneau, Alaska

POSITION STATEMENT: Presented SJR 2, on behalf of Senator MacKinnon, prime sponsor.

ACTION NARRATIVE

[10:10:32 AM](#)

CHAIR GABRIELLE LEDOUX called the House Judiciary Standing Committee meeting to order at 10:10 a.m. Representatives Lynn, Claman, Kreiss-Tomkins, and LeDoux were present at the call to order.

SB 123-USE OF ELECTRONIC DEVICES WHILE DRIVING

[10:11:21 AM](#)

CHAIR LEDOUX announced that the first order of business would be CS FOR SENATE BILL NO. 123(JUD), "An Act relating to the bail forfeiture schedule and the penalty for the use of electronic devices while driving; and providing for an effective date."

[10:11:29 AM](#)

EDRA MORLEDGE, Staff, Senator Kevin Meyer, Alaska State Legislature, explained that SB 123 reduces the penalty for texting and driving from a class A misdemeanor to a \$500 violation.

[10:12:08 AM](#)

REPRESENTATIVE LYNN moved to report CSSB 123, Version 29-LS1198\E out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSSB 123(JUD) passed out of the House Judiciary Standing Committee.

[10:12:45 AM](#)

The committee took an at-ease from 10:12 to 10:14 a.m.

SB 121-SECURITY FREEZE ON CERTAIN CREDIT REPORTS

[10:14:21 AM](#)

CHAIR LEDOUX announced that the next order of business would be CS FOR SENATE BILL NO. 121(JUD), "An Act relating to a security freeze on the consumer credit report of a minor, incapacitated person, or protected person."

[10:14:29 AM](#)

EDRA MORLEDGE, Staff, Senator Kevin Meyer, Alaska State Legislature, explained the bill allows a person to place a security freeze on a credit report, on behalf of a minor, incapacitated person, or protected person. In the event a credit report is not in existence, the credit bureau is required to generate one to place the freeze.

[10:15:04 AM](#)

REPRESENTATIVE CLAMAN advised that his office recently received a letter from the Consumer Data Industry Association (CDIA) raising questions that had not previously been discussed in the prior committee hearing. He related that this bill has good intentions and asked whether the bill could be held until this afternoon so the members had a chance to look at the concerns raised in the letter.

[SB 121 was held over.]

SJR 2-CONST. AM: G.O. BONDS FOR STUDENT LOANS

[10:17:01 AM](#)

CHAIR LEDOUX announced that the next order of business would be SENATE JOINT RESOLUTION NO. 2, Proposing an amendment to the Constitution of the State of Alaska relating to contracting state debt for postsecondary student loans.

[10:17:12 AM](#)

KRISTIN PRATT, Staff, Senator Anna MacKinnon, explained that SJR 2 is a constitutional amendment permitting the issuance of general obligation bonds for the purpose of funding postsecondary student loans.

[10:17:50 AM](#)

REPRESENTATIVE LYNN moved to report SJR 2, Version 29-LS0010\W, out of committee with individual recommendations and the

accompanying fiscal notes. There being no objection, SJR 2 was passed from the House Judiciary Standing Committee.

[10:18:34 AM](#)

CHAIR LEDOUX advised the House Judiciary Standing Committee meeting was recessed at 10:18 a.m. to a call of the chair.

[4:07:40 PM](#)

CHAIR LEDOUX called the House Judiciary Standing Committee meeting back to order from the 10:18 a.m. call of the chair, at 4:07 p.m. Representatives Claman, Kreiss-Tomkins, Foster, Keller, and LeDoux were present at the call to order.

SB 121-SECURITY FREEZE ON CERTAIN CREDIT REPORTS

[4:08:15 PM](#)

CHAIR LEDOUX returned the committee to CSSB 121, and asked whether the committee had questions.

REPRESENTATIVE CLAMAN referred to the letter he received from Consumer Data Industry Association (CDIA) and its concern that the term "record" is not defined in the bill, and asked her thoughts on that concern.

[4:08:57 PM](#)

MS. MORLEDGE responded this is the first document the sponsor's office has received noting any concern about the bill since its introduction in January. She said she was unaware there was a concern with that terminology, and the "term record was pretty interchangeable with credit report" as far as establishing a credit file, a credit record, for the purpose of placing a credit freeze. The sponsor is agreeable to the committee adding the definition of record.

[4:09:57 PM](#)

REPRESENTATIVE CLAMAN offered another option to delete the word "record" and make specific reference to "consumer credit report."

[4:10:07 PM](#)

MS. MORLEDGE agreed.

REPRESENTATIVE CLAMAN related that he is not proposing an amendment today, because he does not want to hold up passage of the bill. Possibly, Senator Meyer's office and Representative Claman's office could work together and he could, potentially, propose an amendment on the floor of the House of Representatives.

4:10:37 PM

REPRESENTATIVE KELLER moved to report CSSB 121, Version 29-LS1129\E, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSSB 121(JUD) passed from the House Judiciary Standing Committee.

4:10:59 PM

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 4:10 p.m.