

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

March 10, 2018

3:04 p.m.

**MEMBERS PRESENT**

Representative Sam Kito, Chair  
Representative Adam Wool, Vice Chair  
Representative Andy Josephson  
Representative Chris Birch  
Representative Louise Stutes

**MEMBERS ABSENT**

Representative Gary Knopp  
Representative Colleen Sullivan-Leonard  
Representative Mike Chenault (alternate)  
Representative Bryce Edgmon (alternate)

**COMMITTEE CALENDAR**

CONFIRMATION HEARING(S)

Board of Examiners in Optometry

Damien Delzer - Fairbanks

- HEARD

HOUSE BILL NO. 89

"An Act requiring licensure of occupations relating to radiologic technology, radiation therapy, and nuclear medicine technology; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 264

"An Act relating to a fee for disposable shopping bags; relating to the sale of reusable shopping bags; relating to the recycling of disposable shopping bags; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 350

"An Act relating to certain fees for using an automated teller machine."

- MOVED HB 350 OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: HB 89

SHORT TITLE: LICENSE RADIOLOGIC/NUC. MED TECHNOLOGISTS

SPONSOR(S): REPRESENTATIVE(S) TUCK

|          |     |                                 |
|----------|-----|---------------------------------|
| 01/30/17 | (H) | READ THE FIRST TIME - REFERRALS |
| 01/30/17 | (H) | L&C, FIN                        |
| 03/07/18 | (H) | L&C AT 3:15 PM BARNES 124       |
| 03/07/18 | (H) | Scheduled but Not Heard         |
| 03/09/18 | (H) | L&C AT 3:15 PM BARNES 124       |
| 03/09/18 | (H) | Scheduled but Not Heard         |
| 03/10/18 | (H) | L&C AT 3:00 PM BARNES 124       |

BILL: HB 264

SHORT TITLE: SHOPPING BAG FEES & RECYCLING

SPONSOR(S): REPRESENTATIVE(S) JOSEPHSON

|          |     |                                      |
|----------|-----|--------------------------------------|
| 01/08/18 | (H) | PREFILE RELEASED 1/8/18              |
| 01/16/18 | (H) | READ THE FIRST TIME - REFERRALS      |
| 01/16/18 | (H) | CRA, L&C                             |
| 01/30/18 | (H) | CRA AT 3:00 PM BARNES 124            |
| 01/30/18 | (H) | -- MEETING CANCELED --               |
| 02/10/18 | (H) | CRA AT 10:00 AM BARNES 124           |
| 02/10/18 | (H) | Heard & Held                         |
| 02/10/18 | (H) | MINUTE(CRA)                          |
| 02/13/18 | (H) | CRA AT 8:00 AM BARNES 124            |
| 02/13/18 | (H) | Heard & Held                         |
| 02/13/18 | (H) | MINUTE(CRA)                          |
| 02/22/18 | (H) | CRA AT 8:00 AM BARNES 124            |
| 02/22/18 | (H) | Moved CSHB 264(CRA) Out of Committee |
| 02/22/18 | (H) | MINUTE(CRA)                          |
| 02/23/18 | (H) | CRA RPT CS(CRA) 1DP 2DNP 3AM         |
| 02/23/18 | (H) | DP: DRUMMOND                         |
| 02/23/18 | (H) | DNP: SADDLER, TALERICO               |
| 02/23/18 | (H) | AM: LINCOLN, KREISS-TOMKINS, PARISH  |
| 03/09/18 | (H) | L&C AT 3:15 PM BARNES 124            |
| 03/09/18 | (H) | Scheduled but Not Heard              |
| 03/10/18 | (H) | L&C AT 3:00 PM BARNES 124            |

BILL: HB 350

SHORT TITLE: AUTOMATED TELLER MACHINES: FEES  
SPONSOR(s): REPRESENTATIVE(s) ORTIZ

|          |     |                                 |
|----------|-----|---------------------------------|
| 02/16/18 | (H) | READ THE FIRST TIME - REFERRALS |
| 02/16/18 | (H) | L&C                             |
| 02/28/18 | (H) | L&C AT 3:15 PM BARNES 124       |
| 02/28/18 | (H) | Heard & Held                    |
| 02/28/18 | (H) | MINUTE(L&C)                     |
| 03/10/18 | (H) | L&C AT 3:00 PM BARNES 124       |

**WITNESS REGISTER**

DAMIEN DELZER

Board of Examiners in Optometry  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified as an appointee to the Board of Examiners in Optometry.

REPRESENTATIVE CHRIS TUCK

Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented HB 89 as prime sponsor.

KENDRA KLOSTER, Staff

Representative Tuck  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented HB 89 on behalf of Representative Tuck, prime sponsor.

DONNA RUFHOLM, Chair

Legislative Affairs Committee  
Alaska Society of Radiologic Technologists  
Homer, Alaska

**POSITION STATEMENT:** Testified in the hearing on HB 89.

SARA CHAMBERS, Director

Division of Corporations, Business, and Professional Licensing  
Department of Commerce, Community, & Economic Development  
(DCCED)  
Juneau, Alaska

**POSITION STATEMENT:** Provided comments and responded to questions on HB 89.

ROBERT MCCLUNG, Chair

Alaska Society of Radiologic Technologists  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 89.

RHONDA MERRIHEW, Member  
Alaska Society of Radiologic Technologists  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 89.

CLAUDIA TESSIER, Member  
Alaska Society of Radiologic Technologists  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of HB 89.

LISA DELANEY, Staff  
Representative Andy Josephson  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented HB 264 on behalf of  
Representative Josephson, prime sponsor.

NICHOLAS WALSH  
Chugiak, Alaska

**POSITION STATEMENT:** Testified in support of HB 264.

PATTI FISHER, Member  
Mat-Su Zero Waste Coalition  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in support of HB 264.

VERONICA PADULA  
STEM Program Manager  
Aleut Community of St. Paul Island, Alaska  
Ecosystem Conservation Office  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of HB 264.

CAROL MONTGOMERY  
Mat-Su Zero Waste Coalition  
Palmer, Alaska

**POSITION STATEMENT:** Testified in the hearing on HB 264.

BRENDA DOLMA  
Homer, Alaska

**POSITION STATEMENT:** Testified in support of HB 264.

MARY WILSON  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in support of HB 264.

CAROLINE HAMP, Staff  
Representative Dan Ortiz  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Reintroduced HB 350 on behalf of Representative Ortiz, prime sponsor.

**ACTION NARRATIVE**

[3:04:28 PM](#)

**CHAIR SAM KITO** called the House Labor and Commerce Standing Committee meeting to order at 3:04 p.m. Representatives Stutes, Birch, Josephson, and Kito were present at the call to order. Representative Wool arrived once the meeting was under way.

Confirmation Hearing(s):

**CONFIRMATION HEARING(S):**  
**Board of Examiners in Optometry**

[3:05:30 PM](#)

CHAIR KITO announced that the first order of business would be a confirmation hearing for the Board of Examiners in Optometry.

[3:05:34 PM](#)

DAMIEN DELZER, Member, Board of Examiners in Optometry, Office of the Governor, testified as an appointee to the board. He said he is currently the secretary of the Board of Examiners in Optometry.

[3:06:06 PM](#)

REPRESENTATIVE JOSEPHSON mentioned HB 103 and asked for Dr. Delzer's view regarding the limitations on the practice of optometry.

MR. DELZER shared his understanding that the HB 103 addressed a number of issues regarding uniform standards of practice, prescription of pharmaceutical agents, education, advisory opinions, as well as determination of services that are within the scope of practice including procedures and defines ophthalmic surgery. He said in terms of the regulatory process, the board's authority is clearly structured in AS 08.72.278.

REPRESENTATIVE JOSEPHSON said the legislature left in place a section that states the only type of surgery an optometrist could perform is to remove a foreign body from the eye.

MR. DELZER suggested that would be in reference to statute AS 08.72.273 which permits the removal of foreign bodies, but the section doesn't permit any other procedures. He added that in AS 08.72.278 there is a more specific surgery definition.

REPRESENTATIVE JOSEPHSON asked whether there is conflict between the new law and the old section.

MR. DELZER said he sees them separately. He said the regulatory process is orderly and well established and should there be any potential conflict, the Department of Law would be called upon to clarify any conflict for the board.

[The following name was advanced to a joint session of the House of Representatives and the Senate on 4/9/18: Board of Examiners in Optometry, Damien Delzer.]

### **HB 89-LICENSE RADIOLOGIC/NUC. MED TECHNOLOGISTS**

[3:10:04 PM](#)

CHAIR KITO announced that the next order of business would be HOUSE BILL NO. 89, "An Act requiring licensure of occupations relating to radiologic technology, radiation therapy, and nuclear medicine technology; and providing for an effective date."

REPRESENTATIVE CHRIS TUCK, Alaska State Legislature, presented HB 89 as prime sponsor.

[3:10:52 PM](#)

KENDRA KLOSTER, Staff, Representative Tuck, Alaska State Legislature, presented HB 89 on behalf of Representative Tuck, prime sponsor. She paraphrased from the sponsor statement [included in committee packet] which reads as follows [original punctuation provided]:

House Bill 89 would establish licensing requirements for radiology technicians to increase safety for patients and healthcare professionals. Approximately

two-thirds of the states have laws regulating the practice of radiologic technology. However, Alaska is not among the majority who require licensing of this profession.

Radiology technicians have an important role in the healthcare field to provide services including x-rays used for checking broken bones; Magnetic Resonance Imaging (MRI) used to find tumors, bleeding, diseases, and infections; and Computed Tomography (CT) scans used to diagnose many types of cancer.

While a number of Alaskans use these services, many may not be aware of the potential risk of over-exposure to radiation, which can lead to serious health problems, and even death. To increase safety for the patients and healthcare professionals, we need to ensure technicians are being trained properly and the equipment is checked regularly.

We have been working closely with the radiologic technicians, the Alaska Departments of Health and Social Services and Commerce, Community and Economic Development to ensure we are crafting legislation that will improve public safety standards for Alaskan through these new licensing requirements. The Department of Health and Social Services have been working with radiology technicians across the state to develop regulations that will partner with this legislation to increase safety measures, update our out-of-date regulations, and ensure changes will not adversely affect technicians in rural Alaska.

Radiation protection is about safety and the prevention of undue risk from radiation exposure. House Bill 89 will improve the safety of medical imaging procedures by establishing education and standards to ensure competency of all operators and patients. I respectfully ask for your support in the passage of House Bill 89.

[3:13:37 PM](#)

REPRESENTATIVE BIRCH asked how many radiologists the legislation would embrace.

MS. KLOSTER deferred to Ms. Rufsholm.

[3:14:35 PM](#)

DONNA RUFSHOLM, Chair, Legislative Affairs Committee, Alaska Society of Radiologic Technologists, testified in the hearing on HB 89. She informed there are about 650 registered radio technologists in Alaska. She specified those individuals have gone through a formal program with a minimum of two to four years and passed a national exam. She indicated there are estimated to be one to two other individuals who are not registered and who have not gone through any formal education.

REPRESENTATIVE BIRCH asked whether dental x-ray technicians are included.

MS. RUFSHOLM answered dentists are exempted from this program because they have their own board and licensure.

[3:17:00 PM](#)

REPRESENTATIVE BIRCH asked whether there are incidents of people being over-radiated in Alaska.

MS. RUFSHOLM answered that many incidents are not heard about because they become locked files through litigation. She mentioned rural areas send images into urban centers to be read and medical assistants in those rural areas have very minimal training. She stated the biggest concern in Alaska is the assistance in rural areas involving the individuals taking x-rays who don't have the appropriate training. She said she sees x-rays that are over-exposed or under-exposed. She informed that radiation is cumulative, and it could be ten years before cancer from over-exposure appears. She said the proposed bill would ensure the people who take x-rays have the appropriate education and training. She added it is important that the training is affordable and accessible.

[3:21:17 PM](#)

REPRESENTATIVE BIRCH shared his concern that the state was "painting itself into a corner" with certifications, particularly in rural areas.

MS. RUFSHOLM said the clinics in rural areas "are okay with" a licensure program as long as it's affordable and accessible. She added the online program allows for accessible training for

certification. She remarked the people she had spoken with want to have additional training as long as it is affordable.

[3:24:26 PM](#)

CHAIR KITO mentioned there are lots of places in rural communities that might not have access to individuals who could become radio technologists. He asked whether a community with the equipment but no one who can be trained would have to wait for a licensed individual to obtain the x-ray image of a broken arm.

MS. RUFSHOLM answered, "Absolutely not." She said the society had made provisions and had attempted to address these issues regarding the very rural areas in Alaska. She explained all the current health aides have to do is show competency to be grandfathered into the system. She said anyone new coming into a rural community can get temporary licensure while they are preparing for certification.

[3:27:38 PM](#)

CHAIR KITO asked how the program would be funded without current licensees.

SARA CHAMBERS, Director, Division of Corporations, Business, and Professional Licensing, Department of Commerce, Community, & Economic Development (DCCED), provided comments and responded to questions on HB 89. She explained the law requires the state to recover those costs. She said there is a complex method for allocating funds. She said there is authority to expend funds within the division. Those costs would be paid back with licensing fees.

[3:29:21 PM](#)

REPRESENTATIVE BIRCH noted the proposed bill calls for a passing score of 75 percent average. He asked whether that is typical.

MS. CHAMBERS answered that programs differ. She added a statutory change would be required if the percentage was deemed too high or too low.

[3:30:45 PM](#)

CHAIR KITO opened public testimony on HB 89.

[3:30:54 PM](#)

ROBERT MCCLUNG, Chair, Alaska Society of Radiologic Technologists, testified in support of HB 89. He explained currently only eight states including Alaska have no licensing for radiography. He said there are 697 certified radiology technicians in Alaska. He added the radiology profession is the third largest group of certified professionals, behind doctors and nurses. He said there are a number of reasons for the legislation. He said the first is safety. An untrained individual may not be aware of techniques to protect themselves and patient safety is also affected. He said the second reason is quality. The purpose of producing x-ray images is to provide the best quality image for a healthcare provider to provide a diagnosis. He added the certified x-ray technician understands the reason for the exam, how pathology can affect the image, and how to adjust the amount of radiation to produce the desired image. He said over- or under-exposure can affect the interpretation of the image. He added the certified technicians in the state have passed an exam and must follow continuing education.

[3:34:49 PM](#)

RHONDA MERRIHEW, Member, Alaska Society of Radiologic Technologists, testified in support of HB 89. She shared her experience in a rural community. She explained the difference between adult and baby x-ray technique. She said she witnessed a technique which resulted in a baby getting more radiation than necessary. She said the proposed bill would help provide the training and ensure safety for the people of our state.

[3:37:31 PM](#)

REPRESENTATIVE BIRCH asked about costs of licensing and registration. He noted the fiscal note (FN) is around \$365 thousand which works out to around \$520 per licensee. He asked whether the cost is a concern.

MS. MERRIHEW deferred to Ms. Rufsholm.

MS. RUFSHOLM stated the society had not been presented the most recent FN. She said the FN they have is from 2007 and it did not show such a high figure. She added there had not been discussion on the impact on the members. She said she assumed the licensure fees would be paid every two years and asked for confirmation.

REPRESENTATIVE BIRCH said he think it comes out to a little over \$500 per person per year.

MS. RUFSHOLM said the figure was new to her and it has not yet been discussed. She emphasized the members knew licensure would have a cost and were prepared for it, but the new FN would have to be presented to the society.

[3:42:15 PM](#)

CLAUDIA TESSIER, Member, Alaska Society of Radiologic Technologists, testified in support of HB 89. She shared her personal experience as a victim of untrained radiologists. She said it made her become a radiology technician.

[3:44:12 PM](#)

REPRESENTATIVE BIRCH asked where the incident occurred.

MS. TESSIER answered it had occurred in South Dakota. She added that technicians are now registered in that state.

[3:44:36 PM](#)

CHAIR KITO said he would leave public testimony open on HB 89.

[3:44:43 PM](#)

REPRESENTATIVE STUTES stated her support for HB 89. She shared her experience in Kodiak, Alaska. She said CT scans in Kodiak, Alaska, cost about 25 percent higher than in Anchorage, Alaska.

[3:46:30 PM](#)

REPRESENTATIVE WOOL shared his personal background working in hospitals. He remarked the people he worked with had to be certified.

[3:48:00 PM](#)

CHAIR KITO held over HB 89.

#### **HB 264-SHOPPING BAG FEES & RECYCLING**

[3:48:32 PM](#)

CHAIR KITO announced that the next order of business would be HOUSE BILL NO. 264, "An Act relating to a fee for disposable shopping bags; relating to the sale of reusable shopping bags; relating to the recycling of disposable shopping bags; and providing for an effective date."

[3:49:45 PM](#)

The committee took an at-ease from 3:49 p.m. to 3:50 p.m.

[3:50:34 PM](#)

LISA DELANEY, Staff, Representative Andy Josephson, Alaska State Legislature, presented HB 264 on behalf of Representative Josephson, prime sponsor. She gave a PowerPoint presentation [included in committee packet].

MS. DELANEY began with slide 1, 'Motivations':

Plastic doesn't belong in nature.

- Plastic pollution is detrimental to our environment & wildlife
- Unsightly—for residents & visitors
- People come here for a wilderness experience
- Do we want tourists leaving with the impression that we don't care about our wild spaces?

We're trying to encourage people to be mindful of their behavior (consumption) and its effects on their community, environment, health, and economy.

[3:51:43 PM](#)

MS. DELANEY moved to slide 2, "Why plastic bags?":

- A major plastic offender
- People overuse plastic bags - they're free and readily accessible
- So flimsy and delicate that one bag is often not enough - anything with corners, must double-bag it!
- Light and easily carried by the wind...and Alaska has some serious winds
- So easy to substitute
- Cloth bags make a much better replacement - sturdy, washable, even stylish

- Even thick plastic bags don't end up in the environment on a comparable scale to thin single-use bags

[3:52:37 PM](#)

MS. DELANEY spoke to slide 3, "Quick Perspective Break":

- Plastic does not degrade; it breaks into smaller and smaller pieces
- Bits of plastic are like magnets to pollutants (...PCBs, for example)
- These tiny plastic bits, covered in toxins, enter the ecosystem & work their way into the food chain
- Fat-soluble toxins (again, think PCBs) accumulate in animal tissues, and toxins accumulate exponentially as you move up the food chain
- We Alaskans love our delicious rich-in-fat salmon...
- Plastic pollution has far-reaching effects that impact human health as well as the environment & economy

[3:53:35 PM](#)

MS. DELANEY addressed slide 4, "Why not start with a ban?":

- This was a tough call; bans are more common (and they get right to the point).
- Our rationale:
- We wanted people to have the choice...give folks a chance to get used to the idea - changing behaviors takes time
- The state is in need of revenue
- A fee is still effective in reducing plastic bag use
- Stores already subsidize disposable bag costs by charging more for goods purchased
- Estimated hidden bag costs = \$25-50 per person per year -- bags aren't as free as they seem

[3:54:32 PM](#)

MS. DELANEY moved to slide 5, "The Committee Substitute":

- Bans single-use plastic bags under 4 mils thick

- About the thickness of plastic sheeting
- Establishes minimum \$0.10 fee for all other bags (paper/reusable)
- Stores keep this fee—its only purpose is to prevent giveaway of thick plastic bags (i.e., working around the rule)
- Removes recycling requirement (moot if there's a ban)
- Exempts stores under \$250,000 gross sales

[3:55:13 PM](#)

MS. DELANEY spoke to slide 6, "Peer Pressure":

GLOBAL

- More than 40 countries have a plastic bag ban
- Bangladesh was the first (in 2002)
- Kenya has strictest ban (violators get up to 4 years in prison and fines from \$19,000-\$38,000)

UNITED STATES

- 13 US cities in 7 states have fee
- 110 US cities in 18 states have ban
- The most common legislation across the US involves a ban on plastic bags with a fee for paper & reusable bags

[3:56:00 PM](#)

REPRESENTATIVE STUTES said she is not clear on the fee for paper or reusable bags.

MS. DELANEY answered that there is no fee for a bag brought into the store.

REPRESENTATIVE STUTES asked whether there is a .10 fee for a paper bag.

MS. DELANEY answered in the affirmative.

[3:56:40 PM](#)

MS. DELANEY addressed slide 7, "Peer Pressure - Lower 49", showing the list of states with bans on plastic bags and states with fees for plastic bags. She indicated California is the only state with a statewide ban.

[3:57:10 PM](#)

REPRESENTATIVE WOOL stated that Alaska should appear in the list of states with bans.

[3:57:39 PM](#)

MS. DELANEY moved on to slide 8 showing the 17 communities in Alaska with bans on plastic bags. She pointed out that Palmer, Denali Borough, and Unalaska are considering a ban.

MS. DELANEY moved to slide 9, "The resource(ful) state":

- Cheforak - Community purchased canvas bags for the local store to use
- Chevak - Took used plastic bags & crocheted them into reusable plastic bags
- Cordova - Eyak Preservation Council ran Go Fund Me effort to raise funds to give a cloth bag bearing their logo to every resident
- Denali Borough - Partnered with Subaru to distribute reusable bags
- Koyuk - Received Alaska Conservation grant to provide two canvas bags to each household
- Wasilla - Working with local youth groups (e.g. scouts) to sell cloth bags instead of candy

[3:59:34 PM](#)

MS. DELANEY described the original bill in slide 10, "Section 1":

Adds "Article 5: Disposable Shopping Bag Fees" to 43.98 (Revenue & Taxation, Misc Provisions)

- Establishes a \$0.20 fee for single-use, carry-out plastic bags
- Lists exceptions (e.g., bags for bulk food, ice, newspaper)
- Works around any municipal regulations to prevent compounding fees
- State fees are not in addition to muni fees
  - Provides instructions for retail seller
  - Display fees on receipt
  - May not reimburse fee (or otherwise work around the rule)
  - Maintain & file records with Revenue
- Explains penalties for violation (\$250, \$500, \$750 within a year)

- DOR deals with violations
- Defines terms ("disposable shopping bag", "retail seller", reusable bag")

[4:00:25 PM](#)

REPRESENTATIVE WOOL asked how the amount of \$250,000 was determined.

MS. DELANEY answered it came through the House Community and Regional Affairs Standing Committee (HCRA).

REPRESENTATIVE WOOL asked for more information.

MS. DELANEY said it came from another committee member.

[4:01:12 PM](#)

REPRESENTATIVE JOSEPHSON asked whether similar figures were found in similar areas.

MS. DELANEY answered the figure was taken from other bills in the Lower 48.

MS. DELANEY addressed slide 13, "Section 2":

Amends 46.06 (Water, Air, Energy & Environmental Conservation, Recycling & Reduction of Litter)

- Establishes a recycling requirement
  - Retailers must accept plastic bags for the purpose of recycling
- Stipulates that plastic bags must show recycling symbol
- Requires that reusable bags must be made available (obviously visible!) for purchase near checkout
- Outlines fees for violation of the above (\$250, \$500, \$750 within a year)
  - DEC deals with violations
- Defines terms ("disposable shopping bag", "retail seller", "reusable bag") per Section 1

MS. DELANEY moved to slide 14 and stated Section 3 provides an effective date of January 1, 2019.

[4:03:00 PM](#)

MS. DELANEY described "the Committee Substitute" in slide 15:

Section 1: Adds new section to AS 46.06, "Recycling & Reduction of Litter"

- Establishes a ban on single-use plastic bags
- Lists exceptions (e.g., bags for bulk food, ice, newspaper)
- Implements a minimum charge for all other bags (paper & reusable)
- Provides instructions for retail seller
  - Display price on receipt
  - May not reimburse fee (or otherwise work around the rule)
- Explains penalties for violation (\$250, \$500, \$750 within a year)
  - DOR deals with violations
- Defines terms ("disposable shopping bag", "retail seller", reusable bag")

Section 2: Provides an effective date of July 1, 2019

[4:04:08 PM](#)

REPRESENTATIVE WOOL said he often uses the self-checkout. He asked whether there would be paper bags at the self-checkout and how it would work.

MS. DELANEY answered she assumes one would scan it like any other item.

REPRESENTATIVE WOOL asked whether anyone had looked into how the system works in other states such as California.

MS. DELANEY answered she had heard it was done in such a way in Hawaii.

[4:05:47 PM](#)

REPRESENTATIVE BIRCH said he thinks it's a terrible idea. He asked whether it addresses paper bags or dog waste bags.

MS. DELANEY answered the CS would address single use plastic bags.

REPRESENTATIVE BIRCH asked about the thinking behind the community size provision.

MS. DELANEY answered the original bill had a provision in which municipalities could take part in the state tax; however,

certain boroughs can't do that. She added the CS would establish a statewide ban.

[4:07:35 PM](#)

REPRESENTATIVE WOOL asked about dog waste stations and bags.

MS. DELANEY answered the proposed bill doesn't apply to those bags.

[4:08:03 PM](#)

CHAIR KITO suggested the proposed bill would only apply to retail operations.

[4:08:18 PM](#)

NICHOLAS WALSH testified in support of HB 264. He said he has been fishing and hunting in Alaska for years and has seen the impact of plastics in the middle of nowhere. He said he thinks Hawaii has a state-wide ban on plastic bags.

[4:10:24 PM](#)

CHAIR KITO opened public testimony on HB 264.

[4:10:29 PM](#)

PATTI FISHER, Member, Mat-Su Zero Waste Coalition, testified in support of HB 264. She shared information about the organization. She compared the coalition with the American Progressive Bag Alliance and stated she is upset that an outside group could tell Alaskans what to do. She said the single use plastic bags contain particles that are entering the food chain. She said she forgets her reusable bags all the time and she just puts her groceries in her cart and into her car. She said banning single use plastic bags is the right thing to do.

[4:14:02 PM](#)

VERONICA PADULA, STEM Program Manager, Aleut Community of St. Paul Island, Alaska, Ecosystem Conservation Office, testified in support of HB 264. She indicated she is a graduate student studying the effects of plastic debris on seabirds in the Bering Sea. She said she and her fellow scientists have seen all types of debris wash up on the shorelines. She added that debris can hurt them internally and can starve the animals. She said the

chemicals leech into the tissues of the birds. She stated that the populations of birds have been declining. She said the local community had collected over 10 tons of debris from the shoreline and the community decided to ban bags from its store.

[4:19:34 PM](#)

REPRESENTATIVE BIRCH said he appreciates the community made a local decision as other communities have. He shared a letter from the Alaska Municipal League asking for local governments to make the choice themselves as a local control issue. He asked Ms. Padula whether she supports allowing local government to make the choice.

MS. PADULA answered she supports anything that reduces the use of single use plastics.

[4:21:09 PM](#)

CAROL MONTGOMERY, Mat-Su Zero Waste Coalition, testified in the hearing on HB 264. She said, "People really hate plastic bags." She remarked the written comments were strongly in favor and the city council vote was 5-1. She said some have argued that local communities should decide and not the state. She pointed out the state legislation would close a loophole that allows stores to hand out slightly heavier plastic bags for free. She opined a fee helps businesses. She said she had spoken with two corporate representatives who said they feel a fee is the only way to support the use of the reusable bags and would help level the playing field. She queried why people who bring their own bags should be subsidizing people who don't. She said she took issue with the plastic bag industry claim that less than 2 percent of litter is from plastic bags. She said the plastic bags fly around, which is why they are seen everywhere. She spoke to the inability of plastic to biodegrade.

[4:25:58 PM](#)

REPRESENTATIVE JOSEPHSON asked whether Ms. Montgomery is one of the leaders of the Mat-Su Zero Waste Coalition.

MS. MONTGOMERY answered in the affirmative.

REPRESENTATIVE JOSEPHSON asked whether Ms. Montgomery has firsthand knowledge of domesticated reindeer or other ungulates consuming plastic.

MS. MONTGOMERY answered it was the issue that got the group started. She said a 3rd grader had been to the Matanuska Experiment Farm where a scientist pulled nine plastic bags out of a research caribou. She added the group was informed that scientists pull plastic out of these animals regularly. She stated the mission was to raise awareness of the damage done to the community by plastic bags.

REPRESENTATIVE JOSEPHSON shared his understanding that Palmer, Alaska, is looking for a ban and the Mat-Su Borough looked at a ban. He asked about areas outside the Mat-Su Borough that share the same concerns.

MS. MONTGOMERY said Palmer Community Council had held a meeting to discuss plastic bag legislation and there was a large turnout in the community with 100 percent support for "doing something." She explained the only power the borough has is to impose an excise tax. She said people don't like the idea of a tax.

[4:29:12 PM](#)

REPRESENTATIVE BIRCH mentioned the discussion regarding the choice between cloth and disposable diapers. He said he has found a number of uses for plastic bags. He asked whether people would be able to buy plastic bags.

MS. MONTGOMERY shared her understand that the legislation would apply to carry out grocery bags.

[4:31:33 PM](#)

BRENDA DOLMA testified in support of HB 264. She emphasized she is in support of a total ban on single use plastics. She said in her community there are programs whose goal to provide the community with bags other than plastic bags. She mentioned the Boomerang Bags worldwide initiative. She said she spent decades picking up marine debris in her community. She remarked on the effects of plastic on animals. She reiterated she would support a change in the bill from single use bags to single use plastics. She said she would also support the removal of any exemption.

[4:38:00 PM](#)

MARY WILSON testified in support of HB 264. She stated she has been using reusable bags for years. She said she thinks most of

the time people that complain about using reusable bags see the value after they try it out a few times.

[4:40:28 PM](#)

CHAIR KITO announced he would leave public testimony open on HB 264.

CHAIR KITO held over HB 264.

**HB 350-AUTOMATED TELLER MACHINES: FEES**

[4:40:36 PM](#)

CHAIR KITO announced that the final order of business would be HOUSE BILL NO. 350, "An Act relating to certain fees for using an automated teller machine."

[4:40:34 PM](#)

CAROLINE HAMP, Staff, Representative Dan Ortiz, Alaska State Legislature, reintroduced HB 350 on behalf of Representative Ortiz, prime sponsor. She stated the proposed bill would allow individually-owned ATMs to charge a fee on international card users. She added it would not affect fees to domestic cardholders or bank-owned ATMs. She informed that currently individually-owned ATMs cannot charge a fee to international cards and given the high volume of international travelers to the state, closing the gap would allow income from those ATMs to be collected from international tourists.

[4:42:00 PM](#)

CHAIR KITO closed public testimony on HB 350 upon ascertaining that there was no one else who wished to testify.

[4:42:05 PM](#)

REPRESENTATIVE WOOL moved to report HB 350 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, it was so ordered.

[4:43:18 PM](#)

**ADJOURNMENT**

There being no further business before the committee, the House Labor and Commerce Standing Committee meeting was adjourned at 4:43 p.m.