

ALASKA STATE LEGISLATURE
SENATE COMMUNITY AND REGIONAL AFFAIRS STANDING COMMITTEE

March 28, 2017

3:37 p.m.

MEMBERS PRESENT

Senator Click Bishop, Chair
Senator Anna MacKinnon
Senator Lyman Hoffman
Senator Bert Stedman
Senator Berta Gardner

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 8

"An Act relating to protective orders."

- HEARD & HELD

SENATE JOINT RESOLUTION NO. 4

Urging the Alaska Congressional delegation to introduce bills to provide for the exemption of legally acquired walrus, mammoth, and mastodon ivory from laws that ban the sale, use, and possession of ivory.

- HEARD & HELD

HOUSE BILL NO. 18

"An Act relating to race classics."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 8

SHORT TITLE: ENFORCEMENT OF FOREIGN PROTECTIVE ORDERS

SPONSOR(S): REPRESENTATIVE(S) EDGMON

01/18/17	(H)	PREFILE RELEASED 1/9/17
01/18/17	(H)	READ THE FIRST TIME - REFERRALS
01/18/17	(H)	CRA, JUD

01/31/17 (H) CRA AT 8:00 AM BARNES 124
 01/31/17 (H) Moved HB 8 Out of Committee
 01/31/17 (H) MINUTE(CRA)
 02/01/17 (H) CRA RPT 5DP 1NR
 02/01/17 (H) DP: TALERICO, WESTLAKE, DRUMMOND,
 PARISH, FANSLER
 02/01/17 (H) NR: RAUSCHER
 02/08/17 (H) JUD AT 1:30 PM GRUENBERG 120
 02/08/17 (H) Heard & Held
 02/08/17 (H) MINUTE(JUD)
 02/13/17 (H) JUD AT 1:30 PM GRUENBERG 120
 02/13/17 (H) Heard & Held
 02/13/17 (H) MINUTE(JUD)
 02/15/17 (H) JUD AT 1:30 PM GRUENBERG 120
 02/15/17 (H) Moved HB 8 Out of Committee
 02/15/17 (H) MINUTE(JUD)
 02/17/17 (H) JUD RPT 4DP 2NR
 02/17/17 (H) DP: KOPP, KREISS-TOMKINS, FANSLER,
 CLAMAN
 02/17/17 (H) NR: EASTMAN, REINBOLD
 03/06/17 (H) TRANSMITTED TO (S)
 03/06/17 (H) VERSION: HB 8
 03/08/17 (S) READ THE FIRST TIME - REFERRALS
 03/08/17 (S) CRA, JUD
 03/16/17 (S) CRA AT 3:30 PM BELTZ 105 (TSBldg)
 03/16/17 (S) Heard & Held
 03/16/17 (S) MINUTE(CRA)
 03/21/17 (S) CRA AT 3:30 PM BELTZ 105 (TSBldg)
 03/21/17 (S) Scheduled but Not Heard
 03/28/17 (S) CRA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: SJR 4

SHORT TITLE: AK LEGALLY ACQUIRED IVORY USE EXEMPTION
 SPONSOR(S): SENATOR(S) OLSON

02/01/17 (S) READ THE FIRST TIME - REFERRALS
 02/01/17 (S) CRA, RES
 03/28/17 (S) CRA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: HB 18

SHORT TITLE: RACE CLASSICS
 SPONSOR(S): REPRESENTATIVE(S) ORTIZ

01/18/17 (H) PREFILE RELEASED 1/9/17
 01/18/17 (H) READ THE FIRST TIME - REFERRALS
 01/18/17 (H) L&C, FIN

01/30/17 (H) L&C AT 3:30 PM BARNES 124
01/30/17 (H) Heard & Held
01/30/17 (H) MINUTE(L&C)
02/03/17 (H) L&C AT 3:15 PM BARNES 124
02/03/17 (H) Moved HB 18 Out of Committee
02/03/17 (H) MINUTE(L&C)
02/06/17 (H) L&C RPT 6DP 1NR
02/06/17 (H) DP: STUTES, WOOL, JOSEPHSON, BIRCH,
KNOPP, KITO
02/06/17 (H) NR: SULLIVAN-LEONARD
02/10/17 (H) FIN REFERRAL WAIVED
02/13/17 (H) TRANSMITTED TO (S)
02/13/17 (H) VERSION: HB 18
02/15/17 (S) READ THE FIRST TIME - REFERRALS
02/15/17 (S) CRA, L&C
03/28/17 (S) CRA AT 3:30 PM BELTZ 105 (TSBldg)

WITNESS REGISTER

BRITTANY HUTCHISON, staff
Senator Anna MacKinnon
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided an explanation of Amendment 1 for HB 8.

NANCY MEADE, General Council
Administrative Staff
Alaska Court System
Anchorage, Alaska

POSITION STATEMENT: Commented on HB 8.

MEGAN WALLACE, Legislative Legal Counsel
Legislative Legal Services
Legislative Affairs Agency
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Commented on HB 8.

SENATOR DONNY OLSON
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of SJR 4.

JACQUELINE BOYER, staff
Senator Donny Olson
Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Commented on SJR 4 for the sponsor.

SUSIE SILOOK, representing herself

Tulalip, Washington

POSITION STATEMENT: Supported SJR 4.

ALICE BIOFF, Kawerak Inc.

Nome, Alaska

POSITION STATEMENT: Supported SJR 4.

JOHN WAGHIYI, representing himself

Savoonga, Alaska

POSITION STATEMENT: Supported SJR 4.

DERA METALF, Program Director

Eskimo Walrus Commission

Nome, Alaska

POSITION STATEMENT: Supported SJR 4.

REPRESENTATIVE DANIEL ORTIZ

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Sponsor of HB 18.

ELIZABETH BOLLING, staff

Representative Daniel Ortiz

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Available to comment on HB 18.

BILL SWIFT, Executive Director

Greater Ketchikan Chamber of Commerce

Ketchikan, Alaska

POSITION STATEMENT: Stated that GKCC unanimously supported HB 18.

CHELSEA GOUCHER, Vice President

Ketchikan Chamber Board of Directors

Ketchikan, Alaska

POSITION STATEMENT: Stated wholehearted support for HB 18.

JASON CUSTER, member

Ketchikan Chamber of Commerce

Ketchikan, Alaska

POSITION STATEMENT: Supported HB 18.

ACTION NARRATIVE

3:37:55 PM

CHAIR CLICK BISHOP called the Senate Community and Regional Affairs Standing Committee meeting to order at 3:37 p.m. All members were present at the call to order.

3:39:04 PM

HB 8-ENFORCEMENT OF FOREIGN PROTECTIVE ORDERS

CHAIR BISHOP announced consideration of HB 8.

SENATOR MACKINNON moved Amendment 1, labelled 30-LS0127\A.3

30-LS0127\A.3
Wallace
3/16/17

AMENDMENT 1

OFFERED IN THE SENATE BY SENATOR MACKINNON

TO: HB 8

Page 4, following line 22:

Insert a new bill section to read:

"* **Sec. 8.** AS 22.35.030 is amended to read:

Sec. 22.35.030. Publication of Records [RECORDS CONCERNING CRIMINAL CASES RESULTING IN ACQUITTAL OR DISMISSAL]. The Alaska Court System may not publish a court record [OF A CRIMINAL CASE] on a publicly available website

(1) in a criminal case if 60 days have elapsed from the date of acquittal or dismissal and

(A) [(1)] the defendant was acquitted of all charges filed in the case;

(B) [(2)] all criminal charges against the defendant in the case have been dismissed and were not dismissed as part of a plea agreement in another criminal case under Rule 11, Alaska Rules of Criminal Procedure;

(C) [(3)] the defendant was acquitted of some of the criminal charges in the case and the remaining charges were dismissed; or

(D) [(4)] all criminal charges against the defendant in the case have been dismissed after a suspended entry of judgment under AS 12.55.078;

(2) of a protective order under AS 18.66.100 - 18.66.180, restraining order, or injunction in a case involving domestic violence if the publication would likely reveal the identity or location of the party protected under the order."

Renumber the following bill sections accordingly.

CHAIR BISHOP objected for discussion purposes.

[3:39:41 PM](#)

BRITTANY HUTCHISON, staff to Senator MacKinnon, Alaska State Legislature, Juneau, Alaska, explained that Amendment 1 would put Alaska in further compliance with the Federal Violence Against Women Act (VAWA). It requires that all protective orders, restraining orders, or injunctions in cases involving domestic violence, sexual assault, or stalking shall not be published on the Internet if they would likely reveal the identity or location of the party protected under the order.

She said the bulk of the amendment is in section 2 and everything else is conforming changes. Section 2 was written to comply with Title 18 of US Code Section 22.65 (d)(2), entitled "No Prior Registration or Filing as a Prerequisite for Enforcement." However, right below that (d)(3), entitled "Limits on Internet Publication or Registration Information" is what the amendment seeks to be in compliance with. The amendment is worded exactly the same.

[3:41:26 PM](#)

NANCY MEADE, General Counsel, Alaska Court System, Juneau, Alaska, explained that using this language means that the court system would remove the public version that people can access from home from CourtView and it applies to all records of domestic violence protective orders, as well as stalking and sexual assault protective orders. This is because any record of a protective order would likely [inadvertently] reveal the identity or location of a protected party. Just removing the petitioners' names could leave clues as to the other information. If something is left on CourtView like unpublished or anonymous versus Click Bishop with a Fairbanks case number, that does in fact reveal the identity of the person bringing it as well as the location. She said the court system can remove everything with no fiscal impact.

SENATOR MACKINNON asked what language about protecting a victim's identity would instruct the court to adequately comply with the federal law.

MS. MEADE answered the problem is that by saying "to remove anything that reveals the identity or location of the person who files," makes it very easy to figure out the information that is left out. The court system could be instructed to remove all names or one name, but removing just one name (thus leaving enough information to figure out other names) would be violating federal statute.

She explained that in the past, the court system applied VAWA to foreign (non-Alaskan) domestic violence protective orders, because it is in federal law. That meant they didn't post anything about protective orders that came from other jurisdictions. The legislature can tell the court to do more if it thinks VAWA requires more and they will do it. She just wanted to make sure they know how language would be implemented.

[3:45:05 PM](#)

SENATOR MACKINNON asked if Alaska protects out-of-state orders more vigorously than in-state orders in compliance issues.

MS. MEADE answered that provision of VAWA deals with full faith and credit to be given to foreign protective orders. They can do the same thing for Alaskan protective orders, which this language would tell them to do.

SENATOR MACKINNON said they are trying to come into federal compliance with victims who petition the court for protection, and HB 8 takes them one step closer, but the amendment is trying to put the state in full compliance. The courts are asserting today that there is only one way to do it, and that is to remove all data. They have contacted the Council on Domestic Violence and Sexual Assault, as well as the Alaska Network on Domestic Violence and Sexual Assault. They are all inclined to have the perpetrator, or the accused have their names public so that the general public knows there could be harm associated with those individuals that are being at least accused if not prosecuted. If this amendment fails, she wanted to be able to craft new, compliant legislation with help from the court.

[3:47:21 PM](#)

SENATOR GARDNER asked if there is a proposal to fix Senator MacKinnon's concern without the unintended consequence.

MS. MEADE answered that she worked with Senator MacKinnon's staff and it would be simple if the statute said that the court system may not publish a petitioner's name in a domestic violence, stalking, or sexual assault protective order. That would be easy and perhaps would get to where they want to go if what they want is to keep petitioner's names off the Internet but leave respondent's names. That is not difficult to draft.

[3:48:09 PM](#)

At ease

[3:48:51 PM](#)

SENATOR MACKINNON said her staff had the language "petitioner" and when it was submitted to Legislative Legal they were given a legal opinion that said it would not be in compliance. So, she wanted to ask Megan Wallace to speak to the reasons why she believes it would still be out of compliance.

[3:49:21 PM](#)

MEGAN WALLACE, Legislative Legal Counsel, Legislative Legal Services, Legislative Affairs Agency, Alaska State Legislature, Juneau, Alaska, said in regard to changing the amendment so that only the petitioner's name would appear on CourtView, her concern is that the federal statute states that to be in compliance the publication cannot reveal the identity or the location of the party. She was not certain if they take out the language relating to revealing the identity of or location of the party, if it doesn't leave room for non-compliance with that federal law. Federal statute states that publications cannot reveal identification or location of the party.

SENATOR MACKINNON said her goal is to comply with federal law and protect victims of domestic violence and asked to hear from Ms. Meade.

MS. MEADE said she didn't think her legal opinion on this really matters, but if your legal conclusion is that just writing "petitioners" would not be compliant with federal law, then you would go with this wording. But with this wording and perhaps what Ms. Wallace is trying to say is that nothing would be posted about a case on their Internet site.

It is difficult to research what other states do definitively. A Michigan Supreme Court opinion at least implies that nothing can be posted about domestic violence protective orders on the Internet under VAWA. She wasn't saying that is the standard in

the U.S. and she wasn't proffering her legal opinion, but rather she is saying how the wording in the statute would be implemented should this amendment pass.

[3:51:54 PM](#)

SENATOR STEDMAN said this is about as clear as mud and that the committee should proceed with caution so they understand what they are voting on. He asked to clarify that they can't by federal law publish the names of the accused.

MS. MEADE said it is Legislative Legal's conclusion that the portion of federal law that says that petitioners' names ought to be protected in protective order proceedings was interpreted by the court previously to apply only to orders coming in from other states. Legislative Legal has determined that applies to all protective orders filed in the state, as well. Now the question is how to write that into an amendment. You could write "never put a petitioner's name on CourtView" and that can be done. But Legislative Legal thinks that wouldn't go far enough towards putting the state into compliance with federal law, which says "can't put anything on there that would reveal the identity or location." That is the wording in Senator MacKinnon's amendment. However, in practice the CourtView can't show anything, because displaying a domestic violence case in Fairbanks with anonymous versus Click Bishop, alerts people to whom the other party is.

CHAIR BISHOP, finding no further comments, held HB 8 in committee.

SJR 4-AK LEGALLY ACQUIRED IVORY USE EXEMPTION

[3:56:21 PM](#)

CHAIR BISHOP announced consideration of SJR 4.

SENATOR DONNY OLSON, sponsor of SJR 4, Alaska State Legislature, Juneau, Alaska, explained this resolution is designed to do two things: to show support for products made out of ivory by Alaskans in the State of Alaska as well as to urge the federal delegation to provide for exemptions for legally obtained ivory in the United States.

This resolution was brought to his attention by his constituents from Kaktovik, which is at the eastern border of Canada, down to Diomede and Hooper Bay. Those constituents, especially during the Alaska Federation of Natives (AFN) annual convention, told him they were very concerned about what was going on with the

ban on elephant ivory, because the byproducts of other ivories provide necessary incomes to indigenous people that take the edge off of living out there.

SENATOR OLSON said he would like to be able to wear his ivory jewelry without it being banned in other states. He displayed a baleen basket with a fossilized narwhal ivory top and a mastodon ivory carving made by the former mayor of the Northwest Arctic Borough, Ross Shaffer.

JACQUELINE BOYER, staff to Senator Donny Olson, Alaska State Legislature, Juneau, Alaska, further explained SJR 4 on behalf of the sponsor. She said New York is a state that bans ivory and defines it as pertaining to elephant and mammoth, even though mammoth is extinct. Their statute prohibits selling, offering to sell, purchase, trade, barter or distribute any ivory or rhinoceros horn and then provides for some exceptions (such as to license or permit an antique for educational or scientific purposes, an estate, or a musical instrument). Fines associated with possessing ivory include up to a minimum of \$500 up to a class D felony with a \$25,000 fine.

California prohibits purchasing, selling, offering to sell, possessing with intent to sell, or importing ivory. Their definitions of ivory include elephant, hippopotamus, mammoth, mastodon, walrus, warthog, whale, and narwhal. Their exemptions include permits for instruments or for educational purposes. The fines are from \$1,000 up to \$50,000.

Hawaii prohibits selling, offering to sell, purchasing, trading, possessing with intent to sell, and bartering ivory including whale, walrus, and mammoth, noting that even though it's extinct they still want to prevent people from possessing it. Their exceptions include the right of the indigenous people to possess and do their traditional practices, much like in Alaska, but they don't include Alaska Natives in the rights to sell to other people in Hawaii.

[4:01:23 PM](#)

New Jersey has similar language, but just blatantly says all ivory rather than listing endangered or extinct species. They don't provide for any exceptions. The most serious offense - after the third time - is seizure of all ivory.

The State of Washington only bans living elephant ivory, which seems to be the most reasonable provision.

CHAIR BISHOP asked if mastodon ivory is legal in Washington State.

MS. BOYER answered yes. The Marine Mammal Protection Act (MMPA) is cited in the resolution. Section 109 relates to transferring of authority from the secretary to the state. That might need some clarification to maybe preempt states from arbitrarily banning ivory that has been legally obtained.

Section 1539 specifically states that these MMPA provisions don't apply to any Indian, Aleut, or Eskimo who resides in an Alaska Native village and any non-Native permanent resident in an Alaska Native village. That could be extended to their by-products.

[4:04:08 PM](#)

SENATOR OLSON said he was open to questions on this resolution that is very important to the people of western and northern Alaska where legally obtained ivory has been taken by the local population and made into beautiful handcrafted items.

SENATOR STEDMAN said he liked the resolution, and asked how states that make presently owned ivory illegal deal with it. Do they have to turn it in, and what about the things in collections and on grandma's coffee table?

MS. BOYER answered it varies state by state. It has to be reported to Fish and Wildlife Services in one state; for others it's okay to have as long as it's older than 1972.

SENATOR OLSON added that most people who have private collections have been grandfathered in, especially if the collections were obtained before 1972 when the MMPA went into effect. In most states the general law is you can keep it, but not sell or barter it for anything else.

SENATOR STEDMAN asked if tourists can buy Alaska artifacts and legally take them back to New York. What about an abandoned item?

SENATOR OLSON answered if ivory is not raw and crafted into something, in general you can take it back to the state you came from, but in some states it has to be reported to U.S. Fish and Wildlife Service (USFWS).

SENATOR GARDNER asked if his intention was to have the exemptions apply to every state preemptively or only to federal law with regards to the further resolve on page 2, line 14.

[4:07:24 PM](#)

SENATOR OLSON said he would like the Alaska congressional delegation to exempt all of it across the states.

[4:08:13 PM](#)

SUSIE SILOOK, representing herself, Tulalip, Washington, supported SJR 4. She is originally from Gambel, Alaska, and is a member of an artist advocacy group for Alaska Natives against the bans on ivory. This issue began for her when she heard Hawaii was banning walrus ivory, also. They told Hawaii that Alaska Natives are exempted under MMPA, but they were banned anyway. There is a lot of confusion about the bans. Some items are not banned, but people think they are. So, there is a de facto ban going on anyway. She has been told by both businesses and artists that the market is way down, so it is already hurting the market.

Her research has revealed that these bans are an overreach by wildlife groups involved with the elephant ivory ban, which she has nothing against, but you don't have to ban all ivory worldwide, which their advertising says.

MS. SILOOK said another issue is that it is hard to distinguish between the ivories, but she has a written document from the USFWS saying that one can absolutely distinguish between walrus and elephant ivory.

[4:12:53 PM](#)

ALICE BIOFF, Kawerak Inc., Nome, Alaska, supported SJR 4. She is a member of the Alaska State Council of the Arts. She is a tribal member of the Native Village Koyukuk and grew up in Nome. She has been employed as a business planning specialist for Kawerak, the regional non-profit consortium of tribes for the Bering Straits region. She is privileged to work with artists entrepreneurs within the communities and the Council provides tools and resources to assist artists in continuing their work so they can sustain themselves, their families, and their communities.

Walrus ivory harvested during subsistence hunting is one of the main materials artists entrepreneurs use to carve into unique traditional art work that has been recognized for its amazing craftsmanship throughout the world. These artists are economic

development drivers in their communities and she sees firsthand the economic impact selling ivory has in the communities, but most importantly how the arts and crafts made with ivory keep traditions alive and strong: beautiful work being passed down from one generation to the next. Their art is woven into who they are as indigenous people, and having access to those materials is vital.

MS. BIOFF said it would be a shame to see their ability to sell ivory collapse because of a lack of understanding of their culture that is unique and has a history of customs and traditions of working with nature and an ability to successfully self-manage a resource such as walrus. Please educate those who do not understand this, she urged. She thanked all the sponsors for bringing this resolution forward.

[4:15:28 PM](#)

JOHN WAGHIYI, representing himself, Savoonga, Alaska, said he is a life-long subsistence provider for his family and community, and supported SJR 4. He said the State of Alaska needs to help educate and advocate for the indigenous community to make sure that their guaranteed right of survival is protected. He said St. Lawrence Island people are the only people in the world that harvest walrus - first - as a subsistence resource. It helps them maintain spiritual, physical, and psychological needs that keep them knowing who they are. They harvest more walrus than any other people in the world. The walrus ivory has been used for thousands of years and is used exclusively to help supplement their subsistence way of life.

[4:18:12 PM](#)

DERA METALF, Program Director, Eskimo Walrus Commission, Nome, Alaska, supported SJR 4. She said the Walrus Commission has been around since 1978. She also serves on the Marine Mammal Commission as their special advisor on Native affairs. Alaska Natives are already facing difficulties with harvesting walrus and pressures because of climate change, and she wonders if these communities can even afford to continue hunting. But hunting is fundamental to the coastal communities from the meat to the blubber, skin to organs, and food to processing skin and tusks that are used in boats, guns, and jewelry, and handicrafts. These are critically important to them.

She added that with the ice cover diminishing and changing as it has for the past few years, their hunters have to travel further distances to hunt. Walrus defines not only their local economies

and way of life, but their food group resources and their cultural traditions including arts and crafts.

CHAIR BISHOP closed public testimony and held SJR 4 in committee.

[4:22:00 PM](#)

At ease

HB 18-RACE CLASSICS

[4:22:54 PM](#)

CHAIR BISHOP called the meeting back to order and announced consideration of HB 18.

[4:22:59 PM](#)

REPRESENTATIVE DANIEL ORTIZ, Alaska State Legislature, Juneau, Alaska, sponsor of HB 18, introduced himself.

ELIZABETH BOLLING, staff to Representative Daniel Ortiz, Alaska State Legislature, Juneau, Alaska, introduced herself.

REPRESENTATIVE ORTIZ said HB 18 is a simple, straight-forward race classics bill. While it is simple and straight-forward, it is also necessary for the Ketchikan Chamber of Commerce to obtain a race classic permit as the term "race classic" is so narrowly defined in statute as to provide only for the Mt. Marathon race classic held by the Seward Chamber of Commerce.

The Ketchikan Chamber of Commerce also has an interest in obtaining a race classic permit for a human race, the Race to Alaska, which is a non-motorized boat race beginning in Port Townsend, Washington, and ending in Ketchikan, Alaska. It is a 750-mile race, and the idea of attaching this to a race classic permit will allow the Ketchikan Chamber of Commerce to do a little fundraising by providing the opportunity for people to wager on the exact day, hour, minute, and second of the arrival of the first-place boat.

[4:25:14 PM](#)

BILL SWIFT, Executive Director, Greater Ketchikan Chamber of Commerce, Ketchikan, Alaska, said the Chamber unanimously supports HB 18. Their research has determined that specific legislative authorization is necessary to have a race classic, and HB 18 gives the Ketchikan Chamber of Commerce permission to conduct a charitable community fund raiser of this type based around the Race to Alaska by including this event within the

state's existing definition of a "race classic." It specifies that this event would be administered by the Ketchikan Chamber of Commerce.

The tradition of classics is a fun and common form of Alaskana, and a great many non-profit entities throughout Alaska have been given permission by the legislature to conduct classic fund raisers of this type: dog mushers, rain classics, fish derbies, moose derbies, and goose and canned salmon classics.

MR. SWIFT said there is a strong precedent for the Chamber to host events of this type. Similar events are hosted by the Chamber organizations for Juneau, Fairbanks, Kenai, Seward, Petersburg, Delta, and Big Lake. He thanked the legislature for taking time to consider their request for what is a relatively small administrative change that is necessary and does not cost the state anything.

[4:28:16 PM](#)

CHELSEA GOUCHER, Vice President, Ketchikan Chamber Board of Directors, Ketchikan, Alaska, wholeheartedly supported HB 18. She related that she is currently employed as an account representative for Alaska Marine Lines, but in the past she was employed by the Ketchikan Chamber of Commerce as executive director. Representative Ortiz's bill would allow the Ketchikan Chamber of Commerce to raise money by operating and administering a race classic with a gaming permit as is currently done by the Seward Chamber with the Mount Marathon Race Classic.

MS. COUCHER said she also supports Mr. Swift's letter of support adding that the monies it generates can be put towards projects the Ketchikan Chamber of Commerce has undertaken recently such as workforce development initiatives, economic and community development programs, lighting of the town Christmas tree and the July 4th parade, employee wellness training, informational programs, networking events to encourage a vibrant economy, assistance to new and developing businesses, hosting special programs such as the Ketchikan Marine Industry Council, fostering the Ketchikan Young Professionals Network, and advocating for a sound business plan for Ketchikan and the entire state, as well as doing close work with organizations like Southeast Conference, the Alaska Chamber, the Alaska Forest Association, and the Alaska Miners Association. These activities are self-funded by the Chamber which relies on very little government money or grants and depends primarily on member dues and fund-raisers to function.

She said HB 18 would help sustain these efforts despite decreases elsewhere in the community, state, and local funding. In fact, a race classic would likely attract outside money as racers, families and friends, sports fans, and residents of Port Townsend, and the race's community of origin can buy a chance to win this newest of race classics.

[4:30:55 PM](#)

JASON CUSTER, member, Ketchikan Chamber of Commerce, Ketchikan, Alaska, supported HB 18. He agreed with comments by Mr. Swift and Ms. Goucher. He said the Chamber is probably the largest and most diverse non-profit organization in Ketchikan with 274 members.

The benefits of HB 18 to their organization and community would include providing a new source of locally generated, self-generated revenue for community projects, which otherwise would not be present. It supports community development and economic development activities and programs. HB 18 will help get Alaskans and residents of Ketchikan excited about contributing to community projects and initiatives, promoting a culture of community giving and self-sufficiency. This would not cost the state anything, but creates a new source of funding for community projects and initiatives.

MR. CUSTER said numerous Chambers around the state have been given the ability to administer similar programs including Juneau, Fairbanks, Petersburg, and Seward.

[4:33:15 PM](#)

SENATOR STEDMAN said HB 18 is a good idea. This race is a good way for a community to generate money and also have fun. He noted that this one-sentence bill is the shortest he has seen and it has a zero fiscal note, too.

SENATOR MACKINNON referred to the games of chance and contest of skills statute and said it seems that an entire chapter was created to say okay to gaming one issue at a time, and she wondered, given the current recession the state is in and folks, non-profits specifically, trying to work for themselves, why they should continue to have one agency and one non-profit at a time come forward to ask for permission to do something which requires years of advance planning. Because as she understands it, they still have to comply with the same rules. Is there any reason the door was not opened wider? Are they just complying with this past practice for all the individual requests?

REPRESENTATIVE ORTIZ replied that they are just complying with past practice.

CHAIR BISHOP found no further comments and closed public testimony. He held HB 18 in committee to await Senator MacKinnon's amendment.

[4:36:04 PM](#)

CHAIR BISHOP adjourned the Senate Community and Regional Affairs Standing Committee meeting at 4:36 p.m.