

ALASKA STATE LEGISLATURE
SENATE STATE AFFAIRS STANDING COMMITTEE

March 21, 2017

3:31 p.m.

MEMBERS PRESENT

Senator Mike Dunleavy, Chair
Senator David Wilson
Senator Cathy Giessel
Senator John Coghill
Senator Dennis Egan

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 34

"An Act relating to the implementation of the federal REAL ID Act of 2005; and relating to issuance of identification cards and driver's licenses; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 16

"An Act relating to training regarding disabilities for police officers, probation officers, parole officers, correctional officers, and village public safety officers; relating to guidelines for drivers when encountering or being stopped by a peace officer; relating to driver's license examinations; and relating to a voluntary disability designation on a state identification card and a driver's license."

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: SB 34

SHORT TITLE: DRIVER'S LICENSE & ID CARDS & REAL ID ACT

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

01/23/17	(S)	READ THE FIRST TIME - REFERRALS
01/23/17	(S)	STA, FIN

02/23/17 (S) STA AT 3:30 PM BUTROVICH 205
02/23/17 (S) Heard & Held
02/23/17 (S) MINUTE(STA)
03/21/17 (S) STA AT 3:30 PM BUTROVICH 205

WITNESS REGISTER

CHRISTA MCDONALD, Staff
Senator Mike Dunleavy
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided an overview of the CS for SB 34.

LESLIE RIDLE, Deputy Commissioner
Alaska Department of Administration
Juneau, Alaska

POSITION STATEMENT: Addressed the CS for SB 34.

MARLA THOMPSON, Director
Division of Motor Vehicles
Alaska Department of Administration
Anchorage, Alaska

POSITION STATEMENT: Addressed the CS for SB 34.

RALPH DALE ROGERS, representing self
Ketchikan, Alaska

POSITION STATEMENT: Testified on SB 34 but did not state a position.

ERIC GLATT, Staff Attorney
American Civil Liberties Union of Alaska
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 34.

DON ETHERIDGE, Lobbyist
Alaska AFL-CIO
Juneau, Alaska

POSITION STATEMENT: Testified in support of SB 34.

BRYAN IMUS, President
Laborers Local 942
Laborers International Union of North America
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SB 34.

TERESA BRAND SHARPE, Manager

Golden Valley Electric Association
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SB 34.

KEVIN POMEROY, Business Manager
Laborers Local 942
Laborers International Union of North America
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SB 34.

LAKE WILLIAMS, District Representative
International Union of Operating Engineers (IUOE) Local 302
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SB 34.

MARIE RENSEL, representing self
Fairbanks, Alaska

POSITION STATEMENT: Testified in opposition of SB 34.

SCOTT EICKHOLT, President
Laborers Local 942
Laborers International Union of North America
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SB 34.

AVES THOMPSON, Executive Director
Alaska Trucking Association
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 34.

MARK LERNER, Founder
Constitutional Alliance
Mountain View, Arkansas

POSITION STATEMENT: Testified in opposition of SB 34.

TOM ROTH, Chief Operating Officer
Anchorage School District
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 34.

RICHARD SOBEL, Director
Cyber Privacy Project
Chicago, Illinois

POSITION STATEMENT: Testified in opposition of SB 34.

SARAH LEFEBVRE, Committee Member
Fairbanks Chamber of Commerce

Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SB 34.

MATT FLANDERS, Legislative Specialist
Citizens' Council for Health Freedom
St. Paul, Minnesota

POSITION STATEMENT: Testified in opposition of SB 34.

SHARICE WALKER, Director
Community and Public Relations
Fairbanks North Star Borough School District
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SB 34.

JULIE DUQUETTE, employee
Slayden Plumbing and Heating, Inc.
North Pole, Alaska

POSITION STATEMENT: Testified in support of SB 34.

EDWARD HASBROUCK, Consultant
The Identity Project
San Francisco, California

POSITION STATEMENT: Testified in opposition of SB 34.

PATRICIA ANDERSON, Co-Director
Alaska Freedom to Travel USA
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition of SB 34.

DIANE SHANKER, Co-Director
Alaska Freedom to Travel USA
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition of SB 34.

RYAN TIPTON, representing self
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SB 34.

JACE DIGEL, Business Representative
Teamsters Local 959
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 34.

PAM GOODE, representing self
Deltana, Alaska

POSITION STATEMENT: Testified in opposition of SB 34.

KAREN PERRY, representing self
Chugiak, Alaska

POSITION STATEMENT: Testified in opposition of SB 34.

TIM JONES, Vice President of Administration
Doyon Utilities
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SB 34.

MICHAEL CHAMBERS, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition of SB 34.

LYNETTE CLARK, Chairman
Alaskan Independence Party
Fairbanks, Alaska

POSITION STATEMENT: Testified in opposition of SB 34.

WILLIAM TOPEL, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition of SB 34.

BRIAN DUFFY, Director
Administrative Services
Alaska Department of Military and Veterans' Affairs
Joint Base Elmendorf-Richardson
Richardson, Alaska

POSITION STATEMENT: Testified in support of SB 34.

ACTION NARRATIVE

[3:31:12 PM](#)

CHAIR MIKE DUNLEAVY called the Senate State Affairs Standing Committee meeting to order at 3:31 p.m. Present at the call to order were Senators Giessel, Wilson, Egan, Coghill, and Chair Dunleavy.

SB 34-DRIVER'S LICENSE & ID CARDS & REAL ID ACT

[3:31:49 PM](#)

CHAIR DUNLEAVY announced the consideration of Senate Bill 34, (SB 34).

[3:32:06 PM](#)

SENATOR GIESSEL moved to adopt the committee substitute (CS) for SB 34, version 30-GS1781\0, as the working document.

CHAIR DUNLEAVY objected for discussion purposes.

[3:32:31 PM](#)

CHRISTA MCDONALD, Staff, Senator Mike Dunleavy, Alaska State Legislature, Juneau, Alaska, provided an overview of the CS for SB 34.

She referenced a document entitled, "Explanation of Changes" for Senate CS for SB 24(STA), version: 30-GS1781\0, with commentary as follows:

- Technical changes throughout the bill: Legislative Legal has brought the language of this legislation in line with the standards set forth in the legislative drafting manual.
- Page 1, lines 9-11: AS 18.65.310(a) added a \$5 fee to the production of a federally compliant identification card.

The thought behind this was Commissioner Fisher said by adding a \$5 fee to identification cards and a \$10 fee to the compliant IDs, this give them an opportunity to pay back the general fund in receipts over the next 5 years.

- Page 2, lines 12-13: AS 18.65.310(p) requires noncompliant identification cards to be produced within the state.

Right now, all of our driver's licenses are being produced outside of the state. So, if you select a federally compliant license it still would be processed outside the state in that database. If you selected a noncompliant license it would probably be processed in Anchorage or somewhere central within the state.

- Page 2, lines 19-24: AS 28.05.068 adds a new section that the department may not convey or distribute information to an entity or individual that is not a state agency beyond what is necessary to administer driver's licensing under

AS 28.15 or the data authorized under AS 28.10.505

AS 28.15, this is our guidelines for our driver's license, that you can't have a license in another state or a revoked license in another state. So, they will still be able to look at that and analyze if you are eligible.

AS 28.10.505, this is the statute that says law enforcement can go and get information from the DMV, as well as courts and child support as well.

- Page 3, lines 17-20: AS 28.15.061(b)(6) adds language that requires the department to provide the applicant with information regarding how the information will be stored, inform them of the printing location and other pertinent information regarding their application.

We are envisioning that they have all of the information before them when they select a compliant license or a noncompliant license, so they know exactly what they are signing up for.

- Page 4, lines 29 - 31 to Page 5, lines 1 - 7: AS 28.15.111 adds a new subsection for noncompliant licenses that requires an applicant's permission before copying or retaining identity verification documents, using facial recognition as part of the application process, or before retaining images or the applicants face. Also requires printing of noncompliant driver's licenses to be done within the state.
- Page 5, lines 30 - 31: AS 28.15.271(b)(4) added a \$10 fee to the production of a federally compliant driver's license.

Under the previous version of the bill, this was a \$5 fee; so, this is again trying to recoup some of those costs in the future years.

- Page 6, lines 16 - 19: AS 28.99.040(a)(2) establishes that a state or municipal agency may only authorize the minimum assets necessary to satisfy the specific requirements of the REAL ID

Act of 2005 that provide for the agency to issue a driver's license or identification card acceptable to federal agencies for official purposes.

The previous version of the bill repealed the entire law, that was I believe in 2008 we passed the law saying we wouldn't expend funds, so this is saying you can expend funds, but only so far as to deliver these IDs.

[3:34:01 PM](#)

SENATOR WILSON asked if noncompliant identification cards are produced outside of Alaska and the legislation seeks to bring the production process back to the state.

MS. MCDONALD answered correct. She specified that the bill would mandate that all noncompliant ID cards as well as the noncompliant driver's licenses are brought back for production in Alaska.

[3:37:13 PM](#)

CHAIR DUNLEAVY remarked that there is a lot of concern about the federal identification. He detailed that the intent of the CS is to capture some of the concerns by dividing out a state driver's license and a federally-tracked license. He reiterated that the state driver's license will keep data in the state, does not require facial recognition, and allows an individual to drive their vehicle. He said the Real ID has a different track where the individual signs up knowing their data may be shared with other agencies and having to pay out of their pocket to help pay for the process. He summarized that rather than combining the two, the state and Real ID are separated so Alaskans can make a choice.

SENATOR EGAN asked if one of the licenses cannot be used to get on Joint Base Elmendorf-Richardson (JBER).

CHAIR DUNLEAVY confirmed that the Alaska license will not allow a person to get on JBER.

[3:39:29 PM](#)

SENATOR GIESSEL remarked that she appreciated the prudent changes that Chair Dunleavy made. She specified that she appreciated the fees that will help remunerate the Department of Administration and noted her appreciation for providing a simple driver's license that will be produced in-state again.

SENATOR COGHILL pointed out that the legislation mandates through the department and suggested that the committee hear the Department of Administration's perspective.

SENATOR WILSON asked if there will be an additional fiscal note for producing driver's licenses in-state. He agreed that the amended bill is a simpler process that addresses issues his constituents have expressed to him regarding data collection, but the bill also allows individuals to go through the Real ID process as well.

CHAIR DUNLEAVY commended the Department of Administration and Commissioner Fisher for understanding the concerns that Alaskans have over their data as well as giving people a choice. He noted that if the bill moves out of committee, the bill will not have a fiscal note. He summarized that himself and others struggle with the idea that the state must do something that the federal government mandates; for example, threatening not to allow people on military bases without a Real ID. He set forth that the amended bill was a compromise that may work for Alaskans.

[3:42:10 PM](#)

At ease.

[3:42:49 PM](#)

CHAIR DUNLEAVY called the committee back to order.

[3:43:00 PM](#)

LESLIE RIDLE, Deputy Commissioner, Alaska Department of Administration, Juneau, Alaska, noted that the department concurred with Chair Dunleavy that Alaskans are offered a choice between a REAL ID compliant or a REAL ID that is not compliant. She pointed out that the department did not have a fiscal note for equipment that would have to be purchased for the state to produce IDs that are not REAL ID compliant.

SENATOR GIESSEL noted that the state used to make its own driver's licenses and inquired if the department got rid of the equipment used to make the licenses.

MS. RIDLE answered yes. She noted that the equipment was hard to maintain. She added that the department does not know where to get the equipment because a lot of states have gone to REAL ID and are not producing their own IDs as well. She said the department will have to do some research to figure out where to get the equipment.

SENATOR COGHILL asked if the bill will narrow the department's current data sharing to a level that separates data between the REAL ID and in-state driver's licenses.

MS. RIDLE answered that under the CS, an individual's documents would not be checked against passport or Social Security databases and the documents would be taken at face value.

She addressed the bill's "immediate" effective date and noted that the department would have trouble complying due to the equipment required for in-state driver's licenses.

[3:46:43 PM](#)

CHAIR DUNLEAVY replied that the committee will make note of the effective date and will work with the department if the bill moves out of committee.

SENATOR WILSON asked if the state would have to pay for template changes when printing licenses.

MS. RIDLE answered that she did not know. She assumed that changes would require an additional charge.

[3:47:52 PM](#)

MARLA THOMPSON, Director, Division of Motor Vehicles, Alaska Department of Administration, Anchorage, Alaska, asked Senator Dunleavy to confirm that the division would not be able to keep a photo on a noncompliant license. She pointed out that an individual would not be able to obtain a duplicate ID online without a photo on file.

CHAIR DUNLEAVY replied yes. He pointed out that there are people that want to give a minimum amount of data for a driver's license in Alaska so that sharing personal data is not easy.

MS. MCDONALD specified that in the CS: section 9, page 4, line 30, states that, "The department may not unless authorized by the person." She detailed as follows:

If the department wanted to inform folks that they couldn't receive a duplicate license unless they have these items on hand and then someone selects to leave these documents with the department, they would be able to do that under this bill, the department has to get the authorization of the person beforehand.

CHAIR DUNLEAVY explained that the intent is to be as transparent as possible with the people of Alaska that they know what they are willingly signing up for without coercion and that they understand that certain data will be shared in a certain manner. He opined that the bill addresses what the people of Alaska are asking for. He admitted that the bill does place the burden on the government. He asserted that data sharing is a sensitive issue for many people.

[3:50:36 PM](#)

MS. THOMPSON addressed identification processes that would be affected by the bill:

- The division relies on a photo to issue a duplicate license. A fire in Anchorage recently destroyed documents where not having a photo ID would be a concern.
- Not having documents or old photos to produce IDs for inmates being released from prisons.
- Providing out-of-state renewals for military personnel with no photo on file because most renewals are done by mail and other processes.
- Students who are in school that lose their license or turn 21 and need a new license.
- Providing an ID without a photo would not be possible for someone losing their ID while traveling.
- Processing online transactions would not be possible without a photo on file.
- The Department of Public Safety uses photos on file a lot, especially when pulling someone over to verify a driver's license.

[3:52:37 PM](#)

CHAIR DUNLEAVY replied that he would address the identification issue with prisoners and the use of photos by the Department of Public Safety. He reiterated that people that checkoff the box for not wanting duplicate information being kept are making a conscious decision and understand that they will have to jump through several more hoops when obtaining a duplicate license. He repeated that folks are concerned about their rights regarding data.

MS. THOMPSON added that she was also concerned about the risk of fraud due to the no-photo policy when someone requests a renewal.

CHAIR DUNLEAVY remarked that Ms. Thompson presented good questions, but noted that most of her concerns have been thought through. He remarked that there will always be a risk of fraud no matter what type of identification a person gets, probably including the REAL ID, over time.

[3:55:11 PM](#)

SENATOR WILSON asked if she knew the rate of how many folks who were caught for fraud when trying to get a fraudulent license.

MS. THOMPSON replied that the average is five per month.

SENATOR WILSON asked how many IDs are processed per month.

MS. THOMPSON estimated that approximately 19,000 IDs are processed per month.

SENATOR WILSON noted that the percentage is 5 fraudulent IDs per month out of 19,000 IDs processed per month.

SENATOR GIESSEL commented that she had her identity stolen and the experience was not pleasant. She pointed out that five people per month were potentially stealing someone else's identity.

[3:57:21 PM](#)

CHAIR DUNLEAVY opened public testimony on SB 34.

[3:57:29 PM](#)

RALPH DALE ROGERS, representing self, Ketchikan, Alaska, explained that he owns a hostel and his address is often used by guests who apply for a state identification. He disclosed that he has been unable to remove his address that others use for state identification. He revealed that he has continuously dealt with law enforcement due to the use of his hostel's address in identification records. He asked why the state does not require proof of address by showing a mortgage payment, rental agreement, or anything else that shows an individual resides in the state.

CHAIR DUNLEAVY asked Ms. Thompson to address Mr. Rogers' problem regarding address verification for identification.

MS. THOMPSON replied that she will do some research and get back to Mr. Rogers. She explained that the Division of Motor Vehicles has requirements that individuals show some type of mail or

letter. She set forth that the division may look at making the identification process tighter.

4:01:01 PM

CHAIR DUNLEAVY suggested that Mr. Rogers contact Ms. Thompson with his concern so that the division can get into details and provide him with a response. He added that he expects the division will get back to the committee with information as to how they would deal with Mr. Rogers' issue.

MR. ROGERS noted that he has been dealing with his problem for several years and has talked to the division multiple times. He said he has been disappointed in the way his problem has been handled. He said no one seems to care. He emphasized that he does not like his address being used on anybody's ID. He opined that his situation could be considered theft of identity by address.

CHAIR DUNLEAVY asked Mr. Rogers to contact his office and he would take his concerns to the Division of Motor Vehicles to get an answer.

4:03:21 PM

ERIC GLATT, Staff Attorney, American Civil Liberties Union (ACLU) of Alaska, Anchorage, Alaska, testified in support of SB 34. He stated that the ACLU of Alaska has expressed its concerns in previous testimony regarding privacy implications imposed from REAL ID on Alaskans. He set forth that the ACLU's primary goals have been to make sure that Alaskans have their privacy compromised as little as possible, even those that receive a REAL ID card. He said the second goal is to make sure that there is a meaningful distinction between the compliant and noncompliant cards so that the promise of receiving a noncompliant card is not a false promise. He said he is encouraged by the CS. He noted previous ACLU testimony that addressed concerns prior to the CS.

CHAIR DUNLEAVY asked that Mr. Glatt review the bill's CS and respond to his office with his comments and concerns.

4:09:57 PM

DON ETHERIDGE, Lobbyist, Alaska AFL-CIO, Juneau, Alaska, testified in support of SB 34. He set forth that the legislation makes it easier for AFL-CIO membership to get on military bases to do their work as well as to get on airplanes. He opined that the risk associated with REAL ID is very minimal.

[4:11:38 PM](#)

BRYAN IMUS, Representative/President, Laborers Local 942, Laborers International Union of North America, Fairbanks, Alaska, testified in support of SB 34. He said the union is supportive because REAL ID is optional, easier, and less expensive than a passport card. He pointed out that military bases require REAL ID and air travel will require REAL ID as well.

[4:12:54 PM](#)

TERESA BRAND SHARPE, Manager, Golden Valley Electric Association, Fairbanks, Alaska, testified in support of SB 34. She said Golden Valley has infrastructure on five-military installations and its utility personnel require access with REAL ID.

[4:13:42 PM](#)

KEVIN POMEROY, Business Manager, Laborers Local 942, Laborers International Union of North America, Fairbanks, Alaska, testified in support of SB 34. He said union members need REAL ID to access military installations as well as using REAL ID for air travel without the need to also provide identification with a passport.

[4:15:24 PM](#)

LAKE WILLIAMS, District Representative, International Union of Operating Engineers (IUOE) Local 302, Fairbanks, Alaska, testified in support of SB 34. He added that he is also the president of the Fairbanks Building and Construction Trades Council. He noted that the council passed a resolution that supports SB 34 as well. He said the IUOE and the council believe the legislation for REAL ID is necessary for workers to work on the Slope, federal bases and rural work.

He remarked that the only bright spot in Fairbanks is the federal work. He noted that the commanders from the military bases cannot provide a straight answer as to what identification will be accepted. He disclosed that union members have been told members to get a passport. He set forth that Alaskans deserve an opportunity to make a choice for themselves regarding REAL ID compliant identification.

[4:17:07 PM](#)

MARIE RENSEL, representing self, Fairbanks, Alaska, testified in opposition of SB 34. She specified that she supports the unions' desire to be REAL ID compliant, but views the legislation to be both illegal and unlawful.

[4:20:23 PM](#)

SCOTT EICKHOLT, President, Laborers Local 942, Laborers International Union of North America, Fairbanks, Alaska, testified in support of SB 34. He asked that the Legislature allow the REAL ID option so that Alaskans can get to work and earn money.

[4:21:21 PM](#)

AVES THOMPSON, Executive Director, Alaska Trucking Association, Anchorage, Alaska, testified in support of SB 34. He said the CS helps solve the problem of the option by providing people the ability to get a compliant REAL ID license. He revealed that there are nearly 33,000 Alaskans with commercial driver's licenses (CDL) holders. He noted that both CDL and non-CDL drivers have the need to enter military installations during their daily deliveries. He said drivers will need to obtain the federally recognized REAL ID compliant form of identification to gain access to the military installations.

[4:23:02 PM](#)

MARK LERNER, Founder, Constitutional Alliance, Mountain View, Arkansas, testified in opposition of SB 34. He stated that he can appreciate that there are a lot of people that are in support of the legislation because without a compliant license they would not be able to go onto military installations, enter certain federal buildings, or be able to fly. He opined that the real issue is whether obtaining REAL ID compliance is being done because the federal government is saying not obtaining compliant identification that an individual will not be able to exercise their rights.

[4:26:49 PM](#)

TOM ROTH, Chief Operating Officer, Anchorage School District, Anchorage, Alaska, testified in support of SB 34. He provided data on the district's daily educational commitment with Joint Base Elmendorf-Richardson (JBER). He detailed that the district provides education to approximately 1,600 students in addition to the teachers and support staff that are involved. He stated that the district believes in acting immediately regarding REAL ID compliance to allow sufficient processing time for employees to receive a compliant identification before the implementation date on June 6.

[4:29:00 PM](#)

RICHARD SOBEL, Director, The Cyber Privacy Project, Chicago, Illinois, testified in opposition of SB 34. He addressed four

issues with REAL ID that he perceives would be violate the U.S. Constitution as follows:

1. REAL ID cannot be premised on congress's power to regulate interstate commerce, a violation of the 10th Amendment.
2. REAL ID can prevent people from boarding federally regulated aircrafts, a violation of a citizen's right to travel.
3. REAL ID's digital photography violates free exercise of religion.
4. REAL ID violates the right to free assembly if a government building requires REAL ID for entry.

[4:33:13 PM](#)

SARAH LEFEBVRE, Committee Member, Greater Fairbanks Chamber of Commerce, Fairbanks, Alaska, testified in support of SB 34. She said the chamber is concerned about the cost of inaction. She asserted that Fairbanks and the state would realize an adverse economic impact if the legislation is not passed. She disclosed that the military accounts for one third of the economy in the Fairbanks North Star Borough. She asserted that Alaska's continued noncompliance with the REAL ID Act would create a barrier to Alaskan businesses that would otherwise be involved. She said ironically, the state's efforts to encourage local-hire would be thwarted because out-of-state workers from states with REAL ID compliant identification would be hired.

[4:35:25 PM](#)

MATT FLANDERS, Legislative Specialist, Citizens' Council for Health Freedom, St. Paul, Minnesota, testified in opposition of SB 34. He said not voting for SB 34 would protect Alaska's state rights, data privacy, and the right to travel.

[4:38:30 PM](#)

SHARICE WALKER, Director, Community and Public Relations, Fairbanks North Star Borough School District, Fairbanks, Alaska, testified in support of SB 34. She disclosed that the school district includes three schools on Eielson Air Force Base and one school on Fort Wainwright that serve approximately 1,400 students and accounts for approximately 10 percent of the district's student population. She added that 162-regular staff in addition to district-wide employees visit the military installations' schools. She stated that without a REAL ID option, hundreds of the district's staff members will have to get a passport just to continue doing their jobs.

[4:40:46 PM](#)

JULIE DUQUETTE, employee, Slayden Plumbing and Heating, Inc., North Pole, Alaska, testified in support of SB 34. She said REAL ID is important to Slayden Plumbing and Heating because the company has several contracts in 2017 as well as high profile projects at Eielson Air Force Base, Fort Wainwright, and Clear Air Force Station Base.

[4:42:34 PM](#)

EDWARD HASBROUCK, Consultant, The Identity Project, San Francisco, California, testified in opposition of SB 34. He pointed out that the REAL ID Act requires compliant states to make their license and ID database available to any other state. He added that passport cards can be used on military bases and are easier to obtain. He asked that the Legislature defend Alaskans' freedom of travel.

[4:46:58 PM](#)

PATRICIA ANDERSON, Co-Director, Alaskans' Freedom to Travel USA, Anchorage, Alaska, testified in opposition of SB 34. She set forth that there is no reason to have to give up any more information to the federal government. She believes that Alaska's constitution guarantees an individual's privacy.

[4:47:10 PM](#)

DIANE SHANKER, Co-Director, Alaskans' Freedom to Travel USA, Anchorage, Alaska, testified in opposition of SB 34. She conceded that people would be "convenienced" by the bill, but emphasized that making it easier to give up one's right is not a good idea. She set forth that federal anti-terrorism initiatives end up compromising privacy and personal data. She asked if the REAL ID fees will offset the legislation's \$1.5 million cost to the Division of Motor Vehicles.

CHAIR DUNLEAVY replied that REAL ID fees will offset the cost, but noted that the issue is still being worked out.

[4:50:34 PM](#)

RYAN TIPTON, representing self, Fairbanks, Alaska, testified in support of SB 34. He said the legislation will help Alaskans in travel and provide working opportunities at federal installations.

[4:52:04 PM](#)

JACE DIGEL, Business Representative, Teamsters Local 959, Anchorage, Alaska, testified in support of SB 34. He noted that Teamsters' union workers provide services on the military bases. He set forth that the meaningful things to do is pass SB 34 to

offer all Alaskans a REAL ID compliant driver's license or identification.

[4:54:28 PM](#)

PAM GOODE, representing self, Deltana, Alaska, testified in opposition of SB 34. She set forth that the purpose of governing is to protect people's rights, not to give a choice as to whether to protect rights or not. She noted that current passport cards can easily be used for identification. She said there always seems to be a good reason to violate or compromise the constitution.

[4:58:26 PM](#)

KAREN PERRY, representing self, Chugiak, Alaska, testified in opposition of SB 34. She said the Alaska Constitution states that citizens have a right to privacy. She set forth that the Legislature does not have the right to pass bills that usurp Alaskan's right to privacy. She opined that the REAL ID Act lacks the legitimacy that comes from having been studied, debated, considered and directly voted upon by elected representatives.

[5:02:12 PM](#)

TIM JONES, Vice President of Administration, Doyon Utilities, Fairbanks, Alaska, testified in support of SB 34. He detailed that Doyon Utilities owns, operates and maintains the utility infrastructure for the water, waste water, electrical production and distribution at Fort Wainwright, Fort Greely, and the Fort Richardson site of JBER. He said Doyon's 170 employees require access to military installations and failure to pass SB 34 would place an undue burden on Doyon's employees and other Alaskan military contractors. He noted that the CS addresses privacy concerns that allows for an alternate form of identification.

[5:03:36 PM](#)

MICHAEL CHAMBERS, representing self, Anchorage, Alaska, testified in opposition of SB 34. He set forth that all state legislators have taken a vow to protect the U.S. Constitution, even against the tyranny of the federal government.

[5:04:37 PM](#)

LYNETTE CLARK, Chairman, Alaskan Independence Party, Fairbanks, Alaska, testified in opposition of SB 34. She said the REAL ID Act is a federal intrusion. She remarked that she questioned Alaska's unions that referenced "convenience of their members" as a reason for passing the legislation.

[5:06:41 PM](#)

WILLIAM TOPEL, representing self, Anchorage, Alaska, testified in opposition of SB 34. He set forth that the REAL ID Act is a violation of both the U.S. Constitution and the Alaska Constitution. He said he questioned why regular Alaskans should be burdened with the REAL ID Act to secure their identification. He asked that federalizing state activities and functions not be allowed via the REAL ID Act.

[5:10:50 PM](#)

BRIAN DUFFY, Director, Administrative Services, Alaska Department of Military and Veterans' Affairs, Joint Base Elmendorf-Richardson (JBER), Richardson, Alaska, testified in support of SB 34. He provided an overview on the pending deadline at Alaska's military installations if the REAL ID Act is not enacted as follows:

Federal installations such as JBER and others in the state are complying with provisions of the REAL ID Act now. Visitors who wish to obtain unescorted access and do not have Department of Defense (DOD) identification cards or others compliant with the REAL ID Act are being denied entry or being required to be escorted by a DOD ID cardholder while on the installation; this includes individuals with driver's license from Maine, Missouri, Montana, or those with non-enhanced licenses from Minnesota and Washington. As discussed previously if there is no change in statute by Alaska, Alaska's extension expiration date of June 6, Alaska's driver's license and similar identification cards from 6 other states, assuming no change from them as well, will simply be added to the listing of the identification cards that are not sufficient for the individuals to gain access.

JBER leaders, and we talked a lot about numbers and types of people, JBER leaders estimate approximately 14,000 contractors and local service providers may be affected and required to have alternative forms of identification. I think it would be unreasonable to expect the installation to provide an escort for each of those people on a routine basis. Numbers up north: Fort Wainwright, about 5,000 per month; and Eielson, about 2,600 per month. So, just in terms of process, about 50 different mission partners on the base, we've heard from many of them already including the school district, Aurora Housing, Doyon and others.

Now, for State of Alaska employees such as those that work for the Department of Military & Veterans Affairs (DMVA), about 260 of them right now, the way it works is the base will issue them what's called a Defense Biometrics Identification System (DBIDS) card, so what is used to-date to get that in many cases is the current Alaska driver's license. On the 6th of June, assuming no change, that Alaska driver's license no longer is adequate, they'll have to find some other form of identification that complies with the REAL ID Act. So, we think what will happen is those DBIDS cards will expire on their normal term, they will not all drop dead on June 6, but they will expire on their normal term, but when the individual comes in to renew, they will have to have, assuming no change in the statute, a REAL ID form of ID to get that DBIDS card for routine access on and off the installation. It's important to note not only does it affect our State of Alaska employees and DMVA, and other agencies that require access to the installation, all of the different mission partners that you have heard from as well, but our current class of Alaska Military Youth Academy cadets that are indoctrinating as we speak and will probably will arrive on campus within the next week or so, for those that are 18 and above, that REAL ID compliant form of ID will be critical for them to be issued and receive a base-access card so that for community events for which they go off base, or medical appointments for which they go off base, they can then return on to the installation and resume their 22-week program.

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SENATOR WILSON asked what the plan is for the worst-case scenario.

MR. DUFFY reiterated that the number of contractors that would be affected is approximately 14,000. He explained that one of three things will happen: they will be turned away; there will be some form of interim escort, an unsustainable idea; or the folks seeking unescorted access will find a way to get some form of REAL ID compliant ID to gain access.

SENATOR WILSON asked if base services would have to stop due to REAL ID issues for base contractors and if the possible stoppage is part of the military installations' contingency plans.

MR. DUFFY replied that the military installations have no waiver authority and there should be no expectation for a waiver to be issued.

5:15:20 PM

CHAIR DUNLEAVY removed his objection, closed public testimony, and held SB 34 in committee.

5:15:38 PM

There being no further business to come before the committee, Chair Dunleavy adjourned the Senate State Affairs Standing Committee at 5:15 p.m.