

ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE

April 23, 2019

3:05 p.m.

MEMBERS PRESENT

Representative Zack Fields, Co-Chair
Representative Jonathan Kreiss-Tomkins, Co-Chair
Representative Gabrielle LeDoux
Representative Andi Story
Representative Adam Wool
Representative Sarah Vance
Representative Laddie Shaw

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 110

"An Act relating to the transfer of a title to a boat on the death of the owner; relating to the transfer of a title to a vehicle, including certain manufactured homes and trailers, on the death of the owner; allowing a person to act for the surviving spouse of a decedent to enforce liability against real property transferred at death; and providing for an effective date."

- MOVED CSHB 110(STA) OUT OF COMMITTEE

HOUSE BILL NO. 31

"An Act making a special appropriation to the Alaska permanent fund; and providing for an effective date."

- MOVED HB 31 OUT OF COMMITTEE

HOUSE BILL NO. 82

"An Act adding to the powers and duties of the State Commission for Human Rights; and relating to and prohibiting discrimination based on sexual orientation or gender identity or expression."

- MOVED HB 82 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 110

SHORT TITLE: VEHICLES/BOATS: TRANSFER ON DEATH TITLE

SPONSOR(s): REPRESENTATIVE(s) SPOHNHOLZ

| | | |
|----------|-----|---------------------------------|
| 03/25/19 | (H) | READ THE FIRST TIME - REFERRALS |
| 03/25/19 | (H) | STA, JUD |
| 04/11/19 | (H) | STA AT 3:00 PM GRUENBERG 120 |
| 04/11/19 | (H) | Scheduled but Not Heard |
| 04/18/19 | (H) | STA AT 3:00 PM GRUENBERG 120 |
| 04/18/19 | (H) | Heard & Held |
| 04/18/19 | (H) | MINUTE(STA) |
| 04/23/19 | (H) | STA AT 3:00 PM GRUENBERG 120 |

BILL: HB 31

SHORT TITLE: APPROP: EARNINGS RESERVE TO PERM FUND

SPONSOR(s): REPRESENTATIVE(s) KREISS-TOMKINS

| | | |
|----------|-----|---------------------------------|
| 02/20/19 | (H) | PREFILE RELEASED 1/11/19 |
| 02/20/19 | (H) | READ THE FIRST TIME - REFERRALS |
| 02/20/19 | (H) | STA, FIN |
| 03/26/19 | (H) | STA AT 3:00 PM GRUENBERG 120 |
| 03/26/19 | (H) | Heard & Held |
| 03/26/19 | (H) | MINUTE(STA) |
| 04/23/19 | (H) | STA AT 3:00 PM GRUENBERG 120 |

BILL: HB 82

SHORT TITLE: DISCRIMINATION: GENDER ID.;SEXUAL ORIENT.

SPONSOR(s): REPRESENTATIVE(s) JOSEPHSON

| | | |
|----------|-----|---------------------------------|
| 03/06/19 | (H) | READ THE FIRST TIME - REFERRALS |
| 03/06/19 | (H) | STA, JUD |
| 03/28/19 | (H) | STA AT 3:00 PM GRUENBERG 120 |
| 03/28/19 | (H) | Heard & Held |
| 03/28/19 | (H) | MINUTE(STA) |
| 04/11/19 | (H) | STA AT 3:00 PM GRUENBERG 120 |
| 04/11/19 | (H) | <Bill Hearing Canceled> |
| 04/23/19 | (H) | STA AT 3:00 PM GRUENBERG 120 |

WITNESS REGISTER

REID HARRIS, Staff
Representative Kreiss-Tomkins
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Introduced Amendment 1 to HB 110 on behalf of Representative Kreiss Tomkins.

JENNA WAMSGANZ, Deputy Director
Division of Motor Vehicles (DMV)
Department of Administration (DOA)
Anchorage, Alaska

POSITION STATEMENT: Discussed Amendment 1 to HB 110.

REPRESENTATIVE IVY SPOHNHOLZ
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 110, as prime sponsor.

KEVIN MCGOWAN, Staff
Representative Jonathan Kreiss-Tomkins
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 31 on behalf of Representative Kreiss-Tomkins, prime sponsor.

ANGELA RODELL, Chief Executive Officer
Alaska Permanent Fund Corporation (APFC)
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 31.

REPRESENTATIVE ANDY JOSEPHSON
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided a brief summary of HB 82, as prime sponsor.

JESSICA VAUDREUIL
Chevak, Alaska

POSITION STATEMENT: Testified in opposition to HB 82.

LILLIAN LENNON
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 82.

ZHENIA PETERSON
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 82.

DENISE SUDBECK, Ph.D.
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 82.

LIN DAVIS

Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 82.

EMOGENE KIMBERLY LEA

Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 82.

ALYSON CURREY, Legislative Liaison

Planned Parenthood Votes

Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 82.

BRITT TONNESSEN

Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 82.

BECKY ANDERSON

Ester, Alaska

POSITION STATEMENT: Testified in support of HB 82.

REBECCA DUNNE

Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 82.

KRISTEN SCHUPP

Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 82.

ALEXANDER THORNTON

Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 82.

RIN KOWALSKI

Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 82.

ABIGAIL NORTH

Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 82.

MELANIE LINDHOLM

Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 82.

ALYSSA QUINTYNE, Community Organizer

The Alaska Center
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 82.

ERIN WORLEY
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 82.

HAYDEN NEVILL
Gender Pioneers
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 82.

CRIS EICHENLAUB
Eagle River, Alaska

POSITION STATEMENT: Testified in opposition to HB 82.

HERMAN MORGAN
Aniak, Alaska

POSITION STATEMENT: Testified in opposition to HB 82.

BERT HOUGHTALING
Big Lake, Alaska

POSITION STATEMENT: Testified in opposition to HB 82.

MAUREEN LONGWORTH, MD
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 82.

GREG WEAVER
Wasilla, Alaska

POSITION STATEMENT: Testified in opposition to HB 82.

CHRISTINE HUTCHINSON
Kenai, Alaska

POSITION STATEMENT: Testified in opposition to HB 82.

LOIS HENDERSON
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 82.

ROSE O'HARA-JOLLY
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 82.

ADAM HYKES
Homer, Alaska

POSITION STATEMENT: Testified in opposition to HB 82.

KRISTA CHRISTENSEN
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 82.

TAMARA KRUSE-ROSELIUS
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 82.

ACTION NARRATIVE

[3:05:26 PM](#)

CO-CHAIR JONATHAN KREISS-TOMKINS called the House State Affairs Standing Committee meeting to order at 3:05 p.m. Representatives Vance, Shaw, LeDoux, Story, Wool, Fields, and Kreiss-Tomkins were present at the call to order.

HB 110-VEHICLES/BOATS: TRANSFER ON DEATH TITLE

[3:06:47 PM](#)

CO-CHAIR KREISS-TOMKINS announced that the first order of business would be HOUSE BILL NO. 110, "An Act relating to the transfer of a title to a boat on the death of the owner; relating to the transfer of a title to a vehicle, including certain manufactured homes and trailers, on the death of the owner; allowing a person to act for the surviving spouse of a decedent to enforce liability against real property transferred at death; and providing for an effective date."

[3:07:16 PM](#)

CO-CHAIR KREISS-TOMKINS opened public testimony on HB 110. After ascertaining that no one wished to testify, he closed public testimony.

[3:08:36 PM](#)

REID HARRIS, Staff, Representative Kreiss-Tomkins, Alaska State Legislature, on behalf of Representative Kreiss-Tomkins, introduced Amendment 1 [subsequently moved for adoption], which read as follows:

Page 1, line 4, following "**death;**":
Insert "**relating to changes of address;**"

Page 6, following line 9:

Insert a new bill section to read:

"* **Sec. 5.** AS 28.05.071 is amended by adding a new subsection to read:

(c) A person is not required to notify the appropriate department of a change in mailing address under (a) of this section if the person authorizes the appropriate department to change the person's mailing address automatically to match the current mailing address maintained by the United States Postal Service. A person shall notify the appropriate department under (a) of this section of a change in the person's residence address if the person's residence address is different from the person's mailing address."

Renumber the following bill sections accordingly.

Page 6, line 22:

Delete "Section 6"

Insert "Section 7"

Page 6, line 23:

Delete "sec. 7"

Insert "sec. 8"

MR. HARRIS said Amendment 1 would allow customers to authorize the Division of Motor Vehicles (DMV), [Department of Administration (DOA)], to automatically change their mailing addresses to match the addresses used by the United States Postal Service (USPS). It would simplify the process, since many people who use USPS for address changes do not think to update DMV.

[3:09:29 PM](#)

JENNA WAMSGANZ, Deputy Director, Division of Motor Vehicles (DMV), Department of Administration (DOA), said DMV struggles with a high volume of returned mail resulting from people going to the USPS to change their address but not notifying DMV. The ability to use the USPS database would allow DMV to update addresses and reduce the volume of mail returned to DMV.

CO-CHAIR KREISS-TOMKINS indicated that Amendment 1 would enhance and promote efficiency for DMV.

3:11:01 PM

CO-CHAIR KREISS-TOMKINS moved to adopt Amendment 1 [text previously provided].

CO-CHAIR FIELDS objected for the purpose of discussion, then withdrew his objection. There being no further objection, Amendment 1 was adopted.

3:11:52 PM

REPRESENTATIVE VANCE asked about liability for the individual receiving the property under HB 110.

3:12:20 PM

REPRESENTATIVE IVY SPOHNHOLZ, Alaska State Legislature, as prime sponsor of HB 110, answered that "the liability follows the asset." For example, if debt is owed on a vehicle that is passed on to an heir through a transfer on death (TOD) deed, then it would be the responsibility of the heir to make the payments owed.

REPRESENTATIVE VANCE asked for clarification regarding optionality of passing on [an asset]; that "it's not something that they require to pass on in debt."

REPRESENTATIVE SPOHNHOLZ responded that if there is no debt associated with asset, then no debt would be incurred by the heir; however, if there is debt still associated with the asset, then the heir would be required to pay off the loan. She gave an example of a fishing boat. She explained that the proposed legislation would streamline the process used in transferring assets between a person and his/her beneficiaries; it moves it out of the probate process, which can take a couple of years to navigate. Further, it would not require the involvement of an attorney; the paperwork could be filled out at DMV.

3:14:32 PM

CO-CHAIR FIELDS moved to report HB 110, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 110(STA) was reported from the House State Affairs Standing Committee.

HB 31-APPROP: EARNINGS RESERVE TO PERM FUND

[3:14:56 PM](#)

CO-CHAIR KREISS-TOMKINS announced that the next order of business would be HOUSE BILL NO. 31, "An Act making a special appropriation to the Alaska permanent fund; and providing for an effective date."

[3:15:23 PM](#)

REPRESENTATIVE VANCE asked how much currently is in the earnings reserve account (ERA).

[3:15:38 PM](#)

KEVIN MCGOWAN, Staff, Representative Jonathan Kreiss-Tomkins, Alaska State Legislature, on behalf of Representative Kreiss-Tomkins, prime sponsor of HB 31, answered \$18.4 billion. To a follow-up question, he said there is \$46.1 billion in the corpus.

REPRESENTATIVE VANCE asked how HB 31 would affect the governor's ability to pay back the permanent fund dividends (PFDs) that previously were not paid in full.

MR. MCGOWAN answered, "The \$5.5 billion transfer would ... [leave] about \$12.9 in the earnings reserve account."

CO-CHAIR KREISS-TOMKINS added that that would be "ample cash on the table to backpay PFDs," should that be the will of the legislature and the governor.

REPRESENTATIVE VANCE asked what the motivation is for moving \$5.5 billion from the ERA when the legislature has not yet finished discussing the budget, including crime reform.

CO-CHAIR KREISS-TOMKINS answered that he cannot foresee any scenario in which the legislature needs more than \$12-\$13 billion in the ERA, and historically, that amount is "north of norms." He said he is "trying to get some of that excess cash protected in the corpus."

REPRESENTATIVE VANCE asked, "Why put it in the permanent fund ... versus the [capital budget reserve] (CBR) that we have a mandate to repay?"

CO-CHAIR KREISS-TOMKINS answered because the corpus of the permanent fund "is constitutionally protected and will be there

in perpetuity for future generations." He said historically, the CBR "is not the same."

[3:18:55 PM](#)

REPRESENTATIVE LEDOUX asked Co-Chair Kreiss-Tomkins if he thinks this would "hamstringing the legislature" into having to "make draconian cuts" or reduce the permanent fund dividend.

CO-CHAIR KREISS-TOMKINS answered no. If more money were transferred out, thus leaving less, then that might happen; however, leaving \$12-\$13 billion would not hamstring anybody.

REPRESENTATIVE LEDOUX asked if that means Co-Chair Kreiss-Tomkins thinks the state is "so flush right now" that legislators do not need to be concerned about cuts or a reduced dividend.

CO-CHAIR KREISS-TOMKINS answered as follows:

If the legislature wishes to balance the budget with a mixture of permanent fund earnings and revenues that it currently receives, it can do so. But that's sort of a question for the Finance Committee and all of us on the operating budget.

... I think the sort of underlying principle of this bill is not spending more out of the permanent fund in a year than is sustainable and putting cash safely in the bank to ... protect from the temptation of overdrawing

[3:20:38 PM](#)

REPRESENTATIVE WOOL noted that Co-Chair Kreiss-Tomkins had previously stated that the \$12 billion left after taking out the \$5.5 billion would be enough. He asked, "For what would you need a reserve of \$12 billion for, that \$18 [billion] is too much \$7 [billion] is not enough?"

[3:22:17 PM](#)

ANGELA RODELL, Chief Executive Officer, Alaska Permanent Fund Corporation (APFC), mentioned the ERA, Senate Bill 26 [passed during the Thirtieth Alaska State Legislature and signed into law on 6/27/18], and percent of market value (POMV), and she said the draw for fiscal year 2020 (FY 20) will be \$2.9 billion.

She explained that the corporation knows the amount, because the figures lag by a year, so "it closed off with the closure of FY 18." She then related that APFC forecasts the draw for FY 21 will be approximately \$3.1 billion. She said that barring anything happening, \$12 billion equates to approximately four years' worth of POMV draws, "assuming that there is no statutory net income made to replenish the draw amount" in the ERA. She noted that there had been a proposal in one iteration of Senate Bill 26 that would have provided to keep four years' worth of POMV draw amounts in the ERA at any one time and put anything over that back into the corpus. She concluded, "And so, I think that this is a reflection of some of that ... activity in there."

REPRESENTATIVE WOOL reiterated that after accruing \$3 billion per year for four years - or \$12 billion - the rest could be transferred to the corpus. He asked whether the ERA grows when earnings are realized in the permanent fund through sales of stocks or through earnings from stocks.

MS. RODELL replied, "Both." She stated that the ERA has assets that grow, and "it gets everything that the corpus owns when we realize it." She clarified, "So, the earnings reserve account gets all of the unrealized gain from principle and earnings reserve account, plus the cost basis from the earnings reserve account."

REPRESENTATIVE WOOL asked for confirmation that the only way a 5.25 percent POMV draw can be made is with realized earnings - either those realized from sales within the corpus of the fund or those realized from sales within the ERA - "sort of cash on hand."

MS. RODELL answered that is correct. The corporation monitors the amounts realized; it tries not to sell assets to make payments to the state if it does not have to do so. She said APFC works with the Department of Revenue (DOR) "to optimize the investment profile for the fund."

[3:26:41 PM](#)

REPRESENTATIVE LEDOUX asked how a four-year bear market would affect the liquidity of the ERA.

MS. RODELL answered, "This isn't going to impact the liquidity of the earnings reserve account." She explained:

What's going to happen is your POMV valuation is going to change, because that reduced market value from the market losses is going to reduce how much you can draw when those years roll into the calculation. So, if you have four years of market losses, those are going to start coming to you in two, three, four years; you're going to know that this is coming; you're going to see the reduction in the draw amount; and you're going to be able to plan accordingly around that.

REPRESENTATIVE LEDOUX surmised that in a bear market, and following the law under Senate Bill 26, there either would have to be "fairly hefty cuts to state government" or a smaller PFD.

MS. RODELL responded no. She explained, "This is not money being spent out of the entirety of the fund. So, this \$5.5 billion goes into the corpus. It's still part of the \$64.5 billion that you calculate the draw amount off of, and then we work with [the Department of] Revenue to make sure that the 5.25 percent - in this case \$2.9 billion for FY 20 - is free and available to be spent as cash." She explained the reason for the one-year lag is to ensure the amount is known.

[3:29:29 PM](#)

REPRESENTATIVE STORY asked whether APFC has an opinion on HB 31.

MS. RODELL answered that the board has not taken a position on the bill.

REPRESENTATIVE STORY asked if putting money into the corpus was a way of inflation-proofing the fund.

MS. RODELL agreed that "in some ways this ... acts similar to inflation proofing." She said the inflation-proofing calculation happens every year based on actual inflation. She said there were three years when inflation proofing was not appropriated into the corpus of the fund. She said the board feels strongly that inflation proofing needs to continue, because that is how the purchasing power for future generations of Alaskans is protected.

[3:30:45 PM](#)

REPRESENTATIVE LEDOUX asked, if the concern is "money tempting the legislature," what the advantage is with "this scenario"

over establishing a spending cap in statute or constitutional amendment.

CO-CHAIR KREISS-TOMKINS replied, "I think we'll probably be seeing that discussion on those measures potentially later this session."

REPRESENTATIVE LEDOUX questioned why the bill sponsor would choose to address the issue with HB 31 rather than with a spending cap.

CO-CHAIR KREISS-TOMKINS answered that the only spending cap that would be unbreakable would be that done via a constitutional amendment, and "there's no way that that would be enacted before the voters have an opportunity to ratify any such constitutional amendment, which would be in the 2020 election." That would leave a year and a half without a hard spending cap. He called HB 31 "an interim measure" that would keep the ERA flush and roll over excess cash from the ERA into the corpus to be protected for future generations "and use it at the four times or so of draw."

[3:32:43 PM](#)

CO-CHAIR KREISS-TOMKINS opened public testimony on HB 31. After ascertaining no one wished to testify, closed public testimony.

[3:34:13 PM](#)

REPRESENTATIVE VANCE expressed concern that HB 31 would take away the flexibility of the legislature to be able to fund "the many areas of our government that we haven't had the full discussion of." She offered her understanding that currently the CBR has only enough money for "one good natural disaster." She advocated for having the ability to utilize funds in the ERA for unforeseen circumstances and to address crime reform issues. She clarified that she is not a proponent of "spending down the ERA," but indicated that HB 31 would take away the flexibility for options before a full discussion has been held. She said she does not want to "reduce the ERA down to a number that provides just enough of a cushion for our PFDs in the future." She stated that she would not be able to support HB 31 at this time.

[3:35:49 PM](#)

REPRESENTATIVE LEDOUX expressed that she has "the same concerns with this bill." She said while she has not seen a constitutional amendment relating to a spending cap, she presumes that "those bills, resolutions might have something in them allowing for truly emergency situations." She gave a recent earthquake as an example. She said the proposed legislation does not provide for emergency situations. She said she cannot support HB 31.

[3:37:09 PM](#)

REPRESENTATIVE WOOL asked how money gets back into the CBR and how a slush fund for a major catastrophe would be set up. In other words, he asked, "How does the CBR get funded?"

CO-CHAIR KREISS-TOMKINS answered that there are funds available for the legislature to move around as it sees fit. When there is unexpected money due to increase in oil revenue, for example, that money can be put into the CBR as savings. He said that is what the legislature did from 2006-2011.

REPRESENTATIVE WOOL explained he wanted to know the actual mechanics of handling the money. He asked whether money comes in through the ERA and then gets put into the CBR or whether it goes into the general fund (GF) and then any surplus then gets put into the CBR. He explained, "I'm sort of interested in how we get money back in the CBR to build it up again if that's sort of our checking account."

CO-CHAIR KREISS-TOMKINS responded, "The latter. It all goes in general fund, and then the legislature can replenish funds as it sees fit."

[3:39:24 PM](#)

REPRESENTATIVE STORY expressed her hope never to "go into" the ERA. She said, "We cannot go into the corpus." She said she knows the interest is based on the ERA and corpus of the fund. She said she would support moving HB 31 to the next committee of referral, because she wants to protect the permanent fund. She expressed concern that "if we use up the earnings reserve, we will not have a dividend in future years," and she asked if she is correct in thinking that if [the ERA] diminishes, there will not be a dividend. She said she understands there will be fluctuations in the amount of the dividend based on the market.

CO-CHAIR KREISS-TOMKINS confirmed that if the legislature overspends and the ERA "bottoms out," Representative Story is correct that there would be no money available for the PFD.

CO-CHAIR KREISS-TOMKINS told Representative LeDoux that her point was well-taken regarding emergencies. He said his working assumption is that \$12 billion in the ERA provides plenty of liquidity with which to handle emergencies. He said it is a scenario to keep in mind.

[3:42:50 PM](#)

REPRESENTATIVE WOOL moved to report HB 31 out of committee with individual recommendations [and the accompanying fiscal notes].

REPRESENTATIVE VANCE objected.

A roll call vote was taken. Representatives Shaw, Story, Wool, and Kreiss-Tomkins voted in favor of the motion. Representatives LeDoux and Vance voted against it. Therefore, HB 31 was reported out of the House State Affairs Standing Committee by a vote of 4-2.

HB 82-DISCRIMINATION: GENDER ID.;SEXUAL ORIENT.

[3:43:49 PM](#)

CO-CHAIR KREISS-TOMKINS announced that the final order of business would be HOUSE BILL NO. 82, "An Act adding to the powers and duties of the State Commission for Human Rights; and relating to and prohibiting discrimination based on sexual orientation or gender identity or expression."

[3:44:06 PM](#)

REPRESENTATIVE ANDY JOSEPHSON, Alaska State Legislature, provided a brief summary of HB 82, as prime sponsor. He said the lesbian, gay, bisexual, transgender, and queer or questioning (LGBTQ) community does not enjoy the same protection as everyone else, and HB 82 would give them that protection through the remedies available through the Alaska State Commission for Human Rights (ASCHR) and Alaska's civil rights laws in the areas of employment, housing, public accommodation, and financing practices.

REPRESENTATIVE WOOL noted that an ordinance in Fairbanks on the same issue was controversial. He said the committee received a

letter about a transgender female being denied access to a women's shelter. He asked Representative Josephson if he wanted to address these topics or pass the bill out of committee and "let the courts figure that stuff out."

REPRESENTATIVE JOSEPHSON said he is prepared to answer those questions, but "we" can't wait until every hypothetical scenario is solved before "this class of individuals" is protected by civil rights. He pointed out that questions about affirmative action are still unresolved by the U.S. Supreme Court. He articulated that in the situation referred to by Representative Wool, an individual sued when she was "not invited into a religiously based domestic violence shelter." He offered his understanding that the shelter was run by the Hope Church, and the church sought a declaration from federal court that the shelter did not need to invite this the individual into the shelter. He said that the Anchorage Equal Rights Commission (AERC) took a position that the federal court should stand down, demur, and wait for the commission's investigation to continue. He concluded, "Those things will get resolved, and that's an example of what I'm talking about."

REPRESENTATIVE WOOL said he did not intend to "go into the weeds" of all the potential "things," but just wanted to know whether the sponsor planned to deal with the possible situations under HB 82.

REPRESENTATIVE JOSEPHSON said it could be that the Hope Church will prevail, in which case there is a provision in Section 6 of the bill related to ministerial activity and churches. He said someone could argue that churches are public accommodations, but he reiterated that all these issues could not be solved "without waiting for generations to pass this bill."

REPRESENTATIVE WOOL noted that the example given was regarding a religious affiliation; he speculated that the issue would still have to be addressed if it had happened in connection with a nonprofit agency's shelter.

REPRESENTATIVE JOSEPHSON noted that in the various articles he provided to the committee, there are other shelters mentioned that do not have any issue with transgender persons.

[3:50:27 PM](#)

The committee took an at-ease from 3:50 p.m. to 3:51 p.m.

[3:51:14 PM](#)

REPRESENTATIVE VANCE referred to the use of the phrase "public accommodation", on page 5, line 4, of HB 82, [Section 7(a)(2)(A)]. She said she had asked for a definition, then stated that "public accommodation" has an exhaustive definition as "a place that caters or offers its services, goods, or facilities to the general public," and that includes: public inns, restaurants, eating houses, hotels, motels, bathrooms, and public amusement businesses. She said under HB 82, anyone who states, or even implies, that he/she does not want to allow public accommodation for anyone, that person would be breaking the law. She asked what kind of protections there are for sole proprietors of businesses with public accommodations that "don't feel comfortable with an individual coming into their accommodation for whatever reason."

REPRESENTATIVE JOSEPHSON answered that "there is no accommodation of that feeling in the bill." He said the philosophy is that when a person puts himself/herself into commerce, there are rules that he/she must follow. He mentioned the Heart of Atlanta Motel, Inc. v. United States case in 1964, when the U.S. Civil Rights Act [of 1965] was challenged and the U.S. Supreme Court said African Americans need to travel for business to make a living, and it is a hassle for them not to find accommodations readily. He opined the result of the case was great and "it was an economic way to get to a justice conclusion." He clarified that the same analysis applies here, because there is a theory that those who put themselves "into the economy" must play by a certain set of rules. He added, "And I'm trying to change those rules."

REPRESENTATIVE VANCE responded that there are "some loose definitions here." She directed attention to the word "implies", on page 5, line 2, and said that it can mean many things and could create legal challenges. She expressed concern regarding the accommodation industry in Alaska; people open their homes - either through Airbnb or a bed and breakfast; a single host may feel uncomfortable letting in a person "for whatever reason"; and under HB 82, even the implied discomfort would be breaking the law.

REPRESENTATIVE JOSEPHSON answered that that is how he reads the proposed legislation. He recollected from past legal study that the U.S. Civil Rights Act has certain exemptions for a boarding house with five or fewer rooms. He stated, "Bills are known ...

to have carve-outs, like the one you're talking about; this one doesn't have that."

[3:56:24 PM](#)

REPRESENTATIVE VANCE moved to adopt Amendment 1, labeled 31-LS0177\A.1, Wayne, 3/28/19, which read as follows:

Page 1, line 2, following "on":
Insert "**preborn status,**"

Page 2, line 5, following "sex,":
Insert "**preborn status,**"

Page 2, line 14, following "sex,":
Insert "**preborn status,**"

Page 2, line 24, following "sex,":
Insert "**preborn status,**"

Page 3, line 3, following "sex,":
Insert "**preborn status,**"

Page 3, line 11, following "sex,":
Insert "**preborn status,**"

Page 3, line 14, following "sex,":
Insert "**preborn status,**"

Page 3, line 17, following "sex,":
Insert "**preborn status,**"

Page 3, line 26, following "sex,":
Insert "**preborn status,**"

Page 4, line 9, following "sex,":
Insert "**preborn status,**"

Page 4, line 29, following "sex,":
Insert "**preborn status,**"

Page 5, line 5, following "sex,":
Insert "**preborn status,**"

Page 5, line 10, following "sex,":
Insert "**preborn status,**"

Page 5, line 19, following "sex,":
Insert "preborn status,"

Page 5, line 24, following "sex,":
Insert "preborn status,"

Page 5, line 30, following "sex,":
Insert "preborn status,"

Page 6, line 6, following "sex,":
Insert "preborn status,"

Page 6, line 12, following "sex,":
Insert "preborn status,"

Page 6, line 19, following "sex,":
Insert "preborn status,"

Page 6, line 30, following "sex,":
Insert "preborn status,"

Page 7, line 6, following "sex,":
Insert "preborn status,"

Page 7, line 23, following "sex,":
Insert "preborn status,"

Page 7, line 29, following "sex,":
Insert "preborn status,"

Page 7, line 31, following "sex,":
Insert "preborn status,"

Page 8, line 13, following "religion,":
Insert "preborn status,"

Page 8, following line 24:
Insert new paragraphs to read:

"(20) "natural person" means a human being, regardless of age, race, religion, size, sex, citizenship, ancestry, disability, deformity, location, gender identity, sexual orientation, stage of development, life expectancy, or condition of dependency from the moment of conception;

(21) "preborn child" means a natural person from the moment of conception who has not yet left the womb;"

Renumber the following paragraph accordingly.

CO-CHAIR FIELDS objected.

REPRESENTATIVE VANCE spoke to Amendment 1. She mentioned that the proposed legislation is a human rights bill to protect individuals against discrimination. She said that "the preborn" have been "discriminated against or simply discarded for whatever reason." She stated her belief that "these millions of individuals should have representation when it comes to the human rights." She asked for consideration of Amendment 1.

CO-CHAIR FIELDS said he cannot support Amendment 1. He said he thinks the committee should stay focused not only on human rights, but also on jobs and economic growth, and he does not think Amendment 1 would be "conducive to that." Co-Chair Fields maintained his objection.

[3:58:22 PM](#)

A roll call vote was taken. Representatives Vance and Shaw voted in favor of Amendment 1. Representatives Story, Wool, Fields, and Kreiss-Tomkins voted against it. Therefore, Amendment 1 failed by a vote of 2-4.

[3:59:51 PM](#)

CO-CHAIR KREISS-TOMKINS opened public testimony on HB 82.

[4:01:31 PM](#)

JESSICA VAUDREUIL testified in opposition to HB 82. She expressed surprise that "this gender identity anti-discrimination clause" is already in school district board policy. She opined that HB 82 undermines First Amendment rights and "harms innocent children by glorifying what is considered by most as essential abomination." She described the proposed legislation as "a wolf in sheep's clothing," but she thinks it is "coercive indoctrination of every child in the country and in the state." She said HB 82 asks citizens to approve of transgenderism and homosexuality as moral and a diversity to be celebrated, "while denying the obvious message of the God-given human body." She posited that the goal of this indoctrination is "to separate a child from bigoted parents, who subscribe to the teaching of Jesus regarding a male/female foundation for

sexual ethics." She said this is only part of the reason she opposes HB 82, and she would submit further reasons in writing.

[4:03:45 PM](#)

LILLIAN LENNON testified in support of HB 82. She related that she is a transgender woman and has known this about herself since she was little; it is what makes her what she is. She stated that she has experienced discrimination, and the ordinance passed by the Municipality of Anchorage that "protects people on the basis of gender identity and sexual orientation" makes her feel safe. She expressed concern knowing that such protection is not statewide. She said she wants people to be able to live authentically, no matter race, gender, sexual orientation, or ethnicity. She reiterated her support for HB 82.

[4:05:36 PM](#)

ZHENIA PETERSON testified in support of HB 82. She said she believes that Alaska's anti-discrimination laws should apply to everyone, including LGBTQ people. She expressed that gay and transgendered people can be denied work, public service, and educational opportunities. She opined, "Every one of us deserves to live without fear while contributing to our society."

[4:06:39 PM](#)

DENISE SUDBECK, Ph.D., said she is a pastor of the Metropolitan Community Church in Anchorage, and she indicated involvement with Christians for Equality. She stated that as a member of the LGBTQ community in Alaska, she has experienced discrimination, especially when outside of protected areas, such as Anchorage. She has been refused public accommodations and the purchase of gasoline. She shared that she is a Vietnam Veteran, who has contributed to the welfare of the nation. She expressed hope that the committee would pass HB 82.

[4:08:36 PM](#)

LIN DAVIS stated that she has been working toward equality for the LGBTQ community since 1975. She said for 20 years she has been the leader of a cleanup crew comprising two LGBTQ groups in Juneau that cleans a stretch of road near the university. The sign on the side of the highway that depicts the names of the groups has been smeared and knocked over; however, it has not

been damaged in the past six or seven years. She said she thinks there is "a rising fairness and respect," and statewide protections can encourage this for jobs, housing, and public services. She stated, "There's no good reason not to do it; it's all for the common good; it benefits communities when there's fairness and respect." She said she watched this legislation pass out of committee a year ago, and she encouraged the committee "to have that same wisdom today."

[4:10:46 PM](#)

EMOGENE KIMBERLY LEA stated that the preamble of the Constitution of the United States reads, "We the people." She pointed out that there is no discrimination in those words; they include all the people. She said that is what civil rights is all about; it is the strength of the U.S. and of the military. She reflected that all [legislators] present are sworn to uphold the constitution, and they recite the Pledge of Allegiance; therefore, there is an obligation to fulfill that oath. She urged the committee to support HB 82 - providing equal rights to all people.

[4:12:35 PM](#)

ALYSON CURREY, Legislative Liaison, Planned Parenthood Votes, testified in support of HB 82. She stated that the proposed legislation would ensure that LGBTQ Alaskans are afforded the same rights and protections under law that other Alaskans already have. Those rights provide the ability to live life with safety, privacy, and dignity. She continued as follows:

As a healthcare provider and employer, Planned Parenthood knows that this legislation is good for public health and safety and good for business. Because of discrimination and fear of discrimination, many LGBTQ employees hide their identities at work, are paid less, and have fewer employment opportunities than their non-LGBTQ counterparts. This prejudice puts LGBTQ people at increased risk for poor physical and mental health. Gay and transgendered people are friends, neighbors, family, and co-workers; they work hard, serve in the military, and pay taxes. And like everyone else, they just want to contribute to the economic health of our state, earn a living, and provide for their families. When they apply for a job, search for housing, walk into a business that's open to the public, or a restroom, they should be

treated like anybody else and not discriminated against.

It became crystal clear to us during the recent non-discrimination fight in Fairbanks, that our LGBTQ friends and family badly need the protection of the law. We sat through hours of hateful and hurtful testimony of the few loud opponents trying to convince the Fairbanks City Council that queer and transgender individuals deserve to be discriminated against simply because of their gender and who they love.

I fear that until we pass statewide non-discrimination protection, every day Alaskans are going to continue to live in fear of being harassed, harmed, fired, [and] denied housing or public services just because they're gay or transgendered. So, I ask you to please support HB 82 and pass the bill from committee.

[4:15:01 PM](#)

BRITT TONNESSEN testified in support of HB 82. She related that she is a professional in gender-based violence prevention and intervention, an advocate for survivors of violence, and a person who seeks to prevent violence. Further, she said she has a background in "human security," which she explained is "a freedom from want" and "fear." She indicated two documents that show victims of violence how to regain power and control; one was for people in heterosexual relationships, and the other was for people in LGBTQ relationships. The latter deals with the issue of "outing" people and "using each other's differences against each other." She talked about a system where there is homophobia, bi-phobia, and transphobia, and how uncomfortableness can be in a moment or in the everyday life of someone. She said, "Naming what we see, what we have, gives these people power." She said people face threats daily. She urged the committee to pass HB 82.

[4:17:33 PM](#)

BECKY ANDERSON testified in support of equality and HB 82. She said she did not make the choice to be heterosexual, white, and female, but because she is, she does not face discrimination in the areas of housing, employment, and services provided. She exclaimed, "Yay, me!" She pointed out that unfortunately that is not the case for many Alaska citizens. She said LGBTQ citizens did not have a choice in being who they are, yet

current laws punish them for existing. She said within the LGBTQ community are friends, family, coworkers, students, and people in various occupations. She emphasized, "They are us." She talked about the efforts made over the last several years to reach equality, and she said legislators can help make Alaska an equal rights state. At that point, [the exclamation will be], "Yay, us!" She said now is the time to stop treating LGBTQ people as "less than" and stop procrastinating in giving attention to this issue. Ms. Anderson explained that she is fighting for this, because it is the right thing to do and the time to do it is now.

[4:19:51 PM](#)

REBECCA DUNNE testified in support of HB 82. She echoed the voices of those who have already stated that the proposed legislation is important and the time for it is now. She said the House State Affairs Standing Committee has heard a version of this legislation several years in a row and has heard and read about how equality is good for business, tourism, and community health. She continued:

My sexual orientation is not a choice, and I am tired of people telling me that it is. My husband's gender identity is not up for debate, and I am tired of people debating it. We do not have equality under federal law, state law, or municipal law here in Fairbanks, and I'm tired of people telling me that we do or, at the same time, that equality under the law is actually special rights. I don't need special rights. I just want to know that I can't be fired for being gay; that I can't be denied housing for being gay; that I can't be denied medical care or prescriptions for being gay; that I can't be kicked out of a restaurant or a store for being gay; and that my husband can use a public bathroom without getting harassed. I just want to know that we can live like straight and cisgender people without hiding who we are. Please pass HB 82 out of committee.

[4:21:34 PM](#)

KRISTEN SCHUPP testified in support of HB 82, which is a human rights bill addressing a group of people that regularly encounter discrimination for being who they are daily. She listed many of the roles and occupations filled by LGBTQ people, and she opined that there are no good reasons not to grant equal

rights and protections to the LGBTQ community. She said 21 states already have. She said there will be plenty of illogical, fearful, or hateful [testimonials], but they are not good, compassionate, or logical. She said religious-based reasons have no place in formulating policy in a country that is supposed to have separation of church and state. She said religion, itself, is a choice that is protected. She stated, "This is not about special rights; it's about equal rights and human rights." She posited that there is no neutrality on the issue of human rights; "you're either part of the problem or part of the solution." Ms. Schupp said there is "a lot of fear around [transgender] people or people pretending to be [transgender] in order to assault people in bathrooms," but she said this is "statistically negligible," and it is actually transgender people who are at risk of being assaulted. She stated, "You're more likely, statistically, to be assaulted by the current President of the United States, and much, much more likely to be assaulted by a religious figure, such as a priest or youth pastor or a cop." She urged the committee to pass HB 82.

[4:23:34 PM](#)

ALEXANDER THORNTON stated that he is a small business owner in Fairbanks, and he is trying to purchase property. He explained that the reason for his testimony is that in the five years that he has been in Fairbanks, he has been denied housing, has been prevented from accessing his work place, has been fired from employment, has been prevented from accessing education, and has been denied medical care, not just because he is queer, but also because he is disabled. He said that is why he is asking the committee to support HB 82. He said he loves the people in Fairbanks. He stated that he wants to be free to run his business without fear of "legalized harassment" and free of the fear of being denied housing, education, and medical care. Mr. Thornton said he has faced discrimination all his life, but not as readily as he has faced it in Fairbanks. Notwithstanding that, he said he loves the state and its people, and he believes in "this community." He indicated that the passage of HB 82 would benefit all those who are marginalized. He asked the committee to "do the right thing" by supporting HB 82.

[4:25:58 PM](#)

RINA KOWALSKI asked the committee to support the protections for the LGBTQ community, as she and her daughter are LGBTQ. She said she wants to ensure her daughter's future is protected.

She said she has been harshly judged her entire life for her LGBTQ status. She said she has always encouraged her children to see the good in all people and have free choice in whom they love. She reiterated her concern for future generations and thanked the committee for supporting equality and for "treating us as the equals we are."

[4:27:07 PM](#)

ABIGAIL NORTH stated that she is a transgender woman, she has a wife, and she is a teacher. She said she grew up in Gainesville, Georgia, attending Pentecostal Holiness churches, and knowing people would hate her for her gender identity and be vile to her. She said she has "heard that a lot, particularly with the equality stuff here in Fairbanks over the last few months." She asked the committee to support HB 82. She related that she has been told by more than one white stranger that they were "uncomfortable being in a public restroom with African Americans." Regarding the issue of being made uncomfortable by someone and having the right to refuse service, she said, "This has been argued for decades." In the deep south, Georgia fought desegregation, and she still hears the same religious arguments against desegregation.

[4:29:36 PM](#)

MELANIE LINDHOLM stated that she and her fiancé identify as part of the LGBTQ community and have both experienced discrimination because of their identities - especially in the area of employment. She related that in 2015, after 13 years under a contracted position at a hospital, her fiancé was fired for coming out as transgender. That same year, she was denied employment at the University of Alaska Fairbanks (UAF), because it was known by some of the members of the hiring committee that her fiancé was transgender. She asked the committee to support HB 82, because she believes that all people should have employment protections. She said she believes in equality for and the value of all citizens, regardless of their orientation, identity, or expression. She concluded, "We are all human, deserving of human rights and equal protection."

[4:30:50 PM](#)

ALYSSA QUINTYNE, Community Organizer, The Alaska Center, testified in support of HB 82. She said via a nondiscrimination ordinance, protections were in place for four days before being vetoed. That was following months of testimony. She opined

that legislation, such as HB 82, is absolutely necessary. She said people have shared through testimony that they have lost homes, jobs, access to medical care, and that people have lost their lives, because of legalized discrimination. She said The Alaska Center understands that its residents and voters are much more likely to participate in their community and government when their rights are protected; they are welcome both in public and private sectors; and they are given unrestricted access "to any of those participatory avenues." She said discrimination on any matter limits access to necessary resources and services. She opined that holding leaders accountable is "key to holding a healthy democracy and a healthy community." She said the support of HB 82 will ensure all Alaskans are free to participate in their government and communities, and she encouraged the committee to support the bill.

[4:33:10 PM](#)

ERIN WORLEY testified in support of HB 82. She said she is a nursing student about to graduate, and she would talk about the statewide health implications of the proposed legislation. She stated that when legislation is passed that supports the ability of LGBTQ community members to thrive regardless of sexual orientation, gender identity, or gender expression, "we start to remove an external stigma." A message is sent that discrimination is not acceptable in Alaska. She said there is established research correlating stigma and discrimination with higher rates of depression, suicide, mental health disorders, and maladapted coping, such as substance abuse and smoking. She said states with protective legislation in place have improved the health outcomes of LGBTQ people though lower rates of depression, suicide, mental health disorders, and substance abuse. She said the American Nurses Association issued a statement on this topic describing a commitment to the elimination of health disparities and discrimination based on sexual orientation, gender identity, and gender expression within healthcare. She added that as a nurse, she will "commit to that." She asked the committee to commit to making a statement against discrimination and making Alaska healthier by supporting HB 82.

[4:35:09 PM](#)

HAYDEN NEVILL, Gender Pioneers, testified in support of HB 82. He stated that he is a transgender man; it means he was born female and is now legally and socially male. He mentioned that he is a veterinarian, a taxpayer, a husband, and a voter. He

has heard many stories from LGBTQ people since founding Gender Pioneers: denied housing; denied employment; denied retail service; denied prescriptions by a pharmacist. He said, "This is not how Alaskans treat each other." He mentioned the overwhelming support for the Fairbanks non-discrimination ordinance. He referred to the question of transgender ("trans") women in shelters and locker rooms and said, "It's important to be clear that trans people have been in shelters and locker rooms for a very long time." He stated that public testimony from the three shelters in Fairbanks indicated that any non-discrimination ordinance would not affect them; they are happy to serve transgender people. He referred to the question regarding Airbnb and relayed that Airbnb already has a non-discrimination clause that includes queer people. He emphasized that the passage of HB 82 would send a message that all are welcomed, loved, and important.

[4:37:17 PM](#)

CRIS EICHENLAUB testified in opposition to HB 82. He expressed his opinion that the acronym - LGBTQ - is not well defined; therefore, the group that would be protected under HB 82 is not well defined. He opined that the proposed legislation reflects a national agenda; it would put employers and women shelters at risk of lawsuits.

[4:39:55 PM](#)

HERMAN MORGAN testified that he is appalled by people who support the proposed legislation; the public comment reflects a well-organized effort. He said that he is appalled by the drafter of the bill "to try to say it's a civil rights issue." He stated, "I am a Native. I was born a Native. I didn't choose to become what the bible calls an abomination." He read a prayer and expressed his concerns with the proposed legislation. He concluded, "Please don't support this bill."

[4:42:28 PM](#)

BERT HOUGHTALING testified in opposition to HB 82. He maintained that Alaska's equal rights amendment already protects people from discrimination, and if anyone cannot identify under that amendment, then it is a failure on the part of the person or a failure of the legal system. He offered that the provision under HB 82 is so important that it should go to a vote of the people. He expressed his concern that using the wrong pronoun to refer to someone could result in a discrimination charge.

[4:44:06 PM](#)

MAUREEN LONGWORTH, MD, testified that she grew up in a religious, Christian home where she learned from her parents and her church "to treat others as we wish to be treated." She stated that equality is written into the U.S. Constitution; HB 82 should be passed because it upholds the U.S. Constitution. She relayed that she has practiced in communities across Southeast Alaska; and small communities lack the anonymity and support organizations that the larger cities can offer to a person who is struggling. She said, "Universally young people have at times reported they would rather be dead than be gay or trans, and they do not see hope of survival in their communities." She mentioned that trans people experience the highest rates of suicide and victimization. She emphasized that most often the people who rape women are straight men; a white Catholic priest raped her. She expressed her concern for the health of Alaskans and the economy. She said that medical research shows that the healthiest communities are communities where equality resides; disparities in rights for segments of the population wear down members on both sides of the divide. She advocated for retaining young people in the state and assuring them equal treatment. She urged passage of HB 82.

[4:47:08 PM](#)

GREG WEAVER testified that the state has more important issues than guaranteeing equal rights for sexual preference. He expressed that sexual preference is a personal endeavor and should be kept personal.

[4:49:39 PM](#)

CHRISTINE HUTCHINSON testified that she believes that government should be limited and "every little nook and cranny cannot be legislated by the government." She maintained that the government has demonstrated its ineptness in monitoring people. She expressed her belief that government should not be intruding into the personal lives of people. She asserted that sexual orientation and the desire to be transgender are personal issues. She stated that she opposes the passage of HB 82, because it is unnecessary.

[4:51:57 PM](#)

LOIS HENDERSON testified that she supports HB 82, equal rights for all, and all people being treated the same. She continued, "As a country we do not discriminate against people based on inborn differences. We need to be sure to include the LGBTQ community in these guarantees." She shared that as the mother of a transgender woman who grew up in Fairbanks, the sister of a gay woman, and the aunt of a transgender boy, she is exquisitely aware of the importance of equal rights to the individual people. She offered that the proposed legislation hurts no one, and in the year 2019, should not even be a question.

[4:53:11 PM](#)

ROSE O'HARA-JOLLY testified that recently the Fairbanks City Council passed its first non-discrimination ordinance; it had overwhelming support; public comment against the ordinance from a vocal few demonstrated the importance of having such an ordinance. She stated that publicly sharing aspects of her life which she wished to remain private took a heavy toll on her. She relayed that straight and cisgender ("cis") people are not required to come to public meetings and beg to be treated with dignity and respect - beg to be allowed to keep their jobs or rent their homes free from fear. She offered that as a queer person, she has been called many names, including a pedophile. She relayed the actions of one city council member who disrespected her, other testifiers, and various people in the community to generate hate. She said that ultimately the mayor of Fairbanks vetoed the ordinance. She asked that the committee lead by example, make a stand against hate, vote for dignity and safety, and pass HB 82,

[4:55:47 PM](#)

ADAM HYKES testified that as a Christian, he is sorry for the testifiers who have been treated poorly; that should not occur to anyone regardless of age, skin color, religion, sexual orientation. He stated that from a scientific perspective, a person's gender is fixed at birth. He opined that it is unwise to legislate that which has not been thoroughly researched. He asked, "How exactly do you plan to uphold this when it's challenged or scrutinized in court?" He opined that everyone deserves to be treated with respect, but it is not the job of government to oversee this on every level. He said he supports limited government.

[4:58:03 PM](#)

KRISTA CHRISTENSEN testified that she is in support of HB 82 because of discrimination and the fear of discrimination among LGBTQ people in Alaska. They must hide their identities; they are paid less; and they have fewer employment opportunities than their non-LGBTQ counterparts. They deserve the same protection as all other citizens. She stated that every citizen should have equal protection under the law regardless of personal character traits. She urged passage of HB 82. She expressed her regret for the treatment that the LGBTQ testifiers have experienced.

[4:59:53 PM](#)

TAMARA KRUSE-ROSELIUS testified in support of HB 82. She expressed appreciation that Alaska has a strong constitution regarding civil rights and guaranteed privacy rights. She urged that equal rights be protected under state law. She added that because Alaska law has not defined "sex" in sex discrimination, there is nothing to prevent it statewide. Because the law is not clear, it is not clear how courts will interpret sex discrimination. "The last thing we need in Alaska is every jurisdiction doing their own thing, especially as far as equal rights are concerned." She cited survey results of transgender Alaskan residents, in which almost one-third experienced housing discrimination within the year. She emphasized that historically Alaska was a leader in civil rights and urged that Alaska not "fall behind [the curve]." She added: as an Airbnb landlord, she is already unable to discriminate; she is a Christian who believes in the separation of church and state; and "there is nothing more important than equal rights. If you don't think so, it's because you already have yours."

[5:01:52 PM](#)

CO-CHAIR KREISS-TOMKINS closed public testimony on HB 82.

[5:02:17 PM](#)

REPRESENTATIVE STORY moved to report HB 82 out of committee with individual recommendations and attached zero fiscal note.

REPRESENTATIVE VANCE objected.

A roll call vote was taken. Representatives Story, Wool, Fields, and Kreiss-Tomkins voted in favor of reporting HB 82 out of committee. Representatives Vance and Shaw voted against it.

Therefore, HB 82 was reported from the House State Affairs Standing Committee by a vote of 4-2.

[5:03:56 PM](#)

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 5:04 p.m.