

**ALASKA STATE LEGISLATURE**  
**SENATE STATE AFFAIRS STANDING COMMITTEE**

April 13, 2021

3:33 p.m.

**MEMBERS PRESENT**

Senator Mike Shower, Chair  
Senator Lora Reinbold, Vice Chair (via Teams)  
Senator Mia Costello (via Teams)  
Senator Roger Holland (via Teams)  
Senator Scott Kawasaki (via Teams)

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

SENATE BILL NO. 23

"An Act relating to proposing and enacting laws by initiative."

- MOVED SB 23 OUT OF COMMITTEE

SENATE BILL NO. 77

"An Act relating to charitable gaming online ticket sales and activities."

- MOVED SB 77 OUT OF COMMITTEE

SENATE BILL NO. 118

"An Act establishing the committee on nullification of federal laws; and providing a directive to the lieutenant governor."

- HEARD & HELD

SENATE BILL NO. 120

"An Act establishing the Administrative Regulation Review Committee."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: SB 23

SHORT TITLE: INITIATIVE SEVERABILITY

SPONSOR(s): SENATOR(s) REVAK

01/22/21 (S) PREFILE RELEASED 1/8/21  
01/22/21 (S) READ THE FIRST TIME - REFERRALS  
01/22/21 (S) STA, JUD  
03/09/21 (S) STA AT 3:30 PM BUTROVICH 205  
03/09/21 (S) Heard & Held  
03/09/21 (S) MINUTE(STA)  
04/13/21 (S) STA AT 3:30 PM BUTROVICH 205

BILL: SB 77

SHORT TITLE: USE OF INTERNET FOR CHARITABLE GAMING

SPONSOR(s): LABOR & COMMERCE

02/10/21 (S) READ THE FIRST TIME - REFERRALS  
02/10/21 (S) STA, L&C  
03/23/21 (S) STA AT 3:30 PM BUTROVICH 205  
03/23/21 (S) Heard & Held  
03/23/21 (S) MINUTE(STA)  
04/09/21 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)  
04/09/21 (S) -- MEETING CANCELED --  
04/13/21 (S) STA AT 3:30 PM BUTROVICH 205

BILL: SB 118

SHORT TITLE: CMTE ON NULLIFICATION OF FEDERAL LAWS

SPONSOR(s): REINBOLD

04/07/21 (S) READ THE FIRST TIME - REFERRALS  
04/07/21 (S) STA, JUD  
04/13/21 (S) STA AT 3:30 PM BUTROVICH 205

BILL: SB 120

SHORT TITLE: ADMIN. REGULATION REVIEW COMMITTEE

SPONSOR(s): REINBOLD

04/07/21 (S) READ THE FIRST TIME - REFERRALS  
04/07/21 (S) STA, FIN  
04/13/21 (S) STA AT 3:30 PM BUTROVICH 205

**WITNESS REGISTER**

SENATOR JOSH REVAK  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of SB 23.

DIRK CRAFT, Staff  
Senator Josh Revak  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions related to SB 23 on behalf of the sponsor.

KATI CAPOZZI, President/CEO  
Alaska Chamber of Commerce  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of SB 23.

BETHANY MARCUM  
Alaska Policy Forum  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of SB 23.

MARLEANNA HALL, Executive Director  
Resource Development Council for Alaska (RDC)  
Willow, Alaska

**POSITION STATEMENT:** Testified in support of SB 23.

MELODIE WILTERDINK, Staff  
Senator Mia Costello  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Reviewed SB 77 on behalf of the sponsor.

STUART THOMPSON, representing self  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in support of SB 118.

MIKE COONS, representing self  
Palmer, Alaska

**POSITION STATEMENT:** Testified in support of SB 118.

CHRIS EICHENLAUB, representing self  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in support of SB 118.

CHRISTINE HUTCHINSON, representing self  
Kenai, Alaska

**POSITION STATEMENT:** Testified in support of SB 118.

#### **ACTION NARRATIVE**

[3:33:29 PM](#)

**CHAIR MIKE SHOWER** called the Senate State Affairs Standing Committee meeting to order at 3:33 p.m. Present at the call to order were Senators Holland, Kawasaki, Reinbold, Costello, (all via Teams) and Chair Shower.

CHAIR SHOWER reviewed the remote meeting protocols, including the roll call that showed the presence and location of the committee members.

Roll call: SENATOR REINBOLD, Capitol room 427, SENATOR HOLLAND, Capitol room 113, SENATOR COSTELLO, Capitol room 119, SENATOR KAWASAKI, Capitol room 07, and CHAIR SHOWER in the Butrovich room, Capitol 205.

He reviewed the agenda.

### **SB 23-INITIATIVE SEVERABILITY**

[3:37:00 PM](#)

CHAIR SHOWER announced the consideration of SENATE BILL NO. 23 "An Act relating to proposing and enacting laws by initiative."

SENATOR JOSH REVAK, Alaska State Legislature, Juneau, Alaska, sponsor of SB 23, summarized that SB 23 seeks to restore an important check in the initiative process. When individuals sign an initiative petition, the courts should not be empowered to decide how much the language on the ballot can differ from the language in the petition. He said the legislature has a right to enact substantially similar legislation to replace the initiative, but it is denied that right if the court severs provisions of the initiative and it goes directly on the ballot.

[3:38:53 PM](#)

SENATOR COSTELLO asked how this has been a problem in the past.

DIRK CRAFT, Staff, Senator Josh Revak, Alaska State Legislature, Juneau, Alaska, explained that the Alaska Supreme Court has ruled on a number of occasions that provisions of an initiative are severable. The most recent was the 2018 salmon initiative. The court struck a number of provisions after the legislative review process and the measure went on the ballot.

CHAIR SHOWER asked if he had other examples.

MR. CRAFT cited McAlpine v. University of Alaska in 1988 where the court severed a spending provision in the initiative.

[3:40:09 PM](#)

SENATOR COSTELLO asked if the court has weighed in on the constitutionality of severability, which statute prohibits.

MR. CRAFT answered that he did not recall the court speaking directly on severability.

SENATOR COSTELLO asked how many states have severability in their initiative process.

MR. CRAFT answered that NCSL research indicated that more than 20 states have severability in their initiative language, and the process is either direct or indirect. Alaska has an indirect initiative process meaning that the legislature has the final review before the measure goes to the voters. States that have a direct initiative process more typically have severability language, so it is unusual to have both the legislative check and severability. This can potentially override the legislative check.

SENATOR KAWASAKI asked if all the members had the memo from Legislative Legal Services on this topic.

CHAIR SHOWER confirmed that his office distributed the memo dated 3/21/21 to all the members.

SENATOR KAWASAKI said he would like the committee to talk about that opinion that questions the constitutionality of the bill.

CHAIR SHOWER asked the sponsor to comment.

[3:42:57 PM](#)

SENATOR REVAK said SB 23 seeks to resolve the situation where a group could put forward an initiative knowing that it has unconstitutional provisions and that the court will sever those provisions before it goes to the voters. The voters may not see the same language on the ballot that was on the petition they signed. This bypasses the legislature's check and constitutional authority under Title 11, Section 4 to enact substantially similar legislation before an initiative goes to the ballot.

CHAIR SHOWER asked whether he or his staff had discussed this with Legislative Legal Services and whether their response was similar to Senator Kawasaki's characterization.

MR. CRAFT replied Legislative Legal Services was waiting for the sponsor to submit the question in writing before drafting a formal response. He agreed to distribute the response to members as soon as possible.

[3:45:16 PM](#)

CHAIR SHOWER recalled that a similar issue came up with an initiative in the last year or two.

MR. CRAFT said he did not recall that.

SENATOR KAWASAKI said he had no problem moving the bill on to the Judiciary Committee to review the constitutional issues.

CHAIR SHOWER said he looked forward to having the debate in that committee.

[3:46:47 PM](#)

SENATOR COSTELLO said this legislation is important because it will result in more time and care going into the language that goes on the initiative petition. That language does matter, and it should not be different when it appears on the ballot. She said she was familiar with the memo, but the courts are the final arbiter as to whether something is constitutional. She thanked the sponsor for introducing the legislation.

CHAIR SHOWER described it as disingenuous to change the language in an initiative after people sign. He reiterated that it is appropriate to look at the constitutional issue in the Judiciary Committee.

[3:49:16 PM](#)

CHAIR SHOWER opened public testimony on SB 23.

[3:49:52 PM](#)

KATI CAPOZZI, President/CEO, Alaska Chamber of Commerce, Anchorage, Alaska, stated that the chamber believes that SB 23 will maintain the integrity of the signature gathering process for ballot measures. Last year the chamber membership voted to support the following policy position statement:

Initiative petitions often ask voters to make simple yes or no decisions about complex issues without subjecting them to detailed expert analysis or the opportunity to participate through a public process. Changes in the initiative process should produce more

transparency and better public policy in a comprehensive and balanced manner equally benefiting both voters and the legislative process. As such, we support SB 23 and the bill sponsor's efforts to correct a deficiency that has been overlooked in the ballot measure process. We also believe that SB 23 will result in fewer protracted legal battles once the ballot measure proponents understand that should any section of their initiative not pass constitutional muster, they would be required to revert to the signature gathering stage of the process. This will result in more carefully crafted ballot measures being proposed from the outset, which means a smoother, more predictable and transparent process for all parties whether they support or oppose the ballot measure in question.

[3:52:53 PM](#)

SENATOR KAWASAKI asked whether the chamber would be willing to put forward a constitutional amendment dealing specifically with Article 11 Section 7. [Ms. Capozzi was not online to hear the question and Senator Kawasaki said he would call her and pose the question.]

[3:53:41 PM](#)

BETHANY MARCUM, Alaska Policy Forum, Anchorage, Alaska stated that Alaska is fortunate to have a constitutionally enshrined ballot initiative process. This is a valuable right but for it to have value for future generations of Alaskans, it is imperative to ensure the integrity of the process. Past Alaska Supreme Court decisions created a loophole, which allows the court to sever parts of the initiative language. While removing an unconstitutional provision may be well intended, the result is that the words that appear on the ballot may be different from the language that voters signed on the petition. She said this is an injustice to Alaskan voters and it strips the legislature of its right as a counterbalance in the initiative process. She said it would be good policy for the legislature to address this by passing SB 23.

[3:55:44 PM](#)

MARLEANNA HALL, Executive Director, Resource Development Council for Alaska (RDC), Willow, Alaska, stated that RTC has reviewed SB 23 and requests the committee move it along. It will ensure that the language on an initiative petition remains unchanged when it appears on the ballot. Initiative proponents would no longer be able to rely on Alaska's courts to do their legal and

editing services; if the court were to sever provisions from the initiative petition that voters signed, it would not be passed along to the ballot box.

[3:57:25 PM](#)

CHAIR SHOWER closed public testimony on SB 23 and solicited a motion.

[3:57:45 PM](#)

SENATOR REINBOLD moved to report SB 23, work order 32-LS0209\A, from committee with individual recommendations and attached fiscal note(s). [The original version of the bill passed from committee. It was not amended.]

CHAIR SHOWER found no objection and SB 23 was reported from the Senate State Affairs Standing Committee.

### **SB 77-USE OF INTERNET FOR CHARITABLE GAMING**

[3:59:06 PM](#)

CHAIR SHOWER announced the consideration of SENATE BILL NO. 77 "An Act relating to charitable gaming online ticket sales and activities."

He asked Senator Costello to refresh the committee's recall of the bill.

[3:59:28 PM](#)

SENATOR COSTELLO, speaking as Chair of the Senate Labor and Commerce Committee, advised that SB 77 is one of the sweet of bills the Senate Labor and Commerce Standing Committee introduced that were lifted from the governor's disaster declaration bill and are intended to make Alaska laws more COVID-19 aware. She said her aide would go over what is in the bill.

MELODIE WILTERDINK, Staff, Senator Mia Costello, Alaska State Legislature, Juneau, Alaska, summarized that SB 77 will establish standards for online charitable gaming to ensure compliance with online gaming laws. This includes age and location verification and data security standards. These online ticket sales will be for raffles, lotteries, dog-mushing contests, and certain types of classics. The winning tickets can be drawn online.

CHAIR SHOWER found no questions or comments.

[4:01:06 PM](#)

CHAIR SHOWER opened public testimony on SB 77; finding none, he closed public testimony.

[4:01:36 PM](#)

SENATOR KAWASAKI thanked the sponsor for introducing the bill because this authority has been a huge benefit to charitable organizations during the COVID-19 pandemic.

CHAIR SHOWER offered his belief that this bill will help organizations raise more funds for the good work they do.

SENATOR COSTELLO thanked the committee for hearing the bill and taking action.

[4:03:06 PM](#)

SENATOR REINBOLD moved to report SB 77, work order 32-LS0530\B, from committee [with individual recommendations and] attached fiscal note(s).

CHAIR SHOWER found no objection and SB 77 was reported from the Senate State Affairs Standing Committee.

**SB 118-CMTE ON NULLIFICATION OF FEDERAL LAWS**

[4:03:34 PM](#)

CHAIR SHOWER announced the consideration of SENATE BILL NO. 118 "An Act establishing the committee on nullification of federal laws; and providing a directive to the lieutenant governor."

[4:03:51 PM](#)

SENATOR REINBOLD, speaking as sponsor of SB 118, introduced the legislation first by reading from a document authored by the North American Law Center. [A copy of the document is in the bill file.] She further introduced the bill speaking to the following sponsor statement: [Original punctuation provided.]

The purpose of SB 118 is to invalidate any federal law that the state views as unconstitutional. Thomas Jefferson wrote "nullification...is the rightful remedy" in a draft of the Kentucky resolution in 1798. There are more than a dozen other states include Alabama, Arkansas, Nebraska, Oklahoma, South Carolina, Tennessee, Wyoming, New Hampshire, North Dakota, South Dakota, West Virginia, and Iowa. SB118 creates a committee to review federal law and exercise state sovereignty. The committee is comprised of the

President of the senate, six members and not more than 4 from one political party, and the House of Representatives appointed by the speaker as well as 6 appointed members not more than 4 from each political party.

[4:10:18 PM](#)

SENATOR REINBOLD said it is important for the people to understand that any federal law or mandate that is unconstitutional on its face does not need to be nullified. The Committee on Nullification of Federal Laws is a formal committee of the legislative branch that is created to address serious issues such as the infringement on gun rights.

[4:11:28 PM](#)

SENATOR REINBOLD paraphrased the following sectional analysis for SB 118: [Original punctuation provided.]

Section One: Establishes a committee on Nullification of Federal Laws as a permanent interim committee of the legislature composed of:

- a. President of the senate, or the President's designee
- b. Six members of the senate appointed by the president of the senate with no more than four members being of the same political party.
- c. The Speaker of the House of Representatives or the speaker's designee
- d. Six members of the house of representatives appointed by the speaker with not more than four members being of the same political party.

Section Two: Adds a new section, Directive, the Lt. Governor shall forward a copy of the enrolled version of this bill to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Alaska congressional delegation.

CHAIR SHOWER found no questions or comments

[4:12:45 PM](#)

CHAIR SHOWER opened public testimony on SB 118.

[4:13:21 PM](#)

STUART THOMPSON, representing self, Wasilla, Alaska stated that SB 118 is a good idea and constitutionally justified in the pursuit of the philosophy of the separation of powers and a series of checks and balances. The founders understood that abuse of power and government corruption has the potential to grow through time. He highlighted that Art. XII, Sec. 14 empowers the legislature or the Alaska people to check federal statutes infringing upon certain Alaskan interests. He suggested the members of the committee formed by this bill study and comprehend this provision. He recommended modifications to the bill to defend it against inappropriate attacks or uncontrolled judicial interpretation. He urged the committee to pass the bill quickly.

[4:16:10 PM](#)

MIKE COONS, representing self, Palmer, Alaska, stated full support for SB 118. He charged that Congress and the White House are attacking constitutional rights on a daily basis. He said Alaska is thankfully a sanctuary state due to previous legislatures. He emphasized that Alaska, along with other conservative constitution-loving states must join in to tell the socialist Congress and now the White House a resounding no. He said the constitution did not envision a central government but rather a group of states with powers. He said nullification is a solid existing law for both individuals and the state to use to address harmful federal laws. He said this legislation is needed and he hopes other states follow Alaska's example.

[4:18:59 PM](#)

CHRIS EICHENLAUB, representing self, Wasilla, Alaska stated that he was speaking in support of SB 118 because it is a great idea. He thanked the sponsor for introducing the bill.

CHAIR SHOWER expressed concern that regardless of which party is in office, there has been a consistent march toward federal supremacy. He voiced support for local control.

[4:20:25 PM](#)

CHRISTINE HUTCHINSON, representing self, Kenai, Alaska, stated support for SB 118 and the sovereign rights of states. She said the federal government is overrunning states' rights and it is the obligation of each state to hold the federal government accountable for infringing. She expressed hope that all Senators support SB 118 and urged them to read her POMS.

[4:21:25 PM](#)

CHAIR SHOWER closed public testimony on SB 118 and advised that written testimony could be sent to ssta@akleg.gov and it would be entered into the public record.

[SB 118 was held in committee.]

**SB 120-ADMIN. REGULATION REVIEW COMMITTEE**

[4:22:00 PM](#)

CHAIR SHOWER announced the consideration of SENATE BILL NO. 120 "An Act establishing the Administrative Regulation Review Committee."

[4:22:12 PM](#)

SENATOR REINBOLD, speaking as sponsor of SB 120, stated that this legislation reestablishes the Administrative Regulation Review Committee, so the legislature is once again able to review all regulations and statutes. She said the need for this became apparent when the governor suspended so many regulations during the COVID-19 pandemic. The separation of powers with checks and balances by the legislative branch is a critical part of the US system of government. Constitutionally, the legislature is the policy making branch and the executive branch executes those policies.

SENATOR REINBOLD said reestablishing the Administrative Regulation Review Committee will ensure that regulations promulgated by the executive branch meet the intent of the laws the legislature enacted. This committee will investigate regulations that standing committees identify as cause for concern and evaluate the legality and constitutionality of proposed regulations for the state agency that has the statutory authority to adopt the proposed regulations. She emphasized that checks and balances are part of the US form of government and each branch exercises certain powers that the other two branches can check.

CHAIR SHOWER found no comments or questions and asked for a sectional analysis.

[4:25:59 PM](#)

SENATOR REINBOLD presented the sectional analysis for SB 120.

**Section 1** identified AS 44.62.010 - AS 44.62.325 to apply to regulations adopted by the commission.

**Section 2** amends AS 18.56.088(a) to say the board shall submit a regulation to the Administrative Regulation Review Committee within 45 days of adoption.

**Section 3** amends AS 24.05.182(a) to say a standing committee of the legislature can review, amend, or repeal a regulation before the date the regulation is scheduled by the department or agency to be adopted, amended, or repealed.

[4:26:51 PM](#)

**Section 4** adds new subsections to AS 24.05.182 that state a standing committee can review a regulation to determine legislative intent. If the regulation does meet legislative intent, the standing committee's findings shall be transmitted to the Administrative Regulation Review Committee.

**Section 5** amends AS 24.08.035(f) to say that if the deadline is not met, the agency changing the regulation must report to the Administrative Regulation Review Committee the new deadline and the reason it was unable to meet the deadline set in the fiscal note.

**Section 6** amends AS 24.08.060(b) to say that bills introduced by the Administrative Regulation Review Committee shall be delivered with a letter of explanation to the rules committee by request of the Administrative Regulation Review Committee.

**Section 7** adds a new Sec. 24.20.106 to AS 24.20 regarding the review of proposed regulations. It outlines the responsibilities of the Administrative Regulation Review Committee and states that the legislative Affairs Agency may review each regulation that is subject to AS 44.62.010 - 44.62.300 (the Administrative Procedure Act). An attorney of that agency must do the review. The reviews follow an order of priority:

1. proposed regulations to implement new legislation
2. proposed regulations requested in writing for review by the Administrative Regulation Review Committee or the legislative council as implicating major policy development.

This section describes the procedure as well as evaluating the legality and constitutionality of the regulation whether the state agency has the statutory authority to adopt the proposed regulations to implement or otherwise carry out the statute.

This gives the parameters for the Administrative Regulation Review Committee and this exempts the Board of Game and the Board of Fisheries from proposed regulations.

**Section 8** amends AS 24.20 by adding new sections. It defines the membership of the Administrative Regulation Review Committee, which is comprised of members from both bodies and each of the two major political parties. This must be established within 15 days after organization of the legislature. The committee may meet during the interim to address concerns with regulations. The Legislative Affairs Agency will provide professional and clerical assistance. This section defines the powers of the Administrative Regulation Review Committee.

**Section 9** amends AS 26.27.110(b) to exempt corporations from AS 44.62 (Administrative Procedure Act). However, within 45 days after adoption of a regulation under this section, the chair of the corporation shall submit the regulation adopted to the chair of the Administrative Regulation Review Committee under AS 24.20.465-24.20.495.

[4:30:13 PM](#)

**Section 10** amends AS 30.17.120 to say the provisions of the Administrative Procedure Act regarding adoption of regulations under AS 44.62.040-44.62.325 to apply to the authority.

**Sections 11-13** are conforming language.

**Section 14** amends AS 40.25.120(a) and discusses the right to inspect public records but exempts medical and public health records and records that are confidential under federal law. It references following 20 U.S.C. 1232g, law enforcement and any records that would endanger the life or physical safety of an individual.

On page 10, line 15 it adds written notification regarding a proposed regulation under AS 24.20.160 to the Department of Law and the affected state agency and communications between the Legislative Affairs Agency, the Department of Law, and affected state agency under AS.24.20.106.

**Section 15** amends AS 42.40.920(b) to add a statute reference.

**Section 16** amends AS 44.62.020 to add a statute reference and gives authority to adopt, administer, or enforce a regulation. Each regulation adopted must be within the scope and authority of the statute.

[4:31:30 PM](#)

**Section 17** amends AS 44.62.040(c) to exempt the Regulatory Commission of Alaska, the Board of Fisheries, the Board of Game, the Alaska Oil and Gas Conservation Commission, the office of victims' rights, and the office of the ombudsman. Other agencies shall submit regulations to the governor's office.

This section describes the procedure the governor must follow to return the regulations and orders of repeal to the adopting agency before they are submitted to the lieutenant governor for filing within 30 days. They must be consistent with the faithful execution of the laws and enable the adopting agency to respond to specific issues raised by the Administrative Regulation Review Committee.

**Section 18** amends AS 44.62.190(a) by adding new language to say the agencies may electronically furnish the proposed regulation, amendment, or order of repeal, as required by AS 24.20.160(c).

**Section 19** amends AS 44.62.245(c) to add the Administrative Regulation Review Committee to the distribution list.

**Section 20** amends AS 44.62.290(a) to add a statute reference.

**Section 21** amends AS 44.62.300(a) to add the same statute reference

**Section 22** amends AS 44.62 by adding a new Sec. 44.62.325. Submittal for legislative review. It describes how the lieutenant governor submits a regulation to the Administrative Regulation Review Committee for review. Within 10 days, the Administrative Regulation Review Committee may submit comments on the regulation to the governor.

[4:33:13 PM](#)

**Sections 23 through 27** add AS 44.62.010-44.62.325.

**Section 28** amends AS 44.88.085(a) to insert references AS 44.62.040-44.62.325. It adds language that within 45 days after the adoption of a regulation under this section, the chair of the authority shall submit the regulation adopted to the chair of the Administrative Regulation Review Committee under AS 24.20.465-24.20.495.

**Section 29** adds a new section to the uncodified law to say this Act applies to the adoption, amendment or repeal of a regulation that is first proposed on or after the effective date of this Act.

CHAIR SHOWER found no questions or comments.

[4:34:22 PM](#)

CHAIR SHOWER opened public testimony on SB 120; finding none, he closed public testimony on SB 120. He advised that written testimony could be submitted to [ssa@akleg.gov](mailto:ssa@akleg.gov) and it would be entered into the public record.

[SB 120 was held in committee.]

[4:36:20 PM](#)

There being no further business to come before the committee, Chair Shower adjourned the Senate State Affairs Standing Committee meeting at 4:36 p.m.