

ALASKA STATE LEGISLATURE
SENATE STATE AFFAIRS STANDING COMMITTEE

March 3, 2022

3:33 p.m.

MEMBERS PRESENT

Senator Mike Shower, Chair
Senator Lora Reinbold, Vice Chair
Senator Mia Costello
Senator Roger Holland
Senator Scott Kawasaki

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 145

"An Act relating to per diem for legislators; and providing for an effective date."

- MOVED SB 145 OUT OF COMMITTEE

SENATE BILL NO. 136

"An Act relating to firearms and other weapons restrictions."

- MOVED CSSB 136(CRA) OUT OF COMMITTEE

SENATE RESOLUTION NO. 3

Relating to nonprofit, nongovernmental organization support for veterans in Alaska.

- HEARD & HELD

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 157(FIN)

"An Act requiring the disclosure of the identity of certain persons, groups, and nongroup entities that expend money in support of or in opposition to an application filed for a state referendum or recall election; relating to the location of offices for the Alaska Public Offices Commission and the locations at which certain statements and reports filed with the commission are made available; relating to the duties of the Alaska Public Offices Commission; clarifying the limits on making, accepting, and reporting certain cash campaign

contributions; relating to campaign finance reporting by certain groups; increasing the time the Alaska Public Offices Commission has to respond to a request for an advisory opinion; repealing a reporting requirement for certain contributions; relating to contribution limits and recall campaigns; and providing for an effective date."

- HEARD & HELD

SENATE BILL NO. 115

"An Act relating to confidentiality of information; relating to the duties of the Department of Administration; creating an address confidentiality program; and providing for an effective date."

- MOVED SB 115 OUT OF COMMITTEE

SENATE BILL NO. 161

"An Act relating to the definition of 'political party'; and providing for an effective date."

- MOVED SB 161 OUT OF COMMITTEE

SENATE BILL NO. 152

"An Act relating to the convening of the legislature at the capital and in the Municipality of Anchorage; relating to the location of legislative sessions; and relating to the emergency relocation of functions of state government."

- BILL HEARING CANCELED

SENATE BILL NO. 167

"An Act relating to elections, voter registration, ballots, and a system of tracking and accounting for ballots; establishing an election offense hotline; relating to election fraud, election interference, and election official misconduct; requiring signature verification, notice, and the opportunity to cure; and providing for an effective date."

- BILL HEARING CANCELED

HOUSE BILL NO. 123

"An Act providing for state recognition of federally recognized tribes; and providing for an effective date."

- BILL HEARING CANCELED

SENATE JOINT RESOLUTION NO. 20
Urging the United States Congress to pass the Hearing Protection
Act.

- BILL HEARING CANCELED

SENATE BILL NO. 92
"An Act relating to missing persons under 21 years of age."

- BILL HEARING CANCELED

PREVIOUS COMMITTEE ACTION

BILL: SB 145

SHORT TITLE: LEGISLATOR RETROACTIVE PER DIEM

SPONSOR(s): SENATOR(s) HOLLAND

01/18/22	(S)	PREFILE RELEASED 1/7/22
01/18/22	(S)	READ THE FIRST TIME - REFERRALS
01/18/22	(S)	STA, FIN
02/01/22	(S)	STA AT 3:30 PM BUTROVICH 205
02/01/22	(S)	Heard & Held
02/01/22	(S)	MINUTE(STA)
02/08/22	(S)	STA AT 3:30 PM BUTROVICH 205
02/08/22	(S)	Scheduled but Not Heard
02/15/22	(S)	STA AT 3:30 PM BUTROVICH 205
02/15/22	(S)	Heard & Held
02/15/22	(S)	MINUTE(STA)
03/01/22	(S)	STA AT 3:30 PM BUTROVICH 205
03/01/22	(S)	-- MEETING CANCELED --
03/03/22	(S)	STA AT 3:30 PM BUTROVICH 205

BILL: SB 136

SHORT TITLE: LIMITATIONS ON FIREARMS RESTRICTIONS

SPONSOR(s): SENATOR(s) MYERS

05/05/21	(S)	READ THE FIRST TIME - REFERRALS
05/05/21	(S)	CRA, STA
05/11/21	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)
05/11/21	(S)	-- MEETING CANCELED --
05/13/21	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)
05/13/21	(S)	Heard & Held
05/13/21	(S)	MINUTE(CRA)
05/18/21	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)
05/18/21	(S)	Moved CSSB 136(CRA) Out of Committee
05/18/21	(S)	MINUTE(CRA)
05/19/21	(S)	CRA RPT CS 2DP 1DNP SAME TITLE

05/19/21 (S) DP: HUGHES, MYERS
05/19/21 (S) DNP: GRAY-JACKSON
02/01/22 (S) STA AT 3:30 PM BUTROVICH 205
02/01/22 (S) Heard & Held
02/01/22 (S) MINUTE(STA)
02/15/22 (S) STA AT 3:30 PM BUTROVICH 205
02/15/22 (S) Heard & Held
02/15/22 (S) MINUTE(STA)
03/03/22 (S) STA AT 3:30 PM BUTROVICH 205

BILL: SR 3

SHORT TITLE: NGO SUPPORT FOR STATE VETERANS

SPONSOR(s): SENATOR(s) SHOWER

02/04/22 (S) READ THE FIRST TIME - REFERRALS
02/04/22 (S) STA
03/01/22 (S) STA AT 3:30 PM BUTROVICH 205
03/01/22 (S) -- MEETING CANCELED --
03/03/22 (S) STA AT 3:30 PM BUTROVICH 205

BILL: HB 157

SHORT TITLE: APOC; REPORT REFERENDA/RECALL CONTRIBUTOR

SPONSOR(s): REPRESENTATIVE(s) RASMUSSEN

03/31/21 (H) READ THE FIRST TIME - REFERRALS
03/31/21 (H) STA, JUD
04/17/21 (H) STA AT 3:00 PM GRUENBERG 120
04/17/21 (H) Heard & Held
04/17/21 (H) MINUTE(STA)
04/27/21 (H) STA AT 3:00 PM GRUENBERG 120
04/27/21 (H) Moved HB 157 Out of Committee
04/27/21 (H) MINUTE(STA)
04/28/21 (H) FIN REPLACES JUD REFERRAL
04/28/21 (H) BILL REPRINTED
04/28/21 (H) STA RPT 1DP 1NR 5AM
04/28/21 (H) DP: KREISS-TOMKINS
04/28/21 (H) NR: TARR
04/28/21 (H) AM: CLAMAN, STORY, EASTMAN, KAUFMAN,
VANCE
05/03/21 (H) FIN AT 1:30 PM ADAMS 519
05/03/21 (H) Heard & Held
05/03/21 (H) MINUTE(FIN)
05/04/21 (H) FIN AT 9:00 AM ADAMS 519
05/04/21 (H) Heard & Held
05/04/21 (H) MINUTE(FIN)
05/13/21 (H) FIN AT 9:00 AM ADAMS 519
05/13/21 (H) Moved CSHB 157(FIN) Out of Committee

05/13/21 (H) MINUTE (FIN)
 05/14/21 (H) FIN RPT CS (FIN) NEW TITLE 4DP 5NR
 05/14/21 (H) DP: LEBON, JOSEPHSON, RASMUSSEN,
 MERRICK
 05/14/21 (H) NR: ORTIZ, CARPENTER, THOMPSON, WOOL,
 FOSTER
 05/19/21 (H) LIMIT ALL DEBATE TO 2 MIN EACH Y23 N16
 E1
 05/19/21 (H) TRANSMITTED TO (S)
 05/19/21 (H) VERSION: CSHB 157 (FIN)
 01/18/22 (S) READ THE FIRST TIME - REFERRALS
 01/18/22 (S) STA, JUD
 01/21/22 (S) FIN REFERRAL ADDED AFTER JUD
 02/17/22 (S) STA AT 3:30 PM BUTROVICH 205
 02/17/22 (S) Scheduled but Not Heard
 03/01/22 (S) STA AT 3:30 PM BUTROVICH 205
 03/01/22 (S) -- MEETING CANCELED --
 03/03/22 (S) STA AT 3:30 PM BUTROVICH 205

BILL: SB 115

SHORT TITLE: ADDRESS CONFIDENTIALITY PROGRAM

SPONSOR (s): SENATOR (s) KIEHL

03/31/21 (S) READ THE FIRST TIME - REFERRALS
 03/31/21 (S) STA, JUD, FIN
 05/06/21 (S) STA AT 3:30 PM BUTROVICH 205
 05/06/21 (S) Heard & Held
 05/06/21 (S) MINUTE (STA)
 02/17/22 (S) STA AT 3:30 PM BUTROVICH 205
 02/17/22 (S) Scheduled but Not Heard
 03/01/22 (S) STA AT 3:30 PM BUTROVICH 205
 03/01/22 (S) -- MEETING CANCELED --
 03/03/22 (S) STA AT 3:30 PM BUTROVICH 205

BILL: SB 161

SHORT TITLE: POLITICAL PARTY DEFINITION

SPONSOR (s): SENATOR (s) WIELECHOWSKI

01/18/22 (S) READ THE FIRST TIME - REFERRALS
 01/18/22 (S) STA, JUD
 02/17/22 (S) STA AT 3:30 PM BUTROVICH 205
 02/17/22 (S) Heard & Held
 02/17/22 (S) MINUTE (STA)
 03/01/22 (S) STA AT 3:30 PM BUTROVICH 205
 03/01/22 (S) -- MEETING CANCELED --
 03/03/22 (S) STA AT 3:30 PM BUTROVICH 205

WITNESS REGISTER

SENATOR ROBERT MEYER
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Sponsor of SB 136

RICHARD HELLER, representing self
Butte, Alaska
POSITION STATEMENT: Testified by invitation in support of SR 3.

RICK CASTILLO, representing self
Anchorage, Alaska
POSITION STATEMENT: Testified by invitation in support of SR 3.

KYLE KAISER, VIPER Transitions
Peters Creek, Alaska
POSITION STATEMENT: Testified by invitation in support of SR 3.

SEAN BENNETT, representing self
Ninilchik, Alaska
POSITION STATEMENT: Testified by invitation in support of SR 3.

REPRESENTATIVE SARA RASMUSSEN
Alaska State Legislature
Anchorage, Alaska
POSITION STATEMENT: Sponsor of HB 157

CRYSTAL KOENEMAN, Staff
Representative Sara Rasmussen
Alaska State Legislature
Anchorage, Alaska
POSITION STATEMENT: Presented the sectional analysis for HB 157
on behalf of the sponsor.

HEATHER HEBDON, Executive Director
Alaska Public Offices Commission
Anchorage, Alaska
POSITION STATEMENT: Answered questions during the hearing on HB
157

JESSE KIEHL
Alaska State Legislature
Juneau Alaska
POSITION STATEMENT: Sponsor of SB 115.

SENATOR BILL WIELECHOWSKI

Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Sponsor of SB 161.

DAVID DUNSMORE, Staff
Senator Bill Wielechowski
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions on behalf of the sponsor during the hearing on SB 161.

ACTION NARRATIVE

[3:33:47 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 Kawasaki, Hollands, Reinbold, Costello, and Chair Shower.

SB 145-LEGISLATOR RETROACTIVE PER DIEM

[3:35:08 PM](#)

CHAIR SHOWER announced the consideration of SENATE BILL NO. 145 "An Act relating to per diem for legislators; and providing for an effective date."

[This is the third hearing and invited and public testimony is scheduled.]

[3:35:35 PM](#)

SENATOR ROGER HOLLAND, speaking as sponsor of SB 145, said the only dissent to the legislation is from legislators who have expressed concern about creating an elite class of legislators who do not need to collect per diem. His view is this will create an elite class of legislators who are motivated to complete the one job that is required of legislators, which is to pass the budget timely.

SENATOR REINBOLD said she supports the bill but her concern is that the House gets the budget to the Senate in time for a thorough and meaningful review.

[3:37:14 PM](#)

CHAIR SHOWER opened public testimony on SB 145; finding none he closed public testimony.

[3:37:38 PM](#)

SENATOR HOLLAND thanked the committee for considering the bill.

CHAIR SHOWER solicited a motion.

[3:37:53 PM](#)

SENATOR REINBOLD moved to report SB 145, work order 32-LS1043\A, from committee with individual recommendations and attached fiscal note(s).

CHAIR SHOWER announced that without objection SB 145, was reported from the Senate State Affairs Standing Committee.

[3:38:19 PM](#)

At ease

[3:40:15 PM](#)

CHAIR SHOWER reconvened the meeting.

SB 136-LIMITATIONS ON FIREARMS RESTRICTIONS

[3:40:26 PM](#)

CHAIR SHOWER announced the consideration of SENATE BILL NO. 136 "An Act relating to firearms and other weapons restrictions."

[CSSB 136(CRA) was before the committee.]

He asked the sponsor if he had any final comments on the bill.

[3:40:54 PM](#)

SENATOR ROBERT MEYER, Alaska State Legislature, Juneau, Alaska, sponsor of SB 136, thanked the chair.

CHAIR SHOWER found no questions or comments and solicited a motion.

[3:41:06 PM](#)

SENATOR REINBOLD moved to report the committee substitute (CS) for SB 136, work order 32-LS0856\B, from committee with individual recommendations and attached fiscal note(s).

CHAIR SHOWER found no objection and CSSB 136(CRA) was reported from the Senate State Affairs Standing Committee.

[3:41:31 PM](#)

At ease

SR 3-NGO SUPPORT FOR STATE VETERANS

[3:43:04 PM](#)

CHAIR SHOWER reconvened the meeting and announced the consideration of SENATE RESOLUTION NO. 3 Relating to nonprofit, nongovernmental organization support for veterans in Alaska.

CHAIR SHOWER stated that this is the first hearing and invited and public testimony is scheduled.

He identified himself as the sponsor of SR 3, noted that the attached fiscal note is zero, and said he did not prepare a sectional analysis because the bill is short and it is a resolution.

[3:43:29 PM](#)

CHAIR SHOWER paraphrased the sponsor statement for SR 3.

SR 3 was introduced to encourage nonprofits that serve military veterans to keep a greater portion of the money raised for veterans, in Alaska. Alaska is home to the highest per capita of veterans of any state in the union. Local Alaskan's are very generous with their support of our veteran population. This makes Alaska a very lucrative place to raise money by nonprofits that serve veterans. This resolution was written to encourage nonprofits to honor the commitment Alaskans make to their veterans by supporting programs for veterans and encourage nonprofits to keep the greatest amount of money possible that is raised in Alaska for Alaskan veterans.

CHAIR SHOWER found no questions from the committee and turned to invited testimony.

[3:44:19 PM](#)

RICHARD HELLER, representing self, Butte, Alaska, testified by invitation in support of SR 3. He spoke as a 100 percent disabled veteran to offer his perspective of nonprofits in Alaska that work for veterans. He related that since 2005 he has received help from the Veterans Administration (VA) and some nonprofits in the state.

MR. HELLER stated that some of the nonprofits in Alaska that benefit veterans are fair weather and he believes they need to be controlled. He noted that in Wasilla alone there are more

than 3,000 nonprofits. He said he uses the term fair weather because there is no activity in the winter months.

MR. HELLER related that he and a friend have been tracking money-laundering schemes for three years. They have found a national veteran nonprofit that has received millions of dollars from Alaskans with very little return or help. He emphasized that all groups need to present their 990s [return of organizations exempt from federal income tax] on a regular basis so Alaskans understand where their donations are going and what they are doing to help Alaskan veterans. He requested the state form a committee or working group that holds all nonprofits accountable for their spending in Alaska for Alaskan veterans and whether they are using Alaska or national funds. An alternative would be to at least hold legislators accountable for veteran funding issues.

[3:47:57 PM](#)

RICK CASTILLO, representing self, Anchorage, Alaska, testified by invitation in support of SR 3. He stated that he is a proud U.S. Army veteran who first came to Alaska in 2007 and quickly learned about integrity, honor, and fortitude. He found integrity to be the most profound and today he believes it is essential in all aspects of business and government. It is the root of transparency.

MR. CASTILLO stated that the past few decades have seen a proliferation of NGOs [non-governmental organizations], both in-state and nationally, all of which purport to assist veterans. Some operate in several states. While many of these organizations are desperately needed, he said some are opportunistic and have done little to fulfill the mission in the state from which they have solicited donations.

MR. CASTILLO stressed that his support of SR 3 is not an attack on the NGOs that work to fill the gap for veterans in their communities. Rather, he supports the resolution as a process that builds on the transparency of good government that allows NGOs to benefit from grants, federal and state funding, and charitable donations. SR 3 also serves as the foundation of a strong and charitable base in Alaska. Alaskans recognize the value and input of veterans statewide and the resolution is a promise for the state to do its due diligence. It will ensure that donors across Alaska know how much of their contributions go toward the support of veterans within Alaska and how much leaves the state for uses that are unrelated to Alaska.

[3:51:10 PM](#)

KYLE KAISER, VIPER Transitions, Peters Creek, Alaska, testified by invitation in support of SR 3. He stated that VIPER Transitions is an Alaska-based veteran nonprofit and his testimony today was to highlight how incredibly hard it is for local nonprofits to compete with national nonprofits. These large organizations consume all the funding and benefits, leaving very little for the local nonprofits that are doing all they can every day to support veterans.

MR. KAISER related that he is a veteran of Iraq and Afghanistan who has committed his life to helping veterans deal with their issues that also affect communities. VIPER Transitions provides training for veterans and connects them to employment opportunities across multiple industries. VIPER also connects veterans with mental health resources.

MR. KAISER stated that one of the largest frustrations this start-up nonprofit faces is tied to funding. They see private donations going to groups that do not use the money to benefit Alaska veterans. The funds go out of state and this needs to stop, he said. Donors should be able to see where and how their money is spent. If the money is raised in Alaska, it should stay in Alaska and if it is raised in Alaska to support Alaska veterans, it should do that.

[3:54:05 PM](#)

SENATOR HOLLAND asked if VIPER Transitions was rehabilitating a C-47 in the Federal Express hanger.

MR. KAISER answered yes.

SENATOR HOLLAND expressed appreciation for the work they had and likely would continue to do in Alaska.

CHAIR SHOWER agreed and mentioned prospects for future projects.

[3:55:11 PM](#)

SEAN BENNETT, representing self, Ninilchik, Alaska, testified by invitation in support of SR 3. He spoke as the former manager of the Alaska Wounded Warrior Project. He related that for five years he flew around the state to connect with veterans who needed help. He cited the example of going fishing with Representative Laddie Shaw and Senator Josh Revak. He said Rick Castillo and Kyle Kaiser with VIPER Transitions are trying to do so much for Alaska veterans and the state is not giving them

sufficient support. He asked the legislature to help veterans and identified Senator Shower as veterans' voice.

CHAIR SHOWER said he was committed to this effort.

SENATOR REINBOLD commented that volunteers and good-hearted people make the world go round. She thanked him for the work he'd done to help Alaska veterans.

MR. BENNETT repeated the plea for help.

CHAIR SHOWER shared that half of his son's platoon committed suicide in the last few years.

[3:58:30 PM](#)

CHAIR SHOWER opened public testimony on SR 3; finding none, he closed public testimony.

CHAIR SHOWER held SR 3 in committee for future consideration.

HB 157-APOC; REPORT REFERENDA/RECALL CONTRIBUTOR

[3:58:57 PM](#)

CHAIR SHOWER announced the consideration of CS FOR HOUSE BILL NO. 157(FIN) "An Act requiring the disclosure of the identity of certain persons, groups, and nongroup entities that expend money in support of or in opposition to an application filed for a state referendum or recall election; relating to the location of offices for the Alaska Public Offices Commission and the locations at which certain statements and reports filed with the commission are made available; relating to the duties of the Alaska Public Offices Commission; clarifying the limits on making, accepting, and reporting certain cash campaign contributions; relating to campaign finance reporting by certain groups; increasing the time the Alaska Public Offices Commission has to respond to a request for an advisory opinion; repealing a reporting requirement for certain contributions; relating to contribution limits and recall campaigns; and providing for an effective date."

[4:00:00 PM](#)

REPRESENTATIVE SARA RASMUSSEN, Alaska State Legislature, Anchorage, Alaska, sponsor of HB 157 stated that this legislation will require certain campaign finance activity to be reported earlier. The law currently allows groups to launch campaigns to change major policies or remove elected officials from office without releasing financial information until late

in the process. HB 157 would require disclosure of contributions and expenditures made to influence a referendum or recall effort to earlier in the statutory process as well as reporting certain campaign finance activity prior to collection of signatures. She said Alaskans want an honest transparent process and deserve to know who is behind any effort to affect the state's political and economic future. HB 157 closes a loophole that could be exploited by dark money and special interests.

[4:01:16 PM](#)

CRYSTAL KOENEMAN, Staff, Representative Sara Rasmussen, Alaska State Legislature, Anchorage, Alaska, presented the sectional analysis for HB 157.

Section 1: AS 15.13.010(b) - Applicability related to State Election Campaigns. Adds language to the applicability section that state the chapter applies to contributions, expenditures, and communications that are made to influence the nomination or election of a candidate. And for the purpose of influencing a ballot proposition or question or for supporting or opposing and initiative proposal, recall, or referendum.

Section 2: AS 15.13.020(j) - Alaska Public Offices Commission. Removes the requirement for an APOC office to be located in each Senate District.

Section 3: AS 15.13.030 - Duties of the commission. Removes the word "ALL" from the phrase "examine, investigate, and compare [all] reports, statements, and actions required by this chapter."

[4:02:43 PM](#)

Sections 4-8: AS 15.13.040(b), 15.13.072(b), and 15.13.074(e). Clarifies that contributions and expenditures are in a calendar year instead of left open ended.

Section 5: AS 15.13.050(a) - Registration before expenditure. Adds language regarding referendums or recalls to the statute that requires persons to register with APOC prior to making an expenditure.

Section 6: AS 15.13.065(c) - Contributions. Adds language related to referendum and recall applications to what is included in the definition of proposition.

Section 9: AS 15.13.110(e) - Filing of Reports.

Rewrites the language related to those receiving or making expenditures to support or oppose referendums. This language is identical to the language contained in AS 15.13.040(k) for ballot proposition reporting requirements and AS 15.13.110(g) for ballot initiative reporting requirements.

[4:04:02 PM](#)

Section 10: AS 15.13.110 - Filing of Reports. Adds a new subsection (k) for those receiving or making expenditures to support or oppose a recall. This language is similar to Section [9] of this bill and AS 15.13.040(k) for ballot proposition reporting requirements and AS 15.13.110(g) for ballot initiative reporting requirements.

(This is the conforming language to align the recall/referendum reporting requirement with the ballot props and initiatives. Section 12 - 14 are modify definitions to include the new language for recall and referendums.)

Sections 12-14: AS 15.13.400(4), and (7) - Definitions. Modifies the definition of "contributions" to include groups and referendum and recall applications, modifies the definition of "expenditures" to include referendum and recall applications, and modifies the definition of "group" to include referendum and recall applications.

[4:05:03 PM](#)

Sections 15-16: AS 24.45.091 Publication of reports. Provides for publication of reports and archives of statements and reports to be posted on their website as well as have copies available at the central office.

Section 17: Repeals AS 15.13.040(k). Provides that recall applications are subject to group contribution limitations whereas referendum applications are not.

Section 18: Uncodified law. States that this Act applies only to referendums or recalls that are filed on or after the effective date of this Act.

Section 19: Provides for a January 1, 2022 effective date.

MS. KOENEMAN suggested the committee offer a friendly amendment to update the effective date to January 1, 2023.

4:06:20 PM

SENATOR HOLLAND asked if any group opposed the bill.

REPRESENTATIVE RASMUSSEN answered no, but there was debate on the House floor about creating a bar that is too challenging for individual Alaskans to participate in the recall process.

4:07:20 PM

SENATOR KAWASAKI referenced the [March 12, 2021] memorandum from Legislative Legal Services that cites the Ninth Circuit discussion of First Amendment rights. He asked for more information about First Amendment rights related to fund raising. He noted that the last sentence on page 5 somewhat countermands the rest of the memo.

REPRESENTATIVE RASMUSSEN read the last sentence on page 5 of the memo.

Accordingly, while it is not certain at what point an Alaska court might determine that speech relating to a recall or referendum application, for a measure that may or may not appear on the ballot, can constitutionally be required to be disclosed, this bill's expansion of disclosure requirements in the recall and referendum context will likely survive a First Amendment challenge.

She offered her takeaway HB 157 protects First Amendment rights.

SENATOR KAWASAKI directed attention to the last paragraph on page 4 of the memo that expresses uncertainty about "how a court would evaluate this bill's expansion of disclosure requirements relating to funds made in support or in opposition to a recall or referendum application." He highlighted that this language expresses uncertainty and the next paragraph seems fairly certain. He questioned the reason for the statement on page 5 and asked if there were other issues she could cite that affirm that paragraph.

REPRESENTATIVE RASMUSSEN deferred the question to her staff.

[4:09:57 PM](#)

MS. KOENEMAN said the uncertainty in the final paragraph may reflect the hypotheticals she went through with legislative counsel Alpheus Bullard that looked at whether anything in the bill would preclude somebody from moving forward with this process if they had to disclose that financial information ahead of time. Nevertheless, Mr. Bullard ultimately concluded that there should not be any First Amendment concerns.

CHAIR SHOWER asked Heather Hebdon if she had any comments.

[4:11:21 PM](#)

HEATHER HEBDON, Executive Director, Alaska Public Offices Commission, Anchorage, Alaska, stated that she had no comment about the constitutional concern.

SENATOR HOLLAND asked if Section 2 would result in APOC office closures.

REPRESENTATIVE RASMUSSEN answered that current statute requires an APOC office to be located in each Senate district. She offered her understanding that the statute has not been followed for some time and Section 2 removes the requirement.

CHAIR SHOWER said the suggested friendly amendment to change the effective date will be offered in the next hearing. He commented on the reporting requirements and opined that transparency is important in all aspects of government. He noted that he had not seen any opposition to the bill but had seen support where he wouldn't expect. He expressed appreciation for the intent of the bill.

[4:13:30 PM](#)

SENATOR REINBOLD commented that this may not be the vehicle, but she would like to see more transparency where lobbyists are concerned.

CHAIR SHOWER suggested she work with the sponsor. He asked for the reason to clarify that contributions and expenditures are in a calendar year.

MS. KOENEMAN replied the statute does not delineate whether it is a calendar year or fiscal year. This makes it clear that the intent is to track contributions and expenditures in a calendar year.

CHAIR SHOWER asked if this provision would create an opportunity to delay reporting when there's an election in November and the calendar year doesn't end until December 31.

MS. KOENEMAN deferred the question to Ms. Hebdon.

[4:16:26 PM](#)

CHAIR SHOWER restated the question.

[4:17:02 PM](#)

MS. HEBDON said she didn't see that this would change current practice. APOC's current guidance is that the reportable date is when the contribution was received.

CHAIR SHOWER said he wanted it a matter of record that this is how it works now and the bill doesn't change that.

[4:17:43 PM](#)

SENATOR KAWASAKI asked for confirmation that Section 2 would not prevent APOC from establishing offices outside the central office.

MS. HEBDON replied that was her reading; it does not preclude APOC from opening additional offices or require it to close any offices. It simply establishes a central office.

SENATOR KAWASAKI recalled a discussion several decades ago about closing APOC entirely. He asked how the current APOC budget compares to what it was 20 years ago.

MS. HEBDON said she didn't have the numbers in front of her but she believes that the budget grew substantially over about 20 years and has declined dramatically over the past six years.

MS. KOENEMAN added that a 10-year-lookback at personnel in the APOC office shows there were 13 PCNs [position control numbers] in 2015, 4 of which were dedicated to campaign finance, and 8 PCNs in 2021, 2 of which are dedicated to campaign finance.

CHAIR SHOWER asked her to review the fiscal note.

[4:20:47 PM](#)

MS. KOENEMAN stated that APOC's fiscal note requests \$111,700 for one PCN full-time employee, range 14-16 flex for a paralegal I/II and associated costs. She said she believes the added personnel would likely benefit the commission given the change in reporting and increased the workload on APOC staff.

CHAIR SHOWER opined that \$111,000 is a bargain given that people want to know where the money that flows into the state is coming from and how it's spent.

[4:22:07 PM](#)

CHAIR SHOWER opened public testimony on HB 157; finding none, he closed public testimony.

CHAIR SHOWER held HB 157 in committee.

SB 115-ADDRESS CONFIDENTIALITY PROGRAM

[4:22:49 PM](#)

CHAIR SHOWER announced the consideration of SENATE BILL NO. 115 "An Act relating to confidentiality of information; relating to the duties of the Department of Administration; creating an address confidentiality program; and providing for an effective date."

He stated that the bill was heard last year, public testimony was heard and closed, and his intention was to move the bill from committee. He asked the sponsor if he had any final comments.

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JESSE KIEHL, Alaska State Legislature, Juneau Alaska, sponsor of SB 115, recapped that the bill creates a safe confidential address whereby a survivor of domestic violence, sexual assault, or stalking may receive their mail without risk that their new home address or post office box could be discovered by their former abuser. This would also be available to law enforcement and correctional officers who may want to protect their personal addresses.

CHAIR SHOWER noted who was available to answer questions.

SENATOR REINBOLD said she likes the bill, but wanted him to know that she intended to offer an amendment on the floor to ensure that victims may be part of the hearing process if that is their wish.

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SENATOR KAWASAKI asked whether the definition of "correctional officer" in Section 4 would include anybody employed at a correctional facility.

SENATOR KIEHL replied the intention was to include both state and municipal correctional officers.

SENATOR KAWASAKI asked if that would include all staff positions in a correctional facility.

SENATOR KIEHL replied the bill was drafted specifically to include correctional officers whose primary duty is to provide custody, care, security, control, and discipline. That matches definitions in other sections of statute relating to correctional officers and those are the individuals who have expressed concern about the potential for retribution against their families.

CHAIR SHOWER asked him to relay how many individuals this might include.

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SENATOR KIEHL stated that his office looked at other states and found that surprisingly few survivors of domestic violence, sexual assault, and stalking took advantage of a similar option. Mostly it was survivors who had decided to start over in another place. Based on that data and adjusted for population, the estimate is that this program may serve 400-600 survivors. Of the more than 600 correctional officers who would qualify, most likely will not choose this option because they have an online presence of some kind and don't want to pick up and start their lives somewhere else. He opined that it will be people early in their public safety career who have heeded the advice to protect their personal address and not create an online presence who will choose this option.

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SENATOR HOLLAND asked for confirmation that the mail would not be screened. Rather, the intention is merely to protect information about survivors or correctional officers in the program.

SENATOR KIEHL replied the bill gives the Department of Administration (DOA) a lot of latitude to structure the program. He was not aware of any state with a similar program that screens the mail and it certainly is not opened. He added that it is very common to only forward first class, registered, and certified mail. Registered voters would receive their ballot but not the campaign fliers.

SENATOR HOLLAND asked for confirmation that the mail would be received and dispersed from a central point.

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SENATOR KIEHL replied his understanding is that other states have a single, central post office box. Shared Services within DOA already has a PO Box, but he didn't know if that box would be used or an additional one opened. Nevertheless, all participants would have the same PO Box and staff that run the address protection program would sort and periodically forward the first class, registered, and certified mail to the program participants.

CHAIR SHOWER observed that the fiscal note is indeterminate because the number of participants has not been established. However, it will not be thousands, he said.

SENATOR KIEHL thank the committee for considering the bill.

CHAIR SHOWER solicited a motion.

[4:30:39 PM](#)

SENATOR REINBOLD moved to report SB 115, work order 32-LS0380\I, from committee with individual recommendations and attached fiscal note(s).

CHAIR SHOWER found no objection and SB 115 was reported from the Senate State Affairs Standing Committee.

[4:31:04 PM](#)

At ease

SB 161-POLITICAL PARTY DEFINITION

[4:33:21 PM](#)

CHAIR SHOWER reconvened the meeting and announced the consideration of SENATE BILL NO. 161 "An Act relating to the definition of 'political party'; and providing for an effective date."

CHAIR SHOWER asked the sponsor if he had any additional information or comments.

[4:33:46 PM](#)

SENATOR BILL WIELECHOWSKI, Alaska State Legislature, Juneau, Alaska, sponsor of SB 161, thanked the chair and offered to answer questions.

[4:34:03 PM](#)

SENATOR KAWASAKI noted that he did not have a fiscal note in the bill packet and asked if the bill would be cost neutral.

[4:34:21 PM](#)

DAVID DUNSMORE, Staff, Senator Bill Wielechowski, Alaska State Legislature, Juneau, Alaska, offered his understanding that the administration submitted a zero fiscal note. He added that the expectation is that this will result in some minor savings for the Division because it would have fewer petitions to assess for presidential candidates.

CHAIR SHOWER read the last sentence in the Analysis section of the fiscal note. "Passage of this legislation will have no fiscal impact on the division."

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SENATOR REINBOLD said she continues to question how the bill will affect the Green Party and others.

MR. DUNSMORE related that, at her request, the sponsor's office reached out to the local affiliates of both the Green Party and the Constitution Party and the Green Party expressed support for lowering the threshold. The Constitution Party didn't respond but on the national level it is a member of a coalition for fair and open elections, which advocates for bills like SB 161 that lower thresholds for parties to appear on the ballot.

SENATOR WIELECHOWSKI pointed out that the number of registered voters varies from election to election and the threshold for a party to appear on the ballot is based on a percentage so the threshold can change quite a bit. For a party to be recognized currently, it must have 10,600 registered voters. SB 161 fixes that number at 5,000 registered voters, which would make it easier for parties to get access to the ballot. He noted that he introduced the legislation at the request of a constituent who is a member of the Libertarian Party.

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SENATOR HOLLAND recalled that the threshold varied 50 percent between the last two elections. He said he appreciates that the bill will provide more stability.

SENATOR WIELECHOWSKI referenced the chart in the bill packet that shows the thresholds for recent elections. In 2010 the

threshold was 8,000 registered voters and it increased to more than 10,000 in 2020.

SENATOR HOLLAND said he believes he was looking at older statistics.

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CHAIR SHOWER opened public testimony on SB 161; finding none, he closed public testimony.

He asked if the committee had comments or questions.

SENATOR REINBOLD asked the sponsor to do what he could to encourage House committee chairs to pass Senate bills from committee.

CHAIR SHOWER solicited a motion.

[4:39:40 PM](#)

SENATOR REINBOLD moved to report SB 161, work order 32-LS1361\A, from committee with individual recommendations and attached fiscal note(s).

CHAIR SHOWER found no objection and SB 161 was reported from the Senate State Affairs Standing Committee.

[4:40:05 PM](#)

At ease

CHAIR SHOWER reconvened the meeting.

[4:41:42 PM](#)

There being no further business to come before the committee, Chair Shower adjourned the Senate State Affairs Standing Committee meeting at 4:41 p.m.