

**ALASKA STATE LEGISLATURE**  
**SENATE LABOR AND COMMERCE STANDING COMMITTEE**

February 24, 2025

1:31 p.m.

**MEMBERS PRESENT**

Senator Jesse Bjorkman, Chair  
Senator Kelly Merrick, Vice Chair  
Senator Elvi Gray-Jackson  
Senator Forrest Dunbar  
Senator Robert Yundt

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

SENATE BILL NO. 39

"An Act relating to loans in an amount of \$25,000 or less; relating to the Nationwide Multistate Licensing System and Registry; relating to deferred deposit advances; and providing for an effective date."

- MOVED CSSB 39(L&C) OUT OF COMMITTEE

SENATE BILL NO. 24

"An Act relating to tobacco, tobacco products, electronic smoking products, nicotine, and products containing nicotine; raising the minimum age to purchase, exchange, or possess tobacco, a product containing nicotine, or an electronic smoking product; relating to the tobacco use education and cessation fund; relating to the taxation of electronic smoking products and vapor products; and providing for an effective date."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: SB 39

SHORT TITLE: LOANS UNDER \$25,000; PAYDAY LOANS

SPONSOR(s): SENATOR(s) DUNBAR

01/10/25	(S)	PREFILE RELEASED 1/10/25
01/22/25	(S)	READ THE FIRST TIME - REFERRALS

01/22/25 (S) L&C, FIN  
02/19/25 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)  
02/19/25 (S) Heard & Held  
02/19/25 (S) MINUTE(L&C)  
02/24/25 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)

BILL: SB 24

SHORT TITLE: TOBACCO/NICOTINE/E-CIG AGE; E-CIG TAX  
SPONSOR(s): SENATOR(s) STEVENS

01/10/25 (S) PREFILE RELEASED 1/10/25  
01/22/25 (S) READ THE FIRST TIME - REFERRALS  
01/22/25 (S) L&C, FIN  
02/24/25 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)

**WITNESS REGISTER**

RACHEL LEVY, Staff  
Senator Forrest Dunbar  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided a sectional analysis for SB 39.

PATRICK BRENNER, President  
Southwest Public Policy Institute  
Rio Rancho, New Mexico

**POSITION STATEMENT:** Testified in opposition to SB 39.

EDWARD D'ALESSIO, Executive Director  
INFIn  
Financial Services Alliance  
Washington, D.C.

**POSITION STATEMENT:** Testified in opposition to SB 39.

CORT WALKER, Vice President  
Product and Risk  
Check City  
Provo, Utah

**POSITION STATEMENT:** Testified in opposition to SB 39.

ERIN DAY, Economic Justice Organizer  
Alaska Public Interest Research Group  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of SB 39.

JOSEPH RUBIN, Vice President  
Opportunity Financial

Chicago, Illinois

**POSITION STATEMENT:** Testified with concerns on SB 39.

DANIELLE ARLOWE, Senior Vice President  
American Financial Services Association  
Washington, D.C.

**POSITION STATEMENT:** Testified with concerns on SB 39.

ANDREW DUKE, CEO  
Online Lenders Alliance (OLA)  
Arlington, Virginia

**POSITION STATEMENT:** Testified in opposition to SB 39.

NOWEL LOWE, Owner  
Alaska Fast Cash  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in opposition to SB 39.

SENATOR GARY STEVENS, District C  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of SB 24.

TIM LAMKIN, Staff  
Senator Gary Stevens  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided a sectional analysis for SB 24.

MIKE BRIDGES, Retired Brigadier General  
Community Advocate  
American Cancer Society  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified by invitation on SB 24.

KATIE STEFFENS, Deputy Program Manager  
Tobacco Prevention & Control  
Alaska Department of Health and Social Services (AKHSS)  
Anchorage, Alaska

**POSITION STATEMENT:** Testified by invitation on SB 24.

#### **ACTION NARRATIVE**

[1:31:12 PM](#)

CHAIR BJORKMAN called the Senate Labor and Commerce Standing Committee meeting to order at 1:31 p.m. Present at the call to

order were Senators Merrick, Gray-Jackson, Dunbar, Yundt and Chair Bjorkman.

**SB 39-LOANS UNDER \$25,000; PAYDAY LOANS**

[1:32:06 PM](#)

CHAIR BJORKMAN announced the consideration of SB 39 SENATE BILL NO. 39 "An Act relating to loans in an amount of \$25,000 or less; relating to the Nationwide Multistate Licensing System and Registry; relating to deferred deposit advances; and providing for an effective date."

CHAIR BJORKMAN announced that the committee adopted Amendment 1 on February 19, 2025. SB 39, as amended, was before the committee.

[1:32:46 PM](#)

RACHEL LEVY, Staff, Senator Forrest Dunbar, Alaska State Legislature, Juneau, Alaska, provided the sectional analysis for SB 39 as follows:

[Original punctuation provided.]

**SECTIONAL ANALYSIS**

*SB 39: LOANS UNDER \$25,000; PAYDAY LOANS*

*Version A*

*2.12.2025*

*"An Act relating to loans in an amount of \$25,000 or less; relating to the Nationwide Multistate Licensing System and Registry; relating to deferred deposit advances; and providing for an effective date."*

**Section 1** - Amends AS 06.01.020(a) to remove payday lenders from the list of financial institutions exempt from federal financing limitations.

**Section 2** - Amends AS 06.01.050(3) to remove payday lenders from the definition of "financial institution" under state law.

**Section 3** - Adds new sections to AS 06.20.010:

(c) Expands the definition of a lender to close loopholes and prevent businesses from evading small loan regulations.

(d) Clarifies that a loan is considered to originate in Alaska if the borrower resides in the state and completes the transaction while physically present.

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MS. LEVY continued the sectional analysis of SB 39.

**Section 4** - Amends AS 06.20 to allow the Department of Commerce, Community and Economic Development to utilize the Nationwide Multistate Licensing System and Registry, manage the registration process, and adopt regulations for implementation.

**Section 5** - Amends AS 06.20.030(a) to enable applicants to pay investigation expenses through the registry.

**Section 6** - Amends AS 06.20.030(b) to enable applicants to pay licensing expenses through the registry. Makes a licensing change that requires applicants to pay \$500 per branch, website, or mobile app location, instead of a single office license, and \$2000 for a company license instead of a multiple office license.

**Section 7** - Repeals and Reenacts AS 06.20.090 to (a) require applicants to submit separate applications for each business location and (b) allow the department to set application requirements, procedures, and licensing periods.

**Section 8** - Amends AS 06.20.170 to have the department conduct period examinations as needed instead of every 18 months. 1 Session: Alaska State Senate Interim: Senator Forrest Dunbar Alaska State Capitol Juneau, Alaska 99801 (907) 465-6944 Proudly Serving Senate District J 1500 W. Benson Blvd. Anchorage, Alaska 99503 (907) 269-0246 Mountain View | Airport Heights | Russian Jack | U-Med | Campbell Park

**Section 9** - Amends AS 06.20.230 to simplify the previous tiered interest rate structure for (a) loans under \$25,000 and (b) open-ended loans, creating a uniform rate of 3 percent per month. Adds language that requires interest rate calculations on payday

loans to consider only the relevant charged fees, costs, and premiums as detailed in AS 06.20.260(a)(1)-(5).

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MS. LEVY continued the sectional analysis of SB 39.

**Section 10** - Amends AS 06.20.310 to render payday loans with interest rates greater than 3 percent per month invalid.

**Section 11** - Amends AS 06.20 to add section 06.20.325 to prohibit payday lenders from threatening to prosecute borrowers in the event of defaults.

**Section 12** - Amends AS 06.20.900 to define "registry" as the Nationwide Multistate Licensing System and Registry.

**Section 13** - Amends AS 08.76.500 to subject payday lenders to the same regulations as small loan companies.

**Section 14** - Amends AS 45.45.020 to mandate interest calculations include all service charges paid by the borrower to ensure transparency in interest calculations. "Service charge" is defined as fees charged by the lender but doesn't include fees related to delinquency.

**Section 15** - Repeals AS 06.20.330 to eliminate the exemption that allows pawnbrokers and loan shops where separate and individual loans do not exceed \$750 and \$500 respectively to charge interest rates exceeding the maximum rate established by AS 06.20.230, and repeals regulations applying to lenders which have operated under that exemption.

**Section 16** - provides for an effective date of July 1, 2025.

MS. LEVY stated that the sponsor proposed an amended version [Amendment 1, adopted February 19, 2025] of SB 39 that passed through the House Finance Committee last session and addresses the concerns of financial institutions.

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CHAIR BJORKMAN opened public testimony on SB 39.

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PATRICK BRENNER, President, Southwest Public Policy Institute, Rio Rancho, New Mexico, testified in opposition to SB 39 and he warned the committee that rate caps like New Mexico's 36 percent limit have failed and SB 39 will do the same in Alaska. After New Mexico's cap, banks and credit unions didn't fill the void, causing more people to lose credit and turn to costly alternatives. He said that he tested 15 credit unions and several banks, finding 86 percent denied loans or added burdensome conditions, with only one approval from a credit union due to prior membership. This system doesn't help the unbanked or underbanked most affected by such caps. Alaska needs balanced regulations that protect consumers while preserving credit access and responsible lending.

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EDWARD D'ALESSIO, Executive Director, INFIn, Financial Services Alliance, Washington, D.C., testified in opposition to SB 39 and stated that SB 39 would eliminate access to regulated short-term small-dollar loans from licensed Alaska lenders. These loans are transparent, legal, and offer essential liquidity with strong consumer protections like \$500 loan limits, renewal caps, and extended payment plans. He said borrowers report high satisfaction and few complaints under current laws. SB 39's arbitrary rate cap would force lenders to exit, removing a vital credit option. Similar laws in other states led to lender shutdowns, with banks and credit unions failing to fill the gap, leaving borrowers to risky, unregulated alternatives.

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SENATOR MERRICK asked how many of the INFIn members are physically located in Alaska.

[1:44:34 PM](#)

MR. D'ALESSIO answered that the INFIn members operating in Alaska are operating online.

[1:44:58 PM](#)

CORT WALKER, Vice President, Product and Risk, Check City, Provo, Utah, testified in opposition to SB 39 and stated SB 39 claims to lower costs but would effectively ban short-term loans in Alaska. History shows bans don't work because licensed lenders leave, and unregulated offshore lenders take over, creating more risk. He said Check City loans are already regulated, capped at \$500, short-term, and based on ability to

repay. If borrowers default, they take the loss, so they're motivated to help borrowers succeed. He said in 2024, the Consumer Financial Protection Bureau (CFPB) received just one complaint about an Alaska licensed lender. This shows the system works. He said Alaska's laws have been effective for 20 plus years. He stated that SB 39 wasn't data driven and didn't include all stakeholders. He said reform should strengthen protections without eliminating access.

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ERIN DAY, Economic Justice Organizer, Alaska Public Interest Research Group, Anchorage, Alaska, testified in support of SB 39 and stated that she helped lead House Bill 145 to cap payday loan rates in Alaska at 36 percent, calling it a fair limit backed by credit union alternatives. She said with average APRs of 435 percent; payday loans are predatory and unsustainable. She stated that Alaska's Division of Banking reports payday lending drains \$20 million annually from vulnerable residents. Pay day lending use has declined in the last 5 years but remains a problem with 70 percent of loans online, affecting both rural and urban areas. She stated that statewide the relief project showed borrowers are trapped by high-interest online loans. She said lenders claiming to help often just roll over debt with more fees. This widespread issue needs real reform, not defense of harmful lending.

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JOSEPH RUBIN, Vice President, Opportunity Financial, Chicago, Illinois, testified with concerns on SB 39 and stated that consumers need access to short-term loans, and SB 39 would cut off this vital support. He said about 60 million Americans lack credit and savings. According to the federal reserve nearly half of the loans were denied in 2024, especially those with low scores. He stated that in Alaska, Opportunity Financial facilitated 2,000 loans annually in 2023 and 2024, mostly for credit union members, but fewer than 1 percent were approved when routed to banks at 36 percent. Alternatives like working extra hours or borrowing from family aren't practical during emergencies, and SB 39 even raises pawn shop rates, making options more costly. He said while protecting consumers is important, a 36 percent cap would leave many without credit when they need it most.

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DANIELLE ARLOWE, Senior Vice President, American Financial Services Association, Washington, D.C., testified with concerns on SB 39 and stated that SB 39 creates confusion, disrupts

commercial lending, and risks cutting off access to credit for those who need it most.

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ANDREW DUKE, CEO, Online Lenders Alliance (OLA), Arlington, Virginia, testified in opposition to SB 39 and stated that OLA supports expanding credit access and choice, especially in Alaska where one-third of residents are credit constrained and carry the nation's highest credit card debt. He said SB 39 assumes lenders can offer small loans at very low rates, but that's not feasible; lenders won't cover costs, so credit options will vanish. In Illinois, similar laws led to reduced credit access and more financial hardship. He said banks and credit unions aren't meeting demand, so many rely on the loans SB 39 would eliminate. SB 39 would only limit credit for those who need it most.

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NOWEL LOWE, Owner, Alaska Fast Cash, Wasilla, Alaska, testified in opposition to SB 39 and stated that his company is no longer involved with payday loans and wanted to correct some inaccurate claims made earlier. He said these loans don't charge \$80 per month for a year, and borrowers can only extend a loan twice before they must pay it off in full. If eligible, they can apply for a new loan after repayment. He stated that Alaska law requires lenders to offer a six-month, interest-free repayment plan if the borrower can't pay, and interest stops accumulating at default. This protection isn't offered by banks or most online lenders. He said the high fees reflect the high default risk, making this an unprofitable business for small lenders like him. He stated that he left the market because state audits cost more than the earnings and auditors review every transaction, and if an error was made, the lender must refund the borrower. He said rural Alaskans now turn to online lenders, often draining borrowers' accounts completely.

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CHAIR BJORKMAN closed public testimony on SB 39.

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SENATOR DUNBAR stated that the amendment first came from the House Finance Committee at Global Credit Union's request. He said both Global Credit Unit and Wells Fargo already offer short-term loans at 36 percent APR, suggesting Alaska's market may differ from states like New Mexico. He said a South Dakota study shows credit unions do meet consumer needs, and the bill includes a non-evasion clause to help regulators address online

predatory lenders. Similar policies exist in 19 other states without major issues. He said that concerns about definitions are new to his office, but he is open to working on language changes in future committees if needed.

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CHAIR BJORKMAN solicited the will of the committee.

[2:09:08 PM](#)

SENATOR MERRICK moved to report SB 39, work order 34-LS0357\A as amended, from committee with individual recommendations and attached fiscal note(s).

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CHAIR BJORKMAN found no objection and CSSB 39(L&C) was reported from the Senate Labor and Commerce Standing Committee.

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At ease.

**SB 24-TOBACCO/NICOTINE/E-CIG AGE; E-CIG TAX**

[2:12:14 PM](#)

CHAIR BJORKMAN reconvened the meeting and announced the consideration of SENATE BILL NO. 24 "An Act relating to tobacco, tobacco products, electronic smoking products, nicotine, and products containing nicotine; raising the minimum age to purchase, exchange, or possess tobacco, a product containing nicotine, or an electronic smoking product; relating to the tobacco use education and cessation fund; relating to the taxation of electronic smoking products and vapor products; and providing for an effective date."

[2:12:44 PM](#)

SENATOR GARY STEVENS, District C, Alaska State Legislature, Juneau, Alaska, sponsor of SB 24 provided a summary as follows:

[Original punctuation provided.]

This bill is about protecting our children from becoming addicted to nicotine. It is about clearly restricting sales to and possession of nicotine products by youngsters.

The tobacco and nicotine industry acknowledged the decline in cigarette smoking and have responded with a barrage of new fashionable smoking options, in the

form of E-Cigarettes and related devices designed to appeal to a wide range of consumers, particularly our young people. And it's working. I may concede that these products have helped some \*adults\* quit smoking -cigarettes-

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SENATOR STEVENS continued with the summary of SB 24:

They do not however, end addiction to nicotine. They instead provide an attractive new delivery method. Of maintaining the same habit,

This bill is an effort to pushback on a multi billion dollar industry trying to addict young people from getting started on these substances.

This bill raises the legal age to sell, buy, use, and possess cigarettes, nicotine products and E-Cigarette products to age 21,

This bill also puts a modest tax on E-Cigarette products. Taxing these products is what has clearly demonstrated reduced consumption, particularly for making the products more difficult for youngsters to buy.

Data has shown if we can interrupt the initiation of these products at younger years, the risk of addiction is substantially reduced later in life.

This bill is Consistent with Military policy and standing orders for our troops. Consistent with Federal law. Consistent with local laws. Consistent with policies on our school campuses; and (presumably) Consistent with parents. To not act is to turn our backs on all of these other governing bodies

We have deferred this issue for too long. The time is now, to face this industry and help protect young Alaskans, who are being targeted. For potentially a lifetime of addiction

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TIM LAMKIN, Staff, Senator Gary Stevens, Alaska State Legislature, Juneau, Alaska, provided a summary of the sectional analysis for SB 24. He stated that Sections 1-8 of SB 24 mainly

make conforming changes, raising the legal age for sales, possession, and distribution of tobacco and e-cigarette products from 19 to 21. He said Section 3 lowers the possession fine from \$500 to \$300 to align with sales violations. Section 4 allows those aged 18-20 to pay the fine without a court appearance, while those under 18 must still appear in court. He said SB 24 clarifies that 19-20-year-olds working in businesses that sell these products won't be penalized for possession through employment.

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MR. LAMKIN stated that Section 10 adds synthetic nicotine to the definition of nicotine to prevent tax evasion. Section 18 extends online sales restrictions to all other tobacco products like cigars, chew, and nicotine gum. Section 19 in AS 43.50.850(a) introduces a 25 percent retail sales tax (not wholesale tax) and in Section 19 AS 43.50.855 specifies restrictions by setting a max nicotine concentration of 50mg/mL for vaping products. He said Section 19 also adds protection requirements and clarifies definitions. Sections 20-23 conform the legal age change from 19 to 21. He stated that Section 24 bans marketing vaping products to anyone under 21. Sections 25-28 are also conforming. He stated that age restrictions take effect January 1, 2026, and tax and licensing rules start January 1, 2027.

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SENATOR YUNDT asked what the cigarette tax rate is and how much it differs from other nicotine products.

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MR. LAMKIN answered that Alaska doesn't tax vaping products, but several municipalities have local policies that impose varying levels of taxes. He stated his belief that the cigarette tax is two dollars a pack.

SENATOR YUNDT asked whether the state tax is two dollars.

MR. LAMKIN answered yes.

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SENATOR STEVENS stated that every time taxes on cigarettes are raised, consumption decreases; there's a clear link between price and cigarette use.

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SENATOR DUNBAR stated that he had three points to bring up. First, only taxing some tobacco products creates an unfair market, which affects consumer behavior. Next, he was initially skeptical but now supports SB 24, especially the amendment protecting young workers' jobs at places like gas stations. Lastly, many young people have told him vaping is widespread in their communities, and they want action. He said compared to when he was in high school, vaping is much more common now and clearly targets youth, making it a public health concern. He asked whether all changes from last year were included in SB 24.

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MR. LAMKIN answered that the current version is what was passed last year.

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CHAIR BJORKMAN announced invited testimony on SB 24.

[2:25:24 PM](#)

MIKE BRIDGES, Retired Brigadier General, Community Advocate, American Cancer Society, Fairbanks, Alaska, testified by invitation on SB 24 and stated that the vaping industry uses sweet, fun flavors to lure young people into addiction, pushing new products in a fast, insidious way. He said he fully supports the sponsor's language in SB 24. He stated that he also appreciates the committee members' openness to learning and now supporting the cause. As a retired military commander, he has seen firsthand how tobacco harmed service members' health and careers, often leading to long-term care through the VA. He said he backs the bill completely and trusts the committee to handle the tax details, as this is clearly a growing public health concern.

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KATIE STEFFENS, Deputy Program Manager, Tobacco Prevention & Control, Alaska Department of Health and Social Services (AKHSS), Anchorage, Alaska, testified by invitation on SB 24 as follows:

[Original punctuation provided.]

Thank you for the opportunity to speak with you today on how tobacco and nicotine products are affecting Alaskan youth. Tobacco continues to be a leading cause of preventable death in Alaska, with smoking linked to about 600 deaths in our state each year. Alaska loses an estimated \$400 million per year because of smoking-

related illness, effects on workers, and people being unable to do their usual activities; and an estimate in 2018 showed that Alaska Medicaid faced \$192 million in tobacco-related health care costs. While Alaska has made incredible strides in the past 30 years in preventing and reducing tobacco use among our youth and adults, there is still more work to be done as new products enter the market.

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MS. STEFFENS continued with her testimony of SB 24:

As of 2023, 24 percent of Alaskan adults currently use some form of tobacco product, including cigarettes, cigars, smokeless, Iqmik, and electronic cigarettes, with over a quarter of tobacco users being between the ages of 18-34. Among Alaskan adults, 8 percent use e-cigarettes with the most prevalent age group of users being young adults between the ages of 18-34.

Comparatively, as of 2023, 23 percent of youth use some form of tobacco product, with e-cigarettes being the most used product among youth by far with 17 percent of Alaskan high school students currently using e-cigarettes. While this is a significant short-term decrease from 26 percent in 2019, this is not a significant long-term change in our data from when we first started collecting in 2015.

Youth tobacco use, especially e-cigarette use, has been burdensome on schools throughout Alaska. During the 2023/2024 school year, the Department of Education and Early Development suspension data demonstrated that there were 987 tobacco-related suspensions spanning across all grades 1st through 12th. This accounted for approximately 2,800 missed school days for students.

What we also know is that among Alaska high school students who had used in the past 12 months, 61 percent tried to quit the tobacco products they were using. Most youth who use tobacco products ultimately want to stop using, but this can be incredibly hard due to the gripping impact nicotine has on the developing youth brain.

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MS. STEFFENS continued with her testimony of SB 24:

The State of Alaska Tobacco Prevention and Control Program implements a comprehensive program to reduce and prevent tobacco use. We work closely with community partners, tribal health organizations, school districts, and hospital systems to provide resources and catered assistance to meet their needs. Unfortunately, many of the communities we work with do not have the local health powers to implement ordinances related to broader community policy efforts and takes statewide policy to serve all our communities equally. We have utilized proven statewide strategies to reduce youth and adult cigarette use to historically low numbers and have time-tested, Alaskan approaches to address the ongoing youth prevalence of tobacco, especially e-cigarettes.

We know that increasing the price of tobacco products is the single most effective way to prevent initiation and to reduce consumption. Youth and young adults are two to three times more likely to respond to price increases of tobacco products. Price increases are even more effective when implemented in combination with other proven strategies, such as increasing the minimum legal age. It is estimated that raising the minimum age for the sale of tobacco products to 21 will over time reduce the smoking rate by about 12 percent and smoking-related deaths by 10 percent.

Senate Bill 24 includes both of these proven approaches: increasing the minimum age and increasing the price. It creates additional protections for youth through restricting online sales, implementing age verification processes when shipping or transporting tobacco products in Alaska, and limiting the nicotine content in devices.

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At ease.

[2:34:12 PM](#)

CHAIR BJORKMAN reconvened the meeting and held SB 24 in committee.

[2:35:52 PM](#)

There being no further business to come before the committee, Chair Bjorkman adjourned the Senate Labor and Commerce Standing Committee meeting at 2:35 p.m.