

HB

353

Alaska State Legislature

Chairman
State Affairs Committee

Member
Judiciary Committee
Economic Development, Trade & Tourism
Committee
Education Committee
Joint Armed Services Committee

Finance Subcommittees
Labor & Workforce Development
Community & Economic Development
Military & Veterans' Affairs



A Communication From
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District 31 Anchorage

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HB 353 Changes from Version E to Version M

This CS amends the bill to define what a public library means. This meaning has similar language used in AS 14.56.400. The intent is to exclude postsecondary institutions and other type libraries that do not specifically meet the meaning of "public library". For example, the University of Alaska says they would be exempt from electronic filtering because they do not provide, free of charge to members of the public, access to interlibrary loan services (See Page 2 Line 10 of Version M)

Page 2 Line 6 after the word "means" *deleted* a library that is open to members of the public and *inserted* a library that provides the following services free of charge to members of the public:

- (A) establishment and maintenance of a collection of books and other materials for loaning;
- (B) access to interlibrary loan services
- (C) reading or other educational programs for children; and
- (D) reference information

*Question Maintained Obj. by
Cochit remained in objection*

25-LS1356M.1
Bannister
3/5/08

AMENDMENT # 1

Passed

votes on Amend # 1

OFFERED IN THE HOUSE

TO: CSHB 353(STA), Draft Version "M"

*Whelan Y
Walters Y
Powers N
Dall Y
Lynn Y
Loren Y
Klein Y*

- 1 Page 1, line 1, following "blocking":
- 2 Insert "or monitoring"
- 3
- 4 Page 1, line 11, following "filters":
- 5 Insert "or monitoring"
- 6
- 7 Page 1, line 13, following "shall":
- 8 Insert "(1)"
- 9
- 10 Page 1, line 14, following "AS 11.61.128(1)(A) - (F)":
- 11 Insert "; or
- 12 (2) use an alternate monitoring system to prevent the viewing of
- 13 Internet sites that depict the items described in AS 11.61.128(1)(A) - (F)"
- 14
- 15 Page 2, line 3:
- 16 Delete "technology measure "
- 17 Insert "Internet software filter for the adult or not use the alternate monitoring system"
- 18
- 19 Page 2, following line 5:
- 20 Insert a new paragraph to read:
- 21 "(2) "alternate monitoring system" means a monitoring system that
- 22 does not use Internet software filters; in this paragraph, "monitoring system" includes
- 23 a method that enables public library staff to see the screens of computers in the public

25-LS1356M.1

- 1 library;"
- 2
- 3 Renumber the following paragraph accordingly.

25-LS1356M
Bannister
3/5/08

adopted

CS FOR HOUSE BILL NO. 353(STA)

**IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - SECOND SESSION**

BY THE HOUSE STATE AFFAIRS COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES KELLER, Wilson, Gatto

*Version M
has already
been adopted*

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the blocking of certain Internet sites at public libraries and to
2 library assistance grants."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 14.56 is amended by adding a new section to read:

5 **Sec. 14.56.335. Internet blocking compliance.** Notwithstanding the other
6 provisions of AS 14.56.300 - 14.56.340, the department may not make a grant under
7 AS 14.56.300 - 14.56.340 to a public library that provides members of the public with
8 access to the Internet unless the public library is complying with AS 14.56.500. In this
9 section, "public library" has the meaning given in AS 14.56.500.

10 * **Sec. 2.** AS 14.56 is amended by adding a new section to article 6 to read:

11 **Sec. 14.56.500. Internet blocking filters required.** (a) Except as provided by
12 (b) of this section, a public library that provides members of the public with access to
13 the Internet shall install and maintain in good working order Internet software filters
14 that block Internet sites that depict the items described in AS 11.61.128(1)(A) - (F).

1 (b) If an adult has a research or other lawful purpose to access Internet sites
2 that depict the items described in AS 11.61.128(1)(A) - (F), a public library may
3 disable the technology measure for the adult.

4 (c) In this section,

5 (1) "adult" means an individual who is 18 years of age or older;

6 (2) "public library" means a library that provides the following
7 services free of charge to members of the public:

8 (A) establishment and maintenance of a collection of books and
9 other materials for loaning;

10 (B) access to interlibrary loan services;

11 (C) reading or other educational programs for children; and

12 (D) reference information.

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 353
 () Publish Date: _____

Identifier (file name): HB 353: HB353-DEED-LAM-02-22-08
 Title: An Act relating to the blocking of certain internet sites.
 Dept. Affected: Education & Early Development
 RDU: Librarians & Museums
Library Operations

Sponsor: Representative Keller
 Requester: House State Affairs Component Number: 208

Expenditures/Revenues (Thousands of _____)

Note: Amounts do not include inflation unless otherwise noted below.

| | Appropriation Required | Information | | | | | | |
|-------------------------------|---------------------------|-------------|------------|------------|------------|------------|------------|------------|
| | | FY 2009 | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 |
| OPERATING EXPENDITURES | | | | | | | | |
| Personal Services | | | | | | | | |
| Travel | | | | | | | | |
| Contractual | | | | | | | | |
| Supplies | | | | | | | | |
| Equipment | | | | | | | | |
| Land & Structures | | | | | | | | |
| Grants & Claims | | | | | | | | |
| Miscellaneous | | | | | | | | |
| TOTAL OPERATING | | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | | | |
|-----------------------------|--|--|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | | | |
|-----------------------------|--|--|--|--|--|--|--|--|

| | | | | | | | | |
|-------------------------------|--|--|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | | | |
|-------------------------------|--|--|--|--|--|--|--|--|

FUND SOURCE (Thousands of Dollars)

| | | | | | | | | |
|----------------------------|--|------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | | | | | | | |
| 1003 GF Match | | | | | | | | |
| 1004 GF | | | | | | | | |
| 1005 GF/Program Receipts | | | | | | | | |
| TOTAL | | | | | | | | |
| Other Interagency Receipts | | | | | | | | |
| TOTAL | | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY2008) cost: _____

POSITIONS

| | | | | | | | | |
|-----------|--|--|--|--|--|--|--|--|
| Full-time | | | | | | | | |
| Part-time | | | | | | | | |
| Temporary | | | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

No cost to the Department of Education and Early Development.
 Individual libraries will incur cost ranging from \$100 each year for very small libraries, to as much as \$20,000 for the largest library systems in the state. The costs are for software, annual licensing fees, maintenance, and staff time for this program. Libraries will also incur costs for required updates.
 The Act would also increase the number of libraries eligible to receive Public Library Assistant Grants from the state. This would result in each library receiving a reduced amount since the grants are currently being prorated.

Prepared by: Katherine H. Shelton, Alaska State Librarian and Director
 Division: Division of Libraries, Archives, and Museums
 Approved by: Barbara Thompson, Interim Commissioner

Phone 465-2911
 Date/Time 2/22/08 3:00 PM
 Date 2/22/2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

BILL NO. _____

ANALYSIS CONTINUATION

1 (b) If an adult has a research or other lawful purpose to access Internet sites
2 that depict the items described in AS 11.61.128(1)(A) - (F), a public library may
3 disable the technology measure for the adult.

4 (c) In this section,

5 (1) "adult" means an individual who is 18 years of age or older;

6 (2) "public library" means a library that is open to members of the

7 public.

AS 14.56.400

If you have questions regarding House Bill 353 which is scheduled for tomorrow morning I hope this information may help. Shay Wilson is with our DP and assisted in this effort.

If you need any additional information please feel free to call 465-4899.

Thanks

Jim Pound

From: Shay Wilson
Sent: Monday, February 25, 2008 9:19 AM
To: Jim Pound
Subject: Blocking costs

We have 3 different URL blocking mechanisms in place at the legislature.

1st we have Squid which is all manually placed in, so we can't possibly keep up with all the web sites that are created, but large ones that we don't want people going to we can, it requires someone somewhat technical to run it and a server to run it on, but the product itself is free.

2nd we have snort which is also free, runs off of pattern matching and you need someone quite technical to run it and keeping it running will take a fair bit of their time. You also need a server on which to run it.

3rd we have a product called websense which many devices allow you to use on your router (that's the exit to the real world), This requires very little to set up (no extra tech people making sure it keeps running), costs about \$500-\$1000 for a high end websense enabled router (versus \$50-\$100 for a simple router) and the state pays about \$20/user per year for licensing you can bet for a smaller user base it will be closer to \$100/user per year.

A little research I found some products that are installed on the client computer at this URL <http://www.ala.org/ala/pla/plapubs/technotes/internetfiltering.cfm> (the link speaks directly about public Library filtering, and meeting CIPA requirements?) These products are about \$40 a year per computer require very little knowledge to make work (the librarians should be able to run them.) I think this type of product serves your needs the best (unless you can get all the libraries on the same system running off a state run server).

If you need more information on how these different products work, please let me know there is a large difference between the way different methods of URL filtering work which may also figure into what solution you want to put into place.

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MEETING CIPA REQUIREMENTS WITH TECHNOLOGY

By Richard W. Boss

Public libraries have been concerned with the issue of access control versus access management for a number of years. While some public libraries have sought to deny access by children to some Web sites, a larger number have focused on managing access, including authenticating patrons, providing links to selected Web sites, metering of use, and compiling of reports. As recently as 2002, fewer than 25 percent of public libraries had blocking or filtering products on all public Internet workstations and 17 percent had blocking or filtering products on only some. More than 58 percent used nothing at all. With the adoption of the Children's Internet Protection Act (CIPA), the issue has become financial as well as philosophical because schools and libraries will lose federal funds if they do not control access by minors to sites that are proscribed by the legislation.

Despite the fact that the terms "blocking" and "filtering" are often used interchangeably, including by legislators, they do have different meanings. "Blocking" refers to stopping access to something based on its URL; "filtering" refers to stopping access to something based on its content. Almost all of the available products do blocking, but not all do filtering. Nevertheless, vendors may refer to a product that does only blocking as a "filter."

CIPA compliance is required when using funds for particular purposes from three federal programs: E-rate, ESEA Title II D, and LSTA. When a school or library receives discounts from the E-rate program and either or both of the other programs, its CIPA requirements take precedence over the requirements in the ESEA or LSTA programs. A related act known as the Neighborhood Children's Internet Protection Act (NCIPA) focuses on what has to be included in a school or library's Internet safety policy.

There are two basic requirements in the CIPA legislation:

1. A school or library must have some type of blocking or filtering technology on all of its computers from which there is access to the Internet. Both patron and staff computers are affected. The technology must protect against access to visual depictions described as obscene, child pornography, or harmful to minors in the Act. CIPA does not require the blocking or filtering of text. The law does not address the question of laptops brought in by staff and patrons, but a consensus has emerged that these need not be blocked or filtered.
2. A school or library must have an Internet safety policy and hold a public

meeting to review the policy. The policy must incorporate the criteria described in NCIPA.

Whether a school or library blocks and filters content other than the visual depictions defined in the law is a local decision.

The FCC has ruled that if a member of a consortium is not in compliance with the law, only the non-compliant members will be penalized.

The law states that any authorized school or library staff member may disable the blocking or filtering product to allow an adult to have unrestricted Internet access for any lawful purpose. Adults are defined as persons 17 years of age or older. A strict reading of the law would preclude coding the status of a patron in the library card and automatically turning off the blocking or filtering when the I.D. was entered.

The Federal Communications Commission (FCC) is charged with enforcement of CIPA/NCIPA for the E-rate program. The Department of Education (DOE) and the Institute for Museum and Library Services (IMLS) are charged with ESEA and LSTA enforcement respectively, but a school or library receiving E-rate discounts and ESEA or LSTA funding needs to comply with CIPA's E-rate requirements to obtain funding from any of the programs. Schools not receiving E-rate discounts, must certify that they have an Internet Safety Policy in place in order to receive ESEA funding that will be used for Internet access; public libraries not receiving E-rate discounts must certify that they have an Internet Safety Policy in place in order to receive LSTA funding that will be used for Internet access.

It is not possible to discuss all of the available blocking and filtering products in this TechNote. The eight that appear to have been most widely adopted by libraries are discussed herein. For additional objective evaluation of blocking and filtering products, consult a report by Australia's CSIRO for IvetAlert and the Australian Broadcasting Authority at www.aba.gov.au/internet/research/filtering/filtereffectiveness.pdf

All of the products were developed before CIPA, either as products for home use or for organizations seeking to control the activities of employees. They, therefore, block and filter words as well as images. All of the products contain a list of URLs that are blocked, but the list is often not available for review. Some also contain content analysis tools that filter. Only two use object analysis. For example, a graphic image with a great deal of flesh tones will be filtered. All of the products are password controlled. Online and telephone technical support is available for all of the products.

The products developed for home use are client-based; those developed for organizations are server based. However, two vendors of client-based products introduced a server option after CIPA was passed.

Blocking and Filtering Products

Best N2H2 is a server-based blocking product that can be run on a wide variety of platforms, including firewall servers and network servers. The company targets corporate and institutional users. Best employs a full-time staff to categorize Web content. The 45 categories include adults only, drugs, lingerie, nudity, personals, sex, swimsuits, and violence. More than 150,000 sites that are blocked. A purchaser can select the categories to be blocked. The product may be used to block e-mail and chat rooms. There is a 30-day free evaluation period, however,

the time and effort required to configure the product on a server make it a good idea to undertake careful screening by consulting reviewing media before undertaking a trial.

A study by eTesting Labs for the U.S. Department of Justice in 2001 determined that N2H2 had the highest accuracy rate of any product it tested. It blocked 98 percent of the inappropriate sites used in the test. The study report does not appear to be available.

The author's own experience with N2H2 is that it blocks a lower percentage of non-pornographic sites than others.

CyberPatrol 6.1 is a client-based blocking and filtering product developed to be run on Windows 98/Me/NT/2000/XP PCs. While it targets home users, it has been purchased by a number of small libraries because it is relatively inexpensive. Its list price is \$39 for a one-year subscription. The price includes software updates to CyberList, a "blacklist" of unacceptable sites, and online or telephone support. A 14-day free trial is available for evaluation.

The CyberList sorts sites into a number of content categories, including partial nudity, full nudity, sexual acts/text, gross depictions/texts, sex education, and drugs/drug culture. All categories are blocked by default, but a purchaser can select the categories that are to be accessible without blocking. There are also settings that restrict access to e-mail, chat rooms, and newsgroups. The product also does filtering using keyword analysis in content. It is also possible to enter specific words that are to be filtered.

A server based option is now available to larger libraries. Prices are quoted on request.

CyberSitter 2003 is a client-based blocking and filtering product designed to be run on a PC with Windows 95/98/Me/NT/2000/XP. While it targets home users, it has been purchased by a number of small libraries because it is inexpensive, takes very little disk space, and easy to install. The list price is \$39.95 for a single computer license, \$59.95 for two, \$74.95 for three, \$99.95 for five, and \$199.00 for ten licenses. There are free list updates for one year. A two-year subscription to program upgrades is \$20. The program takes just 3.0 MB of disk space. Even though there are 30 categories of filtering, the menus are simple.

The subscription service not only uses a list of sites that deal with sex, drugs, hate, and violence, but also uses a content recognition system on sites that are not on the list. It filters access or will allow access after deleting words and phrases that appear to be objectionable. This can make a page impossible to read. The content recognition also results in a somewhat higher error rate than with a list of sites that have been examined by a vendor's staff. There is a way to add sites to block and there is a mechanism for overriding blocked sites. It can be set to filter out words in newsgroups, mail, chat, or messaging programs. URLs that have been blocked, but that are deemed suitable for minors, can be added to a "white list" so that they will not be blocked in the future. There is a simple on/off switch that can be accessed by someone with the appropriate password.

CyberSitter has won *PC Magazine's* Editor's Choice award for several years in a row.

A server-based option is available to larger libraries. The company quotes prices on request.

CybraryN Solutions Libraries that want only the blocking and filtering module and do not have a Dynix or VTLs system should deal directly with Fast Data Technology as that will result in a lower price. Pricing begins at 25 concurrent users and goes to a site license for more than 1,000 concurrent users. There is no published price list. FastTracker is also available as a hosted service.

FastTracker uses not only a URL list, but also a content analysis tool. The company estimates that 75 percent of the sites that are blocked are on its list, and 25 percent are filtered as the result of content analysis. There does not appear to be a word list available, nor is there a way of permitting access to sites that contain words that are objectionable for reasons other than pornography. Its 30 categories are unusually broad, including job search and shopping sites. That is due to the fact that the product was developed for organizations that are concerned about staff time lost due to surfing of the Internet that is not work-related. One of the claimed advantages of FastTracker is that policies for staff users can be set differently than for patrons, and extensive reports are provided on where users went and for how long.

I-Gear 3.5 is a server-based blocking and filtering product that can be run on a Windows NT Server 4.0 or later, Sun Solaris 2.x server or later, or Red Hat Linux server 5.2 or later. It groups Web sites it has examined into 27 categories that can be blocked or not blocked. In addition it uses a Dynamic Document Review (DDR) that examines incoming text using key words and phrase that have both positive and negative weights. The resultant points score for a document is compared with threshold to determine whether the document should be filtered. Updates are available online via a single button click or the updates can be set to download automatically as they are released.

Prices are quoted after a library submits information about its size. They are negotiable.

McAfee Parental Controls 1.0 is a client-based blocking and filtering product that can be used on any PC or Mac. It is priced at \$49.99, but is most often sold as part of McAfee InternetSecurity 5.0, a \$79.99 package that includes antivirus, firewall, and privacy features. The price includes free updates and free technical support for life.

The product has both a blocked-sites list and a word filter for detecting inappropriate content. Each can be locally edited. This gives librarians the opportunity to improve the accuracy of the blocking and filtering. It can filter pop-up ads and file sharing services. A unique feature of the product is object analysis. Unfortunately, it does not differentiate very well between famous paintings and pornography.

NetNanny 5.0 is a client-based blocking and filtering product designed to be run on Windows 98/93SE/ Me/ NT 4.2/XP PCs. It targets home, school, and library users. It is inexpensive at \$39.95 list, but it requires substantially more computer resources than its major competitors. It requires a minimum of 32 MB of RAM and 60 MB of hard drive space. While earlier versions required a tedious manual set-up, the current release is self-installing. It defaults to the most secure setting.

There are built-in lists of URLs and permitted and restricted words that can be modified by someone with an appropriate password. New lists of URLs can be downloaded manually or automatically on a daily, weekly, or monthly basis. It is possible to add URLs locally. Quota-based filtering makes it possible to filter Web pages containing more than a specified number of restricted words from the

complete word list. An option allows access to be limited to sites that have been specifically authorized. A "Can Go" list of 3,000 Website recommended for children is available.

One unique feature is that it includes object analysis. As is the case with McAfee Parental Controls 1.0, it does not reliably differentiate between art and pornography. Another unique feature is that it can prevent family names, addresses, phone numbers and credit card numbers being sent from the PC.

Websense Enterprise is a server-based product that was developed for Fortune 500 companies to enable them to improve productivity and security. It manages Internet access, blocks peer-to-peer file sharing, and blocks undesirable sites using a large database of URLs that is updated daily. There are 88 categories. Particularly useful is the separation of sex and sex education sites. A companion product called Websense Enterprise Reporter has more than 80 pre-defined report templates.

The server can be a Pentium III or greater processor with 512 MB of RAM or a Sun Ultra 10 Processor with 512 MB of RAM. The operating system can be Windows 2000 or 2003 Server, Red Hat Linux 8.0-9.0, or Sun Solaris 2.6-9.

The product is suitable only for libraries that have a large number of workstations because the license fee is \$15,000 a year. A single license covers up to 1,000 workstations.

Questions to Ask of Vendors

The American Library Association's E-rate Task Force has developed a list of questions to ask vendors. There were 70 questions on the list as of March 1, 2004. Each question will not be relevant for all libraries. The list is available at

Related Files

PLA is a division of the American Library Association. Copyright Statement.

PLA Tech Note prepared by Karen Schneider

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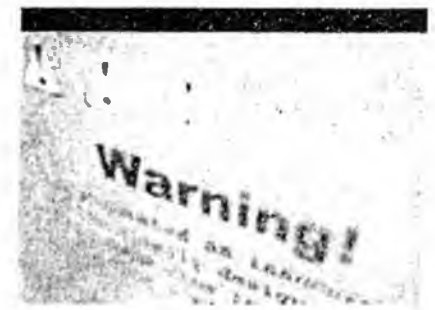
Schools & Libraries

The Internet is essential within these learning environments, but it's also a risky place. This is highlighted by the U.S. Department of Education in its Internet Guide for Parents,

"Even without trying, your children can come across materials on the Internet that are obscene, pornographic, violent, hate filled, racist, or offensive in other ways."

Children are at risk of:

- Offensive and harmful material
- Solicited for sex by predators
- Sold products they shouldn't have
...and much more



Shortcuts

- [Buy Now](#)
- [Free Trial](#)
- [Security](#)
- [Upgrade](#)

[Compare CyberPatrol 7.6 Features](#)



They are also targets for viruses and malicious code - both of which can disrupt learning and negatively impact the budgets of schools and libraries alike. To reduce these risks, government and educators recommend using filters on Web content.

CyberPatrol is designed for Windows-based standalone PCs, can be used on small networks of up to 50 PCs, and CyberPatrol 7.6 delivers powerful Remote Management capabilities making it even easier for administrators to manage multiple installations in an educational setting. Download a copy of our new [Remote Management Guide](#) now

CyberPatrol lets you identify and restrict Web content based on:

- User
- Groups of Users
- Time of day
- Time spent online
- Specific website or page
- Web content category (pornography, racist, hate, hacker, etc)
- Programs available for use

[Next >>](#)

Monitor

Parents and employers can get an insight into the kinds of places and things their kids and employees are getting into on the ever-growing Internet – letting you see if they have safe surfing habits!

Monitoring and Logging

Gives a quick and accurate picture of Web surfing and Instant Override activity. The activity data is encrypted and securely stored to stop unauthorized viewing. Any recorded Web address can be viewed, highlighted and added to a users Allowed or Blocked List of sites.



Monitoring Reports

They clearly show important information such as Web pages visited, time of visit, Web address, allowed or blocked details and much more!

Real-time Activity Monitor

The Real-time Activity Monitor gives you an understanding of Web activity in real-time providing details of the URL, images files, and active server pages, together with the program that requested it. It's a valuable tool for fine-tuning and troubleshooting filter settings and helping in creating a custom YES list.



**CyberPatrol's extensive monitoring and logging tools lift the lid on where users go online...
...and leaves them no where to hide!**

Next >>

Filter

CyberPatrol's powerful filtering tools let's you control how, when and to whom Internet access is allowed, filtered or blocked, as well as decide where they surf online – even when you can't be there!

Filtering

Filter or block websites, newsgroups and search engine image results based on all CyberLIST database categories, which can be fine-tuned by adding your own blocked or allowed sites or list of sites. CyberPatrol uses a combination of powerful layered filtering technologies comprising the CyberLIST database, as well as dynamic filtering technologies that capture new sites not yet in the database.

[Learn More](#) 

Chat and Instant Messaging

Block specific or all chat and instant messaging programs to stop access to them. Chat sessions can be filtered to prevent important information, like names/addressess/phone numbers, being revealed to predators and objectionable words and phrases can be removed.



YES List

Restrict users surfing to a pre-approved list of vetted sites created by you. It's even easier to create and is ideal for parents of very young kids.



Preset Filter Strengths

Select from age specific Web filtering protection for quick filtering set-up. It can be reviewed and fine-tuned to a user's needs at any time.



Web Category Filter Strengths

Easy-to-use click and drag sliders allow you to customize the filter strength level for all CyberLIST categories.



Stealth Filtering

Offers a discreet mode of filtering that lets you block access to unsuitable sites by displaying a user-friendly 'The page cannot be displayed' Blocking Page Style.



Criminal Activity & Phishing Category

This CyberLIST category has been renamed to accurately reflect its content. It includes Phishing sites to help minimize the threat of visiting those that pretending to be well-known trusted companies that dupe users into revealing personal passwords and log-in information.

Spyware Category

Spyware has been added to the CyberLIST database categories to let you prevent access to sites that provide or promote potentially malicious software, which put you and your users identities at risk and debilitate the performance of your computer.

Blocking Page Styles

With 12 Blocking Page Styles to choose from, they present a customized user-friendly online experience and can be further customized to offer users a password protected Instant Override option.



Weekly List Updates

These are automatically delivered on a weekly or twice weekly basis, and have all dead and/or inactive sites removed and thousands of new sites added.



Filtering Flexibility

CyberPatrol comes with 'ready-to-go' filtering, or settings can be created and customized for each user or groups of users. Settings can be easily fine-tuned and quickly overridden.

CyberPatrol delivers the most advanced client-based, browser independent, Internet safety software...

...for Windows-based standalone PCs!

[Next >>](#)

Protect

With all things in real life creating a balance is vital - the same applies online. For this reason, CyberPatrol can help you create the online environment you want for your users that helps protect them, you and your PC!

Time Management

You can limit Internet activity and restrict access to programs on your PC like computer games, or block access to home finance packages. Limits can be based on time of day, daily and weekly cumulative time allowances.



Program Downloads

Programs downloads can be blocked, ensuring users seek permission before downloading games, music, images and videos, and/or P2P programs etc. This helps secure your PC against Spyware and viruses and can prevent the download of illegal or copyrighted material.



Protect Privacy

Helps safeguard against predators and identity thieves, by stopping users from revealing personal information online like names, addresses, phone numbers, credit card information etc.

Security

Delivering extra protective features to help you and your users get the most from the Internet, including:

- *Customized Ready-to-go Filtering*

Simple installation and set-up need not take more than a few minutes with Broadband. During set-up CyberPatrol lets you select your Environment and User Type to tailor your ready-to-go filter settings - it's ideal for the novice user. Filtering settings and additional User Profiles can be quickly created and fine-tuned for each user or groups of users.



- *Unlimited User Profiles*

Enables you to create as little or as many Profiles as you need.

- *User Profile Creation Wizards*

Creating a User Profile is even easier with the use of these Wizards, as they lead you through the process step by step.



- *Windows User Name Integration*

For seamless access to your CyberPatrol User Profile filter settings.



- *Override Mode*

Active filtering settings can be quickly and easily overridden through the password protected Override Mode button on the HQ Toolbar.



- *Instant Override*

Password protected or warn only Instant Override option can be offered to users on Blocking Pages.



- *Fast User Switching*

Windows XP is supported.

- *Auto Time-out*

A great safety feature that keeps watch over an active User Profile, so when it's left idle it will switch to the <Default> profile.



- *Compatibility*

CyberPatrol is rigorously tested for compatibility with the most popular applications, the latest being the Blackberry Desktop Manager, Corel WordPerfect Office, and AOL 9 SE.

Next >>

Technology

In combating today's Internet threats it's vital to use multiple layers of defense. In response to this need, CyberPatrol uses **powerful layered filtering technologies** comprising a database of accurate, current and relevant categorized sites, as well as dynamic filtering technologies that capture new sites not yet in its database.

Filter Strengths

Depending on the Filter Strength you select, determines which technologies are active.



| Active Filtering Technologies | | | | |
|-------------------------------|-----------|---------------|-------------------|-------------------|
| Web Filter Strength | CyberLIST | CyberPATTERNS | Web Page Analysis | Web Link Analysis |
| Allow All | | | | |
| Low | ✓ | | | |
| Medium | ✓ | ✓ | | |
| High | ✓ | ✓ | ✓ | |
| Maximum | ✓ | ✓ | ✓ | ✓ |

CyberLIST

The CyberLIST database is at the heart of CyberPatrol's filtering technology. It has been reconstructed and expanded to include tens of thousands of new sites. Automatic updates are delivered on a weekly or twice weekly basis, with all dead and/or inactive sites removed and thousands of new sites added.



CyberLIST Categories - [Learn more](#)

Accurate, Current & Relevant Filtering - [Learn more](#)

CyberPATTERNS

These are based on contextual keyword pattern technology. It checks and dynamically categorizes URLs to trap the mass of sexually explicit sites, as well as filters offensive and descriptive search engine requests.

Web Page Analysis

Offers powerful neural network technology. It dynamically reviews sites visited that are not yet categorized within the CyberLIST, by reviewing the site content and its underlying HTML source code.

Web Link Analysis

Stops inappropriate images in search engine requests from reaching computer screens, as even innocent search words and phrases can return unsuitable content.

[Next >>](#)

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 353
 () Publish Date: _____

Identifier (file name): HB 353: HB353-DEED-LAM-02-22-08
 Title: An Act relating to the blocking of certain internet sites.
 Dept. Affected: Education & Early Development
 RDU: Librarians & Museums
Library Operations

Sponsor: Representative Keller
 Requester: House State Affairs Component Number: 208

Expenditures/Revenues (Thousands of _____)

Note: Amounts do not include inflation unless otherwise noted below.

| OPERATING EXPENDITURES | Appropriation Required | Information | | | | | |
|------------------------|------------------------|-------------|------------|------------|------------|------------|------------|
| | FY 2009 | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 |
| Personal Services | | | | | | | |
| Travel | | | | | | | |
| Contractual | | | | | | | |
| Supplies | | | | | | | |
| Equipment | | | | | | | |
| Land & Structures | | | | | | | |
| Grants & Claims | | | | | | | |
| Miscellaneous | | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | | |
|-----------------------------|--|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | | |
|-----------------------------|--|--|--|--|--|--|--|

| | | | | | | | |
|-------------------------------|--|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | | |
|-------------------------------|--|--|--|--|--|--|--|

FUND SOURCE (Thousands of Dollars)

| | | | | | | | |
|----------------------------|------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | | | | | | |
| 1003 GF Match | | | | | | | |
| 1004 GF | | | | | | | |
| 1005 GF/Program Receipts | | | | | | | |
| TOTAL | | | | | | | |
| Other Interagency Receipts | | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY2008) cost: _____

POSITIONS

| | | | | | | | |
|-----------|--|--|--|--|--|--|--|
| Full-time | | | | | | | |
| Part-time | | | | | | | |
| Temporary | | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

No cost to the Department of Education and Early Development.
 Individual libraries will incur cost ranging from \$100 each year for very small libraries, to as much as \$20,000 for the largest library systems in the state. The costs are for software, annual licensing fees, maintenance, and staff time for this program. Libraries will also incur costs for required updates.
 The Act would also increase the number of libraries eligible to receive Public Library Assistant Grants from the state. This would result in each library receiving a reduced amount since the grants are currently being prorated.

Prepared by: Katherine H. Shelton, Alaska State Librarian and Director
 Division: Division of Libraries, Archives, and Museums
 Approved by: Barbara Thompson, Interim Commissioner

Phone 465-2911
 Date/Time 2/22/08 3:00 PM
 Date 2/22/2008

Sec. 14.56.400. Public libraries.

(a) A public library established under this section shall provide at least the following services free of charge to the residents of the municipality or community:

- (1) establish and maintain a collection of books and other materials for loaning;
- (2) provide access to interlibrary loan services;
- (3) provide reading or other educational programs for children; and
- (4) provide reference information.

(b) A public library established under this section shall submit an annual report of its operations and the services it provides to the director of the division that has responsibility for state libraries.

Chapter 14.57. MUSEUMS

→ Plus in Monitoring ←

Eric Eke ?
602-684-9383
Ucar Electronics
- give offset #

Sec. ~~11.61.128~~. Electronic distribution of indecent material to minors.

(a) A person commits the crime of electronic distribution of indecent material to minors if

(1) the person, being 18 years of age or older, knowingly distributes to another person by computer any material that depicts the following actual or simulated conduct:

(A) sexual penetration;

(B) the lewd touching of a person's genitals, anus, or female breast;

(C) masturbation;

(D) bestiality;

(E) the lewd exhibition of a person's genitals, anus, or female breast; or

(F) sexual masochism or sadism; and

Rep. Wes Keller

From: Timothy Merrymon
Sent: Tuesday, February 19, 2008 10:47 PM
To: Rep. Wes Keller
Subject: HB353

Dear Rep. Keller,
Thank you for seeking to protect our children against pornography with HB353.
Sara Merrymon

Rep. Wes Keller

From: Jack and Teresa Nordby
Sent: Tuesday, February 19, 2008 6:37 PM
To: Rep. Wes Keller
Subject: HB353

Representative Keller:

Thank you for your introduction of this House Bill to protect our children at the Library. We should'nt have to do this kind of thing were it not for the ever decreasing sense of morality in society. But that is the reality we live in. I'm thankful that you are standing for principles that may be going against the "flow".

Teresa Nordby
Anchorage

FREE Animations for your email - By IncrediMail! [Click Here!](#)

Rep. Wes Keller

From: Frank McGilvary
Sent: Wednesday, February 20, 2008 1:18 PM
To: Rep. Peggy Wilson; Rep. Wes Keller
Subject: HB353

Hi Peggy and Wes,
Thank you for pushing for this common sense blocking in our public libraries.

Our children have enough "stuff" to distract them from what is right and good. They need this protection.

THANK YOU,
Frank and D. A. McGilvary of Fairbanks

Nancy Manly

From: James Huesmann [ffjlh3@uaf.edu]
Sent: Friday, February 22, 2008 1:13 PM
To: Rep. Bob Lynn
Subject: House Bill 353

Dear Representative Lynn,

My name is James Huesmann, and I am Dean of Libraries at the University of Alaska Fairbanks. A colleague today directed my attention to House Bill 353, scheduled to come before your State Affairs committee on the 28th of this month. I've read the bill, and am concerned that there are possibly some unintended consequences in the way the bill is currently drafted.

The libraries throughout the University of Alaska are open to the public. In my mind this is as exactly as it should be, as the citizens of this state help support the university budget through state appropriations, and the libraries in the UA system represent the largest group of information holdings within the entire state. We work with all the libraries throughout the state, of all types and sizes, to get information out to the Alaskans who need it. We purchase subscriptions to electronic information (such as databases, magazines, etc.), and usually try to make it available to everyone in the state as our first choice. Indeed, I'm proud to say that everyone in Alaska has access to over half of all the electronic information that a student, faculty or staff at UAF has access to, a level that far exceeds any other state in the nation. Examples include electronic access to car repair manuals, photographs and videos concerning Alaska, online tutoring for k-12 and intro-level college classes, and popular magazines as well as academic journals.

Of course, the primary mission of the University Libraries is to support the curriculum and research needs of the University of Alaska. The curriculum and research includes areas in health care, biology, anthropology, psychology, social work, and many other areas which use terms and concepts that filtering software consistently blocks. As a consequence of this, all federal legislation ever proposed or passed (that I am aware of) has specifically not included or excluded academic, medical, and other special libraries from mandatory filtering.

House Bill 353, as currently written, defines a public library as "a library that is open to members of the public" (14.53.500 (c) (2)). This definition is so broad that it would include all the libraries in the University of Alaska, most hospital libraries, and many other government, private, or corporate libraries that have opened their doors to provide knowledge and information to the greater community. Because filtering software would preclude most of these libraries from fulfilling their primary missions, one side effect of this bill as currently written would be for us all to be forced to close our doors to the general public. While this is indeed the case in some states, I am not aware of anywhere that does it because of a filtering law. I, personally, would be philosophically opposed to closing the doors of Rasmuson Library, Alaska's largest library, to the general public – yet my primary responsibility to the mission of UAF would by necessity give me little recourse to do anything but that if such a bill as currently written became law.

House Bill 353 would then require that all state and local grants to these libraries to be terminated. If that occurred, then many of the incredible benefits enjoyed by all Alaskans from the cooperation of our state's libraries would be eliminated. For example, state grants that help cover the cost of providing interlibrary loans from those libraries that loan the most books, etc., to other libraries would no longer be available to the largest lenders in the state (the university libraries), and we would be forced to reduce those services. State grants have helped support and/or establish the Alaska Digital Archives (<http://vtrla.alaska.edu/index.php>), the Statewide Library Electronic Doorway (SLED, <http://sled.alaska.edu/>), and other information services as previously mentioned, that are available to all Alaskan residents. Without those grants, some of these projects will be reduced in scope, others will not be expanded to cover other areas of the state, and there will be a complete stop to any new initiatives which are advanced by such grants.

In a personal aside concerning my experience with internet filters in this environment, I was working in the Kansas City area when the library at the University of Kansas Medical Center decided to implement internet filters. The day the filters were implemented, every computer with a filter seemed to freeze up and become useless when their internet browser was started up. The filter software company was clueless as to why this was happening.

Eventually, after a few days, someone at the library was able to figure out why every computer at the Archie **DYKES** Library would not work – "dyke", a slang term for a lesbian, was on the software's list of banned terms – and as such, the library's home page (the start-up page for the internet browser) wouldn't even appear.

I hope that this information will encourage you to reconsider the current language in House Bill 353. I would be happy to assist in any manner if so desired.

Sincerely,

James L. Huesmann
Dean, Rasmuson Library
University of Alaska Fairbanks
P.O. Box 756800
Fairbanks, AK 99775
voice 907-474-7224
fax 907-474-6841
ffjlh3@uaf.edu

2/22/2008

Nancy Manly

From: Haase, Donald J. [HaaseDJ@alyeska-pipeline.com]
Sent: Monday, February 25, 2008 10:04 AM
To: Rep. Bob Lynn; Rep. Bob Roses; Rep. John Coghill; Rep. Kyle Johansen; Rep. Craig Johnson;
Rep. Andrea Doll; Rep. Max Gruenberg
Subject: Support for HB353

Members of the House State Affairs Committee:

I urge you to support passage of HB353, "Blocking Certain Internet Sites at Public Libraries" when it comes before your committee. Porn-blocking software is used by most corporations and businesses to avoid costly harassment lawsuits. This includes the company I work for. It is not intrusive, and does not hamper my ability to gather information from the net.

Certainly our children deserve as much protection from the disgusting perversions found on the internet that we as employees get from our employers. This is an even more important protection for children, as there are sexual predators who use the anonymity of the internet to troll for their next victims.

Sincerely,

Don Haase
Box 3423
Valdez AK 99686
(907)834-7359

2/25/2008

February 22, 2008

Dear Representative Lynn:

I am writing about HB353 which is scheduled to be heard by the State Affairs Committee on Thursday.

Why is this bill needed? Libraries in Alaska are not providing internet access in order to allow access to pornographic materials. They provide access to information for personal or educational reasons. Many if not most of the public and school libraries already filter internet access.

My concern is that the definition of "public library" is too broad as it would include university, special, and federal libraries which are currently open to the public. I know of no legislation that has made it mandatory for university or medical libraries to install internet filtering software. HB353 will have unintended consequences.

At UAA we physically and visually monitor the use of our internet computers since the library's computers are a limited resource often in high demand. The Consortium Library's computers are intended for research and educational purposes, including accessing periodical indexes, online catalogs, full-text databases, and the Internet. The members of the general public are allowed to use our internet computers and we monitor their use as well. We monitor for computer gaming, pornographic sites, or other recreational activities that can tie up our computers preventing their use for research or educational purposes.

If this bill is passed as written, the UAA/APU Consortium Library would no longer be eligible for state library grants since installing filters is not an option for us. Filtering is not an option for university and research libraries because filters inadvertently block valid websites needed for research and educational purposes. Our health sciences program and health sciences library would in particular be crippled. Turning on and off filters to accommodate individual requests would be a nightmare to manage on site.

If state grants to the university libraries ended, the UAA/APU Consortium Library would no longer receive funding for its interlibrary loan service to other Alaska libraries or funding for the SLED and databases for Alaskans program. Last year this funding exceeded \$120,000.

If HB353 is passed as written, it appears that the university libraries would be required to install filtering software since we provide members of the public with access to the Internet. Since installing filters is not an option for the university libraries, the libraries would be forced to stop serving the general public. I have to believe that you are not interested in seeing this result.

While I seriously question the need for this bill, my recommendation is that university libraries should be exempt from the filtering requirement and not included in the definition of a public library. At the UAA/APU Consortium Library we currently monitor the use of our internet computers without the need for filtering software. Filtering

software would hinder the libraries in serving the university community by inadvertently blocking relevant websites.

Steve Rollins

Dean, UAA/ APU Consortium Library

709 486-1825

25
A Lmtc on vml



Position

Papers

PROTECTING OUR CHILDREN



ISSUE

Children walking into many of Alaska's publicly funded libraries today are only a click away from pornography, obscenity and Internet predators. All libraries that receive funds from the State of Alaska should have filters installed on their public accessible computers.

ALASKA FAMILY COUNCIL POSITION

The Alaska Family Council supports efforts to decrease the widening reach of pornography in our communities. Alaskans should not be under a false impression that they are powerless to take a stand regarding the "sexualization" of our culture. The Alaska Family Council will seek to work with legislators, community activists and concerned citizens to curtail the spread of pornography and obscenity in our communities and neighborhoods. We support Rep. Keller's efforts to ensure that all of our publicly funded libraries in Alaska protect our children from the dangers associated with modern technology.

IMPORTANT FACTS

The federal Children's Internet Protection Act, which was upheld by the U.S. Supreme Court in 2003, requires schools and libraries to place filters on computers in order to receive federal funds. Twenty-one states have internet filtering laws that apply to public schools or libraries. Some states go further by requiring publicly funded institutions to install filtering software on library public access terminals or school computers. Those in favor of filters argue that libraries are to be sanctuaries of learning and that children's access to information and the desire to learn should not be put at risk by allowing them access to harmful material.

HB353, a bill introduced in the House by Rep. Wes Keller (R) Wasilla, would require all state-funded public libraries to utilize filtering devices or software to prevent internet access to obscene materials before they receive any state funds. This legislation is designed to hold libraries accountable by making state funding contingent upon its compliance with the requirements.

The National Research Council's report, "Youth, Pornography, and the Internet," identified the most effective tools for libraries, including offering "users a variety of choices regarding filtered and unfiltered access," using software to "clear" browser histories and making information on the filtering policy conspicuously available. By enacting this legislation, Alaska would join numerous states across the country that have taken major steps to ensure the safety of children and internet use in public libraries. As much media attention has been given to child predators soliciting young children over the internet, it is imperative that when unsupervised children enter a library the necessary steps have been taken to protect them and ensure their safety.

PROBLEM

Not all of Alaska's publicly funded libraries currently have internet filters to protect children from sexually explicit web sites, online predators and other high-tech threats.

FACTS

Pedophiles, pornography distributors and other groups routinely use marketing strategies to attract children. According to one report, 20-30% of Internet pornography consumption is by children aged 12-17.

Currently, only those public libraries receiving a federal discount on their internet access, known as E-Rate, are required by law to have internet filters in place to protect children. Many public funded libraries in Alaska do not or choose not to receive the E-Rate discount and are thus not required to have filters on their computers.

SOLUTION

Encourage legislators to vote **YES** on HB353.

ACTION ITEM
SUPPORT HB353

State Funded Libraries Not Currently Using Internet Filters on Computers

| | | | | |
|------------------------------------|-----------------|---------------------|-------------------|-------------------------------|
| Big Lake Public Library | Big Lake | Margaret Cosmah | 745-9633 | mcosmah@matsugov.us |
| Cordova Public Library | Cordova | Cathy Sherman | 424-66678 | tech@cityofcordova.net |
| Delta Community Library | Delta Junction | Joyce McCombs | 895-4102 | deltaibrary@wildak.net |
| Tri-Valley Community Library | Healy | Amanda Austin | 683-2507 | aaustin@dbsd.org |
| Hollis Public Library | Hollis | Tom Gregg | 530-7133 | hriver@starband.net |
| Homer Public Library | Homer | Helen Hill | 235-3180 x 4201 | hhill@ci.homer.ak.us |
| Hope Sunrise Library | Hope | Bob Sherrick | 782-1439 | |
| Hyder Public Library | Hyder | Libby Caffall-Davis | 636-2594 | lcaffalldavis@netscape.net |
| Juneau Public Library | Juneau | Jeremy Frank | 586-0442 | jeremyf@juneau.lib.ak.us |
| Kenai Community Library | Kenai | Cynthia Gibson | 283-4400 | cgibson@ci.kenai.ak.us |
| A. Holmes Johnson Memorial Library | Kodiak | Kris Brewster | 486-8619 | kbrewster@city.kodiak.ak.us |
| Chukchi Consortium Lib. | Kotzebue | UA OIOT | 800-478-4667 | |
| Lake Minchumina Community Library | Lake Minchumina | Shawna Hytry | 674-3127 | shytry@starband.net |
| Martin Monsen Regional Library | Naknek | Dana Raffaniello | 246-3434 | |
| Ninilchik Community Library | Ninilchik | Jackie Bear | 567-3333 | nincomlib@alaska.net |
| Kegoayah Kozga Library | Nome | Jim Dory | 443-6604 | engineer@ci.nome.ak.us |
| Palmer Public Library | Palmer | Pat Kilmain | 746-4700 | whowatt@palmerak.org |
| Pelican Public Library | Pelican | John Haffendorfer | 735-2500 | louisaw@pelicancity.net |
| Petersburg Public Library | Petersburg | Chris Weiss | 772-3349 | libtech@ci.petersburg.ak.us |
| Jessie Wakefield Memorial Library | Port Lions | Kodiak Comp | 487-4996 | kodiakcomputer@bigfoot.com |
| Seldovia Public Library | Seldovia | Savannah Lewis | 234-8701 | seldovia.library@gmail.com |
| Seward Community Library | Seward | Scott Couillard | 362-1687 | scouillard@cityofseward.net |
| Kettleson Memorial Library | Sitka | Gerry VonRekowski | 747-4023 | gary@cityofsitka.com |
| Soldotna Public Library | Soldotna | Brice Cunningham | 262-9107 | bcunningham@ci.soldotna.ak.us |
| Sutton Public Library | Sutton | Margaret Cosmah | 745-9633 | margaret.cosmah@matsugov.us |
| Talkeetna Public Library | Talkeetna | Margaret Cosmah | 745-9633 | mcosmah@matsugov.us |
| Thorne Bay Public Library | Thorne Bay | | | |
| Tok Community Library | Tok | Kathy Morgan | 883-5320 home | toklib@optalaska.net |
| Trapper Creek Library | Trapper Creek | Margaret Cosmah | 745-9633 | margaret.cosmah@matsugov.us |
| Valdez Consortium Library | Valdez | Christ Farmer | 835-4313 ext 3453 | cfarmer@ci.valdez.ak.us |
| Wasilla Public Library | Wasilla | Jean Powell | 316-5913 ext 16 | jpowell@ci.wasilla.ak.us |
| Naqalaksrat Library | White Mtn. | Edward Silcox | 638-3411 | |
| Willow Public Library | Willow | Margaret Cosmah | 745-9633 | mcosmah@matsugov.us |

[Click here to go to Alaska Family Council Home Page](#)

3/20/08 Meeting

**Additional Documents for
HB 353
*Public Library Internet Filters***

Please Bring Bill Packet from 2/28, 3/04 and 3/06/2008 Meetings



Alaska State Legislature

Please enter into the record my testimony to the House State Affairs
committee name

Committee on HB 353- Public Lib. Internet Filters dated 3-4-08
bill # / subject public hearing date

Representative Bob Lynn.

Per your request, I am forwarding the information regarding the effectiveness of internet filters.

| | |
|--------|-----|
| Text | 85% |
| Images | 38% |
| Video | 33% |

The following statistics came from ^{testing the} filtering software programs - Cyber Patrol, Filter Gate, & Web Sense done by San Jose Public Library.

Date of the report: February 4, 2008.

Signed: Kathleen Heus
Testifier

Representing (optional)

4540 Kenaitze Ct, Kenai, AK 99611
Address

907 283-7930
Phone number

In response to the committee's request for information regarding the cost of implementing filtering I am supplying the following. These are estimates of possible costs, as well as some actual figures as noted.

Unalaska (Actual Cost) 2006 Population 3,940

- Installation cost: \$11,620 which included in-house (on-line) training for one tech.
- Annual subscription maintenance: \$1,162
- Annual Library staff cost to disconnect filters for adults: \$1,999.40

Haines (Estimate): 2006 Population 2,241

- software installation : \$480
- required hardware upgrades: \$3500
- staff time for installation/training: \$3000
- software maintenance (licenses): \$300/year
- technology staff support \$3120/year
- Total installation cost: \$6980
- library staff questions/maintenance/ongoing training (turning off filters and managing use): \$1560/year

Pricing is quoted on the number of stations that will host the software. This makes it difficult to project costs for individual libraries. Vendors generally quote a price based on the size of the network. Pricing for network versions are higher and require more expertise to install and maintain. Network filters restrict wireless users and staff workstations.

Individual station software costs on average \$50 for commercially available filtering software sold to the home market. This cost would be per station. These are designed for home use. Most libraries purchasing the same software would pay a minimum of \$199. Staff time would be required to install and then turn filters on and off.

Only the very largest libraries in the state have in-house IT staff and most libraries operate with volunteers who may not have the expertise to turn filters on and off.

Many libraries also have computers that came to them via the Gates Foundation. These computers have security on them to prevent tampering. In order to turn filters on and off the security would have to be disabled first. This is a very complicated and time consuming task.

Mary Jo Joiner, President, Alaska Library Association

Mary Jo Joiner

March 17, 2008

Dear Representative Lynn:

Thank you for your help with HB353. With the CS that was approved by the committee, it appears that the current version of HB353 will not apply to the university or specialized libraries in Alaska.

I am still concerned however about HB353 and its negative impact on public libraries in the state. There are several important unanswered questions.

1. What is the cost for installing internet filters?
2. Can the small public libraries afford the cost of filtering?
3. Since visually monitoring of public internet computers is an effective method for managing the public computers in a library, why impose filtering as the only solution?
4. How effective is filtering in blocking images and video?
5. Are there any criminal liabilities for librarians who forget to reset a filter?

Thank you again for your attention and I hope as Chair of the State Affairs Committee you can delay HB353 until these questions are answered.

Steve Rollins

ALASKA STATE LEGISLATURE

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Session:

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Juneau, Alaska 99801-1182
Phone: (907) 465-2186
Fax: (907) 465-3818

REPRESENTATIVE WES KELLER DISTRICT 14

MEMO

To: Representative Bob Lynn

Fm: Jim Pound

Cc:

Date: March 19, 2008

Re: HB 353 (Internet Filters in Libraries)

As you are aware HB 353 is scheduled for its second hearing tomorrow in State Affairs. During its previous hearing some questions were brought up regarding costs and the extra work that may be required to maintain these programs.

Since we do not claim to be computer experts, in fact turning them on and off is sometimes an effort, we asked the Department of Administration to give us some information. DOA is responsible for the monitoring and controlling the filter system for the state.

I hope their brief explanation will answer your questions. I have included sales presentations for the three programs referenced in DOA's response.

Thanks

The information contained in this memo is CONFIDENTIAL and/or privileged. This memo is intended to be reviewed initially by only the individual named above. If the reader of this page is not the intended recipient or a representative of the intended recipient, you are hereby notified that any review, dissemination, or copying of this memo or the information contained herein is prohibited. If you have received this memo in error, please immediately notify the sender by telephone and return this memo to the sender at the above address.

Thank you

E-Mail: [Representative Wes Keller@legis.state.ak.us](mailto:Representative_Wes_Keller@legis.state.ak.us)
Call Juneau Toll free: (800) 468-2186
Website: www.akrepublicans.org/keller/

Fact Sheet Web Filtering

Prepared For HB 353: *Act relating to the blocking of certain Internet sites at public libraries and to library assistance grants:*

State URL filtering background:

Web filtering is accomplished by placing a device in between a user and the internet within the State's Executive Branch networking infrastructure. The device, when configured, will categorize all website requests and determine, via established policy, whether to allow or deny the web requests to the end user. Web use policy can be customized to allow diverse agency business needs. Currently, the State network uses Uniform Resource Locator (URL) filtering via an enterprise-wide software solution called Blue Coat.

In general, URL filtering at the State level is used for a number of reasons, including:

Employee Productivity:

With unmanaged internet access, employees can be distracted by non-work related or unproductive activities. URL filtering helps manage employee access to websites, minimizing lost time on the internet, and lowering operating costs by minimizing bandwidth use to State business purposes.

Legal Liability:

Personal internet use can expose organizations to legal liability when employees engage in illegal or inappropriate activities. URL filtering helps manage employee internet access and enforce personal use policies to mitigate legal liability up-front.

Internet Bandwidth usage:

Depending on network capacity, the use of bandwidth-intensive applications such as streaming media or the downloading of music or videos by even a few employees can slow or shut down entire networks. URL filtering helps enforce internet usage policies based on bandwidth needs to prevent business losses and other issues that result from limited access to mission-critical applications.

Website security filtering:

Web filtering solutions protect against: malicious websites, spyware, phishing and other frauds, potentially unwanted software, bot networks, keyloggers and other potentially harmful internet content.

URL Filtering Options:

HB 353 contemplates securing independent internet connectivity in libraries throughout the State. With such independent connections, an end-point home solution, such as **NetNanny, Norton Internet Security or WebWatcher for \$60-\$100 per station** would accomplish the goals sought in HB 353. These various solutions offer different filtering settings per authenticated user, and obtain automatic updates from the manufacturer as new websites come online. This type of software is easy to install and maintain on an individual workstation basis.



\$39.99

BUY


Why a Subscription?



MORE DETAILS

Net Nanny™

2007 Simply put- the Internet can be dangerous and contains unacceptable content. Children can be protected with filtering software and this is the best.



- Top Ten Reviews

ContentWatch parental controls software has been the Gold Award winner 3 years running

"1 in 5 children aged 10 to 17 have received a sexual solicitation over the Internet." Net Nanny is a powerful, yet simple to install parental control solution that helps parents protect their children and monitor their Internet use. More than an Internet Filter, it is *peace of mind*.

Blocks Pornography and Protects Families and Children

Much more important than how it works, is that you know that Net Nanny *does* work. You have the peace of mind of knowing that you are protecting your children and family. Net Nanny can block not only pornography, but hate sites, questionable chat rooms and other dangers of the Internet. You can even configure Net Nanny to block online game and gambling sites, and even make it so your children can only install and play computer games with parental ratings that you deem appropriate.

Integration With Popular Search Engines

The new Net Nanny integrates seamlessly with "Safe Search" options found in popular search engines such as Google, Yahoo, Dogpile, AltaVista, Lycos, AllTheWeb, and MSN. This means your children can't search on a search engine and even see links to blocked sites. This new feature enables better protection against pornographic images when doing an "image only" search. If a child attempts to turn off the safe search capability from the search engine, Net Nanny will turn it back on in real-time as the search is occurring. The only way to bypass the safe search is with your unique administrator password, which only you as the parent knows. Believe it or not, Net Nanny actually blocks content in multiple languages to provide even more enhanced protection for your family.



More than Just Web Protection

Did you know that there are many ways your children can access pornography and questionable content on the Internet? Net Nanny provides full protection on not just the World Wide Web, but also less known but equally dangerous parts of the Internet like the Usenet, Peer-to-Peer downloading networks, Chat Rooms, Instant Messages, FTP, Forums and email. If you have never heard of some of those areas of the Internet, it is possible that your kids have. But don't worry. Net Nanny knows about them, and protects your children from the bad content on them.



Enhanced Reporting

Already recognized as best in class, Net Nanny reports have provided parents with a first class presentation of Internet activity of children. As a parent you will know what sites your children have visited, and what sites they have attempted to visit. You will also be able to see full text of the actual Instant Messages. Net Nanny empowers parents to monitor and or block children's access to certain areas of the Internet. *Internet Predators don't have a chance against parents armed with Net Nanny.*

TESTIMONIALS

It's the first time we have been able to relax while our children were on the Internet.

It is beyond valuable, probably closer to "absolutely necessary."

It helped me discover a serious addiction one of my sons had to pornography.

[more](#)

CASE STUDIES

[Parents Protecting Children](#)

AWARDS



MANAGE YOUR COPY

MANAGE

Remote Management

Net Nanny has enhanced its administration tools. Powerful Remote Management tools exist to help parents to manage and maintain Internet policies remotely if an Internet connection exists. Monitor web browsing and instant messaging from anywhere!

Norton 360 Version 2.0

Comprehensive, automated protection

\$79.99

Download
 CD

ADD TO CART

1 Year Protection for
up to 3 household PCs

For Windows XP/Vista® | [View Product Tour](#) | [Norton Add-on Pack](#)

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Special Offer

**Lighter. Faster.
Friendlier.**

See for yourself.
Take the Norton
Challenge today.

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[How It Works](#) | [System Requirements](#) | [Compare Related Products](#) | [Product Support](#)

Key Technologies

| | |
|-------------------------|---|
| Antivirus | Firewall protection |
| Antispyware | Automatic backup and restore |
| Email scanning | 2 GB of secure online storage* |
| Antiphishing | PC performance tuneups |
| Rootkit detection | Automatic updates† |
| Identity protection | Embedded support |
| Web site authentication | Optional Antispam and Parental controls |
| Network monitoring | |

Key Benefits

PC security defends you against a broad range of online threats—protects your computer and makes your online experience more secure
Identity protection safeguards you against online identity theft—protects against fraud and theft **IMPROVED**
Automatic backup and restore protects your important files from loss—safeguards irreplaceable photos, movies, music, and more **IMPROVED**
PC tuneup keeps your PC running at peak performance—helps your PC run faster and keeps it running the way it's supposed to
Network monitoring—helps protect your home network **NEW**

Features

Enhanced performance—Provides industry-leading protection without sacrificing performance

Fast scan and browse speeds
Less memory use than the average used by competing products
PC Security with industry-leading virus, spyware and firewall protection

Identity Safe—Protects your personal information and your identity when you buy, transact, and browse online **NEW**

Blocks fraudulent Web sites and verifies trusted ones
Conveniently and securely manages user names and passwords for you
Phishing Protection guards online attempts to steal your personal information by blocking fraudulent websites and verifies trusted ones

Backup and restore

Protects photos, music, and documents with automatic backup
Supports new backup destinations including Blu-ray Disc, HD-DVD, and iPod
Automatically detects and backs up your critical files
Includes 2 GB of secured online storage (with option to purchase additional storage)†

Network monitoring

Lets you view your wireless network and each device connected to it
Displays the security status of all the Norton products on your network
Alerts you when you connect to an unsecured wireless network

Browser Protection—Protects against Web-based drive-by downloads that use vulnerabilities in your browser to insert malware on your PC

Easy protection of your PC and online activities—Norton 360 threat handling scans, and tuneups are conducted quietly in the background

Automatically optimizes and maintains your PC for peak performance
Automatically cleans up unnecessary Internet clutter and temporary files
Helps optimize Windows® performance by removing unneeded registry files

One-click support—Provides one-click access to expert support right from your Norton product

Fast access to expert support through email, live chat, or phone

Protection updates—Includes protection updates and new product features as available throughout the renewable service period†

Ongoing protection—Keeps your computer protected from the latest Internet risks by automatically renewing your subscription at the regular subscription price (plus applicable tax), so you don't have to do it. For more information, [click here](#)

Optional antispam and parental controls—Enables you to download antispam and parental controls via the Norton™ Add-on Pack

[Click here to read in-depth Norton Version 2.0 features list](#)

Award-Winning Protection

March 2008 PC Magazine Editors' Choice Award
February 2008 Computer Shoppers' "Shopper's Choice Awards"
Best Software for Utility Package
April 2007 Laptop Magazine Editors' Choice Award
March 2007 PC Magazine Editors' Choice Award***
February 2007 CNET Editors' Choice Award

Videos and Screenshots



[Choose a Screenshot](#)
Norton 360 |

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Customer Stories

Read what others have to say about Norton 360



United States

Shopping

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Welcome | Products | Viruses & Risks | Support | Downloads | Store

Symantec.com | Norton | Products | Norton Add-On Pack Version 2.1

Norton Add-On Pack Version 2.1

Purchase

Antispam, Parental Controls, and Confidential Information Blocking

\$0.00

ADD TO CART

For Norton 360 Version 2 & Norton Internet Security 2008

For Norton 360 Version 1

For Norton Internet Security 2007

For Windows XP/Vista/7*

How It Works | System Requirements

Block unwanted or offensive online content with per-user account parental controls and antispam in the Norton™ Add-on Pack 2008, an optional download for Norton Internet Security 2008 and Norton 360 customers (available at no additional cost). The Add-on Pack also includes a confidential information blocking feature to prevent all sensitive private data that you specify from being transmitted out of your computer.

Key Technologies

- Parental Controls
- Antispam
- Confidential information blocking

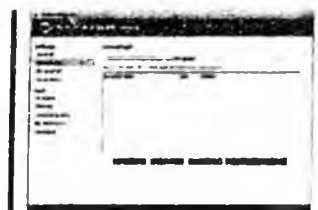
Key Benefits

- Blocks unsuitable websites** — parental controls allow you to limit website access for your children based on individual user profiles.
- Filters spam out of your inbox** — Deletes or moves annoying spam email to a junk mail folder.
- Protects against transmission of sensitive private data** — Automatically prevents data identified as completely confidential from being transferred out to the Internet from your computer.

Key Features

- Adds optional parental controls, antispam and confidential information blocking features to your Norton Internet Security or Norton 360 solution.
- Provides password protected, pre-defined control profiles for adult, teen, and child customizable for the individual user. **NEW**
- Blocks inappropriate websites based on user profile settings and logs attempts to access blocked websites. **NEW**
- Antispam diverts annoying, offensive or even dangerous spam away from your Outlook inbox to a junk mailbox for later review or deletion.
- Antispam filter automatically adds past spam filter white and black lists from your Outlook and previous Norton antispam upon installation. **NEW**
- Intelligent antispam engine learns to identify what kinds of emails you do not consider spam with a pre-scan of existing email upon installation. **NEW**
- Smart antispam engine learns over time more precisely what kinds of email you do and don't consider spam.
- Blocks sensitive information (identified as confidential) from inadvertent transfer out of your computer.
- Includes protection updates and new versions of Norton Add-on Pack as available throughout your service period for Norton 360 or Norton Internet Security. †

Videos and Screenshots



Choose a Screenshot
 Screenshot 1 | Screenshot 2 | Screenshot 3 |
 Screenshot 4 | Screenshot 5 |

Screenshots

*Multiplatform minimum Windows Vista operating system requirements.

† The Norton Add-on Pack 2008 requires that you have Norton Internet Security™ 2008 or Norton 360™ version 1.0.0 installed. If you choose to download and install the Norton Add-on Pack 2008, you will have the right to use it until the expiration of your current Norton product subscription, subject to acceptance of the Symantec License Agreement included with your Norton product and available for review at www.symantec.com. Protection updates and new product versions as available during your subscription period are included. Product features may be added, modified or removed during your subscription period.

webwatcher kids

Your Online Chaperone



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[Product Overview](#)

[Monitor from any computer](#)

[See every word typed](#)

[Read every email](#)

[Record instant messages](#)

[Record/Block Web](#)

[Filter All Content](#)

[Impossible to detect](#)

[System requirements](#)

[WebWatcher Mobile](#)

Features

WebWatcher Overview

For a detailed description of all the Features, click the links to the left.

WebWatcher is the most trusted name on Parental Control software available today.

Why? Testimonials

Because we don't think of WebWatcher as a *product*; instead, we consider it a "**Parenting Tool**" that allows you to level the playing field and protect your children against the dangers of the Internet. As parents, we struggle because we either do not have the computer skills of our kids, nor have good in sight into how our children use the Internet.

Please realize that is not only **your right to protect and monitor your children**, but it is your *responsibility as their parent*.

WebWatcher is the most powerful and easy to use computer monitoring software available. WebWatcher allow you to:

- Monitor children's key strokes real-time from anywhere
- Block ANY webpage based on content or web address
- Read Instant Message (IM or "Chat") Conversations
- Read Incoming and Outgoing Email
- Log every keystroke
- Take pictures of screenshots so you can see EXACTLY what is typed, surfed or read
- Record online and offline activities
- Quickly sift through data using unique keyword system

Here are just a few reasons why WebWatcher is consistently ranked as the Gold Standard:

Protect your child and monitor Internet usage from anywhere.

With WebWatcher's parental control software you will easily begin monitoring Internet usage for your child from any computer in the world. Using the same 128-bit encryption that protects online credit card transactions, WebWatcher ensures this information stays secure.

Read and monitor email instantly.

See what your child is up to as they're doing it! Using our secure servers, you'll be able to react to situations before they become problems. With competing software, that information is stuck on the machine, or worse, emailed over unsecured lines!



Questions?
Chat with us live

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watch our
video demo

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instantly download
now for \$97.00

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Easy-to-use interface makes it simple to monitor Internet usage.

We make child Internet safety easy and dependable. Unlike other Internet monitoring software, you don't have to be a computer expert to use it. WebWatcher has a simple, intuitive design that's easy to use.

Control and monitor Internet usage and general computer use.

While some competitors' programs monitor Internet activity and others allow you to block Internet access, **only WebWatcher does both!** From recording keystrokes and taking screenshots of your child's activities, to blocking specified websites and filtering content in real-time, WebWatcher does it all. Rest assured, since child Internet safety is paramount to you, and us, we block pornography and adult content—even if it's a site no one has ever heard of.

WebWatcher does all the work for you.

With WebWatcher's special set of easy-to-use Internet filters, you can sort, sift, rearrange, and prioritize recorded data instantly. This feature makes finding the information you need effortless.

It is completely invisible.

Designed to meet the exacting standards of intelligence agencies worldwide, WebWatcher is far better than the so-called "invisible key loggers" — it's completely invisible. Kids today are often more computer savvy than their parents so it's essential to have a program that's up to the task.

Your satisfaction is guaranteed or your money back.

WebWatcher is the most advanced and easiest to use keystroke logger and Internet monitoring software available anywhere. But don't take our word for it. Try our key logger out for yourself. If you're not completely satisfied, we'll issue you a full refund!*

* No questions asked. You have five days from the time of purchase to request a refund.

For a complete description of all the Features, click the links to the left.

[Home](#) | [Features](#) | [About](#) | [FAQ](#) | [Support](#) | [Contact](#) | [Buy Now](#) | [Website Blocking](#) | [Content Filtering](#) | [Read Every Email](#) | [Record IMs](#) | [See Every Word Typed](#) | [Screenshots](#) | [Invisibility](#) | [Monitor from Any Computer](#) | [Affiliate Program](#) | [Privacy Policy](#) | [Terms of Service](#) | [Site Map](#)

Alaska State Legislature

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State Affairs Committee

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Committee

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Joint Armed Services Committee

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Corrections
Labor and Workforce Development
Military and Veterans' Affairs
Public Safety



A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

E-Mail: Representative_Bob_Lynn@legis.state.ak.us
"Bob Lynn's Alaska Blog" RepBobLynnBlog.com

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Juneau, AK 99801-1182

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FAX

To: Legal Services/Terry Bannister

Fax #: 2029

From: Nancy Manly x2794
Alaska State Capitol, room 104
Juneau, AK 99801-1182

of Pages (including cover): 3

Phone: 907-465-4931
Fax: 907-465-4316

*Checked
all ok*

Re: HB 353 Public Library Internet Filters

3/20/08

HB 353 25-LS1356/M passed out of committee with one amendment. Please draft a final CS.

Conceptual Amendment #1 (Roses)
25-LS1356/M.1

25-LS1356M.1
Bannister
3/5/08

AMENDMENT

OFFERED IN THE HOUSE

TO: CSHB 353(STA), Draft Version "M"

- 1 Page 1, line 1, following "blocking":
- 2 Insert "or monitoring" ✓
- 3
- 4 Page 1, line 11, following "filters":
- 5 Insert "or monitoring" ✓
- 6
- 7 Page 1, line 13, following "shall":
- 8 Insert "(1)"
- 9
- 10 Page 1, line 14, following "AS 11.61.128(1)(A) - (F)":
- 11 Insert "; or" ✓
- 12 (2) use an alternate monitoring system to prevent the viewing of
- 13 Internet sites that depict the items described in AS 11.61.128(1)(A) - (F)"
- 14
- 15 Page 2, line 3:
- 16 Delete "technology measure "
- 17 Insert "Internet software filter for the adult or not use the alternate monitoring system"
- 18
- 19 Page 2, following line 5:
- 20 Insert a new paragraph to read:
- 21 "(2) "alternate monitoring system" means a monitoring system that
- 22 does not use Internet software filters; in this paragraph, "monitoring system" includes
- 23 a method that enables public library staff to see the screens of computers in the public

25-LS1356M.1

1 library;"

2

3 Renumber the following paragraph accordingly.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 20, 2008

SUBJECT: CSHB 353(STA) relating to the blocking or monitoring of certain Internet sites at public libraries and to library assistance grants (Work Order No. 25-LS1356K)

TO: Representative Bob Lynn
Chair of the House State Affairs Committee
Attn: Nancy Manly

FROM: Theresa Bannister
Legislative Counsel

This memo accompanies the bill described above.

Free speech. The bill raises an issue under the First Amendment of the United States Constitution and art. I, sec. 5 of Alaska's constitution,¹ which limit the state's ability to impose restrictions on forms of speech based on the content of the speech involved. Internet site filtering by a library in order to protect children has been upheld by the U.S. Supreme Court in one case ("decision").² However, there were different concurring opinions, as well as dissenting opinions, and it is difficult to predict whether the specifics of this bill will satisfy the requirements of that case.

If I may be of further assistance, please advise.

TLB:med
08-208.med

Enclosure

¹ The state's provision is meant to be at least as protective of free expression as the federal provision. See Mickens v. City of Kodiak, 640 P.2d 818, 820 (Alaska 1982), citing the Proceedings of the Alaska Constitutional Convention 1305-07 (Jan. 5, 1956).

² United States v. American Library Association, Inc., 539 U.S. 194 (2003).

Passed Out of Committee

25-LS1356M
Bannister
3/5/08

CS FOR HOUSE BILL NO. 353(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered:

Referred:

Sponsor(s): REPRESENTATIVES KELLER, Wilson, Gatto

3/29/08 amend 4 / proposed

*M has been adopted
Public testimony is closed*

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the blocking of certain Internet sites at public libraries and to**
2 **library assistance grants."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 14.56 is amended by adding a new section to read:

5 **Sec. 14.56.335. Internet blocking compliance.** Notwithstanding the other
6 provisions of AS 14.56.300 - 14.56.340, the department may not make a grant under
7 AS 14.56.300 - 14.56.340 to a public library that provides members of the public with
8 access to the Internet unless the public library is complying with AS 14.56.500. In this
9 section, "public library" has the meaning given in AS 14.56.500.

10 *** Sec. 2.** AS 14.56 is amended by adding a new section to article 6 to read:

11 **Sec. 14.56.500. Internet blocking filters required.** (a) Except as provided by
12 (b) of this section, ⁴ a public library that provides members of the public with access to
13 the Internet shall install and maintain in good working order Internet software filters
14 that block Internet sites that depict the items described in AS 11.61.128(1)(A) - (F).

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(b) If an adult has a research or other lawful purpose to access Internet sites that depict the items described in AS 11.61.128(1)(A) - (F), a public library may disable the ~~technology measure~~ for the adult.

(c) In this section,

(1) "adult" means an individual who is 18 years of age or older;

(2) "public library" means a library that provides the following services free of charge to members of the public:

(A) establishment and maintenance of a collection of books and other materials for loaning;

(B) access to interlibrary loan services;

(C) reading or other educational programs for children; and

(D) reference information.

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 353
 () Publish Date: _____

Identifier (file name): HB 353: HB353-DEFD-LAM-02-22-08
 Title An Act relating to the blocking of certain internet sites
 Dept. Affected: Education & Early Development
RDU Librarians & Museums
Library Operations

Sponsor Representative Keller
 Requester House State Affairs Component Number 208

Expenditures/Revenues (Thousands of

Note: Amounts do not include inflation unless otherwise noted below.

| OPERATING EXPENDITURES | Appropriation Required | Information | | | | | |
|------------------------|------------------------|-------------|------------|------------|------------|------------|------------|
| | FY 2009 | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 |
| Personal Services | | | | | | | |
| Travel | | | | | | | |
| Contractual | | | | | | | |
| Supplies | | | | | | | |
| Equipment | | | | | | | |
| Land & Structures | | | | | | | |
| Grants & Claims | | | | | | | |
| Miscellaneous | | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | | |
|-----------------------------|--|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | | |
|-----------------------------|--|--|--|--|--|--|--|

| | | | | | | | |
|-------------------------------|--|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | | |
|-------------------------------|--|--|--|--|--|--|--|

FUND SOURCE (Thousands of Dollars)

| | | | | | | | |
|----------------------------|------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | | | | | | |
| 1003 GF Match | | | | | | | |
| 1004 GF | | | | | | | |
| 1005 GF/Program Receipts | | | | | | | |
| TOTAL | | | | | | | |
| Other Interagency Receipts | | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY2008) cost: _____

POSITIONS

| | | | | | | | |
|-----------|--|--|--|--|--|--|--|
| Full-time | | | | | | | |
| Part-time | | | | | | | |
| Temporary | | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

No cost to the Department of Education and Early Development.
 Individual libraries will incur cost ranging from \$100 each year for very small libraries, to as much as \$20,000 for the largest library systems in the state. The costs are for software, annual licensing fees, maintenance, and staff time for this program. Libraries will also incur costs for required updates.
 The Act would also increase the number of libraries eligible to receive Public Library Assistant Grants from the state. This would result in each library receiving a reduced amount since the grants are currently being prorated.

Prepared by: Katherine H. Shelton, Alaska State Librarian and Director
 Division: Division of Libraries, Archives, and Museums
 Approved by: Barbara Thompson, Interim Commissioner

Phone 465-2911
 Date/Time 2/22/08 3 00 PM
 Date 2/22/2008

3/20/08 Meeting

**Additional Documents for
HB 353
*Public Library Internet Filters***

Please Bring Bill Packet from 2/28, 3/04 and 3/06/2008 Meetings



Faxed 3-4-08

Alaska State Legislature

Please enter into the record my testimony to the House State Affairs
committee name

Committee on HB 353 - Public Lib. Internet Filters dated 3-4-08
bill # / subject public hearing date

Representative Bob Lynn -

Per your request, I am forwarding the information regarding the effectiveness of internet filters.

| | |
|--------|-----|
| Text | 85% |
| Images | 38% |
| Video | 33% |

The following statistics came from ^{testing the} filtering software programs - Cyber Patrol, Filter Gate, & Web Sense done by San Jose Public Library.

Date of the report: February 4, 2008.

Signed: Kathleen Heus
Testifier

Representing (optional)

4540 Kenaitze Ct, Kenai, AK 99611
Address

907 283-7930
Phone number

In response to the committee's request for information regarding the cost of implementing filtering I am supplying the following. These are estimates of possible costs, as well as some actual figures as noted.

Unalaska (Actual Cost) 2006 Population 3,940

- Installation cost: \$11,620 which included in-house (on-line) training for one tech.
- Annual subscription maintenance: \$1,162
- Annual Library staff cost to disconnect filter for adults: \$1,999.40

Haines (Estimate): 2006 Population 2,241

- software installation : \$480
- required hardware upgrades: \$3500
- staff time for installation/training: \$3000
- software maintenance (licenses): \$300/year
- technology staff support \$3120/year
- Total installation cost: \$6980
- library staff questions/maintenance/ongoing training (turning off filters and managing use): \$1560/year

Pricing is quoted on the number of stations that will host the software. This makes it difficult to project costs for individual libraries. Vendors generally quote a price based on the size of the network. Pricing for network versions are higher and require more expertise to install and maintain. Network filters restrict wireless users and staff workstations.

Individual station software costs on average \$50 for commercially available filtering software sold to the home market. This cost would be per station. These are designed for home use. Most libraries purchasing the same software would pay a minimum of \$199. Staff time would be required to install and then turn filters on and off.

Only the very largest libraries in the state have in-house IT staff and most libraries operate with volunteers who may not have the expertise to turn filters on and off.

Many libraries also have computers that came to them via the Gates Foundation. These computers have security on them to prevent tampering. In order to turn filters on and off the security would have to be disabled first. This is a very complicated and time consuming task.

Mary Jo Joiner, President, Alaska Library Association

Mary Jo Joiner

March 17, 2008

Dear Representative Lynn:

Thank you for your help with HB353. With the CS that was approved by the committee, it appears that the current version of HB353 will not apply to the university or specialized libraries in Alaska.

I am still concerned however about HB353 and its negative impact on public libraries in the state. There are several important unanswered questions.

1. What is the cost for installing internet filters?
2. Can the small public libraries afford the cost of filtering?
3. Since visually monitoring of public internet computers is an effective method for managing the public computers in a library, why impose filtering as the only solution?
4. How effective is filtering in blocking images and video?
5. Are there any criminal liabilities for librarians who forget to reset a filter?

Thank you again for your attention and I hope as Chair of the State Affairs Committee you can delay HB353 until these questions are answered.

Steve Rollins

Nancy Manly

From: Annie Dougherty [adougherty@gci.net]
Sent: Tuesday, March 04, 2008 7:25 AM
To: Rep. Bob Lynn
Subject: HB353

**I support HB353 and pray that you do too.
Please fight for our children.**

Sincerely,

Annie Dougherty

Nancy Manly

From: Ann Myren [amyren@aptalaska.net]
Sent: Tuesday, March 04, 2008 8:18 PM
To: Rep. Bob Lynn
Cc: Rep. John Coghill; Rep. Kyle Johansen; Rep. Craig Johnson; Rep. Andrea Doll; Rep. Max Gruenberg
Subject: Testimony RE: HB 353 for House State Affairs Committee

Dear Representative Lynn and members of the House State Affairs Committee:

Thank you for the opportunity to share my thoughts on HB 353 – filtering in public libraries.

I have grave concerns about filtering in general and also the definition of public libraries as presented in HB3

Filtering in public libraries should be a local decision based on community input that includes thoughtful consideration of all sides of the internet safety issue and how best to address it. Each community has a different group of patrons whose needs for access to information and resources they work to meet through public library services. Libraries should not be required to use filtering as a solution to internet safety. There are numerous studies that show that filters are renowned for blocking legitimate sites and causing problems for those using the resources. Filters are not necessarily easy fixes, nor are they fail safe. They give a false sense of security. They will take staff time to install and maintain. They can be extremely frustrating to people doing legitimate research. I believe that filters are not the best answer to "internet safety" instead I would encourage you to consider the following.

It is my understanding that libraries develop internet safety policies which address issues such as safety of minors, confidentiality of information and other aspects including uses that violate existing laws. These types of policies provide a strong foundation for internet safety, based on local issues and concerns as well as state and national considerations. I believe that providing training opportunities on how to use the internet responsibly, how to analyze websites and the information they include, working with parents and children in identifying safe activities on the web so kids learn how to use this resource is a better approach.

Why restrict use of the Internet for everyone just because some people don't follow the rules? Library policies that address proper and safe use of the internet and that address the consequences of breaking the policies help individuals learn to become responsible for their own actions. Training people to use the internet safely, establishing policies regarding safe use of the resource and implementing consequences and holding people responsible for their actions are activities that build life-long skills. Building individual skills on how to be safe and wise in your searching will have many more positive long-term impacts and benefits than installing a filter.

Cost of filtering can be an unnecessary burden on small communities and libraries. I do not want my tax dollars spent on filters; I would rather have them invested in activities that build skills and knowledge for citizens of all ages – from senior citizens to preschoolers.

I would like to encourage you to think of ways to support communities as they make their own decisions on whether filtering is the answer or whether they have other ways to address this issue that is a better investment of time and money in their community– one that will leave all of us empowered to understand how to safely use the vast resources available on the web, one that will be with us no matter where we are when searching the internet.

Thank you for considering my thoughts.
Ann

3/5/2008

Ann Myren
Resources and Results Consulting
P.O. Box 951
Haines AK 99827

907.766.2584 ph/fax
amyren@aptalaska.net

Nancy Manly

From: Dan Masoni [akunak@ci.unalaska.ak.us]
Sent: Tuesday, March 04, 2008 5:43 PM
To: Rep. Bob Lynn; Rep. Bob Roses; Rep. John Coghill; Rep. Kyle Johansen; Rep. Craig Johnson; Rep. Andrea Doll; Rep. Max Gruenberg; Rep. Bryce Edgmon
Cc: mjoiner@ci.kenai.ak.us
Subject: House Bill 353

I'm sorry, but I simply couldn't contain the information I wished to convey in a 50 word legislative input message.

I manage the Unalaska Public Library and represent myself as a librarian and taxpayer.

Unalaska Public filters Internet Access based on a City Council decision that was carefully made following public input at both the City Council and Library Advisory Committee levels. The City Council decided that the Federal E-Rate Phone Funds (over \$20,000 per year) were important to pursue and also felt that filters should be set at the lowest possible level. We use N2H2 at the server level and the system is updated automatically every night. Unalaska has 24 Internet Access Units. The original Advisory Committee recommendation to the Council was to refuse the federal e-rate, filter computers used by youth under the age of 18 and to not filter units used by adults and emancipated minors.

Installation cost: \$11,620 which included in-house (on-line) training for one tech.
 Annual subscription maintenance: \$1,162

Annual Library staff cost to disconnect filters for adults: \$1,999.40

Average time spent handling each request is 5 minutes, and we handle approximately 10-12 requests per week (call it 1 hour per week of total staff time)
 so: 24.68/hour + 13.77 fringe benefits X 1 hour per week X 52 weeks = \$1,999.40

Annual Cost to evaluate Patron requests to BLOCK/UNBLOCK sites that are filtered by N2H2: \$11,662.95

As was noted in your hearing this morning the filter system is not fool-proof, therefore a mechanism is in place to both add to, and subtract from, filter coverage.

The mechanism to permanently unblock filtered sites that are harmless requires a form filled out by a member of the public that is acted upon by the City Librarian.

We average 5 such requests each week and our service standard is to evaluate the request and either unblock the site or leave it blocked within 24 hours. The patron is always informed in writing of the Librarian's decision. Each request requires about 30 minutes for evaluation plus approximately 15 minutes of tech time to actuate unblocking. The vast majority of sites which are incorrectly blocked are in the field of health and hygiene (71% thus far according to my records). Side comment: GMAIL was blocked because it uses a secure server.

Librarian's Time per year: 42.76/hour + 23.85 fringe benefits X 2.5 hours per week X 52 weeks = \$8,659.30
 Tech time per year: 29.66/hour + 16.55 fringe benefits X 1.25 hour per week X 52 weeks = \$3,003.65

Library patrons can use the same form to request that we add sites to the filtering system. To date, no requests to add sites to the filtering system have been submitted.

We continue to maintain that the best "filter" available is a parent sitting with a child as they discover knowledge on the Internet.

HB 353 will place a burden on small libraries which simply cannot afford to implement its language. The libraries which will be most affected by the bill already run on the annual Public Library Assistance Grant using volunteer help and will be faced with eliminating Internet Access or going out of business. Based on testimony heard today,

University libraries will probably end public access. HB 353 attempts a State Solution to a problem that is best handled by local governing bodies.

If the sponsor and the Committee are truly interested in addressing the issues that HB 353 brings to the fore, then I would suggest a constructive solution:

Parents and children should have the opportunity for "Family Friendly" computer classes which teach responsibility and managed use of computer facilities. Local libraries should be able to access specialized materials to teach such classes throughout the year. We offer such classes in Unalaska. The creation of such a database of materials would be a great step forward compared to the punitive approach advanced by Representative Keller. All the compilation of such a database would require is a one-time Legislative Grant.

Teaching rather than dictating is a slower solution, but one which would be utilized. The discussion your Committee is having is parallel to conversations which have already been held throughout Alaska by governing bodies which provide library services. Virtually every governing body has considered the same issues you are presently facing and has come up with appropriate local solutions.

HB 353 overreaches in its supposition that local government can't come up with solutions and simply isn't needed.

Thank you for your time and effort on behalf of all Alaskans.

Dan Masoni
Librarian
Unalaska Public Library

Nancy Manly

From: Nancy Manly
Sent: Thursday, March 20, 2008 5:16 PM
To: Crystal Koeneman; Rep. Bob Roses; Rep. Wes Keller; Jim Pound
Subject: Final STA CS for HB 353 Version K and Legal Memo

Attachments: 3-20-08 HB 353 Final STA CS Legal Memo and Version K.pdf



3-20-08 HB 353
Final STA CS Le...

Crystal: I have reviewed the final STA CS for HB 353 and it looks like it was amended as your boss had intended. I would appreciate your looking it over prior to my taking it to the Chief Clerk's office so it can be read across on Tuesday 3/25/08. I will also copy the sponsor for their review too. Thanks.

Nancy Manly, Chief of Staff and
House State Affairs Committee Aide for
Representative Bob Lynn
House District 31
907-465-2794 Fax: 907-465-4316

Kathy Morgan
Box 342
Tok, AK 99780

April 4, 2008

Representative Bob Lynn
State Capitol, Room 3
Juneau, AK 99801-1182

RE: HB 353, Public Library Internet Filters

Dear Representative Lynn:

I strongly oppose this bill and ask that you vote against it if it makes it to the House floor. Individual parents and communities should be deciding what restrictions to place on library public access computers in their community. Individual communities, rather than the State, should be deciding their own spending priorities and how best to protect their young people within the context of their community's culture and lifestyle.

Some statements in support of the bill have implied that federal law already requires similar filtering, but that is not true. Only libraries that accept federal assistance to help pay the cost of their Internet access must comply with the filtering requirements of CIPA; that doesn't apply to small libraries like ours who can't afford the federal assistance. (For us, the cost of applying would be greater than the cost of our Internet service, even before considering the cost of filtering software.)

Cost of filtering software for even a very small library, due to licensing terms which are different from home computers for single family use, would likely be about \$1,000 - \$2,000 per year; larger libraries with more patrons would pay far more.

That would be cost prohibitive for our small library, so if this law is passed we will have to discontinue public access to the Internet. We can't afford to give up State financial aid, so we would have to disconnect the public access computer from the Internet. Even doing that will also adversely affect us financially, since that means we will no longer be able to refer patrons to the Internet for current reference information. Instead, we will have to spend much of our collection development money for reference texts which very quickly fall out of date, leaving little money to purchase other materials for children and adults.

Some will argue that it would only cost about \$50 per year, but this is also a lie. Those inexpensive filters are specifically for use on a single computer "within a

dwelling or single household." (For a specific example of one of these licenses, see <http://www.netmanny.com/eula/contentprotect>) Using this software in the library would be an illegal violation of the licensing terms.

Supporters of the bill claim that it is easy even in a small library with only a part time librarian to temporarily disable the filtering for an adult. Our library is very small and very poor; we cannot afford to hire even a part time librarian. Our library is staffed by a dedicated group of volunteers who each volunteer in the library for several hours a week. None of them is particularly computer literate, and several of them barely know how to turn the computer on. Teaching all of them to disable the hard-drive protection on our Gates computer, disable the filters, and re-enable the hard-drive protection prior to allowing the patron to use the computer, and then reverse the procedure after the adult is finished with the computer, may not be possible. Certainly it would be so cumbersome, intrusive, and time-consuming that I believe a court challenge based on freedom of speech would succeed.

We believe that for our library, having the librarian or a parent monitor computer use by juveniles provides adequate protection to our children. More importantly, we believe it should be up to the parents and the community to decide how best to keep our children safe. What works for us may not be appropriate in another community and vice versa.

Sincerely,



Kathy T. Morgan

In response to the committee's request for information regarding the cost of implementing filtering I am supplying the following. These are estimates of possible costs, as well as some actual figures as noted.

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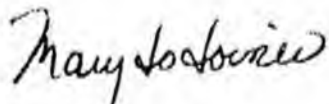
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Many libraries also have computers that came to them via the Gates Foundation. These computers have security on them to prevent tampering. In order to turn filters on and off the security would have to be disabled first. This is a very complicated and time consuming task.

Mary Jo Joiner, President, Alaska Library Association



Dear Legislators:

I have been on the Seward Community Library Board for the past 10 years. During the past, we have had discussions pertaining to filtering the computers in order to protect our children from inappropriate content. We decided not to filter for several reasons the primary being that all monitors can be viewed from the front desk and/or the reading area. Seward Community Library has had one instance in the last ten years of a child getting into a site he probably shouldn't have and it was immediately apparent to everyone what he was doing. He was banned from using computers for three months. Adult computers are separate from teens and children computers and we monitor use frequently. Also we have problems that are bandwidth related. The more bandwidth used the more expensive the computer access. The computers have been configured to prevent downloading of large files to address that issue.

The cost for filtering and maintenance was about equal to the amount of money the library would have received from Erate. (Eligibility for Erate funds is calculated on the percentage of students in the local school district who qualify for free school lunch.) We are eligible and do receive Erate funds for telephone use. These figures vary from district to district and public library to public library.

The library assistance grant (\$6500) is considered part of the budget received from the City of Seward, and it is 2/3 of our total budget. The grant is the only state money received annually. Public libraries in the Kenai Borough are locally funded. Grant funding varies from library to library depending on the level of local funding. No funds are received from the borough. We apply for, through grants, funding from the state and federal government.

I appreciate all efforts made to protect children from inappropriate computer access, but filtering will have an adverse impact financially on our small library. We have been responsible in our efforts to ensure the children's safety. Please take these actions into consideration while making your decision.

Sincerely,

Vanta Shafer

ALASKA STATE LEGISLATURE

Interim:

600 East Railroad Avenue
Wasilla, Alaska 99654
Phone (907) 373-1842
Fax: (907) 373-4729*



Session:

State Capitol Building
Juneau, Alaska 99801-1182
Phone: (907) 465-2186
Fax: (907) 465-3818

REPRESENTATIVE WES KELLER DISTRICT 14

MEMO

To: Representative Bob Lynn, Chair
House State Affairs Committee

Fm: Jim Pound

Cc:

Date: February 21, 2008

Re: Request for hearing of HB 353

Please consider this to be a request for the House State Affairs Committee to schedule a hearing for HB 353, "An Act relating to the blocking of certain Internet sites at public libraries and to library assistance grants."

Currently some public libraries receiving state and local money do not have an incentive to use blocking programs to bar access to adult sites on the internet. This software is available at a reasonable cost and should be in place.

HB 353 will require that they purchase and install this software aimed at restricting access for our young people. The bill also takes into account that this software sometimes restricts access to sites that adults need for research and allows the librarian to turn the block off if needed.

HB 353 is a restriction on a crime that takes place everyday in a publically funded arena. I urge your consideration of this bill before the committee and your earliest convenience. Thank you for your time and consideration. If you have any additional questions please do not hesitate to contact me.

Attachments: Sponsor Statement, HB 353, First Amendment and Article 1 § 5, AS 11.61.128,
Support e-mails

E-Mail: [Representative Wes Keller@legis.state.ak.us](mailto:Representative_Wes_Keller@legis.state.ak.us)
Call Juneau Toll free: (800) 468-2186
Website: www.akRepublicans.org/keller/

ALASKA STATE LEGISLATURE

Interim:

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Session:

State Capitol Building
Juneau, Alaska 99801-1182
Phone: (907) 465-2186
Fax: (907) 465-3818

REPRESENTATIVE WES KELLER DISTRICT 14 SPONSOR STATEMENT HOUSE BILL 353

"An Act relating to the blocking of certain Internet sites at public libraries and to library assistance g....."

House Bill 353 will encourage public libraries to assure that our young people do not have access to adult internet sites. Presently, there is cost effective software that allows responsible adults to prevent access to sites that could be considered objectionable. Parents and guardians of children use this software to prevent access.

While children are prevented from accessing these sites at home, some public libraries do not use this blocking technology and staffing limitations prevent libraries from monitoring. A simple installation of the software will prevent children from reaching adult sites without the need for a monitor.

Because of the concern that denying access might be considered unconstitutional, and because blocking software might block sites that are necessary for research, HB 353 includes language that allows adults to request that the software be disabled. The courts have already ruled this is an acceptable compromise.

HB 353 is also reactive in its approach should a library refuse to purchase and install the software. The bill would restrict state and local grant money to the library for refusal.

In this high tech, instant access world we live in, what was once on the shelves of stores under plastic wraps is now just a click away. Passage of HB 353 will assure that public libraries are serving all of their customers in a responsible manner.

E-Mail: Representative Wes Keller w.keller@legis.state.ak.us
Call Juneau Toll free: (800) 468-2186
Website: www.akrepublicans.org/keller/

AMENDMENT I.

Freedom of religion, of speech, and of the press. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.⁹

⁹. Proposed by Congress on September 25, 1789, and declared ratified on December 15, 1791.

Constitution of the State of Alaska

Art I Section 5. Freedom of Speech.

Every person may freely speak, write, and publish on all subjects, being responsible for the abuse of that right.

I. GENERAL CONSIDERATION.

Right is not absolute. - In expressing the rights to free speech and privacy, the framers of the state constitution appear to have recognized a right of universal freedom and a right to be left alone which is rooted in the natural inclination of human beings. But these rights, in a free society such as this, have never been recognized as absolute and without limitations. *Messerli v. State*, 626 P 2d 81 (Alaska 1980)

Precision of regulation must be the touchstone. - Because of the "chilling effect" that overbroad laws have on the exercise of constitutional rights, broad prophylactic rules are suspect and precision of regulation must be the touchstone. *Marks v. City of Anchorage*, 500 P 2d 644 (Alaska 1972)

First amendment freedoms are delicate and vulnerable, as well as supremely precious in American society. The threat of sanctions may deter their exercise almost as potently as the actual application of sanctions. Because first amendment freedoms need breathing space to survive, **government may regulate in the area only with narrow specificity.** *Marks v. City of Anchorage*, 500 P 2d 644 (Alaska 1972)

Speech which is vehicle of crime. - Speech is not constitutionally protected when it is the very vehicle of the crime itself. *Webb v. State*, 580 P 2d 295 (Alaska 1978)

Limited restrictions allowed. - Presumably a state can limit speech or assembly in specific places under limited circumstances. *Marks v. City of Anchorage*, 500 P 2d 644 (Alaska 1972)

It is only in the most limited circumstances that speech may be punished. *Anniskette v. State*, 489 P 2d 1012 (Alaska 1971); *Marks v. City of Anchorage*, 500 P 2d 644 (Alaska 1972)

The category of obscenity, which is unprotected, is very narrowly defined. *Hanby v. State*, 479 P 2d 486 (Alaska 1970)

Erotic speech may be punished as obscenity if the tests promulgated by the U.S. supreme court are met. *Marks v. City of Anchorage*, 500 P 2d 644 (Alaska 1972)

II. VAGUE AND OVERBROAD.

Former delinquency statute. - Former statute which criminalized acts "which cause or tend to cause, encourage or contribute to delinquency" was not overbroad, since only speech which advocated imminent lawless action and which was likely to produce such action was proscribed. *Holton v. State*, 602 P.2d 1228 (Alaska 1979).

Former AS 11.15.134(a) did not implicate constitutional rights of adults. - Since former AS 11.15.134(a), which made it a crime to commit a lewd or lascivious act upon or with the body of a child under 16 years of age, intending to arouse the sexual desires of either the actor or the child, prohibited only lewd and lascivious physical contact with children, that section did not implicate the constitutional right of adults to possess and exhibit literature or the right of adults to privacy in their homes at least insofar as that right protects parents dressing in front of children, those who tell dirty jokes, and adults who are passionately affectionate with other adults in the presence of children. *Anderson v. State*, 562 P.2d 351 (Alaska 1977).

When ordinance is void-for-vagueness. - An ordinance is void-for-vagueness where it fails to give a person or ordinary intelligence fair notice that his contemplated conduct is forbidden by the statute and where it encourages arbitrary and erratic arrests and convictions. *Marks v. City of Anchorage*, 500 P.2d 644 (Alaska 1972).

Those generally implicated by the imprecise terms of a disorderly conduct ordinance poor people, nonconformists, dissenters, idlers - may be required to comport themselves according to the lifestyle deemed appropriate by the police and the courts. *Marks v. City of Anchorage*, 500 P.2d 644 (Alaska 1972).

Sec. 11.61.128. Electronic distribution of indecent material to minors.

(a) A person commits the crime of electronic distribution of indecent material to minors if
(1) the person, being 18 years of age or older, knowingly distributes to another person by computer any material that depicts the following actual or simulated conduct:

- (A) sexual penetration;
- (B) the lewd touching of a person's genitals, anus, or female breast;
- (C) masturbation;
- (D) bestiality;
- (E) the lewd exhibition of a person's genitals, anus, or female breast; or
- (F) sexual masochism or sadism; and

(2) either

- (A) the other person is a child under 16 years of age; or
- (B) the person believes that the other person is a child under 16 years of age.

(b) In this section, it is not a defense that the victim was not actually under 16 years of age.

(c) Except as provided in (d) of this section, electronic distribution of indecent material to minors is a class C felony.

(d) Electronic distribution of indecent material to minors is a class B felony if the defendant was, at the time of the offense, required to register as a sex offender or child kidnapper under AS 12.63 or a similar law of another jurisdiction.

((2 ch 97 SLA 2005; am 6 ch 24 SLA 2007))

Effect of amendments. The 2007 amendment, effective July 1, 2007, added the paragraph (a)(1) and (a)(2) designations, substituted "the following actual or simulated conduct:" and paragraphs (a)(1)(A) - (F) for "an act described in AS 11.41.455(a)(1) - (7)" in paragraph (a)(1), and added "either" near the beginning of paragraph (a)(2), and made related changes.

Effective dates. Section 2, ch. 97, SLA 2005, which enacted this section, took effect on November 28, 2005.

Editor's notes. Section 5, ch. 97, SLA 2005, provides that this section applies "to offenses occurring on or after November 28, 2005."

Section 36(b), ch. 24, SLA 2007, provides that the 2007 amendment of (a) of this section applies "to acts committed on or after July 1, 2007."

Rep. Wes Keller

From: Timothy Merrymon
Sent: Tuesday, February 19, 2008 10:47 PM
To: Rep. Wes Keller
Subject: HB353

Dear Rep. Keller,
Thank you for seeking to protect our children against pornography with HB353.
Sara Merrymon


Rep. Wes Keller

From: Jack and Teresa Nordby
Sent: Tuesday, February 19, 2008 6:37 PM
To: Rep. Wes Keller
Subject: HB353

Representative Keller:

Thank you for your introduction of this House Bill to protect our children at the Library. We shouldn't have to do this kind of thing were it not for the ever decreasing sense of morality in society. But that is the reality we live in. I'm thankful that you are standing for principles that may be going against the "flow".

Teresa Nordby
Anchorage

 FREE Animations for your email - By IncrediMail! [Click Here!](#)

Rep. Wes Keller

From: Frank McGilvary
Sent: Wednesday, February 20, 2008 1:18 PM
To: Rep. Peggy Wilson; Rep. Wes Keller
Subject: HB353

Hi Peggy and Wes,
Thank you for pushing for this common sense blocking in our public libraries.

Our children have enough "stuff" to distract them from what is right and good. They need this protection.

THANK YOU,
Frank and D. A. McGilvary of Fairbanks