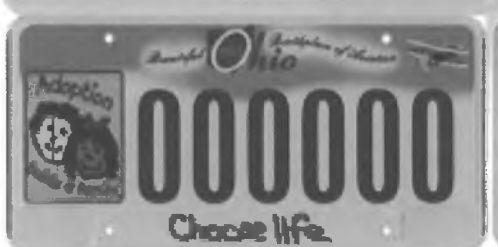
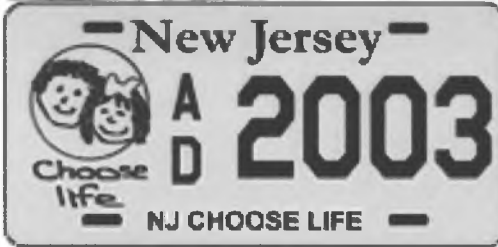
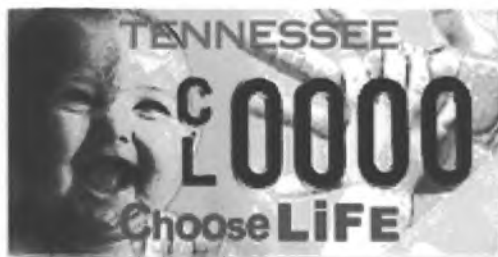
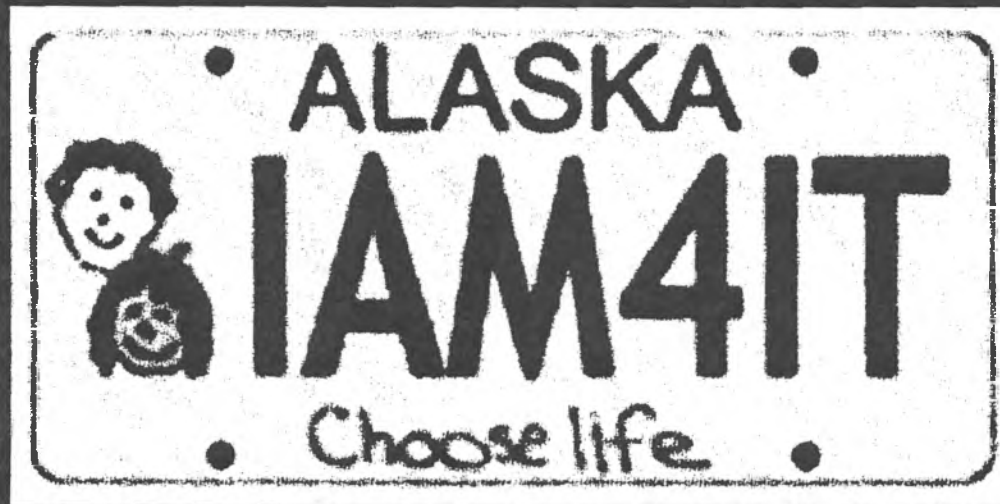


HB

1 1 1

<TARGET><BILL>HB 111</BILL><SUBJECT>HB
111</SUBJECT><COMM>HSTA27</COMM></TARGET>







February 16th, 2011

Representative Charisse Millett
State Capitol Room 13
Juneau AK, 99801

Representative Millett,

Please accept my sincere appreciation regarding your efforts to introduce the Choose Life license plate option here in Alaska.

The Choose Life license plate has now been approved in more than twenty states and has raised over \$9 million for Pregnancy Care Centers, Maternity Homes and non-profit adoption agencies in those states.

As you know, proceeds from the sale of these license plates, although it is not expected to be much, would be used to facilitate and encourage adoption as a positive choice for women with unplanned pregnancies.

There are countless stories across our great state of Alaskans whose lives have been positively impacted by adoption. Giving citizens the option of obtaining a license plate that celebrates this choice is commendable and has our full support.

Sincerely,

Jim Minnery – *President*

Alaska Family Council

PO Box 231425 Anchorage, AK 99523 907.317.7268

P.O. Box 830152
Ocala, Florida 34483-0152
Telephone: 352-624-2854
Email: russ@choose-life.org
Fax: (866) 850-8572

Choose Life, Inc.

February 15, 2011

Dear Rep. Charisse Millett:

Thank you for submitting legislation to allow an Alaska Choose Life license plate. And thank you for the opportunity to share what is happening around the US with this plate.

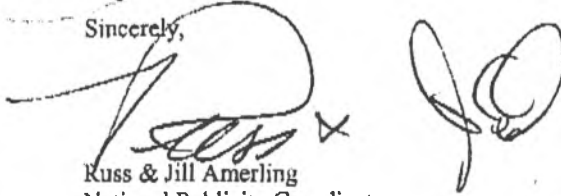
The first Choose Life license plate was approved in Florida and went on sale August 2000. Since that time 25 other states have approved the Choose Life license plate most of which allow some sort of fundraising with the plate. To date over \$13.5 million has been raised to support adoption thru "life affirming" non-profit agencies in those states.

Over 633,000 Choose Life plates have been sold/renewed and the message they send is helping promote a culture of life across the country.

My wife, Jill and I have been full time volunteers to this great cause since February 1998 and have logged over 200,000 miles in support of the plate. We were dubbed the "Johnny Appleseed" folks of the Choose Life license plate by a radio commentator in Washington, a title we wear proudly.

We strongly urge your colleagues to support and approve HB 111 creating a Choose Life license plate for the great state of Alaska.

Sincerely,



Russ & Jill Amerling
National Publicity Coordinators

Originators of the Choose Life license plate: www.choose-life.org

Summary of "Choose Life" License Plate Nationally

Victories, Legal Battles & Plates-in-Progress

August 11, 2000 – January 31, 2011

STATE	Date	Type	Lawsuits/Status	Annual Cost / Cause	# of Plates Sold / Renewed	TOTAL
VICTORIES	(Approved / Available Information)				633,155	\$13,602,096
ALABAMA	2002	L	None	\$50 / \$41.25	42,979	\$1,772,881
ARIZONA	2009	A	ADF sued the state and won.	\$25/\$17	1,540	\$26,180
ARKANSAS	2003	A	Individuals sued the state and then withdrew suit	\$35 / \$24.50	14,733	\$368,337
CONNECTICUT	2003	A	None	\$25 / \$20	1,302	\$23,965
DELAWARE	2010	A	None	\$20/\$20	278	\$5,520
FLORIDA	2000	L	NOW & WEN & CRR (3 suits all lost by opposition)	\$22 / \$20	385,838	\$7,716,756
GEORGIA	2006	L	None	\$25 / \$10	18,056	\$180,560
HAWAII	2002	A	None	\$25 / \$20	870	\$17,400
INDIANA	2006	A	None	\$40/\$25	7,926	\$198,150
KENTUCKY	2006	A	None	\$28/ \$10	11,228	\$112,282
LOUISIANA	2002	L	CRR/ (2 suits both lost by opposition)	\$56 / \$50 (every other year)	5,437	\$135,921
MARYLAND	2003	A	None	\$15 / \$15	3,806	\$57,090
MASSACHUSETTS	2010	A	None	\$40/\$28	2,400	\$67,200
MISSISSIPPI	2002	L	None	\$31 / \$24	83,332	\$1,999,968
MISSOURI	2009	A	ADF sued the state and won.	\$40/\$20	189	\$3,780
MONTANA	2004	A	None	\$20 / \$20	2,958	\$59,160
NEBRASKA	2011	a	None	\$70/Need to pre-sell 500 plates	126	\$0-
NEW JERSEY	2010	A	ADF for CFF sued, Gov Christie approved plate	\$25/\$20	112	\$2,240
NORTH DAKOTA	2010	A	None Pre-selling the requisite 50 plates.	\$25/\$25	33	\$650
OHIO	2005	L	ACLU/NARAL sued and then withdrew suit.	\$30 / \$20	11,821	\$236,420
OKLAHOMA	2003	L/A	CRR (Part of suit still in court)	\$35 / \$20	3,535	\$70,693
PENNSYLVANIA	2006	A	None	\$44/\$20	814	\$16,280
SOUTH CAROLINA	2008	A	PP sued & won, we changed law & plate approved.	\$25/\$15	754	\$13,187
SOUTH DAKOTA	2004	A	None	\$50 (one time fee)	272	\$6,800
TENNESSEE	2004	L	ACLU sued & lost.	\$35/\$15.62	29,622	\$462,696
VIRGINIA	2009	L	None	\$25/\$15	3,196	\$47,940

Legends:

Type of approval process: L=Legislative & A=Administrative

ADF Alliance Defense Fund

PP Planned Parenthood

CRR Center for Reproductive Rights, fka CRLP Center for Reproductive Law & Policy

NARAL National Abortion Rights Action League

ACLU American Civil Liberties Union

NOW National Organization of Women

WEN Women's Emergency Network

ONGOING LEGAL BATTLES (Plate applications met requirements but our applications were rejected and suits were filed)

<u>STATE</u>	<u>Date</u>	<u>Type</u>	<u>Current Status</u>
NEW YORK		A	<u>ADF for CFF nvchoose-life.org has sued for discrimination & won 2 hearings in Federal court, asked for summary judgment.</u>

Go to www.choose-life.org and click on Other States for more information)

<u>STATE</u>	<u>Type</u>	<u>Current Status</u>
ALASKA	1	<u>Choose Life Committee SB 16 filed by Senator Kevin Meyer Jan 2011</u>
CALIFORNIA	2005	<u>A Committee forming for possible attempt in 2011.</u>
COLORADO	L	<u>Choose Life Colorado formed, but nothing is moving, will try to set up meeting.</u>
IDAHO	L	<u>Nothing moving, will try to set meeting when possible</u>
ILLINOIS	2009	<u>A Committee re-applied in 2011.</u>
IOWA	A	<u>Iowa Right to Life Committee formed, nothing moving, will try to set up a meeting</u>
KANSAS	L	<u>Committee formed, pro-life Governor elected, but no plans yet to apply in 2011.</u>
MAINE	L	<u>Committee formed will apply in 2011.</u>
MICHIGAN	L	<u>Committee forming, nothing moving yet, got pro-life governor for 2011.</u>
MINNESOTA	L	<u>Choose Life bill filed in 2011.</u>
NEVADA	A	<u>Committee working to get the requisite number of plates pre-sold to apply for the plate.</u>
NEW HAMPSHIRE	L	<u>Nothing moving</u>
NEW MEXICO	2010	<u>1 Committee working to re-apply, possibly in 2011.</u>
NORTH CAROLINA	L	<u>Carolina Pregnancy Care Fellowship, Inc. re-applying in 2011, many pro-life legislators elected this year.</u>
OREGON	L	<u>Choose Life corporation formed, but died when president moved to CA. Talking to several folks now, but nothing happening.</u>
RHODE ISLAND	L	<u>Committee formed and will apply in 2011</u>
TEXAS	L	<u>Texas Alliance for Life is leading the effort to get the Choose Life plate approved, will apply in 2011 see www.txchoose-life.org.</u>
UTAH	A	<u>Committee set up, nothing moving at this time, got a pro-life governor elected for 2011.</u>
VERMONT	L	<u>Nothing moving</u>
WASHINGTON	A	<u>Choose Life Washington, Inc. working on gathering requisite number of apps, but not much activity.</u>
WISCONSIN	L	<u>Committee formed, will submit bill in 2011.</u>
WYOMING	L	<u>Nothing moving.</u>

Go to Newsletter at the Choose Life web site www.choose-life.org/newsletter.html or www.choose-life.org/states.htm for more information.
Russ & Jill Amerling, National Publicity Coordinators; PO Box 830152; Ocala, FL 34483; Toll Free (877) 454-1203 email: russ@choose-life.org.

Updated: 2-14-2011



February 16, 2011

Representative Charisse Millett
State Capitol, Room 13
Juneau, AK 99911

Dear Representative Millett:

Thank you for introducing HB 111, a companion bill to Senator Meyers SB 16, which would allow "Choose Life" license plates to be issued by the State. We, the Alaska Catholic Conference of Bishops (ACCB), support this important proposed legislation and your efforts to recognize, both life and adoption in this visible way. If the entire pro-life community in Alaska purchased this license plate for their cars, imagine the visible daily witness on our streets.

We were pleased to see the legislation requires any additional revenues collected, in excess of the cost of producing the license plates, may be appropriated by the legislature to programs that promote adoption here in Alaska. Anything that raises the awareness of adoption is beneficial. All possible means of encouraging women who experience an unintended pregnancy to consider adoption over abortion are of benefit. Nothing should ever be discounted. A "choose life" license plate seen in passing might make a difference in life or death for a baby. Additionally, programs that promote adoption are continually underfunded. Any additional revenue that could support this effort would help.

If we can be of any assistance in promoting either of these bills, please do not hesitate to contact our office. Thank you for your efforts on promoting a culture of life for our most vulnerable.

Sincerely,

Three handwritten signatures in black ink. The first is "+Roger L. Schwietz", the second is "Donald Kettler", and the third is "+Edward J. Burns".

+Roger L. Schwietz, OMI
Archbishop of Anchorage

+Donald Kettler
Bishop of Fairbanks

+Edward J. Burns
Bishop of Juneau

cc: Senator Kevin Meyers

Archdiocese of Anchorage Diocese of Fairbanks Diocese of Juneau
225 Cordova Street, Anchorage, AK 99501
Phone: 907-297-7744 Fax: 907-279-3885



February 16, 2011

AMERICAN CIVIL
LIBERTIES UNION OF
ALASKA
1057 W. Fireweed, Suite 207
Anchorage, AK 99503
(907) 258-0044
(907) 258-0288 (fax)
WWW.AKCLU.ORG

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GALEN PAINE, Sitka
STEPHANIE PAWLOWSKI, Anchorage
JUNE PINNELL-STEPHENS, Fairbanks
NADINE WINTERS, Fairbanks

ZACH FICK, Anchorage
STUDENT ADVISOR

The Honorable Bob Lynn, Chair
The Honorable Wes Keller, Vice-Chair
House State Affairs Committee
Alaska State House of Representatives
State Capitol, Room 106
Juneau, AK 99801

via email: [Representative Bob Lynn@legis.state.ak.us](mailto:Representative_Bob_Lynn@legis.state.ak.us);
[Representative Wes Keller@legis.state.ak.us](mailto:Representative_Wes_Keller@legis.state.ak.us)

Re: House Bill 111 – “Choose Life” License Plates
Constitutional Issues

Chair Lynn, Vice-Chair Keller:

Thank you for the opportunity to submit written testimony regarding House Bill 111, regarding Special Request “Choose Life” License Plates.

The American Civil Liberties Union of Alaska represents thousands of members and activists throughout the State of Alaska who seek to preserve and expand individual freedoms and civil liberties guaranteed under the United States and Alaska Constitutions. From that perspective, we wish to alert the Committee to potential constitutional issues which could arise with respect to this proposed legislation.

Government Viewpoint Neutrality Required

If a State chooses to introduce a system for creation of optional license plates, the State must have a viewpoint neutral process for determining how applications for optional license plate formats would be adopted.

For instance, a Missouri agency that regulated specialty license plates could not refuse to create a “Choose Life” license plate simply because such license plates made members of the committee uncomfortable. *Roach v. Stouffer*, 560 F.3d 860 (8th Cir. 2009).

While the license plates are theoretically "owned" by the state, these "message" plates consist of mixed government and individual speech. The plates constitute government speech, insofar as the government imposes general editorial control over the license plate content. They are individual speech insofar as a non-state group may propose a specialized plate format and the individual driver chooses to espouse the message.

Given the personal speech interests at stake, the government may not pick and choose among causes and messages it supports in adopting such optional license plates.

In a case directly on point, South Carolina adopted a "Choose Life" license plate by statute. Refusal of the state to authorize a pro-choice themed license plate constituted direct viewpoint discrimination and violated the First Amendment. *Planned Parenthood of South Carolina Inc. v. Rose*, 361 F.3d 786 (4th Cir. 2004).

Conclusion

We hope that the State Affairs Committee will note the constitutional issues that can arise when "message" plates are approved, and we presume that the State of Alaska would follow constitutional mandates in establishing a process for approval of additional messages.

Please feel free to contact the undersigned should you require any additional information. We are happy to reply to any questions that may arise either through written or verbal testimony, or to answer informally any questions which Members of the Committee may have.

Thank you again for the opportunity to share our concerns.

Sincerely,



Jeffrey Mittman
Executive Director
ACLU of Alaska

cc: Representative Paul Seaton, [Representative Paul Seaton@legis.state.ak.us](mailto:Representative_Paul_Seaton@legis.state.ak.us)
Representative Peggy Wilson; [Representative Peggy Wilson@legis.state.ak.us](mailto:Representative_Peggy_Wilson@legis.state.ak.us)
Representative Max Gruenberg; [Representative Max Gruenberg@legis.state.ak.us](mailto:Representative_Max_Gruenberg@legis.state.ak.us)
Representative Pete Petersen; [Representative Pete Petersen@legis.state.ak.us](mailto:Representative_Pete_Petersen@legis.state.ak.us)
Representative Kyle Johansen; [Representative Kyle Johansen@legis.state.ak.us](mailto:Representative_Kyle_Johansen@legis.state.ak.us)
Representative Charisse Millett-Sponsor, [Representative Charisse Millett@legis.state.ak.us](mailto:Representative_Charisse_Millet@legis.state.ak.us)

Alaska Legislature

Representative Charisse Millett

Session:

State Capitol Building, Room 13
Juneau, AK 99801
Phone (907) 465-3879
Fax (907) 465-2069



Interim:

Anchorage LIO
716 W 4th Ave., Room 630
Anchorage, AK 99501
Phone (907) 269-0222
Fax (907) 269-0223

District 30

Version: 27-LS0385\A

HB 111

Sponsor Statement

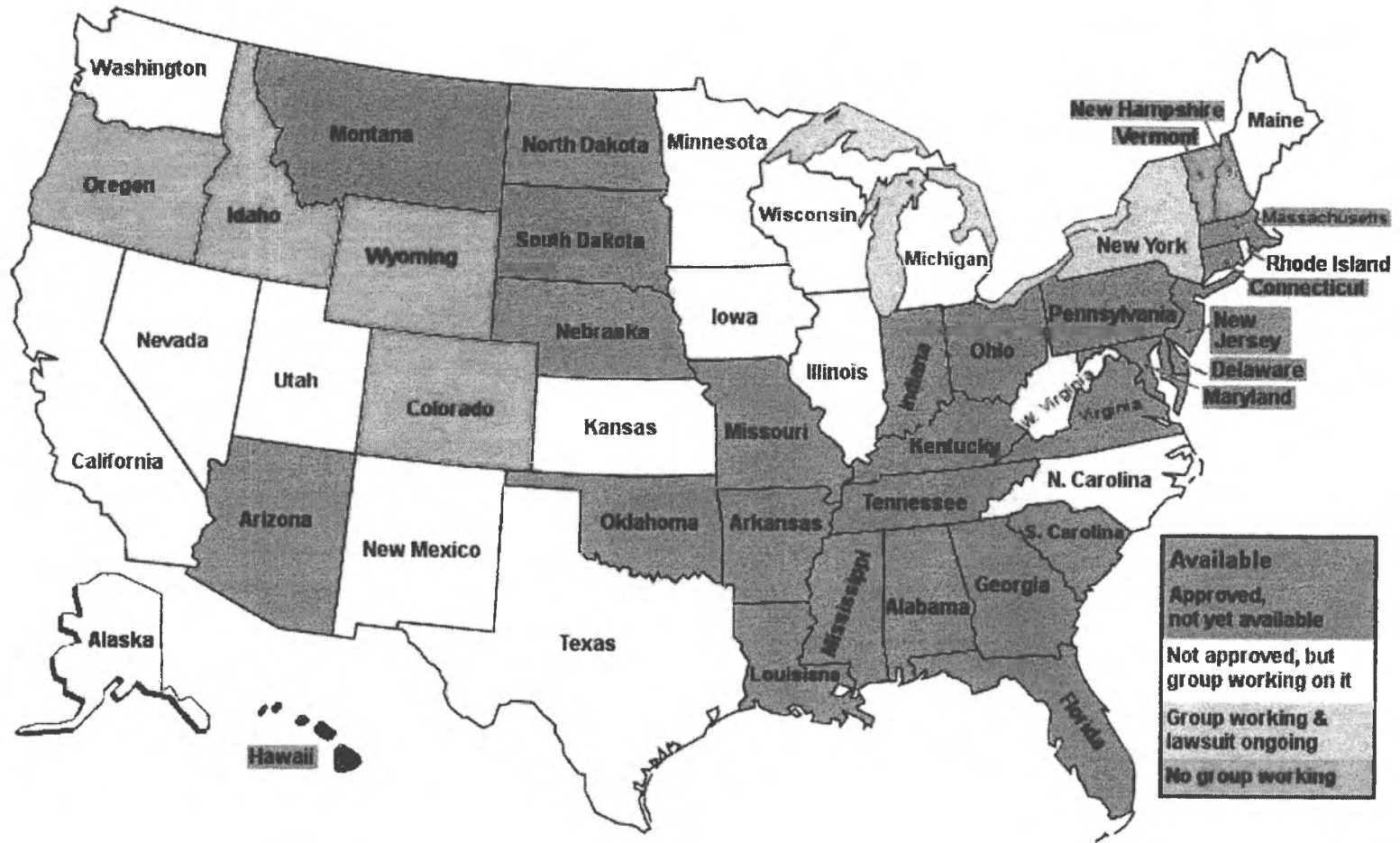
"An Act relating to special request choose life license plates; and providing for an effective date."

House Bill 111 would allow the State of Alaska to issue special license plates bearing the message "Choose Life" for a fee. There are 26 states allowing their Department of Motor Vehicles to issue this type of license plate and 15 more states are considering legislation to do the same.

The Alaska Department of Motor Vehicles already issues special interest license plates for the military, the Iditarod Sled Dog Race, historic vehicles, the Children's Trust and many other groups and organizations. All specialty plates are optional and cost the vehicle owner a \$30 fee.

If HB 111 passes, the design will be determined by the DMV and representatives from Alaska Choose Life. The plates will only be available to individuals with a vehicle registered in Alaska. If there is any revenue left over after covering expenses the legislature can appropriate the excess revenue to programs that support adoption.

CHOOSE LIFE LICENSE PLATE BY STATE



<http://www.choose-life.org/>

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number _____
 Bill Version HB 111 A
 () Publish Date _____

Identifier (file name) HB111-STA-DOA-DMV-02-11-11 Dept. Affected Administration
 Title Choose Life License Plates Appropriation Motor Vehicles
 Allocation Motor Vehicles
 Sponsor Rep. MILLET, Lynn, Peggy Wilson, Keller
 Requester STA OMB Component Number 2348

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES							
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES							
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CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other (please identify)							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable, initial version

Prepared by Whitney Brewster
 Division Motor Vehicles
 Approved by John Cramer, Deputy Administrator
Department of Administration

Phone 907-269-5574
 Date/Time 2/11/11 3:00 PM
 Date 2/11/2011

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. HB 111

Analysis

This bill has no fiscal impact on the Division of Motor Vehicles (DMV).

**Alaska Legislature
Representative Charisse Millett**

Session:
State Capitol Building, Room 13
Juneau, AK 99801
Phone (907) 465-3879
Fax (907) 465-2069



Interim:
Anchorage LIO
716 W 4th Ave., Room 630
Anchorage, AK 99501
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MEMORANDUM

To: Rep. ~~Bob~~ Lynn
From: Rep. Charisse Millett
Subject: Scheduling request for HB 111
Date: Friday, January 28, 2011

I respectfully request a hearing before the House State Affairs Committee on House Bill 111.

All the necessary documents are included in this scheduling request.

Jeff Turner is the staffer assigned to this legislation and he can be reached at (907) 465-6588.

Thank you

Charisse