

To Members of the Senate Labor & Commerce Committee
Senators Costello, Hughes, Meyer, Stevens, Gardner

**TIME CRITICAL: PLEASE READ AND PLACE IN THE RECORD FOR SENATE
BILL 45**

**Public Written Testimony
Senate Bill 45**

My Name is James Squyres, I live in Rural Deltana, I am a constituent of Senator Michael Dunleavy. This is the Bill that will not go away. It was here in this committee in the 28th Legislature when Senator Dunleavy was Chair. It was active over in the House in the 29th Legislature and here it is again in the 30th Legislature. If this were a great bill it would have gone through long ago. I call this the “Contractor Lobby Bill” because the Contractor Lobby generously gives to political campaigns across the spectrum as well as Legislators in the Senate Labor & Commerce Committee. The Alaska State Home Building Association indicates on their website that they are an AGGRESSIVE ASSOCIATION RUN FOR THE MEMBERSHIP. Cross checking the Board of Directors off their website here <http://buildersofalaska.com/board-of-directors/> with APOC records and the Alaska State Home Building Association Build-PAC contributors and donations to candidates starts to untangle the huge and complex web of influence that tends to subvert Article I, Section 2 of the Alaska Constitution. You have been hearing testimony for this bill from key donors and components of this contractors lobby. This bill is OPPOSED by grass roots liberty minded Article I, Section 2 Alaskans that are fatigued from fighting and are grossly outmatched in this legislative process. One of the supporters of this Bill last year who we may still hear from gave over \$5,950 during the 2014 campaign season... ..and that does not include his wife. Lots of PAC monies can be traced from numerous individual supporters for this bill over the years into numerous campaigns.

“Committee Sponsorship” in Question

Now I see this year that the bill is sponsored by the “Senate Labor & Commerce Committee” . Myself, and many Alaskans, have a problem with “Committee Sponsored” Bills, and if any of you saw the “food fight” that took place on the House Floor over the introduction of HB111 you would know what I mean. Alaska Statute 24.08.060 Introduction of Bills (a) states “A member of the legislature or a committee chairman, with the concurrence of a majority of the active members of the committee and on behalf of the committee, may introduce a bill or resolution.” Yet when I call the Chair of this committee's office I get the evasive run-a-round on who, exactly, made up that “consensus of the majority”. Two member's offices that I polled said they specifically DID NOT give concurrence and at third indicated that he was not consulted prior to the Bill's introduction, the forth did not reply to my inquiries at all. This process is a direct obstruction of transparency and evasively maneuvers around the plain language of AS 24.08.060(a). Laws are supposed to say what they mean and mean what they say and it would make sense for a Chair to actually check with the members and obtain and

document this required “concurrence” making it available to Alaskans on request if not put into the public record. It is apparent there is a defect in the introduction of this bill.

Problem with the bill itself

This Bill has turned into a “litmus test” of liberty because what it is asking Alaskans to do is to fill out yet another form in our bureaucratic lives and submit it to the Department of Commerce, Enforcement, for scrutiny. That is the liberty bite. Present yourselves for inspection. Testimony of proponents of this bill, questions by some legislators and a general overtone, in spite of the intent language in the bill seems to make this a referendum against owner built homes, period. That should not be the case. The current statute allows owner builders to build a structure every two years. Sb 45l adds the “complete the form” requirement which increases the size, largess, footprint and overreach of government along with increased regulation and yes, a fiscal note, which I will go into in a moment. Most, if not all, of the reported problems over the last number of years involved the organized areas of the state with only POMPOUS speculation on the effects of the unorganized parts of the state by folks who did not have to go through the recent cold snap that dropped to -55 in our area. Testimony By Paul Michelsohn, who came on like a hired gun, did not even know that EVERYONE who owner builds a structure and sells it within two years must fill out the “FORM” and submit it, not just the guilty ones, or as he puts it the ones who “walk and quack like a duck”. How demeaning this is to the sourdough rough & tough real Alaskans who have built their own structure and survive out here in the more remote parts of this state under extreme conditions. Mr Michelsohn, with the national experience he touts, is apparently used to a world full of more rules and fairer weather where he pretty much took pride in disclosing other states where owner builders are prohibited by law from building their own house.

Problem with the fiscal note

This is a time of recession and fiscal crisis for this state. SB 45 requires the new “FORM” to be completed. Most people, in places like Circle, Eagle, Tok, and Delta just to name a few, will have NO idea that any form needs to be completed with out an educational effort by Department of Commerce to bring public awareness of this new and onerous obligation, an obligation, if not fulfilled by Alaskans who are not contractors in any form or fashion, will have to complete or they may unknowingly be in violation of the law. If some of the folks who testified for SB 45l had their way there would be stiff fines for non-compliance. Their agenda is clear and I have no doubt they will aggressively pursue it. By it's very nature a new program to educate for compliance defines a fiscal note on it's face and that is before the first new additional bit of data that the Department of Commerce receives that must now be processed, scrutinized and potentially investigated with the possibility of substantial travel to remote places. To say that there is no fiscal note with this bill is completely and utterly false.

Recommendations

- 1) This Bill should be removed and re-introduced only if someone wants to claim personal sponsorship. I believe there was a defect in its committee sponsorship and will continue my investigation, if necessary. I call on members of this committee to introduce separate legislation to correct this lack of transparency, It should require a committee

chair to produce evidence of a “concurrence of the majority” BEFORE a bill is introduced by the committee. Lack of transparency smacks of political cover.

- 2) Should the Chair desire to move this bill I ask that an objection be made and held for a ROLL CALL VOTE. I suggest all members of this committee to vote SB 45 down. You do not want to be complicit to the movement of a bill that casts an onerous net of compliance over every far corner of the state when the areas reporting the cases of current noncompliance can best be sorted out through ordinances in the organized boroughs.

That concludes my written testimony,

James Squyres
Rural Deltana