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Sponsor Statement

Senate Bill 137

"An Act extending the termination date of the Boards of Direct-Entry Midwives, Nursing, and Parole; and providing for an effective date."

Senate Bill 137 proposes to extend the sunset date of the Boards of Direct-Entry Midwifery, Nursing, and Veterinary Examiners, by six years and to extend the sunset date of the Board of Parole by four years.

Last year, the State Division of Legislative Audit completed sunset audits of the Boards of Direct-Entry Midwives, Nursing, Veterinary Examiners, and Parole. Each of these boards are set by statute to sunset on June 30, 2025.

The audit of the Board of Certified Direct-Entry Midwives concluded that the Board served the public's interest by conducting meetings in accordance with state law; actively amending regulations to enhance public safety and improve the certification process; and generally certifying midwives in compliance with state law.

The audit concluded that documentation improvements to the certification process should be addressed by the Board of Midwives. Furthermore, the audit found that the board did not audit compliance with certification renewal requirements in a timely manner due to changes in management and staff shortages. A change to national certification regulations occurred during the audit period. This change further increased the cost of state certification when the midwives already had one of the highest licensure/certification fees of any occupation.

The audit of the Board of Nursing determined that the board has operated in the public's interest by conducting meetings in an effective manner, actively amending nursing regulations, and effectively licensing nursing professionals.

The audit noted that board related cases were not consistently investigated in a timely manner, and one board position had been vacant for an extended period.

The audit of the Board of Veterinary Examiners determined that overall, the Board has operated in the public's interest by conducting meetings in an effective manner; actively amending regulations to address statutory changes, protect the public, and improve the licensing process; and effectively licensing veterinary professionals.

Our auditor made note of three issues which should be addressed by the Board as it moves forward. First, the audit concluded that board-related cases were not consistently investigated in a timely manner. Second, two board positions had expired terms, and as of January 31, 2024, one board position had been vacant for 31 months. Third, the audit found that the final version of regulation changes published in 2023 was not reviewed or approved by the board.

The audits of the Board of Direct-Entry Midwives, the Board of Nursing, and the Board of Veterinary Examiners each recommend a six-year extension for their respective boards.

To allow the Board of Direct-Entry Midwives, the Board of Nursing, and the Board of Veterinary Examiners to continue working in the public interest while remaining subject to continued routine legislative oversight, SB 137 follows the recommended six-year extension for each of these boards to June 30, 2031.

The audit of the Board of Parole concluded that the board generally complied with State law when conducting meetings, setting parole conditions, holding hearings, and granting discretionary parole; albeit, at a much lower rate than it granted before criminal justice reform.

The audit further found that the board's fiscal note for House Bill 49 (repealing justice reform) did not decrease staff positions even though the bill would clearly reduce the board's workload. The audit found the continued need for five board staff to be questionable given the board's workload reverted to pre-reform levels. The audit also noted that the board and Department of Corrections management did not update regulations in a timely manner.

SB 137 follows the recommended four-year extension to June 30, 2029, reflecting the need for more timely legislative oversight of the unexplained decrease in the parole approval rate, unjustified staff positions, and outdated regulations.