

**ALASKA STATE LEGISLATURE  
HOUSE RULES STANDING COMMITTEE**

February 5, 2002

3:02 p.m.

**MEMBERS PRESENT**

Representative Pete Kott, Chair  
Representative Brian Porter  
Representative Vic Kohring  
Representative Lesil McGuire  
Representative Reggie Joule

**MEMBERS ABSENT**

Representative Carl Morgan  
Representative Ethan Berkowitz

**COMMITTEE CALENDAR**

CONTRACT AMENDMENT FOR RON SOMERVILLE

- CONTRACT APPROVED

**PREVIOUS ACTION**

No previous action to record

**WITNESS REGISTER**

TED POPLEY

Senate/House Majority Legal Office  
Alaska State Legislature  
Capitol Building, Room 116  
Juneau, Alaska 99801

POSITION STATEMENT: Provided information regarding Mr.  
Somerville's work.

**ACTION NARRATIVE**

TAPE 02-1, SIDE A  
Number 0001

CHAIR PETE KOTT called the House Rules Standing Committee meeting to order at 3:02 p.m. Representatives Kott, Porter, Kohring, and Joule were present at the call to order. Representative McGuire arrived as the meeting was in progress.

[Note that the counter numbers indicate the elapsed time.]

CONTRACT AMENDMENT FOR RON SOMERVILLE

TED POPLEY, Senate/House Majority Legal Office, noted that he is the Project Director for the contract with Mr. Somerville, who has been on contract with the legislature for some time now. Before the committee is the extension of Mr. Somerville's contract by one year. Mr. Somerville's work primarily deals with state and federal resource issues for the House. Mr. Somerville's work is fairly widespread in that he advises committees, individual legislators, Mr. Popley, and the Speaker of the House on matters relating to access issues, rights-of-way, water rights, the submerged lands issues, navigability determinations, and many other issues.

MR. POPLEY explained that Mr. Somerville is a paid consultant that works on an hourly basis. Mr. Somerville reports directly to Mr. Popley, the chair of the [House] Rules Standing Committee, and the Speaker of the House. Mr. Popley informed the committee that Mr. Somerville generally bills less time than the contract allows. Mr. Somerville's contract expired January 20, 2002, and thus the [contract] before the committee would extend Mr. Somerville's contract through the remainder of the calendar year.

02.2

CHAIR KOTT recalled that [Mr. Somerville] generates a report that is sent to Mr. Popley and the Speaker regarding Mr. Somerville's projects. Chair Kott pointed out that the amended contract amount is not to exceed [\$50,000].

REPRESENTATIVE JOULE related his understanding that this contract would be extended to 2003.

MR. POPLEY explained that the contract amount would [not exceed] \$50,000 between January 20, 2002, and January 2003.

03.7

REPRESENTATIVE JOULE inquired as to what Mr. Somerville would be working on this year.

MR. POPLEY informed the committee that Mr. Somerville is currently working on a variety issues with the [House] Resources

Standing Committee as well as with House Majority members. Mr. Somerville is working on water rights legislation and submerged lands issues, including a navigability commission that would be a joint federal [and state] commission to better establish a list of navigable waters within the state. Currently, Mr. Somerville is working on access-related issues such as those lands involved in ANCSA [Alaska Native Claims Settlement Act] 17(b) easement issues and R.S.2477 rights-of-way issues. Additionally, session always brings surprises and thus he was confident that there would be many resource issues arising that Mr. Somerville would also be assigned between now and the end of session.

05.1

REPRESENTATIVE JOULE recalled last year's meeting on Mr. Somerville's contract during which the question regarding who Mr. Somerville works for, the Majority or the legislature, was posed. He recalled that the answer was that Mr. Somerville works for the legislature.

MR. POPLEY answered that technically Mr. Somerville does work for the legislature.

REPRESENTATIVE JOULE recalled the testimony that Mr. Somerville is working on certain items for the Majority. Therefore, Representative Joule wondered if those [not in] the Majority would be able to view those items because they may have interest in them as well.

MR. POPLEY replied yes, and stated that Mr. Somerville is available to any member seeking his consulting skills. In the past, Mr. Somerville has provided periodic reports to the Minority leader and provided summaries and work descriptions for some of the issues he is working on as well. Mr. Popley emphasized that Mr. Somerville is available, available upon request.

06.3

REPRESENTATIVE JOULE turned to the issue of subsistence.

MR. POPLEY acknowledged that subsistence is an issue that will inevitably arise again. He noted that he would turn to Mr. Somerville for advise and council on subsistence, and he was sure that other members of the House would do so as well.

REPRESENTATIVE JOULE inquired as to why this contract is before the House Rules Standing Committee rather than the Joint Committee on Legislative Council.

CHAIR KOTT related his understanding that anything beyond \$25,000 has to be [approved] by House Rules Standing Committee.

07.2

REPRESENTATIVE PORTER moved that the committee approve the contract extension for Mr. Somerville.

REPRESENTATIVE JOULE objected. Representative Joule noted that he has never asked Mr. Somerville to do anything. Therefore, he remarked that perhaps he would have to just do so at some point.

CHAIR KOTT pointed out that if this contract isn't adopted, Representative Joule wouldn't have the opportunity to request Mr. Somerville's services.

08.8

REPRESENTATIVE PORTER informed the committee that Mr. Somerville is our point person in trying to establish a joint commission on navigable waters and submerged lands. The resolution of this issue is of great significance for the state. Representative Porter said, "I assure you that regardless of Mr. Somerville's opinion on any particular point ... he's very good at following direction." He pointed to the subsistence amendment that the House passed while Mr. Somerville was on contract. Mr. Somerville's advice on the law in that area [was helpful].

REPRESENTATIVE JOULE related his belief that [the legislature] is going to address [subsistence] again. He noted that he is thinking about upcoming opportunities.

The committee took an at-ease from 3:17 p.m. to 3:18 p.m.

12.0

CHAIR KOTT inquired as to whether Representative Joule maintained his objection.

REPRESENTATIVE JOULE announced that although he recognized that he could maintain his objection, he would withdraw it.

Therefore, there being no objection, Mr. Somerville's amended contract was approved.

**ADJOURNMENT**

There being no further business before the committee, the House Rules Standing Committee meeting was adjourned at 3:20 p.m.