

**ALASKA STATE LEGISLATURE
JOINT MEETING
ADMINISTRATIVE REGULATION REVIEW
May 1, 2001
4:25 p.m.**

HOUSE MEMBERS PRESENT

Representative Lesil McGuire, Chair
Representative Jeannette James
Representative Joe Hayes

HOUSE MEMBERS ABSENT

All members present

SENATE MEMBERS PRESENT

Senator Robin Taylor, Vice Chair
Senator Lyda Green
Senator Georgianna Lincoln

SENATE MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

Continued Review of New Mariculture Regulations

PREVIOUS ACTION

No previous action to record

WITNESS REGISTER

No witnesses to record

ACTION NARRATIVE

TAPE 01-12, SIDE A
Number 0001

CHAIR LESIL MCGUIRE reconvened the Joint Committee on Administrative Regulation Review [recessed on April 24, 2001] at 4:25 p.m. Members present at the call to order were

Representatives McGuire, James, and Hayes. Senators Taylor, Green, and Lincoln joined the meeting as it was in progress.

CHAIR MCGUIRE expressed the committee's intent to remain active during the interim; the committee is the only oversight and link to the departments. Her aide, Jim Pound, will contact members to arrange meetings. Some of these meetings may be via teleconference. A letter from Chair McGuire will be circulated among all members of the House and Senate requesting legislators pay particular attention to regulations that come out pertaining to their area of expertise or that are promulgated to carry out any of their legislation. She plans to actively engage the legislature in [this process] to continue Representative James' work.

CHAIR MCGUIRE announced there would be no testimony today, because the committee is well versed in all sides of the issue of mariculture regulation. The committee is awaiting a response to its letter to Lieutenant Governor Ulmer. "The ball is ... in her court," noted Chair McGuire. She thanked the department and participants for their time and cooperation.

Number 0434

CHAIR MCGUIRE noted that she was making new information [unspecified] available to all participants. She reiterated there would be no testimony, including testimony via teleconference. She reminded members that the last meeting was recessed in order to solicit testimony from Steve McGee and Bob Piorkowski of the department regarding the policies that had been carried out. However, both have chosen not to testify as a result of advice received from attorneys in the Department of Law.

CHAIR MCGUIRE stated she had chosen not to subpoena them because she thought that adversarial. There is a process going on in court, and she is sensitive to those interests. She is, however, disappointed and knows other members are as well. Every member has a copy of the letter sent to Lieutenant Governor Ulmer. She noted that Senator Lincoln was the only member who did not sign the letter. The letter addresses some serious concerns the committee has with the department. The committee respects the work the department has done and that the public comment period was extended.

CHAIR MCGUIRE indicated that [the signers] have some concerns, however, that have not been addressed. One concern is with the department's putting regulations into effect that are problematic and that these regulations may result in litigation and cost the state, taxpayers, and stakeholders. [The signers] believe these regulations do not accurately reflect the intent of the statute.

Number 0702

CHAIR MCGUIRE recounted that the committee had expressed concerns about rate increases at the Alaska Pioneers' Home to the Department of Administration. Those concerns still exist among many committee members.

CHAIR MCGUIRE continued:

The committee members believe that it's pretty clearly outlined in the statute that our intent is not to have seniors pay the full cost. However, that said, it does appear that until we solve that overarching problem of the [Pioneers'] Homes in general, as to how they stay financially stable, there really isn't anything for us to do.

CHAIR MCGUIRE encouraged members to think about solutions during the interim.

Number 0849

SENATOR TAYLOR thanked Chair McGuire for her work as chair of the committee. He noted his understanding that the trial was resolved, and a decision by the court on aquaculture litigation is being awaited. He said:

I find it shocking that the department would be unwilling to provide those two witnesses We have a public process here so that this legislature can find out that type of information and use it for the benefit of the state to correct things that we know or find that we need to correct.

SENATOR TAYLOR stated he thought it likely to see legislation on this issue unless it is resolved in such a manner that "people can proceed to do things."

Number 1005

SENATOR GREEN remarked that the Senate Health, Education and Social Services Committee would be looking at Medicaid, the reauthorization of welfare, the certificate-of-need process, and other factors contributing to higher costs in Alaska. Projections show that by 2009, Medicaid alone will be in excess of \$1 billion in the state. Many other things could be done if a solution to health care funding could be found. She stated her belief that the regulatory side would become an issue in the future.

Number 1157

REPRESENTATIVE JAMES thanked the chair, committee members, and public for their participation. She offered her opinion that writing regulations is the worst job anyone has in the administration. It is controversial, but no one has figured out how to get around it. She believes there must be a solution. She continued, "It is a real trial, and who is ... really being the victim in this case? ... [The victim] is the general public in this case."

Number 1305

SENATOR LINCOLN expressed her appreciation to Chair McGuire for her willingness to hear from both sides.

ADJOURNMENT

There being no further business before the committee, the Joint Committee on Administrative Regulation Review meeting was adjourned at 4:46 p.m.