ALASKA STATE LEGISLATURE
SENATE JUDICIARY COMMITTEE
April 9, 2001
4:43 p.m.

MEMBERS PRESENT

Senator Robin Taylor, Chair
Senator Dave Donley, Vice Chair
Senator John Cowdery
Senator Gene Therriault

MEMBERS ABSENT

Senator Johnny Ellis

COMMITTEE CALENDAR

SENATE CS FOR CS FOR SS FOR HOUSE BILL NO. 13(CRA)
"An Act relating to municipal service areas and providing for voter approval of the formation, alteration, or abolishment of certain service areas."
MOVED SCS CSSSHB 13 (JUD) OUT OF COMMITTEE

SENATE JOINT RESOLUTION NO. 22
Proposing an amendment to the Constitution of the State of Alaska relating to the retention elections for justices of the Alaska supreme court and judges of the superior court.
MOVED CSSJR 22 (JUD) OUT OF COMMITTEE

SENATE BILL NO. 161
"An Act relating to the withholding of salary of justices, judges, and magistrates; relating to requiring prompt decisions by justices, judges, and magistrates; and relating to judicial retention elections for judicial officers."
HEARD AND HELD

CS FOR SENATE BILL NO. 91(HES)
"An Act relating to information and services available to pregnant women and other persons; and ensuring informed consent before an abortion may be performed, except in cases of medical emergency."
HEARD AND HELD

SENATE BILL NO. 166
"An Act relating to the time of filling by appointment a vacancy in the office of United States senator."
MOVED SB 166 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

HB 13 - See Community and Regional Affairs minutes dated 3/19/01 and Judiciary minutes dated 4/2/01.

SJR 22 - See Judiciary minutes 4/2/01.

WITNESS REGISTER

Ms. Patricia Swenson
Staff aid to Representative Bunde
Alaska State Capitol
Juneau, Alaska 99801-1182
POSITION STATEMENT: Testified on HB 13

Ms. Stephanie Cole, Administrative Director
Alaska Court System
303 K Street
Anchorage, Alaska 99501-2084
POSITION STATEMENT: Opposed to SJR 22

Ms. Sandra Altland
Staff aid to Senator Ward
Alaska State Capitol
Juneau, Alaska 99801-1182
POSITION STATEMENT: Introduced SB 91

Dr. Bob Johnson
PO Box 945
Kodiak, Alaska 99615-0945
POSITION STATEMENT: Opposed to SB 91

Ms. Karen VosBurgh
Alaska Right to Life
PO Box 1847
Palmer, Alaska 99645
POSITION STATEMENT: Supported SB 91

Ms. Christina Talbott
535 Harris Street
Juneau, Alaska 99801
POSITION STATEMENT: Testified on SB 91

Ms. Karen Pearson, Director
Division of Public Health
Department of Health &
Social Services
PO Box 110601

Juneau, Alaska 99801-0601
POSITION STATEMENT: Testified on SB 91

Ms. Jennifer Rudinger, Executive Director
Alaska Civil Liberties
Anchorage, Alaska
POSITION STATEMENT: Deferred testimony on SB 91 to a later date.

ACTION NARRATIVE

TAPE 01-16, SIDE A
Number 001

CHAIRMAN ROBIN TAYLOR called the Senate Judiciary Committee meeting to order at 4:43 p.m. Senator Donley, Senator Cowdery, and Chairman Taylor were present. Senator Therriault arrived at 4:44 p.m. Chairman Taylor announced the first order of business would be HB 13.

#HB 13

HB 13-SERVICE AREAS: VOTER APPROVAL/TAX ZONES

SENATOR DONLEY moved to adopt SCS CSSSHB 13 as the working draft for the committee. There being no objection, SCS CSSSHB 13 was adopted.

MS. PATTY SWENSON, staff to Representative Bunde, said the only change in the SCS to CSHB 13 was on page 2, lines 27 through 28. The change says that taxes levied within a differential tax zone may only be used for the services provided in that tax zone. During the last judiciary meeting there was a discussion about whether a differential service area could levy a one mill tax for a specific purpose that may only cost one quarter mill with the difference being used in another part of the tax zone. This version of HB 13 would prevent that from happening.

SENATOR THERRIAULT said he had worked with Representative Bunde in resolving this problem and was happy with the outcome.

SENATOR DONLEY moved SCS CSSSHB 13 from committee with individual recommendations. There being no objection, SCS CSSSHB 13 (JUD) moved from committee.
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#SJR 22

SJR 22-CONST. AM: JUDICIAL OFFICERS' TERMS

SENATOR DONLEY said the CS for SJR 22 would change judiciary terms in the constitution to six years for a supreme court justice and four years for a superior court judge.

SENATOR DONLEY moved to adopt CSSJR 22 (JUD). There being no objection, CSSJR 22 (JUD) was adopted as the working draft for the committee.

CHAIRMAN TAYLOR noted that Ms. Stephanie Cole from the Alaska Court System was available for testimony as well as Mr. Bill Cotton from the Alaska Judicial Council. There were no questions for either person.

SENATOR DONLEY moved CSSJR 22 (JUD) from committee with individual recommendations. There being no objection, CSSJR 22 (JUD) moved from committee.
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#SB 161

SB 161-NO PAY FOR JUDGES UNTIL DECISION

SENATOR DONLEY said existing law has been interpreted by the judiciary to mean that the six month existing provision for conferring on judicial decisions only applies to individual justices. So that once an individual justice produces a preliminary opinion for circulation among other members of the court, the six month provision has been complied with but an endless amount of time can go on from that time. SB 161 would create a deadline for final action by an appellate court, shortening the six month time frame to four months for individual justices and judges. SB 161 would also require an explanation in the voter's guide of why a judicial officer had not received a salary warrant.

MS. STEPHANIE COLE, Administive Director, Alaska Court System, said it was clear that the purpose of SB 161 was to encourage timeliness and eliminate unnecessary delay. Ms. Cole said that Chief Justice Fabe wanted the committee to know that she shared the feeling that timeliness issues needed to be addressed and that the court was addressing them. A year ago the court adopted trial court time standards and is now making active efforts to clean up its data to make sure it knows the current situation of its cases, to assess situations, and to develop new monitoring and procedural processes to shorten time delays. Last fall all judges went through training on case management and control technique, and the court is now developing a mentoring program so that when a new judge comes to

the bench someone will help them with case management techniques. Appellate courts would also be addressing delay, and the supreme court has adopted time standards and new procedures for flagging and monitoring cases. Next year Chief Justice Fabe will be reporting to the legislature on the supreme court's progress in speeding up its cases. She said it was easier to apply new procedures to new cases and the court would have to figure out a way to handle older cases. Now, every case over a year old is being flagged and brought up at every conference to see if it can be moved through more quickly.

MS. COLE urged that SB 161 not move forward because the imposition of time frames would have a substantial fiscal impact on the court system. In the court's research on SB 161 it looked at other states with statutes similar to Alaska - Nevada, Montana, and Wisconsin, and in all three states these statutes were found to be unconstitutional. Ms. Cole submitted copies of those cases to the committee. The cases found that those types of statutory provisions are unconstitutional because they violate separation of powers and because they concern the efficient and effective functioning of a court system, which is a matter of court administration within the exclusive authority of the judicial branch of government. The cases also found that laws like those violate the constitutional prohibition against diminishing a judicial officers salary while in office and are also an impermissible impairment of contract. It was clear from existing case law that if a challenge were to be mounted to either the existing statute or the proposed revised statute it would fail.

CHAIRMAN TAYLOR asked if the same would hold true for the withholding of a salary warrant on a superior or district court judge if they were to violate the existing statute.

MS. COLE responded yes, upon challenge.

Number 790

MS. COLE said the appellate court had proposed time standards without penalty provisions attached and that salary warrants do not stop if the time standards are not met. Time standards are statistical time standards rather than individual case reporting.

MS. COLE said there was also a provision in SB 161 saying an appellate judge or justice would not receive a paycheck if there were any matters pending before the court for more than eight months, regardless of whether the case had been assigned to that judge. The court system felt this was a fundamental fairness and logic issue because a judge or justice could be performing

diligently, efficiently, and in a timely manner and that person could still be deprived of a paycheck. There are reasons a case lingers in the supreme court longer than the time assigned to a particular justice. For example, in the last seven years, four of the five justices turned over, and in each of those circumstances the caseload was reassigned to another justice. If a case circulates and there is a dissenting opinion, it is not held against the author or justice because there are many reasons why a case could last longer. She said most of the cases before the court now have been there less than a year.

SENATOR COWDERY asked how long a judge takes on an appeal issue.

MS. COLE said at the appellate level, six months is the outside time after an oral argument is assigned to a judge, and if there has been no oral argument the case is conferenced and assigned to a judge. From that time a judge or justice has a six month period.

SENATOR COWDERY asked what the shortest time was.

MS. COLE replied there are many expedited matters that go through the courts with the shortest time being a matter of days or weeks - children's proceedings and domestic cases are expedited. All cases do not come up against the six month time period but the majority of cases are decided within that time period, and 64 percent of the supreme court decisions go through within the eight month time frame.

MS. COLE said that although the court system felt SB 161 was unconstitutional, with reference to the reduction in time, it has provided a fiscal note in conformance with statutory provisions. The six month rule has been in conformance since statehood and the legislature has given the courts sufficient funding to allow trial court judges to make decisions within six months. Judges have been able to meet current deadlines but she said it was unrealistic to think that judges would be able to meet such radically shortened deadlines without additional resources. SB 161 has a strict liability rule, no excuses are allowed for such things as illness or the unexpected leave of a law clerk. Therefore, if a case were not decided within the six month referral, a judge would lose a paycheck, and SB 161 is changing that time to four months.

SENATOR DONLEY injected that a case could be reassigned to another judge.

MS. COLE said a case could be reassigned but that may or may not be an efficient way to handle the case depending on its complexity.

MS. COLE noted that Alaska's supreme court is not a "cert." [Certiorari] court and has no control over the number of cases before it. If the supreme court were to meet an eight month time frame for all cases, it would have to have some control of the cases that came to it. In the fiscal note narrative, there is comparative information about the productivity of Alaska's supreme court versus the supreme courts of California, Oregon, and Washington, which are also "cert." courts. In 1999, California's seven supreme court justices authored an average of 13 opinions apiece, Oregon's seven justices authored 14 opinions apiece, and Washington's nine justices each authored approximately 16 opinions. Alaska's supreme court has five justices, and last year out of 153 cases there were approximately 31 opinions per justice. Each opinion averaged 20 pages and that was in addition to petition work and other work that needed to be done.

MS. COLE said that currently the supreme court is issuing decisions within the eight month period under SB 161 in approximately 64 percent of the time. It is the court's assessment that the eight month time in SB 161 could not be met unless the supreme court became a cert. court by the creation of an intermediate civil court of appeals. The criminal court of appeals has three members sharing a caseload and it is currently issuing decisions within the eight month period approximately 71 percent of the time. While it is possible the court of appeals could not meet the eight month deadline without the infusion of additional judicial resources, the fiscal note reflects the request of two additional staff people to help meet deadlines. With reference to trial courts, there is a lot of variation around the state with regard to volume and complexity. The fiscal note looks to the primary resource that a judge has to help him or her decide cases - law clerks. There are certain superior court judges that do not have that primary resource and the fiscal note adds a full time law clerk in Barrow, Kotzebue, and Dillingham. It also adds judicial resources in the locations that have the heaviest caseloads or the highest trial rates, which is Anchorage, Fairbanks, Palmer, and Bethel.

MS. COLE said Section 2 has a very complex requirement for information and it requires the administrative court director to report that information to the lieutenant governor. The court had no problem with the first part of Section 2 - salary warrant information, which is exception reporting, but the second part of the information requires the administrative director to track, age, and count every decision a judge makes. Ms. Cole reads that language to mean that every time a judge issues an order, whether it is signing a stipulation for continuance, signing a reference from a master, or whatever a judge does, would have to be reported.

The current system could not track all that information, but the report at the end of the year would say, "this judge made 5,000 decisions in zero to four months and one decision in four to eight months, or whatever the time frame is." She said this might give some information on how busy judges are, but she was not sure the information could be collected.

MS. COLE noted that some of the current language was very general such as, "no matter referred to the justice for opinion or decision has been uncompleted or undecided by the justice for a period of more than six months." SB 161 is much more descriptive in terms of what milestones are required.

SENATOR DONLEY asked her to follow up on her last point.

MS. COLE said that right now, cases in which an oral argument has not been requested are treated exactly the same as cases in which an oral argument has been requested, and they would be conferenced on the same date. When the last responsive pleading comes in, the law clerk does a work up and it is then circulated. At the conference on the case, the case is assigned and it is decided who is to write the opinion.

Number 1355

SENATOR DONLEY asked why a shorter period of time would be a problem.

MS. COLE replied that going from eight months to four months severely shortens the time periods, and any period of time matters.

SENATOR DONLEY clarified that it was not the amount of time that mattered, but that when a justice is already under a restraint, every day counts.

MS. COLE said that was correct.

SENATOR DONLEY asked about fairness and equity for the citizens of Alaska going through the judicial process. He said there was one case that had not been decided in three years, and he asked if there was a list for cases 18 months to 2 years old.

MS. COLE said there are currently 19 cases before the court that are more than one year old. There are 465 cases currently before the court and of those, three are more than two years old. Of the 465 cases, approximately 220 are fully briefed and awaiting a decision. Of the 220 cases, 19 are one year old.

CHAIRMAN TAYLOR asked if that number was from oral argument.

MS. COLE said the 220 were dated from the date of oral argument.

SENATOR DONLEY asked about fairness to the citizens of Alaska who have waited over three years for a decision. He thought this was blatant unfairness to the people who depend on the judiciary for a resolution of conflicts in a civilized society.

Number 1497

MS. COLE said the court system was totally committed to working on timeliness and this could be seen from what the courts have done and are planning to do. She said when looking at the number of cases going through the court, there are three cases over two years old, which is an extremely small percentage, but that is scant comfort for the litigants in those three cases and the court system is doing everything it can to make sure it does not happen in the future.

SENATOR DONLEY said he would be interested in exploring an extension for the instances when a new judge comes to the court and is assigned to a case he or she has not heard the oral argument for. He asked how the court handled this type of delay problem.

MS. COLE said this was a difficult situation to deal with. Sometimes a justice will stay on after he or she retires to handle their caseload, but they cannot always stay until that is accomplished. She said that much of what the supreme court does is shrouded in confidentiality and it cannot be seen when reassignments occur or when a case is waiting for a dissent to be written. Many factors can play into the delay of an older case and when those cases come out some have lengthy dissents.

SENATOR DONLEY asked how the court handles the problem of a new justice being empanelled who had not been present for the oral argument. Do they recuse themselves from a decision or do they vote?

MS. COLE said she believed they listen to a tape of the oral argument.

SENATOR DONLEY asked if the policy was to allow them to vote in these cases.

MS. COLE said she believed that was the case but she was not certain. She said she would find out if there were a written policy on this issue.

Number 1676

SENATOR THERRIAULT asked if there was allowance for legislative direction or penalty with regard to payment in these cases.

MS. COLE said no. The cases were clear that any infringement in this area was impermissible.

SENATOR THERRIAULT said he would like to read through the cases to see how they would apply to Alaska.

SENATOR DONLEY asked if the court system was opposed to the information required in Section 1 being included in the voter's guide.

MS. COLE said the court system takes no position on that.

Number 1817

CHAIRMAN TAYLOR said he had often wondered if the existing statute was unconstitutional.

> I wonder why we have all abided by it, those of us that are constrained under it for so long. My only thought on that is that it might be that no judge has wished to bring suit for failure to get out a decision and having his paycheck or her paycheck withheld, and challenge the constitutionality of the right of the legislature to do that. I'm not sure how each of these cases were probably brought by people who were not facing a retention election themselves. But that is fascinating and I know there have been constitutional conflicts between legislatures and courts. In fact we've just come from the floor where we had a pretty significant debate about what our supreme court could order commissioners to do. We've had, as you know, a recent decision where we have a superior court judge threatening to hold the commissioner of health and social services in contempt of court should she not spend and appropriate money on a subject that she had no money to spend or appropriate because the legislature had not given her any funding for that. So she is between a very difficult rock and a hard place and the administration choose to support her and her concepts rather than to support the legislature and what policy it has set down. So we find ourselves in this very difficult position in the HESS budget because of that. I know that in the state of Colorado the state had failed

to grant any increase in pay to the judges for several years and so the supreme court of the state of Colorado issued an order to the treasurer of the state of Colorado ordering him to increase pay to the judges. When he refused to do so they threatened to hold him in contempt of court, at which point this constitutional crisis had built to a sufficient place that the Colorado legislature sat down with the court and they figured out where we go from here and they eventually got their raises. I, like Senator Therriault and the rest of the committee, don't wish to start some sort of constitutional confrontation, and we appreciate the good efforts of the Chief Justice and Chief Justice Matthews was also working on the same scheme. My fear is though, it's like a former justice once told me about one of the employees, his suggestion was the only reason that fellow was still with us, is he hasn't made three of us mad all at the same time. I think the same may prevail when it comes to this rule. It's going to take a unanimous court probably to establish that guideline or that rule and I think each of us wonders what will provide the teeth to have that rule or that policy carried out within the court.

SENATOR DONLEY thanked Ms. Cole for her thoughtful testimony.

SENATOR DONLEY proposed the committee work on a CS that maintains the existing six month standard with an exception provision for the arrival of a new justice. He said he would like written guidelines on how justices are allowed to vote, whether they are allowed to vote without hearing the oral argument. He said Section 2 needed to redefine orders, which would provide a six month initial decision.

CHAIRMAN TAYLOR said SB 161 would be held in committee until a better working document was established.
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#SB 91
Number 2053

SB 91-ABORTION: INFORMED CONSENT; INFORMATION

MS. SANDRA ALTLAND, staff to Senator Ward, noted that there are two main parts to informed consent. First, the Department of Health and Social Services (DHSS) would be required to develop a pamphlet that would be available to the public. The pamphlet would consist of factual and nonbiased information that talked about pregnancy and abortion alternatives available throughout the state. Second,

SB 91 asks that the current signed consent requirements be changed from regulation to statute and that definite points be covered with pregnant women during informed consent.

MS. ALTLAND said it is important for women to have abortion information before them so they can make the best decision, and DHSS is to compile a pamphlet and distribute it, free of charge, to anyone who wants it. The pamphlet would discuss fetal development and it would use the term "unborn child." The words unborn child need to be in the pamphlet because the pamphlet would be written for people who want to use terms such as baby or unborn child - the term fetal development dehumanizes the reality of pregnancy.

MS. ALTLAND said that page 2, line 28 talks about abortion procedures, medical risks, and psychological effects. Often the psychological effects do not surface until years later and this connection is not made at the time. She said this information needed to be up front and in a manner that speaks to the woman going through this situation, telling them there are chances of severe medical risk. The information should be available anyplace a pregnant woman would be, such as public hospitals, clinics, and health facilities throughout the state and it should also be available if an administrator in a private hospital would like it.

MS. ALTLAND said SB 91 asks doctors to take time in giving the necessary information to women who are trying to make a decision about abortion, and to also give them other alternatives. The bill also clarifies what informed consent is, and the pamphlet would have pictures of fetal development, showing the unborn child at different stages.

Number 2354

SENATOR THERRIAULT asked if SB 91 substantially modified current regulations.

MS. ALTLAND noted that laying out the different points of informed consent would help unify the information that had been given. She said some doctors are very good at providing information, but others do not take the time for good informed consent.

SENATOR THERRIAULT asked if SB 91 was just copying the regulation language into statute.

MS. ALTLAND was not sure of the answer.

Number 2243

CHAIRMAN TAYLOR noted that it was not his intention to move SB 91 from committee at this time because there had not been adequate notice of the meeting or adequate time for testimony.

DR. BOB JOHNSON, testifying via teleconference from Kodiak, said he has practiced medicine in Alaska from 1955 to 1994 when he retired. He said he performed abortions during that time and was the only physician in Kodiak that did. He said he had faxed the committee an article he wrote several years ago on abortion. He opposed SB 91 as an unnecessary impediment to the free exercise of choice, which had been a legal right of women since Roe versus Wade. Administratively there are requirements in place for reporting abortions, the stage of gestation, reasons for the abortion, and complications. The matter of consent is reiterated many times in all areas of medical care and no physician would fail to obtain a signed consent. A woman has a right to ask her physician any question and a physician has the obligation to answer that question to the best of his or her ability. He said there was no need to designate exactly what needed to be asked, particularly since it often mitigated against treating each patient as an individual with individual needs. Dr. Johnson felt that SB 91 was redundant and its aim was to control individuals and impose what some people think should be required in order for women to exercise their choice.

MR. JOHNSON said if the legislature must pass SB 91, he would suggest that members listen to the suggestions of the Alaska Civil Liberties Union and consider taking out the emotionally charged words "unborn child." He said someone who was not in favor of abortions had obviously put this into the bill, and the proper medical term was fetus, which was not an emotionally disruptive term.

MR. JOHNSON commented that the residency requirement of 30 days should be eliminated. He said he hoped committee members would read the article he had sent.

Number 2074

MS. KAREN VOS BURGH, Executive Director for Alaska Right to Life, said SB 91 is severely needed. Many times doctors do not give patients full information and sometimes the information not very factual. She had talked with many women who say they were not given the right information therefore it should be required. Abortionists do not want the baby referred to as baby, they want it referred to as fetus - the "preborn baby" is sometimes referred to as pregnancy tissue or "just a bunch of cells" or a product of conception. Virtually nothing is being done by the abortion

industry or the general press to warn women who are considering abortion about its high rate of risk. Several states have implemented right to know laws and Alaska should follow suit. There are over 100 potential complications associated with abortion and there are many studies that prove this. The abortionists say there is no connection between breast cancer and abortion but several studies have proven otherwise. Legislators in 11 states are pushing for pro-life laws requiring abortion practitioners to tell women that an abortion could raise their risk of breast cancer. This is not only an abortion issue but also a health issue. She said the medical establishment is trying to cover up the link between abortion and breast cancer and that someday this would be a public relations fiasco for them.

CHAIRMAN TAYLOR thanked her, and said time was running short but SB 91 would be heard again if she wanted to testify at the next hearing.

Number 1792

MS. CHRISTINA TALBOTT, speaking on her own behalf, said she had a few concerns regarding the language of SB 91. On page 2, line 10 the language says, "(4) states that a person who coerces a woman to undergo an abortion may be prosecuted for a felony offense under AS 11.41.530." She said in the interest of providing objective and nonjudgmental language it might make more sense to change the language to: "coercing women into a decision regarding an abortion" - just to be more inclusive. She said (5) is redundant because law already requires informed consent. On page 3, line 16 the language reads, "(1) 'fertilization' means the fusion of a human spermatozoon with a human ovum," but she said the date of occurrence is unclear. She objected to the language on page 2, lines 18 and 19 defining "gestational age" as the age of the unborn child as calculated from the first day of the last menstrual period of a pregnant woman. She said this was not possible. Women ovulate between one and one half weeks after their period has finished and if the age of the unborn child is counted from that date, two or three weeks would be added to the age of the child, which would be a concern because lines 19 through 27 on page 2 says the pamphlet is to describe the fetal development of the typical unborn child at two week gestational increments, which would effect where the baby was and where the woman reading the pamphlet felt their child had developed. She said in Section 1, (7) the language that says, "relevant information about the possibility of an unborn child's survival at the various gestational ages" is unclear and should be removed from SB 91 or defined further. She also objected to the term "unborn child" because the word fetus is a commonly known term, which is an objective nonbiased scientific term.

Number 1656

MS. KAREN PEARSON, Director of the Division of Public Health for the Department of Health and Social Service (DHSS), said the department is in agreement that all women seeking a pregnancy termination should be fully informed prior to termination. DHSS is concerned about the inclusion requirements for the pamphlet though. SB 91 says that the names of all providers and agencies are to be in a pamphlet and their services are to be included, and all of this is to be geographically indexed. There are more than 200 communities in Alaska and if one pamphlet were assembled that lists all the information required by SB 91, it would be very large. The pamphlet would also be out of date by the time it is printed because Alaska has many providers that come and go. DHSS is concerned that what it is being requested might not accomplish what the sponsor intended, which is information in a complete and useable form. The pamphlet would also be a big expense for the department because it would take someone working full time to keep up with all the changes, in all the communities.

CHAIRMAN TAYLOR said that under current statute AS 18.05.035 the department was mandated to prepare information regarding planned parenthood and to place that information in public hospitals. He asked how the existing requirements would be any different than what would be required by SB 91.

MS. PEARSON said existing statute does not specify that the information be all in one document or what the content should be. The statute tells the department to put out information related to planned parenthood but it does not say what the format or content should be.

SENATOR THERRIAULT asked if the problem was in the geographical indexing.

MS. PEARSON said that was exactly right. SB 91 would require a list for every service agency, every provider, in every community with what services they provide and how to access them.

CHAIRMAN TAYLOR said that Ms. Jennifer Rudinger was on line and the committee had received her comments but because of a lack of time, SB 91 would be held in committee and taken up at a later date. He said he would have his staff contact her in advance of the next meeting so she could testify then.

MS. JENNIFER RUDINGER, Alaska Civil Liberties, said she had a statement from Dr. Jan Whitefield in Anchorage and would fax it to

the committee.
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#SB 166
Number 1419

SB 166-APPOINTMENT OF US SENATORS

SENATOR DONLEY said SB 166 was an eleven word change to existing statute, which provides a five day waiting period in which a governor would be able to fill a vacancy for the United States Senate. SB 166 would allow the Alaska public to comment on who might be best suited to represent them in the United States Senate in the unlikely event of a vacancy occurring. As the statute currently stands, there is no provision for public comment.

SENATOR DONLEY moved SB 166 from committee with individual recommendations. There being no objection, SB 166 moved from committee.
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There being no further business to come before the committee, CHAIRMAN TAYLOR adjourned the meeting at 5:55 p.m.