

**ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE**

February 10, 2004
8:02 a.m.

MEMBERS PRESENT

Representative Bruce Weyhrauch, Chair
Representative Jim Holm, Vice Chair
Representative Bob Lynn
Representative Paul Seaton
Representative Max Gruenberg

MEMBERS ABSENT

Representative John Coghill
Representative Ethan Berkowitz

COMMITTEE CALENDAR

HOUSE BILL NO. 394

"An Act extending the Alaska Commission on Aging."

- HEARD AND HELD

HOUSE BILL NO. 319

"An Act relating to the disposal of state land by lottery; and relating to the disposal, including sale or lease, of remote recreational cabin sites."

- HEARD AND HELD

OVERVIEW: DIVISION OF ELECTIONS

- HEARD [See 9:08 a.m. minutes for this date.]

PREVIOUS COMMITTEE ACTION

BILL: HB 394

SHORT TITLE: COMMISSION ON AGING

SPONSOR(S): REPRESENTATIVE(S) HOLM

01/20/04	(H)	READ THE FIRST TIME - REFERRALS
01/20/04	(H)	STA, HES
02/10/04	(H)	STA AT 8:00 AM CAPITOL 102

BILL: HB 319

SHORT TITLE: REMOTE REC.CABIN SITE SALES/LOTTERY SALE
SPONSOR(S): REPRESENTATIVE(S) FATE

05/14/03	(H)	READ THE FIRST TIME - REFERRALS
05/14/03	(H)	STA, RES, FIN
01/13/04	(H)	STA AT 8:00 AM CAPITOL 102
01/13/04	(H)	Heard & Held
01/13/04	(H)	MINUTE(STA)
02/03/04	(H)	STA AT 8:00 AM CAPITOL 102
02/03/04	(H)	Heard & Held
02/03/04	(H)	MINUTE(STA)
02/10/04	(H)	STA AT 8:00 AM CAPITOL 102

WITNESS REGISTER

BARBARA COTTING, Staff
to Representative Jim Holm
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 394 on behalf of
Representative Holm, sponsor.

PAT DAVIDSON, Legislative Auditor
Legislative Audit Division
Legislative Agencies & Offices
Juneau, Alaska

POSITION STATEMENT: Answered questions on behalf of the
division during the hearing on HB 394.

BANARSI LAL, Chair
Alaska Commission on Aging
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB
394.

PAULA RECCHIA, Staff
for the Alaska Commission on Aging
Department of Health & Social Services
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB
394.

MARIE DARLIN, Representative
to AARP Capital City Task Force
Juneau, Alaska

POSITION STATEMENT: Testified on behalf of AARP in support of
extending the sunset for the Alaska Commission on Aging.

JIM POUND, Staff
to Representative Hugh Fate
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions on behalf of
Representative Fate, sponsor, during the hearing on HB 319.

NANCY WELCH
Special Assistant
Office of the Commissioner
Department of Natural Resources (DNR)
Anchorage, Alaska

POSITION STATEMENT: Offered clarification regarding an
amendment to the original bill version during the hearing on HB
319.

ACTION NARRATIVE

TAPE 04-14, SIDE A

Number 0001

CHAIR BRUCE WEYHRAUCH called the House State Affairs Standing
Committee meeting to order at 8:02 a.m. Representatives Holm,
Seaton, Lynn, and Weyhrauch were present at the call to order.
Representative Gruenberg arrived as the meeting was in progress.

HB 394-COMMISSION ON AGING

CHAIR WEYHRAUCH announced that the first order of business was
HOUSE BILL NO. 394. "An Act extending the Alaska Commission on
Aging."

Number 0099

REPRESENTATIVE HOLM moved to adopt HB 394 as a work draft.
There being no objection, it was so ordered.

Number 0116

BARBARA COTTING, Staff to Representative Jim Holm, Alaska State
Legislature, presented HB 394 on behalf of Representative Holm,
sponsor. She told the committee that HB 394 is a simple bill
that would extend the sunset date for the Alaska Commission on
Aging for four more years, until June 30, 2008. She turned to
the sponsor statement, in which she said the mission of the
commission is written [included in the committee packet].

MS. COTTING turned to the audit done [by the Division of Legislative Audit - a 42-page report included in the committee packet]. She pointed to page 13, the end of the second paragraph, which read as follows: "We recommend that the legislature adopt legislation extending ACoA's [Alaska Commission on Aging's] termination date to June 30, 2008." She mentioned Section 305 of the Older Americans Act and Section 3026 of the U.S. Code, and said that the commission does meet both of those federal requirements.

Number 0396

PAT DAVIDSON, Legislative Auditor, Legislative Audit Division, Legislative Agencies & Offices, stated that the purpose of the audit was to determine that the termination date of the commission should be extended. The conclusion, she said, was to recommend that the date be extended to the statute-recommended four years.

MS. DAVIDSON said the commission has helped older [Alaskans] lead dignified, independent, and useful lives. She stated that the commission is designated as the single planning and service area agency, which means it is the only agency recognized by the federal government to be responsible to plan, fund, and oversee federally funded services to seniors statewide.

MS. DAVIDSON turned to the appendices at the back of the audit report. She said that it primarily shows surveys of grantees that received funding through the commission. She also noted that it shows a general trend of support for the commission. She continued as follows:

The one area of concern has to do with the grant award procedures. And we believe that ... the degree to which people believe that they're fair ... [or] unreasonable has to do with their changing. The commission had met and had changed some of the criteria - had changed some of the weighting of the factors. And I think that what you see here reflected in those survey results is indeed that discomfort with the change.

Number 0572

CHAIR WEYHRAUCH asked what the positive or negative effect would be if the legislature did not extend the commission.

MS. DAVIDSON stated that she thinks representatives from the Department of Health & Social Services could answer better what the negative effect would be. She surmised that it would create problems in funding senior services programs. She said the Department of Health & Social Services was trying to modify the state plan "for the department to be recognized rather than the commission to be recognized"; however, at the time of the audit, that state plan had not been submitted to the federal government. She added that she doesn't know if the federal government would have accepted that plan or not.

MS. DAVIDSON, in response to a question from Chair Weyhrauch, stated her belief that the federal government is looking for a single agency to deal with, and that agency is supposed to deal with the grantees. She said it is common throughout the nation that a single commission such as [Alaska Commission on Aging] exists; however, she said she doesn't know if the federal law would prohibit "any other form of organization to deal with it."

CHAIR WEYHRAUCH said he is on the [House Finance Committee] subcommittee for the Department of Health & Social Services' budget. In doing a reorganization of the department, Disability Services and Senior Services have been combined to form the Senior and Disability Services. He said he finds it offensive that the two entities are treated as if they are "one and the same." He asked, "If the Alaska Commission on Aging didn't exist, could ..., say, the Senior ... Disability Services serve the same granting function?"

MS. DAVIDSON responded that she doesn't know.

Number 0833

BANARSI LAL, Chair, Alaska Commission on Aging, told the committee that he wishes someone from the Department of Health & Social Services was present, but he will do his best to answer the committee's questions. In response to a prior question, he stated that the federal law requires that states receiving federal funds to provide services to seniors should have some agency that is designated to address senior issues. He said he thinks it was in deference to that that the Alaska Commission on Aging was established.

MR. LAL noted that [Governor Frank Murkowski] issued an executive order which transferred some functions of the Department of Administration to the Department of Health &

Social services; both the senior services function and the [Alaska] Commission [on Aging] were transferred to the Department of Health & Social Services. He added, "The only difference was that the grant-making functions of the commission were transferred to the Division of Senior & Disability Services." He clarified that the commission is still responsible for developing a senior services plan and for "the administration of the statewide plan."

MR. LAL stated that, at the time of the merger, a four-year plan had been completed and submitted to the governor's office. However, the decision was made that at that time, since the administration was new, a one-year plan was preferred. The commission has since reviewed the state plan again and, at its upcoming meeting in Juneau on February 18-20, it will be finalizing the submission of a state plan which would cover the period of 2004-2007.

MR. LAL stated that the other major function [of the Alaska Commission on Aging] is to hold public hearings statewide on issues that are critical to the senior population. He noted that, at the beginning of the legislative session, the commission holds a public hearing on all legislation that is related to senior services or would affect seniors in some way. He stated that, over the years, the commission has been the voice for senior issues. In the past, it has offered grant support to senior advocacy groups, such as AGENET [Alaska Geriatric Exchange Network] and Senior Advocacy Coalition, which have widespread membership. It has also supported the efforts of the agencies, such as the Older Persons Action Group in Anchorage. He said [the commission] continues to advocate for services [for seniors] in all parts of the state, particularly focusing on those services that either are not available or are needed "in the light of established needs."

Number 1124

MR. LAL said that, whenever funds are available, [the commission] travels at least once a year to a (indisc.) site to experience the work that's being done and to determine the work that needs to be done. He stated that [the commission] will continue to be a strong voice for all seniors. It publishes a monthly newsletter, which is also available on the Internet, entitled, Alaskan Seniors: Living Longer, Growing Stronger.

MR. LAL noted that the only thing that has changed following the previously noted transfer of services is that the commissioner

requested the grant-making functions be transferred over to the Department of Health & Social Services, and the Region 10 office has agreed to do that. He indicated that the commissioner has also submitted a letter to "legislative audit" regarding the streamlined functions and the concerns listed in the audit report, especially relating to the grant-making functions of the commission.

MR. LAL stated his belief that Section 305 of the Older Americans Act requires each state to designate an agency as the sole estate agency to develop an administrative state plan, to coordinate all the state activities related to the Older Americans Act, and to serve as an effective and visible advocate for the elderly. He concluded as follows:

Those are the three functions that are still enshrined in the activities of the Alaska Commission on Aging. For that ... reason, and for being such a ... strong voice for the seniors, I request your support for extension of the Alaska Commission on Aging until June 30, 2008. I am not so sure what would happen if the legislature was to decide otherwise.

Number 1310

REPRESENTATIVE SEATON referred to the analysis section of the fiscal note, which shows that the Section 305 provisions that Mr. Lal had previously indicated were "with the commission"; yet the following sentence says that the Department of Health & Social [Services] is designated as the sole state agency. He asked, "Has that designation been removed from the commission and transferred to [the Department of Health & Social Services]?"

MR. LAL responded, "I am certain that those have been transferred to the Department of Health & Social Services in agreement with the federal agency. So the fiscal note that you are looking at is essentially the operation of the [Alaska] Commission on Aging."

Number 1379

MR. LAL, in response to questions from Chair Weyhrauch, said the commission currently has seven members appointed by the governor; four of them, including him, have been recently reappointed. There are three other designated members, he noted, who represent the commissioners of [the Department of

Administration, the Department of Community & Economic Development, and the Department of Health and Social Services]. He noted that the representative of the commissioner for the Department of Health and Social Services is Steven Ashman. He stated that there is an executive director, and applicants are currently being reviewed for the position, which has been open since December [2003]. The last executive director was Dr. Robert Gaylor, and "he was the executive director in an acting capacity for about a year, and ... in a regular capacity for about six months."

Number 1518

PAULA RECCHIA, Staff for the Alaska Commission on Aging, Department of Health & Social Services, clarified that while being under the department, [the commission] is not in the Division of Senior & Disability Services. In response to a question from Representative Gruenberg, she said she had nothing to do with the preparation of the fiscal note.

REPRESENTATIVE GRUENBERG said he has concerns regarding the numbers in the fiscal note.

CHAIR WEYHRAUCH said he plans to hear from the department regarding the fiscal note. He said he is supportive of the bill, but he explained that he wants to understand the global context and "how this fits in with state policy."

MS. RECCHIA pointed out that page 3 of the audit report lists that an additional duty of the commission is that it is designated by the Alaska Mental Health Trust Authority to plan for services for people with Alzheimer's disease and related disorders. She said the funds go to the department and the commission assists with the development of the state plan. She added that the Older Americans Act specifies that "we do need to have a plan about how their federal funds are distributed." She specified that [the commission] is the planning agency that develops the formulas for nutrition and transportation services for the Older Workers' fund and the Family Caregiver program.

Number 1725

MS. RECCHIA, in response to a question from Chair Weyhrauch, said the long-term care ombudsman is actually with the Mental Health Trust Authority - a transfer that she said she thinks was done a couple of years ago. The funds from the Older Americans Act do go to the Mental Health Trust.

CHAIR WEYHRAUCH asked, "The long-term care ombudsman is different than any sort of senior ombudsman. Does such a position exist in state government?"

MS. RECCHIA replied, "I don't know that a senior ombudsman -- but the long-term care ombudsman is a requirement of the Older Americans Act, so that position is related to the funds that come from the Older Americans Act." In response to follow-up questions from Chair Weyhrauch, she said the long-term care ombudsman does deal with facilities that offer long-term care for seniors and is also responsible for investigating any reports about problems in assisted living homes, for example.

CHAIR WEYHRAUCH asked if a family member with a complaint about the Alaska Pioneers' Home, for example, would go to the long-term care ombudsman.

MS. RECCHIA answered yes they could. In response to a question from Chair Weyhrauch, she said the long-term care ombudsman is with the Department of Revenue.

Number 1800

MS. RECCHIA, in response to a question from Representative Gruenberg, said she did not attend the hearing that was held by the House Special Committee on Military and Veterans' Affairs over the interim; however, the chair of the commission was there, as well as the chair of the Alaska Pioneers' Home. Furthermore, she said she is unable to speak to the corrective actions that were taken as a result of that hearing.

CHAIR WEYHRAUCH suggested that that could be addressed during an overview with the Department of Administration.

Number 1853

REPRESENTATIVE GRUENBERG said it appears from the fiscal note that the commission makes a profit of about \$57,000 a year. He asked if that's correct.

MS. RECCHIA answered that she has had no involvement in preparing the budget. She stated that she did see the budget for this year and it was "still in formation even before Christmas." She indicated that [the fiscal note] is probably [based upon] new information.

Number 1934

MARIE DARLIN, Representative to AARP Capital City Task Force, referred to [Chair Weyhrauch's] previous comment regarding the combining of Disability Services and Senior Services in the reorganization of the department. She indicated that the commissioner's rationale behind that move had to do with the fact that there was overlap in services "between the two different segments."

MS. DARLIN noted that one of the responsibilities of the Alaska Commission on Aging is to present the plan for the Senior Services annually. She indicated that AARP feels that there has to be something like the Alaska Commission on Aging to keep the senior aspect of "all of this" separate and distinct - to deal absolutely and solely with senior issues, including all the issues that go into the aspect of the department's planning and budget.

Number 2000

CHAIR WEYHRAUCH asked Ms. Recchia to provide the committee members with "a plan for our files."

MS. RECCHIA responded that there is a plan that will be submitted to the federal government. She indicated that it is the interim plan that [the commission] is working under; however, she said a draft plan could be made available.

CHAIR WEYHRAUCH opined that the committee would benefit by seeing the products produced.

MS. RECCHIA noted that the draft plan is available on the state's web site. She revealed that it is a lengthy plan.

CHAIR WEYHRAUCH, in response, asked for a table of contents and executive summary only. He asked Ms. Recchia if there is a central number to call to find out about services for seniors.

Number 2121

MS. RECCHIA replied that there is an 800 number provided through the Division of Senior & Disability Services. She noted that it is a fairly new number and was [provided as] part of the whole senior care initiative that the governor put forward. She stated that the Older Person's Action Group (OPAG) has a directory that it updates annually, which is segmented according

to services and also by areas. She also mentioned that the web site lists all the services offered through the division.

Number 2212

CHAIR WEYHRAUCH stated that it seems that society has reached "the vanishing point of decision making," where no one wants to or will make a decision. Voice mail, he remarked, has become "a great facilitator of that." He related personal experience [being passed around] with voice mail systems. He suggested that before any state agency is allowed to have voice mail, everyone has to call his/her own number and "deal with it." For somebody who is a senior, he emphasized, it becomes even more important to have [a system] that he/she can understand and a [real person] to speak to, or somebody who will call back when a message is left.

MS. RECCHIA responded, "I would say that they have hired staff to actually answer the phone, so the person who's answering the phone should be able to give information about what the person needs and ... follow up." She added that she can't say how well it's working, but she assured the committee that when people call her for information, she always tells them who can address their concern, and she tells them to call her back if they are not able to get services.

Number 2323

REPRESENTATIVE HOLM noted that his mother is older and is not computer literate. He said she has had a couple of strokes and doesn't see very well, so she has difficulty using a telephone. He stated that it is very frustrating for her to deal with roundabout [menu options on voice mails]. He concurred with Chair Weyhrauch's previously stated concerns regarding this issue.

MS. RECCHIA stated that there currently is an effort being made to make information and services available to caregivers. She continued as follows:

Frequently, caregivers - in addition to being spouses - will be children, and there is a lot of information, too, that's available to them in different modalities, so that there's ... hopefully kind of a cross section in the information that can get out in different ways.

Number 2410

MS. DARLIN, in response to a question from Chair Weyhrauch, confirmed that AARP is in support of the extension to the sunset provision, which is what the bill would provide. She reiterated the need for [the Alaska Commission on Aging] to look after the specific needs and concerns of seniors.

Number 2415

REPRESENTATIVE GRUENBERG stated his understanding that \$13 million would be lost if the sunset is not extended. He asked if that is correct.

MS. DARLIN responded that she doesn't know the answer to that question.

MS. RECCHIA offered the following:

That [\$13 million] would be the amount of money that would be in the nutrition, transportation services, and the family caregiver program, and also the Elder Worker program - Title 5 program.

MS. RECCHIA, in response to a follow-up question from Representative Gruenberg, said that the commission does not have any connection with the administration of the longevity bonus. She said, "They're in a different division and they operate [separately] from the commission."

REPRESENTATIVE GRUENBERG asked if, therefore, the commission had no say in the planning of that longevity bonus or the planning to eliminate it.

MS. RECCHIA responded as follows:

The commission ... did pass a resolution asking for more study with regards to the loss of the longevity bonus. ... That was the position that they took; they would like more information about what the impact would be.

REPRESENTATIVE GRUENBERG said he wonders if the commission should have any greater say in "these kinds of services which now include senior care." He asked if [the Alaska Commission on Aging] is the only commission "dealing with those problems."

Number 2536

MR. LAL responded that [the Alaska Commission on Aging] is the main commission. He added, "Under the statute . . . , this is also the only commission that is responsible for [the] planning and administration of the senior services." He noted that there may be other commissions that may have the authority to deal with aspects of issues that concern the senior citizens - for example, the Alaska Pioneers' Home advisory board would address issues specific to those facilities. However, [the Alaska Commission on Aging] is the one commission that has comprehensive responsibilities for planning services. He added, "Most of those are listed under the Older Americans Act."

MR. LAL offered some examples of recommendations the commission recently gave to the director of the Division of Senior [& Disability] Services. He stated that there is a lot that goes on that, in the absence of the Alaska Commission on Aging, would certainly have to be delegated to some staff function within the Department of Health & Social Services. As a citizens' group, he said, the commission certainly can be [the legislators'] eyes and ears. He proffered that in the absence of such a public advocacy group there probably would not be a full understanding of what's happening in the public.

Number 2661

REPRESENTATIVE GRUENBERG stated that a number of Alaskans are concerned about the cuts that have, possibly unfairly, fallen on the backs of the seniors, and they do not want to see that process perpetuated. He said he is wondering what the role of the commission could be to ensure that that doesn't happen again. He questioned whether the statutory framework for the commission should be reviewed to see if the commission could be "given some authority in this area."

Number 2759

MR. LAL noted that although there has been some loss of funds for senior services, the saving grace is that federal receipts have not been reduced. The state must produce "a certain amount of match" to receive those funds, which is something he said the state is quite capable of doing. He continued as follows:

I do believe that the seniors in the community have been concerned about . . . lack of services in some areas. There are some that were provided in FY 04, which I am assured by the division director and others

... that they would certainly be maintained at that level. But, the senior population is one of your fastest growing populations. And in light of that, a provision has to be made ahead of time ... for expansion of services, and certainly not reduction in any way. So, please keep that in mind.

And I think the [Alaska] Commission on Aging does serve a very significant function in highlighting some of those needs through its planning process and through the review of the plan every ... year, and every two [to] three years. So, that's a document that certainly is of value, if you are the one ... looking at what is available and what needs to be made available to fully address the needs of the seniors.

Number 2833

REPRESENTATIVE GRUENBERG offered his understanding that there is no requirement that any cuts like the longevity bonus, or implementation of things like senior care, be done through the commission and integrated into the plan. He stated that he would like [the commission] to consider whether there should be such a requirement.

MR. LAL said the commission would consider that at its next meeting.

Number 2867

MS. RECCHIA noted that a commission meeting would take place on February 18-20 at the Prospector Hotel.

Number 2890

MS. DARLIN, regarding the meeting, said, "They will be traveling that Tuesday."

Number 2900

CHAIR WEYHRAUCH announced that HB 394 was heard and held.

HB 319-REMOTE REC.CABIN SITE SALES/LOTTERY SALE

Number 2934

CHAIR WEYHRAUCH announced that the next order of business was HOUSE BILL NO. 319, "An Act relating to the disposal of state land by lottery; and relating to the disposal, including sale or lease, of remote recreational cabin sites."

Number 2970

JIM POUND, Staff to Representative Hugh Fate, Alaska State Legislature, testifying on behalf of Representative Fate, sponsor, noted that the committee is looking at [the original bill version]. He indicated that there would be an amendment entitled H.2.

TAPE 04-14, SIDE B

Number 2987

The committee took an at-ease from 8:50 a.m. to 8:51 a.m.

CHAIR WEYHRAUCH turned to an amendment in the committee packet labeled, 23-LS0477\H.1, Bullock, 1/30/04. He stated his understanding that there had been no objection to the first three lines of the amendment during a prior hearing on HB 319.

[Although H.1 had been adopted in its entirety as Amendment 1 during the House State Affairs Standing Committee meeting on 2/3/04, the committee addresses it as if it had not been adopted at the prior hearing.]

REPRESENTATIVE GRUENBERG asked if [the separate issues addressed in Amendment 1, H.1] could be divided into Amendment 1A, [1B, 1C, et cetera].

CHAIR WEYHRAUCH responded, "Yeah, I think so, except this is really going to confuse the record." He asked Mr. Pound if he had any suggestions on "how you want to deal with all this."

Number 2931

MR. POUND, in response, pointed out that the part of H.1 and H.2 that addresses page 3, line 2, and page 3, line 5, is the same, while the text referring to page 3, lines 9-12 is "different, so that we define high mineral value."

CHAIR WEYHRAUCH suggested that the committee define Amendment 1 as [including only] the first 7 lines of the amendment labeled H.1. Therefore, Amendment 1 read as follows:

Page 3, line 2:
Delete "12"
Insert "24"

Page 3, line 5, following "private sale":
Insert "under (g) of this section"

CHAIR WEYHRAUCH clarified that meant that lines 7 through 21 [numbered on the committee's copy of the amendment] were deleted.

Number 2890

CHAIR WEYHRAUCH announced that Amendment 1 was adopted without objection.

Number 2860

CHAIR WEYHRAUCH turned to the amendment in the committee packet labeled, 23-LS0477\H.2, Bullock, 2/6/04, which he called Amendment 2. [At the prior House State Affairs Standing Committee meeting, the committee had adopted a conceptual amendment offered by Mr. Pound, which they also called Amendment 2.]

CHAIR WEYHRAUCH clarified that the new Amendment 2 would only include the language regarding page 3, lines 9-12, which read as follows:

Page 3, lines 9 - 12:

Delete all material and insert:

"(1) prepare a schedule of land offerings under this section and identify the parcels for disposal each year; the land offerings may not include mineral land selected by the state or lands identified by the department as having a high mineral potential; the department's identification of land having a high mineral potential shall be based on standards adopted by the department in regulations and shall include consideration of a geophysical survey or geological evaluation, if any, that was conducted within 15 calendar years before the year for which the schedule is prepared; and"

Number 2781

CHAIR WEYHRAUCH moved [the new] Amendment 2 "for discussion purposes."

REPRESENTATIVE GRUENBERG objected for discussion purposes.

Number 2745

MR. POUND explained that [the new] Amendment 2 would give the department the authority to come up with a definition for high mineral potential.

REPRESENTATIVE GRUENBERG asked if the department adopts regulations in accordance with the Administrative Procedure Act (APA).

NANCY WELCH, Special Assistant, Office of the Commissioner, Department of Natural Resources (DNR), answered yes.

Number 2685

REPRESENTATIVE SEATON said it seems that [the new Amendment 2] would change the nomination process to the department nominating parcels that will be available for disposal. He asked if he is interpreting that correctly and if that change is intended or not.

REPRESENTATIVE GRUENBERG said it looks like it is simply a stylistic change, because the phrase "and identify the parcels for disposal each year" was at the end of the paragraph in H.1 [in its original form from the 2/3/04 hearing], whereas in [H.2 - the new Amendment 2] it appears near the beginning of the paragraph.

Number 2604

CHAIR WEYHRAUCH remarked that the language [in the new Amendment 2] seems to contemplate the schedule being prepared every year. He said he is not certain that DNR needs to do that every year, and he asked if the language could reflect that the schedule could be prepared "from time to time."

MR. POUND indicated that there would be an Amendment 3, and he said, "For the language that is being composed, if that were to be approved by the committee, they would ... ultimately be [on] a year to year basis anyway."

Number 2572

MS. WELCH said [DNR] doesn't actually prepare a schedule of land offerings, but the brochures and public notices that it does produce as part of its annual land sales could be considered "such a document."

REPRESENTATIVE GRUENBERG said it seems to him that if the department decided not to offer any land one year, it could just say so.

MR. POUND said that's correct.

[HB 319 was heard and held.]

ADJOURNMENT

Number 2522

The House State Affairs Standing Committee took an at-ease at 9:01 a.m. in order to prepare for the overview. [For the overview by the Division of Elections, see the 9:08 a.m. minutes for this date.]