

**ALASKA STATE LEGISLATURE
SENATE STATE AFFAIRS STANDING COMMITTEE**

May 6, 2004

4:55 p.m.

TAPE (S) 04-33

MEMBERS PRESENT

Senator Gary Stevens, Chair
Senator John Cowdery, Vice Chair
Senator Bert Stedman

MEMBERS ABSENT

Senator Gretchen Guess
Senator Lyman Hoffman

COMMITTEE CALENDAR

CONFIRMATION HEARING:

Ray Matiashowski, Commissioner designee, Department of
Administration

CONFIRMATION ADVANCED

CS FOR HOUSE BILL NO. 536(MLV)

"An Act relating to applications for permanent fund dividends by certain individuals serving in the armed forces, and to payment of certain 2003 and 2004 dividends; and providing for an effective date."

MOVED CSHB 536(MLV) OUT OF COMMITTEE

CS FOR HOUSE BILL NO. 551(JUD) am

"An Act relating to the issuance of teacher certificates to and revocation of teacher certificates of persons convicted of certain felony drug offenses and to the issuance of limited teacher certificates to persons convicted of certain crimes involving a minor and felony drug offenses."

MOVED SCS CSHB 551(STA) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 536

SHORT TITLE: PFUND APPLICATION DEADLINES FOR MILITARY

SPONSOR(S): RULES BY REQUEST OF ECON DEV, INT TRADE & TOURISM

03/15/04	(H)	READ THE FIRST TIME - REFERRALS
03/15/04	(H)	MLV, STA

04/06/04 (H) MLV AT 1:00 PM CAPITOL 124
 04/06/04 (H) Moved CSHB 536(MLV) Out of Committee
 04/06/04 (H) MINUTE(MLV)
 04/07/04 (H) MLV RPT CS(MLV) NT 4DP 1NR
 04/07/04 (H) DP: LYNN, MASEK, CISSNA, STEPOVICH;
 04/07/04 (H) NR: DAHLSTROM
 04/30/04 (H) STA AT 8:00 AM CAPITOL 102
 04/30/04 (H) Moved CSHB 536(STA) Out of Committee
 04/30/04 (H) MINUTE(STA)
 05/01/04 (H) STA RPT CS(STA) NT 3NR 2AM
 05/01/04 (H) NR: SEATON, HOLM, WEYHRAUCH;
 05/01/04 (H) AM: GRUENBERG, LYNN
 05/01/04 (H) TRANSMITTED TO (S)
 05/01/04 (H) VERSION: CSHB 536(MLV)
 05/02/04 (S) READ THE FIRST TIME - REFERRALS
 05/02/04 (S) STA, FIN
 05/06/04 (S) STA AT 4:45 PM BELTZ 211

BILL: HB 551

SHORT TITLE: DRUG FELONY DISQUALIFIES TEACHER

SPONSOR(s): JUDICIARY

04/05/04 (H) READ THE FIRST TIME - REFERRALS
 04/05/04 (H) EDU, JUD
 04/13/04 (H) EDU AT 11:00 AM CAPITOL 124
 04/13/04 (H) Scheduled But Not Heard
 04/15/04 (H) EDU AT 11:00 AM CAPITOL 124
 04/15/04 (H) Moved Out of Committee
 04/15/04 (H) MINUTE(EDU)
 04/19/04 (H) EDU RPT 1DP 1NR 2AM
 04/19/04 (H) DP: WOLF; NR: OGG; AM: SEATON, GATTO
 04/22/04 (H) FIN REFERRAL ADDED AFTER JUD
 04/23/04 (H) JUD AT 1:00 PM CAPITOL 120
 04/23/04 (H) Moved CSHB 551(JUD) Out of Committee
 04/23/04 (H) MINUTE(JUD)
 04/26/04 (H) JUD RPT CS(JUD) NT 3DP 2NR
 04/26/04 (H) DP: SAMUELS, OGG, MCGUIRE;
 04/26/04 (H) NR: GARA, GRUENBERG
 04/28/04 (H) FIN REFERRAL WAIVED
 04/29/04 (H) RLS RPT CS(JUD) NT 3DP 4NR
 04/29/04 (H) DP: KOTT, MCGUIRE, ROKEBERG;
 04/29/04 (H) NR: BERKOWITZ, COGHILL, MORGAN,
 04/29/04 (H) KERTTULA
 04/29/04 (H) RLS AT 9:00 AM FAHRENKAMP 203
 04/29/04 (H) Moved CSHB 551(JUD) Out of Committee
 04/29/04 (H) MINUTE(RLS)
 05/01/04 (H) TRANSMITTED TO (S)

05/01/04 (H) VERSION: CSHB 551(JUD) AM
05/02/04 (S) READ THE FIRST TIME - REFERRALS
05/02/04 (S) STA, HES
05/04/04 (S) STA AT 3:30 PM BELTZ 211
05/04/04 (S) Heard & Held
05/04/04 (S) MINUTE(STA)
05/06/04 (S) STA AT 4:45 PM BELTZ 211

WITNESS REGISTER

Ray Matiashowski,
Commissioner designee
Department of Administration
PO Box 110200
Juneau, AK 99811-0200

John Bittner
Staff to Representative Cheryll Heinze
Alaska State Capitol
Juneau, AK 99801-1182

POSITION STATEMENT: Introduced CSHB 551(JUD) am for sponsor

ACTION NARRATIVE

TAPE 04-33, SIDE A

CHAIR GARY STEVENS called the Senate State Affairs Standing Committee meeting to order at 4:55 p.m. Present were Senators Cowdery, Stedman and Chair Gary Stevens.

Confirmation Hearing

CHAIR GARY STEVENS announced the committee would take up confirmations. He asked Mr. Ray Matiashowski, Commissioner-designee for the Department of Administration to come forward and introduce himself.

RAY MATIASHOWSKI, Acting-Commissioner for the Department of Administration, introduced himself.

SENATOR BERT STEDMAN expressed pleasure that someone who graduated from the Ketchikan school system was standing for confirmation as commissioner.

SENATOR JOHN COWDERY motioned to forward Acting Commissioner Matiashowski's name to the full body for confirmation. There being no objection, it was so ordered.

HB 551-DRUG FELONY DISQUALIFIES TEACHER

CHAIR GARY STEVENS announced CSHB 551(JUD) to be up for consideration. He noted that there was a proposed committee substitute (CS) and asked for a motion to adopt it as the working document.

SENATOR JOHN COWDERY made a motion to adopt the \I version Senate CS CSHB 551 for discussion purposes.

CHAIR GARY STEVENS explained that the \I version is a compromise and provides a 10 year look-back for felony offenses for teacher certification purposes rather than the 35 year look-back. The compromise is an acknowledgement that people make mistakes and they can change their behavior.

SENATOR BERT STEDMAN questioned the viability of the bill since there was little support and that the industry thought they could take care of the problem within their own system without this legislation.

CHAIR GARY STEVENS agreed there was resistance, but he thought it was important to make the bill a little better and send it to the Health Education and Social Services Committee. The Professional Practices Commission and the Anchorage School Board acknowledge that the change to 10 years is better, but they still weren't entirely happy with it, but it's better than before.

SENATOR JOHN COWDERY asked whether "controlled substance" includes alcohol.

CHAIR GARY STEVENS informed him it doesn't include alcohol or marijuana.

SENATOR STEDMAN reiterated that he wasn't sure there was a need for the bill.

CHAIR GARY STEVENS said it was late in the session and it might not make it through the system, but he didn't want to hold the bill.

SENATOR COWDERY motioned to report SCS CSHB 551(STA) from committee with individual recommendations and zero fiscal note. There being no objection, it was so ordered.

CSHB 536 (MLV) - PFUND APPLICATION DEADLINES FOR MILITARY

CHAIR GARY STEVENS announced CSHB 536(MLV) to be up for consideration.

JOHN BITTNER, staff to Representative Cheryll Heinze, introduced the bill for the sponsor. He explained that the bill allows Alaskans who are members of the armed services and are serving in war-zone situations extensions on their permanent fund dividend (PFD) application period. As soon as they are out of a war-zone situation, they have 90 days to submit their PFD application. It's also retroactive for two years to cover members of the armed services who were serving in the previous Iraqi war or the war in Afghanistan.

CHAIR GARY STEVENS recapped and added that this applies only to those who are under hostile fire or imminent danger pay.

MR. BITTNER agreed.

SENATOR BERT STEDMAN asked how that is verified.

MR. BITTNER said it's a military pay type.

SENATOR STEDMAN asked for further clarification.

MR. BITTNER said the permanent fund dividend office has had to address the same type of thing when verifying whether or not members of the armed services were in the state for the requisite periods of time. The military has certain forms that members of the armed services have to turn in to prove that they are a resident of Alaska and they were in Alaska for the minimum amount of time necessary. He continued to say that, "In a case like this, [Director] Barton ... has told me that they would require some sort of verification like a pay stub or a military form of that nature."

SENATOR STEDMAN asked if this would include people in the military that transferred here, lived here for the requisite time to qualify for the PFD and then transferred off into the battle zone. He questioned, "Would they be able to claim residency in Alaska if they were really from Georgia and collect that dividend?"

MR. BITTNER said there are certain requirements for being a member of the state and spending a majority of the time outside

the state. He pointed to the absence guidelines for information in the packet.

SENATOR STEDMAN said the short answer was no. He then asked how many PFD checks go out to military members that aren't technically Alaska residents; they just apply because they're stationed here. He assumed that military members would apply for residency to collect the dividend.

MR. BITTNER said it's possible to do something of that nature, but he didn't have a number to give. He added that the permanent fund has safeguards in place to try to eliminate any abuses.

CHAIR GARY STEVENS said there's a bill in the House that would make serious changes to address students and people in the military, but that's not this bill. This bill only deals with an application extension for those under hostile fire or imminent danger.

SENATOR JOHN COWDERY asked about leaving the state for medical services.

MR. BITTNER replied this bill wouldn't address that situation, but if you're injured while in a war zone there is leeway for the commissioner to extend the application period indefinitely if you can prove reasonable cause.

There were no further questions.

SENATOR COWDERY motioned to report CSHB 536(MLV) from committee with individual recommendations and attached zero fiscal note. There being no objection, it was so ordered.

CHAIR GARY STEVENS adjourned the meeting at 5:10 p.m.