

HOUSE FINANCE COMMITTEE
March 8, 2005
1:43 p.m.

CALL TO ORDER

Co-Chair Meyer called the House Finance Committee meeting to order at [1:43:39 PM](#).

MEMBERS PRESENT

Representative Mike Chenault, Co-Chair
Representative Kevin Meyer, Co-Chair
Representative Bill Stoltze, Vice-Chair
Representative Eric Croft
Representative Richard Foster
Representative Mike Hawker
Representative Jim Holm
Representative Reggie Joule
Representative Mike Kelly
Representative Carl Moses
Representative Bruce Weyhrauch

MEMBERS ABSENT

None

ALSO PRESENT

Annette Kreitzer, Chief of Staff, Office of Lieutenant Governor; Scott Clark, Notary Administrator, Office of Lieutenant Governor; Shannon Straube, Staff, Senator Ben Stevens; Joel Gilbertson, Commissioner, Department of Health & Social Services; Janet Clarke, Assistant Commissioner, Division of Finance and Management Services, Department of Health and Social Services; Pat Davidson, Legislative Auditor, Legislative Audit Division

PRESENT VIA TELECONFERENCE

Jeanine Sparks, Chair, Statewide Suicide Prevention Council

SUMMARY

HB 97 "An Act relating to the authority to take oaths, affirmations, and acknowledgments in the state, to notarizations, to verifications, to acknowledgments, to fees for issuing certificates with the seal of the state affixed, and to notaries public; and providing for an effective date."

CS HB 97 (FIN) was REPORTED out of Committee with a "no recommendation" and with a previously

published fiscal impact note # 1 by the Office of the Governor.

SB 60 "An Act extending the termination date of the Statewide Suicide Prevention Council; and providing for an effective date."

HCS SB 60 (FIN) was REPORTED out of Committee with a "do pass" recommendation and a previously published fiscal impact note # 2 by the Department of Health and Social Services.

1:43:56 PM

#hb97

HOUSE BILL NO. 97

"An Act relating to the authority to take oaths, affirmations, and acknowledgments in the state, to notarizations, to verifications, to acknowledgments, to fees for issuing certificates with the seal of the state affixed, and to notaries public; and providing for an effective date."

ANNETTE KREITZER, CHIEF OF STAFF, OFFICE OF LIEUTENANT GOVERNOR, in response to Co-Chair Meyer, replied that she has had a chance to read Amendment 1. She spoke in support of Amendment 1.

Representative Kelly MOVED to ADOPT Amendment 1 as follows:

Page 8, lines 12 - 13:

Delete "may not have been incarcerated in a correctional facility for a felony conviction within 10 years before the commission takes effect"

Insert "may not, within 10 years before the commission takes effect, have been convicted of a felony or incarcerated in a correctional facility for a felony conviction"

Page 8, line 15, following "jurisdiction":

Insert "within 10 years before the commission takes effect"

Page 8, line 16, following "may not":

Insert ",within 10 years before the commission takes effect,"

Page 10, lines 17 - 18:

Delete "applicant has been incarcerated in a correctional facility for a felony conviction within 10 years before the commission is to take effect"

Insert "applicant has, within 10 years before the commission is to take effect, been convicted of a

felony or incarcerated in a correctional facility for a felony conviction"

Page 10, line 19, following "revoked":
Insert ",within 10 years before the commission is to take effect,"

Page 18, line 12, following "(1)":
Insert "convicted" or "conviction" means that the person has entered a plea of guilty, guilty but mentally ill, or nolo contendere, or has been found guilty or guilty but mentally ill by a court or jury;
(2)"

Page 18, line 15:
Delete "(2)"
Insert "(3)"

Page 18, lines 30, through page 19, line 1:
Delete "has been incarcerated in a correctional facility for a felony conviction within 10 years before the notary public's term of office expires under former AS 44.50.030"
Insert "has been, within 10 years before the notary public's term of office expires under former AS 44.50.030, convicted of a felony or incarcerated in a correctional facility for a felony conviction"

Page 19, line 2, following "public.":
Insert "In this subsection, "convicted" and "conviction" have the meanings given in AS 44.50.200."

There being NO OBJECTION, it was so ordered.

Representative Kelly MOVED to ADOPT Amendment 2, which reads as follows:

Page 16, line 6:
Delete "**Disciplinary action.**":
Insert "**Disciplinary action; complaint; appeal; hearing; delegation.** (a)"

Page 16, line 13:
Delete "**Sec. 44.50.069. Complaint; hearing; appeal; delegation.** (a)"
Insert "(b)"

Page 16, line 18:
Delete "(b)"
Insert "(c)"

Page 16, line 23:
Delete "(c)"

Insert "(d)"

Page 16, line 31:
Delete "(d)"
Insert "(e)"

Page 17, lines 9 - 16:

Delete all material and insert:

"(f) If the lieutenant governor finds that formal disciplinary action may be warranted, the lieutenant governor may suspend or revoke a notary public's commission or reprimand a notary public. If the lieutenant governor suspends or revokes the commission or issues a reprimand, the lieutenant governor shall provide, by certified mail, the notary public with a written statement of the lieutenant governor's decision, including a written statement of the basis for the determination.

(g) A person who is issued a reprimand, suspension, or revocation under (f) of this section may appeal the reprimand, suspension, or revocation by requesting a hearing within 15 days after receiving the statement provided under (f) of this section. If a hearing is requested, the lieutenant governor shall deny or grant the request under AS 44.64.060(b) and refer the matter to the office of administrative hearings under AS 44.64.060(b).

(h) The lieutenant governor may delegate the powers under this section."

Page 17, line 29:
Delete "AS 44.50.069"
Insert "AS 44.50.068"

Page 17, line 30:
Delete "AS 44.50.069(c)"
Insert "AS 44.50.068(d)"

Vice-Chair Stoltze OBJECTED for discussion purposes.

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Ms. Kreitzer explained that Amendment 2 allows for a notary appeal process, yet retains the lieutenant governor's ability to take formal disciplinary action. She spoke in support of Amendment 2.

Vice-Chair Stoltze WITHDREW his OBJECTION.

There being NO OBJECTION, Amendment 2 was adopted.

Representative Foster MOVED to report CS HB 97 (FIN) out of Committee, as amended, with individual recommendations and the accompanying fiscal note. There being NO OBJECTION, it was so ordered.

CSHB 97 (FIN) was REPORTED out of Committee with a "no recommendation" and with a previously published fiscal impact note # 1 by the Office of the Governor.

1:49:24 PM

#sb60

SENATE BILL NO. 60

"An Act extending the termination date of the Statewide Suicide Prevention Council; and providing for an effective date."

Representative Hawker MOVED to ADOPT Amendment 1:

Page 1, line 4 through Page 1, line 6

Delete all material

Insert

**** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section to read:

REPORT TO THE LEGISLATURE. The Department of Health and Social Services shall investigate the legal and practical viability of merging the Suicide Prevention Council into an existing advisory board or an integrated behavioral health advisory board combining the activities of one or more of these boards. The department shall report its findings to the legislature by the 30th day of the Second Regular Session of the Twenty- Fourth Alaska State Legislature.

*** Sec. 2.** AS 44.66.010(8) is amended to read: (8) Statewide Suicide Prevention Council (AS 44.29.300) - June 30, **2006** [2005];"

Representative Weyhrauch OBJECTED for discussion purposes.

Representative Hawker explained the reasoning behind the amendment. He noted that there are five major advisory boards and a newly proposed board within the Department of Health and Social Services. He suggested combining boards for more efficient management and cost savings. He questioned whether the Suicide Prevention Council could accomplish its established goals within the huge Department of Health and Social Services. The FY 06 budget proposal would merge management responsibilities for two of the five boards, the Mental Health Board and the Alcohol and Drug Abuse Advisory Board. He further suggested that the Suicide Prevention Council merge with the two previously mentioned

boards creating an integrated behavioral health advisory board for the Mental Health Trust. He concluded that it might be appropriate to consider a one-year extension of the Suicide Prevention Council and then re-evaluate the merger next session. He requested that the Department of Health and Social Services continue to look for efficiencies.

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SHANNON STRAUBE, STAFF, SENATOR BEN STEVENS, spoke against Amendment 1 on behalf of the sponsor. She maintained that the Suicide Prevention Council has just begun its work, and recently issued a statewide plan coordinating community, private, and public efforts to curb suicide. She related that Senator Stevens would prefer to have the Council extended until 2009.

Representative Hawker opined that there is no right or wrong answer as to what to do with the Council. He asked whether the Council or the Department prepared the suicide prevention plan. Ms. Straube explained that the information was gathered from several sources and put together by the Council. Representative Hawker asked if the Council needs more resources to accomplish its mission, and if it would benefit by being a part of an integrated board. Ms. Straube replied that the sponsor would prefer that it be a "sole purpose" board now, but that could be looked at later on. Representative Hawker stated that the amendment simply points out concerns to the sponsor and to the Department and highlights an effort to become more involved in budget decisions.

In response to a question from Representative Weyhrauch, Ms. Straube replied that the sunset date in HB 97 is 2009. Representative Weyhrauch asked for feedback on the idea of the Department reporting back to the legislature next session. Ms. Straube suggested that Jeanie Sparks, Chair, Statewide Suicide Prevention Council, comment on the amendment. Representative Weyhrauch asked what the viability of such a merge would be. Ms. Straube suggested that going year to year might focus the council on its perpetuation and not on its mission.

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JEANINE SPARKS, CHAIR, STATEWIDE SUICIDE PREVENTION COUNCIL, addressed Representative Weyhrauch's question. She agreed with Ms. Straube that the council should be extended until 2009. She emphasized that last year a lot of energy was spent on discussing possible mergers, filling positions, and undergoing an audit, which distracted the council from its mission. She related that she helped write the state plan, which had input from Susan Soule from the Department of

Health and Social Services and federal advisement from Peggy West.

Vice-Chair Stoltze voiced support for the council itself and appreciation for the discussion, which assists the committee in helping the council realize its mission.

Representative Joule shared his past experience on the Advisory Board for Alcohol and Drug Abuse and on the Interim Commission on Children and Youth. Attention to the issue of suicide often fell short because of all the existing needs. He suggested that once the council gets its footing, it would be worthwhile to have this discussion again.

[2:04:30 PM](#)

Representative Kelly reported that he attended an impressive Wellness Warriors presentation and said it is difficult to be against suicide prevention. He questioned whether this is the best method to prevent suicide. He shared a personal story and called suicide prevention worthwhile, but wondered if this is the right vehicle. He concluded that he would support HB 97.

Representative Holm agreed with Representative Kelly and mentioned the issue of accountability. He wondered if this structure would lower the incidence of suicide. He pointed out that suicide is regional, and he questioned if the council appropriately represented the regions most affected.

Representative Hawker WITHDREW Amendment 1, deferring to the wishes of the sponsor.

[2:08:07 PM](#)

Representative Foster MOVED to report HCS SB 60 (FIN) out of Committee with individual recommendations and the accompanying fiscal note. There being NO OBJECTION, it was so ordered.

HCS SB 60 (FIN) was REPORTED out of Committee with a "do pass" recommendation and a previously published fiscal impact note # 2 by the Department of Health and Social Services.

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ADJOURNMENT

The meeting was adjourned at 2:09 PM