

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

March 13, 2007

8:04 a.m.

MEMBERS PRESENT

Representative Bob Lynn, Chair
Representative Bob Roses, Vice Chair
Representative John Coghill
Representative Kyle Johansen
Representative Craig Johnson
Representative Andrea Doll
Representative Max Gruenberg

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

CONFIRMATION HEARING(S)

Lieutenant Governor Designee

Talis Colberg - Palmer

- CONFIRMATION(S) ADVANCED

Commissioner, Department of Administration

Annette Kreitzer - Juneau

- CONFIRMATION(S) ADVANCED

Commissioner, Department of Public Safety

Walter C. Monegan III - Anchorage

- CONFIRMATION(S) ADVANCED

Commissioner, Department of Corrections

Joe Schmidt - Wasilla

- CONFIRMATION(S) ADVANCED

Alaska Public Offices Commission

Shirley R. Dean - Douglas

Elizabeth Johnston Hickerson - Anchorage

- CONFIRMATION(S) ADVANCED

State Commission for Human Rights

Karen Rhoades - Wasilla

- CONFIRMATION(S) ADVANCED

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

TALIS COLBERG, Appointee
as Lieutenant Governor Designee
Palmer, Alaska

POSITION STATEMENT: Testified as appointed lieutenant governor designee.

ANNETTE KREITZER, Acting Commissioner
Department of Administration
Juneau, Alaska

POSITION STATEMENT: Testified as appointed commissioner of the Department of Administration.

WALTER C. MONEGAN III, Acting Commissioner
Department of Public Safety
Anchorage, Alaska

POSITION STATEMENT: Testified as appointed commissioner of the Department of Public Safety.

JOE SCHMIDT, Acting Commissioner
Department of Corrections
Wasilla, Alaska

POSITION STATEMENT: Testified as appointed commissioner of the Department of Corrections.

SHIRLEY R. DEAN, Appointee
to the Alaska Public Offices Commission (APOC)
Douglas, Alaska

POSITION STATEMENT: Testified as appointee to the Alaska Public Offices Commission.

ACTION NARRATIVE

CHAIR BOB LYNN called the House State Affairs Standing Committee meeting to order at [8:04:37 AM](#). Representatives Roses, Coghill, Johansen, Johnson, Doll, and Lynn were present at the call to order. Representative Gruenberg arrived as the meeting was in progress.

CONFIRMATION HEARING(S)
Lieutenant Governor Designee

[8:05:37 AM](#)

CHAIR LYNN announced that the first order of business was the confirmation hearing on the appointment of Talis Colberg as Lieutenant Governor Designee.

[8:05:52 AM](#)

TALIS COLBERG, Appointee as Lieutenant Governor Designee, offered his background.

[8:08:27 AM](#)

MR. COLBERG stated that he is honored to have been appointed as Lieutenant Governor Designee, and he said he can fill the tasks required of that post, as well as the tasks of the lieutenant governor if need be. In response to Chair Lynn, he said although he has not given much thought to the possibility, in the unlikely event he should have to act as governor, he would be fair and honorable.

[8:10:02 AM](#)

REPRESENTATIVE ROSES related that Governor Sarah Palin praises Mr. Colberg's skill and abilities to fill the position of Lieutenant Governor Designee.

[8:10:35 AM](#)

REPRESENTATIVE COGHILL encouraged Mr. Talis to keep an eye on the ethics of the legislature. He stated his support of Mr. Talis' appointment.

8:11:34 AM

REPRESENTATIVE JOHANSEN, on behalf of Mr. Talis and all the upcoming people present for confirmation, stated that he is aware of the great sacrifice made to serve the public, and he expressed appreciation of all involved for their commitment to the state.

8:12:09 AM

REPRESENTATIVE DOLL said she is pleased by all she has read about Mr. Colberg and about how receptive he is to new ideas.

8:12:40 AM

CHAIR LYNN said that he has been impressed by Mr. Colberg.

8:13:19 AM

REPRESENTATIVE GRUENBERG related that he had received a phone call from Mike Barnhill last night relating to "legislation to solve the regent problem." He expressed his appreciation for Mr. Barnhill's call and Mr. Colberg's cooperation.

8:14:08 AM

REPRESENTATIVE COGHILL moved to advance the confirmation of Talis Colberg to the joint session of the House and Senate; he requested unanimous consent. There being no objection, the nomination of Talis Colberg to the position of Lieutenant Governor Designee was advanced.

Commissioner, Department of Administration

CHAIR LYNN announced that the next order of business was the confirmation hearing on the appointment of Annette Kreitzer as commissioner of the Department of Administration.

8:14:31 AM

ANNETTE KREITZER, Acting Commissioner, Department of Administration, presented a brief history of her prior experience.

8:16:45 AM

REPRESENTATIVE ROSES thanked Ms. Kreitzer for her conversations with him regarding the Public Employees' Retirement System (PERS), the Teachers' Retirement System (TRS), and the ARM Board, and her willingness to discuss any and all issues brought forward. He stated his support of her appointment.

ACTING COMMISSIONER KREITZER talked about having a unified state position coming in to ARM Board meetings. She said other board members like that approach.

REPRESENTATIVE ROSES said he appreciates that approach, as well, because, having sat on the ARM Board, it sometimes felt like some members of the board were having to act as referees.

[8:19:25 AM](#)

REPRESENTATIVE JOHANSEN noted that on paper it is apparent that Ms. Kreitzer has experience in state government. Additionally, he said he has worked with Ms. Kreitzer and has seen first hand the dedication she has for her work. He said he knows that work ethic will continue.

[8:21:32 AM](#)

ACTING COMMISSIONER KREITZER, in response to a question from Representative Gruenberg, said there are many crime bills introduced each year and the Public Defender Agency and the Office of Public Advocacy are busy. She invited Representative Gruenberg to let her know of particular bills about which he is interested in hearing feedback from those entities. She assured Representative Gruenberg that those entities are not prohibited or discouraged in any manner from [giving feedback to the legislature regarding crime bills].

REPRESENTATIVE GRUENBERG said he does not have any particular bill in mind, but has an interest in general in hearing from those entities.

[8:23:14 AM](#)

ACTING COMMISSIONER KREITZER, in response to a request made by Representative Coghill, mentioned some of the entities overseen by the Commissioner of Administration, which in entirety are: the Division of Administrative Services, the Office of Administrative Hearings, the Division of Finance, the Division of General Services, Enterprise Technology Services, the Juneau Business Office, the Division of Motor Vehicles, Public

Communication Services, the Division of Personnel & Labor Relations, the Division of Retirement & Benefits, the Division of Risk Management, the Public Defender Agency (PDA), the Office of Public Advocacy (OPA), the Alaska Public Offices Commission (APOC), and the Oil & Gas Conservation Commission. She said the Division of Finance and the Division of Personnel & Labor Relations have been combined.

REPRESENTATIVE COGHILL estimated that Ms. Kreitzer has been working as the Acting Commissioner of the Department of Administration for just over a month.

[8:25:44 AM](#)

REPRESENTATIVE GRUENBERG noted that he is one of the members of the Department of Administration finance subcommittee. He indicated that there had been concern stated by some that the commissioner of the Department of Administration sits on the ARM Board. He stated, "We've looked into that and the statute requires that you be on the ARM Board."

[8:27:20 AM](#)

ACTING COMMISSIONER KREITZER, in response to Representative Doll, said her biggest focus as commissioner will be on recruitment and retention. She said one concern is the "gap in experience" that happens when long-term workers retire and nobody has been groomed to take their place.

[8:28:48 AM](#)

REPRESENTATIVE COGHILL moved to advance the confirmation of Annette Kreitzer to the joint session of the House and Senate; he requested unanimous consent. There being no objection, the nomination of Annette Kreitzer to the position of commissioner of the Department of Administration was advanced.

Commissioner, Department of Public Safety

[8:29:13 AM](#)

CHAIR LYNN announced that the next order of business was the confirmation hearing on the appointment of Walter C. Monegan III as commissioner of the Department of Public Safety.

[8:29:23 AM](#)

WALTER C. MONEGAN III, Acting Commissioner, Department of Public Safety, offered his history. He said he has a great respect for people, and his experiences have bound him tighter to public service. He said he would like to infuse public safety into all the state departments, and he pledged to work with all departments to accomplish that goal. He offered an example of that work in progress.

8:35:10 AM

REPRESENTATIVE ROSES recalled a horrible Mountain View Elementary School incident, when a deranged individual slashed the throats of some children, and he said Chief Monegan's actions in that instance showed both professionalism and compassion.

8:37:04 AM

ACTING COMMISSIONER MONEGAN, in response to a concern stated by Representative Doll, said currently there are 80 authorized positions in the Village Public Safety Officer (VPSO) program. He reminded the committee that VPSOs are recruited and hired by nonprofit agencies, and those agencies receive an administrative cost of 15 percent from monies coming from both the state and federal government. Mr. Monegan said he would like to create three tiers of police officers: a tribal or village police officer, a VPSO, and an Alaska State Trooper or municipal police officer. He said officers in each tier would know what needed to be done to reach the next level. He said once those tiers are set up, he would like to explore the public safety responsibilities of the state. He said he would like to get all this done within four years.

8:40:53 AM

REPRESENTATIVE GRUENBERG said he has known Mr. Monegan for a number of years, and he described him as someone of the highest caliber and integrity. He stated support of Mr. Monegan's appointment as commissioner.

8:41:48 AM

ACTING COMMISSIONER MONEGAN, in response to a question from Representative Coghill, said many departments across the country are having difficulty recruiting police officers. He said he would like to lessen the intimidation factor of asking people to serve for 25 years, by asking them instead to start out giving 5

years. He said people will get hooked once they've served that many years. Mr. Monegan said he would like to work with the University of Alaska to see about getting free education for [Department of Correction] employees. Another idea he said he would like to try is to give people the opportunity to take a sabbatical after five years. Alaska State Troopers, he stated, are the biggest recruiters, because they can inspire as role models.

[8:44:54 AM](#)

ACTING COMMISSIONER MONEGAN, in response to a comment from Representative Coghill regarding mandatory rotation, said when troopers get done with the academy, they go through field training and gain experience until they become solo troopers. At that point, he said, he would like to send those troopers out into a rural area for two weeks where they will continue their education and witness how happy duty in the Bush is. He said he hopes that will cause more troopers to want to bid on working in the Bush. In response to a question from Representative Coghill regarding housing, he said while some areas are still in dire straights, other areas, such as Bethel, have campus-like housing in town.

[8:48:28 AM](#)

ACTING COMMISSIONER MONEGAN, in response to Representative Coghill, said once the jet [used by former Governor Frank Murkowski] is sold, troopers will come to the legislature with a request for a second twin engine aircraft. He said soon there will be Alaska Wildlife Troopers flying out over Bristol Bay and the Bering Sea area. He said the problem with using commercial or charter planes is that sometimes the troopers will end up pushing the envelope in bad weather to get to where they need to go, and a charter won't take that risk.

[8:50:50 AM](#)

REPRESENTATIVE COGHILL stated that there is no doubt that when a trooper walks into a village, he/she is known and respected. He named the following issues that still need attention: housing, retention, and "respect from our support bases." He said that because of the lack of resources, felonies are being given greater attention than misdemeanors.

[8:52:14 AM](#)

REPRESENTATIVE ROSES said he would like to see an additional tier added: a recruit or trainee. He said he thinks there is opportunity to use students in the Reserve Officers' Training Corps (ROTC) program. He reported that less than 15 percent of those students go on to join the military. He recommended setting up a scholarship program for those students to get their associate degree and then train to be a trooper. He said he thinks those students who come from Bush communities to go through this type of program would experience less of a hurdle in going back to serve in the Bush than someone not from the Bush originally.

[8:56:04 AM](#)

ACTING COMMISSIONER MONEGAN said there has been a move within the Alaska Police Standards Council to consider a tier called, "Reserved Officer Program." He said at one point, about 80 percent of his staff came from that program. He talked about academies and "lateral" academies.

[8:58:17 AM](#)

ACTING COMMISSIONER MONEGAN, in response to Chair Lynn, said there used to be a student trooper program, and Anchorage used to have a police explorer program. However, due to budget constraints, those programs no longer exist. He said he thinks the way to continue is through the School Resource Officer (SRO) program. He offered further details. He said he is taking steps toward the idea Representative Roses mentioned regarding using the Kulis Air National Guard Base in Anchorage.

[9:00:04 AM](#)

ACTING COMMISSIONER MONEGAN, in response to a question from Representative Doll regarding the high rate of sexual assault in Alaska, said he would like to see the Department of Public Safety work more closely with the Alaska State Troopers in the field. He said there is a gap between where the troopers leave and social services picks up.

[9:02:11 AM](#)

ACTING COMMISSIONER MONEGAN, in response to a question from Chair Lynn about the sexual registry program, said he would like to work with the Department of Corrections to get up-to-date change of addresses from former inmates. In response to a follow-up question regarding sex offenders who move to Alaska

from other states, he said he hopes there will be communication between states. If that information is not forthcoming, he said, then that sex offender's records will be pulled up when he/she is pulled over for another reason, such as a traffic stop. He spoke of a national conference he attended which stressed the importance of "fusion" - all public safety entities communicating with each other so that "instead of becoming silos, we can actually become a safety net."

9:05:03 AM

ACTING COMMISSIONER MONEGAN, in response to Representative Gruenberg, confirmed that "the brown shirts" - having been incorporated into "the blue shirts" by the previous governor - are being reinstated by Governor Sarah Palin, this time as Alaska Wildlife Troopers. He offered further details.

ACTING COMMISSIONER MONEGAN, in response to a question from Representative Gruenberg about [3M™ Opticom™ Priority Control Systems ("Opticoms")] - a device installed in emergency vehicles to control traffic lights, said he has reservations about using those devices in police cars for two reasons: First, the cost would be exorbitant; and second, the devices could encourage officers to over rely on technology, resulting in accidents.

9:10:03 AM

ACTING COMMISSIONER MONEGAN, in response to Chair Lynn, said the issue of security in the capitol and in court houses around the state has been discussed, and practices have been conducted. He talked about the balance between using security devices in the capitol versus allowing the public easy access to its legislators. He mentioned various means of adding security that are available.

9:12:05 AM

ACTING COMMISSIONER MONEGAN, in response to a question from Chair Lynn about the possible effect caused by an anticipated influx of people moving to Alaska to build a gas pipeline, reviewed the system from public safety to courts to correctional facilities. He said there is a 9-year backlog in the process between the court and the district attorney's (DA's) office and throughout the rest of the system. He remarked that the recent increase in the number of judges, sanctioned by the legislature, has been helpful. Putting perspective on Chair Lynn's concern,

he stated that he would worry more about losing staff from the police department to jobs on the pipeline.

[9:15:46 AM](#)

ACTING COMMISSIONER MONEGAN, in response to Representative Gruenberg, said he would supply him with a report of results pertaining to a security request for the court house in Bethel.

[9:16:45 AM](#)

ACTING COMMISSIONER MONEGAN, in response to Representative Johansen, said Sitka is the best place for training troopers, and will continue to be the appropriate place to turn recruits "from green into blue." He said he would support a firearms range in Fairbanks. He spoke of honing skills across the state. He said he would like to see the Kulis Air National Guard Base become the Department of Public Safety's new headquarters.

[9:19:32 AM](#)

REPRESENTATIVE ROSES moved to advance the confirmation of Walter C. Monegan III to the joint session of the House and Senate; he requested unanimous consent. There being no objection, the nomination of Walter C. Monegan III to the position of commissioner of the Department of Public Safety was advanced.

Commissioner, Department of Corrections

[9:19:48 AM](#)

CHAIR LYNN announced that the next order of business was the confirmation hearing on the appointment of Joe Schmidt as commissioner of the Department of Corrections.

[9:20:05 AM](#)

JOE SCHMIDT, Acting Commissioner, Department of Corrections, related his personal history to the committee.

[9:22:25 AM](#)

ACTING COMMISSIONER SCHMIDT, in response to Chair Lynn, said he would ultimately like to see the department operating smoothly by national standards, releasing prisoners in better shape than that in which they were when incarcerated. He said he would like to decrease recidivism, and he acknowledged that although

the prison population is a community problem, people look to the Department of Corrections to solve it or make it better.

[9:25:15 AM](#)

ACTING COMMISSIONER SCHMIDT, in response to Representative Roses, said the department is moving in the direction of increasing the use of ankle monitoring devices. He said the question the department has to ask is, "What do we need to do to stop this person from harming [others]?" He said sometimes the person needs to be locked up tight, while other times he/she can be out making a living, supporting and being supported by family. He said although an ankle monitor cannot prevent a person from committing a crime, it can show where the person was when committing it. He said staff resources are key in managing those on ankle monitors.

[9:27:29 AM](#)

ACTING COMMISSIONER SCHMIDT, in response to Representative Doll, said he thinks Alaska has been successful in the field of corrections. He reported that there has never been an officer killed in a hostage situation or gang overthrow. He stated that the department employs direct supervision and management, and it uses housing units that are broken down into smaller dormitories, and he indicated that those factors contribute to the success of the department.

[9:29:21 AM](#)

ACTING COMMISSIONER SCHMIDT, in response to Representative Doll, said he does not readily know what percentage of those incarcerated for substance abuse are being put into the substance abuse treatment program. He said a study done over the last couple years shows that 92 percent of prisoners that come in to the system have a substance abuse issue. He reported that the department does 33,000 bookings a year. He offered to come back to Representative Doll with information pertaining to the percentage the department is "putting into it in terms of [rehabilitation]."

[9:30:10 AM](#)

REPRESENTATIVE COGHILL moved to advance the confirmation of Joe Schmidt to the joint session of the House and Senate; he requested unanimous consent. There being no objection, the

nomination of Joe Schmidt to the position of commissioner of the Department of Corrections was advanced.

Alaska Public Offices Commission

[9:31:27 AM](#)

CHAIR LYNN announced that the next order of business was the confirmation hearing on the appointment of Shirley R. Dean to the Alaska Public Offices Commission.

[9:31:57 AM](#)

SHIRLEY R. DEAN, Appointee to the Alaska Public Offices Commission (APOC), emphasized her support of APOC's stance that public office and public appointments are a public trust. She stated she is an advocate for accountability in government, and she posited that APOC's mission is a major key to effective and efficient government. She said her past experience illustrates that she is qualified for the position and she assured the committee that she has the commitment it takes to serve.

[9:33:10 AM](#)

MS. DEAN, in response to a question from Chair Lynn, said she has just now started reading regulations and reviewing bills, thus she said she cannot comment on ethics bills at this point.

[9:33:32 AM](#)

REPRESENTATIVE ROSES expressed appreciation of Ms. Dean's willingness to serve.

[9:34:23 AM](#)

CHAIR LYNN highlighted APOC's position in serving the public and guiding legislators to interpret rules.

[9:35:13 AM](#)

REPRESENTATIVE COGHILL said APOC serves as both advisor and police, and he said timeliness is an important issue.

REPRESENTATIVE GRUENBERG expressed appreciation of Ms. Dean's prior experience with the State Commission on Human Rights.

[9:37:36 AM](#)

REPRESENTATIVE GRUENBERG moved to advance the confirmation of Shirley R. Dean to the joint session of the House and Senate; he requested unanimous consent. There being no objection, the nomination of Shirley R. Dean to the Alaska Public Offices Commission was advanced.

[9:38:08 AM](#)

CHAIR LYNN announced that the next order of business was the confirmation hearing on the appointment of Elizabeth Johnston Hickerson to the Alaska Public Offices Commission.

[9:38:55 AM](#)

REPRESENTATIVE GRUENBERG said he has known Ms. Hickerson since approximately 1984. He offered a brief history of Ms. Hickerson's experience since that time. He stated his support of Ms. Hickerson's appointment to APOC.

[9:39:35 AM](#)

REPRESENTATIVE GRUENBERG moved to advance the confirmation of Elizabeth Johnston Hickerson to the joint session of the House and Senate; he requested unanimous consent. There being no objection, the nomination of Elizabeth Johnston Hickerson to the Alaska Public Offices Commission was advanced.

State Commission for Human Rights

[9:39:51 AM](#)

CHAIR LYNN announced that the last order of business was the confirmation hearing on the appointment of Karen Rhoades to the State Commission for Human Rights.

[9:39:58 AM](#)

REPRESENTATIVE ROSES moved to advance the confirmation of Karen Rhoades to the joint session of the House and Senate; he requested unanimous consent. There being no objection, the nomination of Karen Rhoades to the Alaska Public Offices Commission was advanced.

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at [9:41:18 AM](#).