

ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE

February 12, 2008
8:06 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)

State Commission on Human Rights

Mark S. Fish - Anchorage, Alaska
Grace Merkes - Sterling, Alaska
Robert B. Sawyer, Jr. - Fairbanks, Alaska

- CONFIRMATION(S) ADVANCED

Personnel Board

Debra E. English - Anchorage, Alaska

- CONFIRMATION(S) ADVANCED

Alaska Public Offices Commission (APOC)

Kathleen Frederick - Juneau, Alaska

- CONFIRMATION(S) ADVANCED

HOUSE BILL NO. 259

"An Act establishing the first week of every March as Alaska History Week."

- MOVED HB 259 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 259

SHORT TITLE: ESTABLISHING ALASKA HISTORY WEEK

SPONSOR(S): REPRESENTATIVE(S) FAIRCLOUGH

05/13/07 (H) READ THE FIRST TIME - REFERRALS
05/13/07 (H) STA
02/12/08 (H) STA AT 8:00 AM CAPITOL 106

WITNESS REGISTER

GRACE MERKES, Appointee
State Commission on Human Rights
Sterling, Alaska

POSITION STATEMENT: Testified as appointed commissioner of the State Commission on Human Rights.

MARK S. FISH, Appointee
State Commission for Human Rights
Anchorage, Alaska

POSITION STATEMENT: Testified as appointed commissioner of the State Commission for Human Rights.

DEBRA E. ENGLISH, Appointee
to the Personnel Board
Anchorage, Alaska

POSITION STATEMENT: Testified as appointee to the Personnel Board.

KATHLEEN FREDERICK, Appointee
to the Alaska Public Offices Commission (APOC)
Juneau, Alaska

POSITION STATEMENT: Testified as appointee to APOC.

REPRESENTATIVE ANNA FAIRCLOUGH
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 259 as prime sponsor.

ACTION NARRATIVE

CHAIR BOB LYNN called the House State Affairs Standing Committee meeting to order at [8:06:54 AM](#). Representatives Roses, Coghill, Johnson, Doll, and Lynn were present at the call to order.

Representatives Johansen and Gruenberg arrived as the meeting was in progress.

CONFIRMATION HEARING(S)
State Commission on Human Rights

[8:07:29 AM](#)

CHAIR LYNN announced the first order of business, the confirmation hearings for appointees to the State Commission for Human Rights.

[8:08:38 AM](#)

GRACE MERKES, Appointee, State Commission on Human Rights, told the committee that she has already served on the commission for the past five years and would like the opportunity to continue in that capacity. She noted that she has been chair of the commission for the past two years. She emphasized the importance of the commission as a way for the people of Alaska to bring discrimination cases to those who can help them. In response to a question from Representative Lynn, she said the commission operates with a staff of between 17-18 people. Originally, she noted, the commission dealt with close to 4,000 calls a year. For each call, if a resolution cannot be met, then the case goes to investigation, to conciliation, and finally to a hearing. Out of all the original phone calls, 15 cases, on average, actually go to a hearing process. She estimated that there were between 12-15 hearings last year.

[8:11:18 AM](#)

REPRESENTATIVE COGHILL moved to advance the confirmation of Grace Merkes to the joint session of the House and Senate; he requested unanimous consent. There being no objection, the nomination of Grace Merkes to the position of commissioner of the State Commission for Human Rights was advanced.

[8:11:42 AM](#)

MARK S. FISH, Appointee, State Commission for Human Rights, told the committee that he has been an Alaskan since 1962, and worked in the Alaska Army National Guard for 20 years, retiring in 2003. He stated, "I view my service on these boards as an extension of that duty." He said he is in the inactive reserve with the Alaska Army National Guard, and he stated that he takes his obligations and civic responsibility seriously. He revealed

that he is a candidate for state office. He mentioned a bill being brought forth, and he suggested there may be concern that he would use his position on the commission as "a soap box" or excuse to fundraise. He assuaged that concern by quoting a line from the Army NCO Creed, which read: "I will not use my grade or position to obtain pleasure, profit, or personal safety." He said that is something he still ascribes to and he hopes that will alleviate any concerns that his run for office may have.

MR. FISH stated that [human] rights are so important that they were put "right up front" in the Constitution of the United States. In response to a question from Chair Lynn, he said he will be running for office in the House of Representatives. He said he does not know whether or not he would have to resign from the commission were he to be elected to office.

8:14:31 AM

REPRESENTATIVE ROSES proffered that the bill to which Mr. Fish referred would not allow anyone running for office to serve on any board or commission. He said he has experience in that regard, because when he ran for office, he was contacted by an assistant attorney general and told that he must resign from his position on the Alaska Retirement Management (ARM) Board. He suggested Mr. Fish may want to look into the issue. He stated his understanding that if a person is paid a stipend, he/she is an employee of the state and therefore would have a conflict of interest when filing for office.

MR. FISH offered his understanding that those who serve on the State Commission for Human Rights receive a per diem rather than a stipend.

REPRESENTATIVE ROSES thanked Mr. Fish for his willingness to serve.

8:17:13 AM

REPRESENTATIVE ROSES moved to advance the confirmation of Mark S. Fish to the joint session of the House and Senate; he requested unanimous consent. There being no objection, the nomination of Mark S. Fish to the position of commissioner of the State Commission for Human Rights was advanced.

8:17:54 AM

CHAIR LYNN asked if anybody on the committee would like to comment regarding Robert B. Sawyer, Jr., Appointee to the State Commission for Human Rights.

[8:18:04 AM](#)

REPRESENTATIVE COGHILL said he has worked with Mr. Sawyer in the Fairbanks area off and on for 20 years. He said Mr. Sawyer has been a good public servant and will do well serving on the commission.

[8:18:48 AM](#)

REPRESENTATIVE COGHILL moved to advance the confirmation of Robert B. Sawyer, Jr. to the joint session of the House and Senate; he requested unanimous consent. There being no objection, the nomination of Robert B. Sawyer, Jr. to the position of commissioner of the State Commission for Human Rights was advanced.

Personnel Board

[8:19:08 AM](#)

CHAIR LYNN announced the next order of business, the confirmation hearing for the appointee to the Personnel Board.

[8:19:14 AM](#)

DEBRA E. ENGLISH, Appointee, to the Personnel Board, told the committee that she was appointed to the board, in 2004, by then Governor Frank Murkowski, and shortly thereafter accepted the position of chair. She said her numerous years working in state government, in the area of human resources, has helped her assist in the board processes. She said, "The first four years, the board entertained a lot of activities with challenges against the governor and other elected officials, and we were able to address that in a confidential matter and with a resolution." She described the Personnel Board as effective, and told the committee that she would appreciate the opportunity to continue working on it.

[8:20:26 AM](#)

REPRESENTATIVE COGHILL noted that Ms. English's resume shows that she has helped the state in many ways, and he expressed his gratitude.

[8:21:03 AM](#)

REPRESENTATIVE COGHILL moved to advance the confirmation of Debra E. English to the joint session of the House and Senate; he requested unanimous consent. There being no objection, the nomination of Debra E. English as appointee to the Personnel Board was advanced.

Alaska Public Offices Commission (APOC)

[8:21:24 AM](#)

CHAIR LYNN announced the next order of business, the confirmation hearing for the appointee to the Alaska Public Offices Commission (APOC).

[8:21:32 AM](#)

KATHLEEN FREDERICK, Appointee, to the Alaska Public Offices Commission (APOC), said the appeal of serving on the commission is that it is an important body, "particularly in light of the last couple years." She indicated that APOC serves a quasi-judicial and regulatory function, which she said is appealing to her because of her background as a lawyer. In response to Chair Lynn, she told the committee that in the last 25 years she has practiced law in the areas of business, real estate, civil litigation, and employment. In response to a follow-up question from the chair, she confirmed that she is familiar with the reporting requirements for candidates. She said her familiarity is partially due to her time serving on the Alaska Public Broadcasting Commission.

[8:22:55 AM](#)

REPRESENTATIVE DOLL moved to advance the confirmation of Kathleen Frederick to the joint session of the House and Senate; she requested unanimous consent. There being no objection, the nomination of Kathleen Frederick as appointee to the Alaska Public Offices Commission was advanced.

HB 259-ESTABLISHING ALASKA HISTORY WEEK

[8:23:22 AM](#)

CHAIR LYNN announced that the last order of business was HOUSE BILL NO. 259, "An Act establishing the first week of every March as Alaska History Week."

[8:23:45 AM](#)

REPRESENTATIVE ANNA FAIRCLOUGH, Alaska State Legislature, presented HB 259 as prime sponsor. She said the bill proposes that the state recognize the first week of March as Alaska History [Week]. Representative Fairclough reported that for many years, Alaskans have participated in the National History Day program, which she stated is the largest history education program in the nation, with over 700,000 students and 40,000 teachers participating annually. In Alaska, she said, approximately 3,000 students and 50 teachers participate annually. Representative Fairclough concluded, "We're hoping to bring recognition day to Alaska so that we can join the rest of the nation in the celebration and recognize Alaska's heritage and our rich culture."

[8:24:42 AM](#)

REPRESENTATIVE ROSES expressed his support of the HB 259.

[8:25:02 AM](#)

REPRESENTATIVE FAIRCLOUGH, in response to Chair Lynn, explained a pin she wore showing a wooly mammoth.

[8:25:32 AM](#)

REPRESENTATIVE COGHILL said he likes the idea of having a week [dedicated to appreciation of Alaska's history], and he said he would one day like to see a whole curriculum offered. He asked Representative Fairclough to describe what she imagines would be the venue of an Alaska History Week.

REPRESENTATIVE FAIRCLOUGH responded that there is a national participation framework, in which research papers are submitted, exhibits put up, performances offered, and web sites built. She noted that the Anchorage School District has sent a letter of support for the bill, as well as Southcentral Foundation, and she said there would be no mandate that would add any additional responsibilities to any of the school districts.

REPRESENTATIVE COGHILL said it would be interesting to find out more about the process, because he would like to encourage participation.

[8:27:42 AM](#)

REPRESENTATIVE FAIRCLOUGH, in response to Representative Doll, said the bill sets up language in statute to promote history and awareness throughout the state.

[8:28:25 AM](#)

REPRESENTATIVE COGHILL asked why this legislation was being proposed by statute, rather than by resolution.

REPRESENTATIVE FAIRCLOUGH replied:

History, in itself, is something that's perpetual and is recognized. I mean, we recognize on an annual basis Sexual Assault Awareness month - that's what I'm most closely affiliated with - and so, someone has to bring that forward every year - which is a good thing, to make sure that you recognize it. But history is so much of our foundation, that it seems codifying it and placing it in statute is an appropriate celebration of that.

[8:28:56 AM](#)

REPRESENTATIVE JOHANSEN said he thinks highlighting the history of Alaska is an excellent idea. He said there are so many people flowing into the major population centers that have no idea what the history of Alaska is, and he said it bothers him that there is no focus on the state's history, which is unique.

CHAIR LYNN concurred.

[8:29:57 AM](#)

REPRESENTATIVE COGHILL moved to report HB 259 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 259 was reported out of the House State Affairs Standing Committee.

[8:30:29 AM](#)

REPRESENTATIVE FAIRCLOUGH said she would appreciate any co-sponsorship of the bill, if any of the House State Affairs Standing Committee members would be so inclined.

[8:30:53 AM](#)

CHAIR LYNN noted that there are several pieces of legislation in circulation regarding the issue of legislators voting on the House floor when they have a declared conflict of interest. He said he is considering establishing a subcommittee to review the legislation and draw the ideas together into one bill. After committee discussion, Chair Lynn related that he would make a decision by the end of the week regarding how the committee would proceed.

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at [8:42:39 AM](#).