

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

April 8, 2014

9:04 a.m.

MEMBERS PRESENT

Representative Bob Lynn, Chair
Representative Wes Keller, Vice Chair
Representative Lynn Gattis
Representative Shelley Hughes
Representative Doug Isaacson
Representative Jonathan Kreiss-Tomkins

MEMBERS ABSENT

Representative Charisse Millett

COMMITTEE CALENDAR

CONFIRMATION HEARING(S)

Public Defender

Quinlan Steiner - Anchorage

- CONFIRMATION(S) ADVANCED

Chief Administrative Law Judge

Kathleen A. Frederick - Palmer

- CONFIRMATION(S) ADVANCED

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 175(STA)

"An Act designating the official state bolt-action rifle."

- MOVED CSSB 175(STA) OUT OF COMMITTEE

SENATE CONCURRENT RESOLUTION NO. 20

Proclaiming April 2014 as Sexual Assault Awareness Month.

- MOVED SCR 20 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 175

SHORT TITLE: OFFICIAL STATE BOLT-ACTION RIFLE
SPONSOR(s): SENATOR(s) HUGGINS

02/14/14 (S) READ THE FIRST TIME - REFERRALS
02/14/14 (S) STA
03/11/14 (S) STA AT 9:00 AM BUTROVICH 205
03/11/14 (S) Moved CSSB 175(STA) Out of Committee
03/11/14 (S) MINUTE(STA)
03/12/14 (S) STA RPT CS 3DP 1NR SAME TITLE
03/12/14 (S) DP: DYSON, COGHILL, GIESSEL
03/12/14 (S) NR: WIELECHOWSKI
03/28/14 (S) TRANSMITTED TO (H)
03/28/14 (S) VERSION: CSSB 175(STA)
03/31/14 (H) READ THE FIRST TIME - REFERRALS
03/31/14 (H) STA
04/08/14 (H) STA AT 8:00 AM CAPITOL 106

BILL: SCR 20

SHORT TITLE: SEXUAL ASSAULT AWARENESS MONTH
SPONSOR(s): FINANCE

03/14/14 (S) READ THE FIRST TIME - REFERRALS
03/14/14 (S) STA
03/27/14 (S) STA AT 9:00 AM BUTROVICH 205
03/27/14 (S) Moved SCR 20 Out of Committee
03/27/14 (S) MINUTE(STA)
03/28/14 (S) STA RPT 3DP
03/28/14 (S) DP: DYSON, WIELECHOWSKI, GIESSEL
03/28/14 (S) TRANSMITTED TO (H)
03/28/14 (S) VERSION: SCR 20
03/31/14 (H) READ THE FIRST TIME - REFERRALS
03/31/14 (H) STA
04/08/14 (H) STA AT 8:00 AM CAPITOL 106

WITNESS REGISTER

QUINLAN STEINER, Appointee
Public Defender
Central Office
Public Defender Agency
Department of Administration (DOA)
Anchorage, Alaska

POSITION STATEMENT: Testified as appointee to position of
Public Defender.

KATHLEEN A. FREDERICK, Appointee
Chief Administrative Law Judge

Anchorage Office
Office of Administrative Hearings (OAH)
Department of Administration (DOA)

POSITION STATEMENT: Testified as appointee to the position of Chief Administrative Law Judge.

ERIC HOLLEN, Staff
Senator Charlie Huggins
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented CSSB 175(STA) on behalf of Senator Huggins, prime sponsor.

EDRA MORLEDGE, Staff
Senator Kevin Meyer
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented SCR 20 on behalf of the Senate Finance Committee, sponsor, on which Senator Meyer is chair.

ACTION NARRATIVE

[9:03:48 AM](#)

CHAIR BOB LYNN called the House State Affairs Standing Committee meeting to order at 9:04 a.m. Representatives Keller, Isaacson, Gattis, Hughes, and Lynn were present at the call to order. Representative Kreiss-Tomkins arrived as the meeting was in progress.

CONFIRMATION HEARING(S) **Public Defender**

[9:04:04 AM](#)

CHAIR LYNN announced that the first order of business was the confirmation hearing for the position of Public Defender.

[9:04:31 AM](#)

QUINLAN STEINER, Appointee, Public Defender, Central Office, Public Defender Agency, Department of Administration (DOA), said he had served as public defender for eight years; the pending appointment would be his third term. He said his entire legal career has been spent working for the Public Defender Agency. He stated that public service has been rewarding, particularly in the area of indigent defense, working to ensure fairness in

the criminal justice system. He expressed enthusiasm for the work he has done and his desire to continue it.

[9:05:42 AM](#)

REPRESENTATIVE KELLER moved to advance the confirmation of Quinlan Steiner as public defender to the joint session for consideration. [There being no objection, the confirmation was advanced.]

CONFIRMATION HEARING(S)
Office of Administrative Hearings, Chief Administrative Law
Judge

[9:06:16 AM](#)

CHAIR LYNN announced that the next order of business was the confirmation hearing for the position of Chief Administrative Law Judge.

[9:06:28 AM](#)

KATHLEEN A. FREDERICK, Appointee, Chief Administrative Law Judge, Anchorage Office, Office of Administrative Hearings (OAH), Department of Administration (DOA), said if she was confirmed, she would do her best to be an outstanding chief administrative law judge. She said she has been an attorney for 30 years, and during that time has handled a wide range of civil law matters. She related that she enjoys the challenge of mastering new areas of law. She said she has litigated cases before administrative agencies in state and federal courts for over 20 years. She indicated that she has drafted legislation on behalf of clients and the Alaska Public Offices Commission (APOC). She stated that she has also trained and mentored attorneys and support staff for more than two decades. She said her three years serving on APOC made her familiar with the Alaska Executive Branch Ethics Act, as well as the adjudicative aspect of administrative proceedings.

MS. FREDERICK relayed her experience in managerial and supervisory positions. She further mentioned her involvement as a contract mediator for the Alaska Court System. She said raising two children as a single mother and managing a busy law practice has helped her hone her time management skills. She said she takes great pride in her work, which is an attribute

she said she would bring to the pending position. She stated that she loves a challenge, and is attracted by the breadth and volume of cases handled annually. She said she also is attracted to the idea that she would have a role in finding ways to make OAH as efficient and effective as possible. She noted that she has worked as a public advocate, most recently for the elderly.

[9:10:06 AM](#)

REPRESENTATIVE ISAACSON thanked Ms. Frederick for being willing to serve.

[9:10:50 AM](#)

REPRESENTATIVE HUGHES said she is proud to know someone from Palmer who would be willing to serve in this capacity.

[9:11:07 AM](#)

REPRESENTATIVE GATTIS characterized Ms. Frederick as "bright and witty," and she thanked her for being willing to serve.

[9:11:32 AM](#)

REPRESENTATIVE KREISS-TOMKINS asked how Ms. Frederick would respond if someone applied political pressure on her regarding how she conducted cases.

MS. FREDERICK answered that she is an ethical person who considers all facts and circumstances, and she has never bent to political or corporate pressure.

REPRESENTATIVE KREISS-TOMKINS said it sounds like Ms. Frederick has the background required for the position. He mentioned the annual report published by OAH on January 31, 2014. He asked Ms. Frederick if she had read the report and, if so, what her reaction was to the recommendation section.

MS. FREDERICK replied that she had read the current report and observed one of the recommendations had been for subpoena power to amend statutes, which she said would be an issue to discuss with the former chief administrative law judge, as well as the current deputy and staff, to understand the reasoning behind the recommendation. She said she is sure that there was careful thought given to the recommendation. Regarding amendment of the Administrative Procedure Act, she said statutes need to be

consistent with each other to prevent appeals resulting from inconsistencies. She ventured that the subpoena power may have been inadvertently omitted, because it was repealed when the boards were eliminated, and having the subpoena power would be necessary to the functioning of the agency; however, she said she would confirm that with those with whom she would be working. She said the final recommendation was to remove permanent fund dividend (PFD) execution appeals from the Administrative Procedure Act with a different hearing process. She reiterated that she would talk to those who had made the recommendation to ensure that "that's a sound way of proceeding."

[9:15:37 AM](#)

REPRESENTATIVE KELLER offered his understanding that Ms. Frederick is his constituent. He observed that the report reflects that "about half to three-quarters of the time is spent either on Medicaid public assistance or child support." He asked how much interaction "you" have with the Office of Ombudsman.

MS. FREDERICK asked Representative Keller if he is asking how much OAH has versus what she has had in the past.

REPRESENTATIVE KELLER confirmed that was right.

MS. FREDERICK responded that she currently does not know "how much interaction it is"; however, she said she observed that "that's about 25 percent of the caseload of the office." She indicated that her goal would be to increase efficiency in the three most frequently heard areas.

[9:17:01 AM](#)

REPRESENTATIVE KELLER moved to advance the confirmation of Kathleen A. Frederick as chief administrative law judge to the joint session for consideration. [There being no objection, the confirmation was advanced.]

[9:17:26 AM](#)

The committee took an at-ease from 9:17 a.m. to 9:19 a.m.

SB 175-OFFICIAL STATE BOLT-ACTION RIFLE

[9:19:30 AM](#)

CHAIR LYNN announced that the next order of business was CS FOR SENATE BILL NO. 175(STA), "An Act designating the official state bolt-action rifle."

[9:19:46 AM](#)

ERIC HOLLEN, Staff, Senator Charlie Huggins, presented CSSB 175(STA) on behalf of Senator Huggins, prime sponsor. He stated that under the proposed legislation, the Winchester pre-1964 model 70 would become the official state bolt-action rifle. He indicated that the proposed bill was inspired by a constituent of Senator Huggins, Jack O'Connor, a writer for Outdoor Life Magazine, who called the gun "the rifleman's rifle."

MR. HOLLEN said CSSB 175(STA) would support the Second Amendment to the Constitution of the United States, which "Alaska holds dear." He related that the Winchester pre-1964 model 70 is chambered in 18 calibers, from .22 Hornet to .448 Winchester Magnum. He said there are two versions of the gun: .338 Winchester Magnum and .375 H&H Magnum, which he indicated are both designated "The Alaskan." He said the varied calibers of the Winchester pre-1964 model 70 make it popular with Alaska outdoors people.

[9:21:03 AM](#)

MR. HOLLEN, in response to Chair Lynn, offered his understanding that the Winchester pre-1964 Model 70 first appeared in 1934, but was not manufactured for public sale until 1936.

[9:21:37 AM](#)

CHAIR LYNN asked if there may be any problem with designating one manufacturer's rifle over another.

MR. HOLLEN said he does not think so. He added that the aspects of the Winchester pre-1964 Model 70 made it "very accurate off the shelf," and he opined that the firearm would represent Alaska well.

CHAIR LYNN clarified his concern was about whether there may be potential problems in designating one commercial product over another.

MR. HOLLEN answered not to his knowledge.

[9:23:28 AM](#)

REPRESENTATIVE KELLER moved to report CSSB 175(STA) out of committee with individual recommendations and the accompanying zero fiscal note. There being no objection, CSSB 175(STA) was reported out of the House State Affairs Standing Committee.

SCR 20-SEXUAL ASSAULT AWARENESS MONTH

[9:23:44 AM](#)

CHAIR LYNN announced that the final order of business was SENATE CONCURRENT RESOLUTION NO. 20, Proclaiming April 2014 as Sexual Assault Awareness Month.

[9:24:16 AM](#)

EDRA MORLEDGE, Staff, Senator Kevin Meyer, Alaska State Legislature, presented SCR 20 on behalf of the Senate Finance Committee, sponsor, on which Senator Meyer is chair. She said the proposed concurrent resolution would proclaim April 2014 as Sexual Assault Awareness Month. She stated that this is an annual, national campaign to raise awareness about sexual assault and educate communities and individuals on how to prevent sexual violence nationwide. She said sexual violence is a serious public health problem, which affects millions of women and men. She relayed that the Center for Disease Control (CDC) reports that in the U.S., one in five women and one in seventy-one men has been a victim of violent sexual assault or will be in his/her lifetime. Further, nearly one in two women and one in five men has experienced other forms of sexual violence at some point. She said in Alaska, those rates are 2.5 times the national average. She said statistics do not accurately reflect the problem, because many victims do not tell the police or report their experience to family or friends.

MS. MORLEDGE stated that sexual violence impacts health in many ways; it can lead to long-term physical and mental health problems. Increasing awareness about the crime of sexual assault and recognizing the enormity of the problem may initiate the healing process for victims and prevent further incidents from occurring. She said the proposed legislation would be "a small but significant step in educating the public and our communities and lifting the veil of secrecy that so often hides these horrific crimes."

[9:26:06 AM](#)

CHAIR LYNN asked why the bill proposed just April 2014, instead of April in perpetuity.

MS. MORLEDGE indicated that bringing the discussion back before the legislature each year would give the issue more publicity, which may increase public awareness.

CHAIR LYNN asked if there was anyone else who wished to testify.

[9:26:58 AM](#)

REPRESENTATIVE KELLER moved to report SCR 20 out of committee with individual recommendations and the accompanying zero fiscal note. [There being no objection, SCR 20 was reported out of House State Affairs Standing Committee.]

[9:27:40 AM](#)

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 9:23 a.m.