

**ALASKA STATE LEGISLATURE
SENATE LABOR AND COMMERCE STANDING COMMITTEE**

March 26, 2013

1:32 p.m.

MEMBERS PRESENT

Senator Mike Dunleavy, Chair
Senator Peter Micciche, Vice Chair
Senator Donald Olson
Senator Bert Stedman
Senator Johnny Ellis

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

CONFIRMATION HEARINGS

Alaska State Board of Public Accountancy

Craig Chapman
Donovan Rulien II

- CONFIRMATIONS ADVANCED

Alcoholic Beverage Control Board

Robert (Bobby) Evans

- CONFIRMATION ADVANCED

**State Board of Registration for Architects, Engineers, and
Land Surveyors**

Eric Eriksen
John Kerr
Jeffrey Koonce

- CONFIRMATIONS ADVANCED

Board of Barbers and Hairdressers

Michael Bolivar

- CONFIRMATION ADVANCED

Board of Chiropractic Examiners

Dr. Edward Barrington
Dr. Daniel Holt

- CONFIRMATIONS ADVANCED

Board of Dental Examiners

Robyn Chaney
Dr. Mary Anne Navitsky
Dr. Steven Scheller
Gail Walden

- CONFIRMATIONS ADVANCED

Fishermen's Fund Advisory and Appeals Council

Mark Saldi
Donald Stiles

- CONFIRMATIONS ADVANCED

Alaska Labor Relations Agency

Gary Bader
Daniel Repasky

- CONFIRMATIONS ADVANCED

Board of Marital and Family Therapy

Linda King
Kennith McCarty

- CONFIRMATIONS ADVANCED

State Medical Board

Kevin Luppen
Kathleen (Casey) Millar

- CONFIRMATIONS ADVANCED

Board of Certified Direct-Entry Midwives

Sarah Taygan

- CONFIRMATION ADVANCED

Board of Nursing

Hannah Espera
Thomas Hendrix

- CONFIRMATIONS ADVANCED

Occupational Safety and Health Review Board

Thomas Trosvig

- CONFIRMATION ADVANCED

Board of Examiners in Optometry

Dr. Grant Humphreys
Immanuel Lewis

- CONFIRMATIONS ADVANCED

Board of Pharmacy

John Cotter

- CONFIRMATION ADVANCED

State Physical Therapy and Occupational Therapy Board

Dr. Darin Bell
Ruth Kostik
Valerie Phelps

- CONFIRMATIONS ADVANCED

Board of Professional Counselors

Anne Marie Brainerd
Debra Hamilton

- CONFIRMATIONS ADVANCED

Board of Psychologist and Psychological Associate Examiners

Dr. Kristi Fuller

- CONFIRMATION ADVANCED

Board of Certified Real Estate Appraisers

James Picard

- CONFIRMATION ADVANCED

Real Estate Commission

Eric Bushnell
Nancy Davis
Stacy Risner

- CONFIRMATIONS ADVANCED

Regulatory Commission of Alaska

Norman Rokeberg

- CONFIRMATION ADVANCED

Board of Social Work Examiners

Zachary Paulson

- CONFIRMATION ADVANCED

Board of Veterinary Examiners

DeeDee Jonrowe

- CONFIRMATION ADVANCED

Alaska Workers' Compensation Board

Stacy Allen

Bradley Austin

Pamela Cline

Jace Digel

Sarah Lefebvre

Amy Steele

Mark Talbert

- CONFIRMATIONS ADVANCED

Workers' Compensation Appeals Commission

David Richards

- CONFIRMATION ADVANCED

HOUSE BILL NO. 26

"An Act extending the termination date of the Board of Public Accountancy; and providing for an effective date."

- MOVED HB 26 OUT OF COMMITTEE

SENATE BILL NO. 65

"An Act relating to property exemptions for retirement plans, individual retirement amending Rule 64, Alaska Rules of Civil Procedure, and Rule 301(a), Alaska Rules of accounts, and Roth IRAs; relating to transfers of individual retirement plans; relating to Evidence." the rights of judgment creditors of members of limited liability companies and partners of limited liability partnerships; relating to the Uniform Probate Code, including pleadings, orders, liability, and notices under the Uniform Probate Code and the Alaska Principal and Income Act, the appointment of trust property, the Alaska Uniform Prudent Investor Act, co-trustees, trust protectors, and trust advisors; relating to the Alaska Principal and Income Act; relating to the Alaska Uniform Transfers to Minors Act; relating to the

disposition of human remains; relating to the tax on insurers for life insurance policies; relating to insurable interests for certain insurance policies; relating to restrictions on transfers of trust interests; relating to discretionary interests in irrevocable trusts; relating to the community property of married persons; and

- MOVED CSSB 65(L&C) OUT OF COMMITTEE

SENATE BILL NO. 4

"An Act relating to applying military education, training, and service credit to occupational licensing and certain postsecondary education and employment training requirements; providing for a temporary occupational license for qualified military service members; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 26

SHORT TITLE: EXTEND BOARD OF PUBLIC ACCOUNTANCY

SPONSOR(S): REPRESENTATIVE(S) HAWKER, THOMPSON

| | | |
|----------|-----|---|
| 01/16/13 | (H) | PREFILE RELEASED 1/7/13 |
| 01/16/13 | (H) | READ THE FIRST TIME - REFERRALS |
| 01/16/13 | (H) | L&C, FIN |
| 01/28/13 | (H) | L&C AT 3:15 PM BARNES 124 |
| 01/28/13 | (H) | Moved Out of Committee |
| 01/28/13 | (H) | MINUTE(L&C) |
| 01/30/13 | (H) | L&C RPT 7DP |
| 01/30/13 | (H) | DP: CHENAULT, HERRON, REINBOLD, SADDLER, MILLETT, JOSEPHSON, OLSON |
| 02/12/13 | (H) | FIN AT 1:30 PM HOUSE FINANCE 519 |
| 02/12/13 | (H) | Moved Out of Committee |
| 02/12/13 | (H) | MINUTE(FIN) |
| 02/13/13 | (H) | FIN RPT 8DP 1NR 1AM |
| 02/13/13 | (H) | DP: NEUMAN, COSTELLO, EDGMON, HOLMES, MUNOZ, THOMPSON, T.WILSON, STOLTZE |
| 02/13/13 | (H) | NR: KAWASAKI |
| 02/13/13 | (H) | AM: GARA |
| 02/15/13 | (H) | TRANSMITTED TO (S) |
| 02/15/13 | (H) | VERSION: HB 26 |
| 02/19/13 | (S) | READ THE FIRST TIME - REFERRALS |
| 02/19/13 | (S) | L&C, FIN |
| 02/28/13 | (S) | L&C AT 1:30 PM BELTZ 105 (TSBldg) |
| 02/28/13 | (S) | -- Meeting Postponed to 3/19/13 -- |

03/19/13 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
 03/19/13 (S) -- MEETING CANCELED --
 03/21/13 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
 03/21/13 (S) Heard & Held
 03/21/13 (S) MINUTE(L&C)
 03/26/13 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)

BILL: SB 65

SHORT TITLE: RETIREMENT PLANS; ROTH IRAS; PROBATE

SPONSOR(s): SENATOR(s) COGHILL

02/27/13 (S) READ THE FIRST TIME - REFERRALS
 02/27/13 (S) L&C, JUD
 03/21/13 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
 03/21/13 (S) Heard & Held
 03/21/13 (S) MINUTE(L&C)
 03/26/13 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)

BILL: SB 4

SHORT TITLE: MILITARY TRAINING CREDIT

SPONSOR(s): SENATOR(s) WIELECHOWSKI

01/16/13 (S) PREFILE RELEASED 1/7/13
 01/16/13 (S) READ THE FIRST TIME - REFERRALS
 01/16/13 (S) STA, L&C, FIN
 02/12/13 (S) STA AT 9:00 AM BUTROVICH 205
 02/12/13 (S) Moved CSSB 4(STA) Out of Committee
 02/12/13 (S) MINUTE(STA)
 02/13/13 (S) STA RPT CS 3DP 1NR SAME TITLE
 02/13/13 (S) DP: DYSON, WIELECHOWSKI, GIESSEL
 02/13/13 (S) NR: COGHILL
 02/28/13 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
 02/28/13 (S) -- Meeting Postponed to 3/19/13 --
 03/19/13 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
 03/19/13 (S) -- MEETING CANCELED --
 03/26/13 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)

WITNESS REGISTER

ROBERT EVANS, Appointee
 Alcoholic Beverage Control (ABC) Board
 Nome, Alaska

POSITION STATEMENT: Provided information regarding his confirmation hearing.

NORMAN ROKEBERG, Appointee
 Regulatory Commission of Alaska (RCA)

Anchorage, Alaska

POSITION STATEMENT: Provided information regarding his confirmation hearing.

CECILE ELLIOTT, Staff
Representative Mike Hawker
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Offered to answer questions related to HB 26 on behalf of the sponsor.

DON HABEGER, Director
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community and Economic Development
Juneau, Alaska

POSITION STATEMENT: Answered questions related to HB 26.

CHAD HUTCHISON, Staff
Senator John Coghill
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Explained version N of SB 65 on behalf of the sponsor.

DAVID SHAFTEL, Attorney
Shaftel Law Offices
Anchorage, Alaska

POSITION STATEMENT: Described changes in version N of SB 65.

KENDRA KLOSTER, Staff
Senator Bill Wielechowski
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided information related to SB 4 on behalf of the sponsor.

MARC SAN SOUCI, Northwest Regional Liaison
U.S. Department of Defense (DOD)
Tacoma, Washington

POSITION STATEMENT: Provided supporting information related to SB 4.

ACTION NARRATIVE

[1:32:36 PM](#)

CHAIR MIKE DUNLEAVY called the Senate Labor and Commerce Standing Committee meeting to order at 1:32 p.m. Present at the call to order were Senators Micciche, Ellis, and Chair Dunleavy.

Confirmation Hearings

[1:33:19 PM](#)

CHAIR DUNLEAVY announced that the first order of business would be confirmation hearings. He noted that two of the appointees wanted to testify.

[1:34:13 PM](#)

At ease

[1:34:28 PM](#)

CHAIR DUNLEAVY began to read the list of appointees:

Alaska State Board of Public Accountancy

Craig Chapman - Soldotna, AK
Donovan Rulien II - Anchorage, AK

Alcoholic Beverage Control Board

Robert (Bobby) Evans - Nome

He noted Mr. Evans wanted to testify.

ROBERT EVANS, Appointee, Alcoholic Beverage Control (ABC) Board, introduced himself.

SENATOR ELLIS asked Mr. Evans what his goals would be on the ABC Board and his ideas on protecting the public's interest.

[1:36:28 PM](#)

MR. EVANS stated that in 2009 he retired from the Department of Corrections after 21 years of service. He described his work history and experience with drug and alcohol abuse issues. He related his experience that about 60 percent of the people who went to jail and those that were remanded were either alcohol or drug related. He discussed prevention strategies.

SENATOR MICCICHE thanked Mr. Evans for serving on the ABC Board.

[1:41:30 PM](#)

SENATOR ELLIS voiced appreciation for Mr. Evans' work and the perspective he brings. He expressed interest in hearing more about the specific role the ABC Board could play in substance abuse issues. He also asked how to balance the interest of a

community impacted by out of control addictions with the private property rights of an owner of a liquor license or bar.

MR. EVANS expressed the belief that liquor stores should abide by the rules and be accountable. He said he has seen a lot of crime and abuse of alcohol in Nome and businesses must be held accountable.

SENATOR ELLIS stated support for the confirmation of Mr. Evans in the hope and belief that he would support the following of rules.

[1:46:24 PM](#)

CHAIR DUNLEAVY continued to read the nominees for the following boards:

**State Board of Registration for Architects, Engineers,
and Land Surveyors**

Eric Eriksen - Juneau, AK
John Kerr - Anchorage, AK
Jeffrey Koonce - Anchorage, AK

Board of Barbers and Hairdressers

Michael Bolivar - Anchorage, AK

Board of Chiropractic Examiners

Dr. Edward Barrington - Anchorage, AK
Dr. Daniel Holt - Juneau, AK

Board of Dental Examiners

Robyn Chaney - Dillingham, AK
Dr. Mary Anne Navitsky - Sitka, AK
Dr. Steven Scheller - Fairbanks, AK
Gail Walden - Wasilla, AK

Fishermen's Fund Advisory and Appeals Council

Mark Saldi - Skagway, AK

Donald Stiles - Nome, AK

Alaska Labor Relations Agency

Gary Bader - Anchorage, AK

Daniel Repasky - Anchorage, AK

Board of Marital and Family Therapy

Linda King - Anchorage, AK

Kennith McCarty - Eagle River, AK

State Medical Board

Kevin Luppen - Wasilla, AK

Kathleen (Casey) Millar - Anchorage, AK

Board of Certified Direct-Entry Midwives

Sarah Taygan - Chugiak, AK

Board of Nursing

Hannah Espera - Anchorage, AK

Thomas Hendrix - Eagle River, AK

Occupational Safety and Health Review Board

Thomas Trosvig - Kodiak, AK

Board of Examiners in Optometry

Dr. Grant Humphreys - Anchorage, AK

Immanuel Lewis - Anchorage, AK

Board of Pharmacy

John Cotter - Fairbanks, AK

State Physical Therapy and Occupational Therapy Board

Dr. Darin Bell - Seward, AK

Ruth Kostik - Juneau, AK

Valerie Phelps - Anchorage, AK

Board of Professional Counselors

Anne Marie Brainerd - Fairbanks, AK

Debra Hamilton - Soldotna, AK

Board of Psychologist and Psychological Associate Examiners

Dr. Kristi Fuller - Anchorage, AK

Board of Certified Real Estate Appraisers

James Picard - Anchorage, AK

Real Estate Commission

Eric Bushnell - Wasilla, AK

Nancy Davis - Sitka, AK

Stacy Risner - Fairbanks, AK

Regulatory Commission of Alaska

Norman Rokeberg - Anchorage, AK

He noted the arrival of Senator Olson.

[1:48:44 PM](#)

CHAIR DUNLEAVY asked Mr. Rokeberg if he wanted to testify.

SENATOR ELLIS thanked Mr. Rokeberg for his willingness to serve. He requested his guiding philosophy and goals for the commission.

NORMAN ROKEBERG, Appointee, Regulatory Commission of Alaska (RCA), said his primary goal was to contribute through his experience in both the private and public sectors and his conduct and reputation as a lifelong Alaskan. He related that the purpose of regulation is to align the private and public utility sectors with the public interest, and that would be his on-going guide.

[1:51:13 PM](#)

CHAIR DUNLEAVY continued to read the list of appointees.

Board of Social Work Examiners, AK

Zachary Paulson - Palmer, AK

Board of Veterinary Examiners

DeeDee Jonrowe - Willow, AK

Alaska Workers' Compensation Board

Stacy Allen - Palmer, AK

Bradley Austin - Auke Bay, AK

Pamela Cline - Anchorage, AK

Jace Digel - Anchorage, AK

Sarah Lefebvre - Fairbanks, AK

Amy Steele - Anchorage, AK

Mark Talbert - Wasilla, AK

Workers' Compensation Appeals Commission

David Richards - Eagle River, AK

SENATOR MICCICHE moved to forward the foregoing names of the appointees to the full body for consideration. He issued the reminder that this motion does not reflect intent by any of the members to vote for or against the confirmation of the individuals during any further session.

CHAIR DUNLEAVY announced that without objection, the names would be forwarded to the full body for consideration.

[1:52:19 PM](#)

At ease

HB 26-EXTEND BOARD OF PUBLIC ACCOUNTANCY

[1:53:29 PM](#)

CHAIR DUNLEAVY announced the consideration of HB 26, "An Act extending the termination date of the Board of Public Accountancy and providing for an effective date." He noted this was the second hearing of the bill.

CECILE ELLIOTT, Staff, Representative Mike Hawker, sponsor of HB 26, offered to answer questions related to HB 26.

SENATOR MICCICHE asked if the fiscal note reflects the same annual costs as it would if it were a three-year extension.

MS. ELLIOT explained that the costs of the board are covered by licensing fees, which can fluctuate depending on the number of investigations done. She deferred further explanation to Mr. Habeger.

DON HABEGER, Director, Division of Corporations, Business, and Professional Licensing, Department of Commerce, Community and Economic Development (DCCED), Juneau, Alaska, introduced himself.

SENATOR MICCICHE restated the question.

MR. HABEGER agreed that the estimated costs were the same each year. He added that the department has the ability to set fees to recoup costs as they fluctuate. Labor costs, for example, may increase. The fiscal note was determined by taking an average, based on the last two years of expenses.

[1:56:04 PM](#)

CHAIR DUNLEAVY closed public testimony.

[1:56:39 PM](#)

SENATOR MICCICHE moved to report HB 26, labeled 28-LS0154\A, from committee with individual recommendations and attached fiscal note.

CHAIR DUNLEAVY announced that without objection HB 26 moved from the Senate Labor and Commerce Standing Committee Standing Committee.

[1:56:57 PM](#)

At ease

SB 65-RETIREMENT PLANS; ROTH IRAS; PROBATE

[1:58:52 PM](#)

CHAIR DUNLEAVY reconvened the meeting and announced the consideration of SB 65, a bill sponsored by Senator Coghill which deals with retirement plans, Roth IRAs and probate. He said this was the second hearing and his intention was to move the bill from committee. He requested a motion to adopt the committee substitute (CS).

SENATOR MICCICHE moved to adopt the CS for SB 65, labeled 28-LS0473\N, as the working document.

CHAIR DUNLEAVY objected for discussion purposes.

[1:59:35 PM](#)

CHAD HUTCHISON, Staff, Senator John Coghill, sponsor, explained that the CS eliminates the previous Section 38.

DAVID SHAFTEL, Attorney, Shaftel Law Offices, Anchorage, Alaska, described the changes in version N. He explained that upon review of the companion House version of the bill, it was determined that Section 38 was unnecessary. One other change, a typographical error in the original bill, was corrected.

[2:01:25 PM](#)

SENATOR MICCICHE asked if the entire insurable interest section was removed.

MR. SHAFTEL replied that the original SB 65 added the phrase "or immediately after the contract was made," to AS 21.42.020(a) but upon review it was decided that it was unnecessary.

CHAIR DUNLEAVY withdrew his objection and version N was before the committee.

SENATOR MICCICHE asked if the bill was referred to the Judiciary Committee.

CHAIR DUNLEAVY said yes. Finding no further questions or comments, he solicited a motion.

SENATOR MICCICHE moved to report CS for SB 65, labeled 28-LS0473\N, from committee with individual recommendations and attached fiscal notes.

CHAIR DUNLEAVY announced that without objection CSSB 65(L&C) moved from Senate Labor and Commerce Standing Committee.

[2:03:37 PM](#)

At ease

SB 4-MILITARY TRAINING CREDIT

[2:05:21 PM](#)

CHAIR DUNLEAVY reconvened the meeting and noted the arrival of Senator Stedman.

CHAIR DUNLEAVY announced that the final order of business would be SB 4. "An Act relating to applying military education, training, and service credit to occupational licensing and certain postsecondary education and employment training requirements; providing for a temporary occupational license for qualified military service members; and providing for an effective date."

[2:06:09 PM](#)

SENATOR BILL WIELECHOWSKI, sponsor of SB 4, explained that the bill directs state boards to accept relevant military education training and service as equivalent to some or all qualifications for applying for licenses or certificates. It also directs the University of Alaska and the Alaska Commission on Postsecondary Education to implement policies and procedures to accept relevant military education as credit toward a degree or technical certificate. The bill is an effort to stem the high unemployment rates for veterans. This is particularly important for Alaska because it has the highest percentage of veterans in the country. He related that a number of states have this legislation and it's the number one priority for the U.S. Department of Defense. He noted that he introduced an identical bill last year.

[2:08:22 PM](#)

SENATOR MICCICHE asked what happened to the bill last year.

SENATOR WIELECHOWSKI explained that companion bills were introduced in the House and Senate and the House bill became the vehicle, but it died on the last night of the session.

CHAIR DUNLEAVY asked if this bill was identical.

KENDRA KLOSTER, Staff, Senator Bill Wielechowski, said this bill is substantially the same, but the previous committee removed language that allowed a temporary license to be extended for 180 days.

[2:09:45 PM](#)

SENATOR OLSON asked why the 180-day provision was removed.

MS. KLOSTER said a member of that committee was concerned about such an extension for the medical profession. It was a policy call and the sponsor accepted the change.

MARC SAN SOUCI, Northwest Regional Liaison, U.S. Department of Defense (DOD), Tacoma, Washington, provided information related to SB 4. He highlighted that 28 states have passed similar legislation granting veterans credit toward either occupational licensing and/or academic credit. He emphasized that the request is not for direct licensure if it is not equivalent. It's only credit where credit is due. He pointed out that the public has already paid for veterans' training by paying taxes.

MR. SAN SOUCI reported that the Department of Defense recently released a new Joint Service Transcript (JST) that is generic to all branches of the military. The goal is to make it easier to evaluate course descriptions and training among the different branches.

[2:14:21 PM](#)

SENATOR OLSON asked how the military grades its students.

MR. SAN SOUCI said it varies based on the length and type of program, and sometimes there is variation between the branches of the service. The new JST is intended to make it easier to evaluate the courses for credit.

SENATOR OLSON asked what categories of training besides medicine are available and have benefitted by these training credits.

MR. SAN SOUCI said many job categories have benefitted, among these are cosmetology and engineering.

SENATOR OLSON asked about firefighters and pilots.

MR. SAN SOUCI responded that licenses that are federally regulated, such as for pilots and aircraft maintenance technicians, probably wouldn't be included, but licenses for firefighters, engineering technicians, landscapers, and surveyors would be.

[2:17:57 PM](#)

SENATOR MICCICHE asked if the \$137,600 fiscal note was a "one timer" for travel costs for the various occupational boards to get together, plus \$30,000 for staff costs for regulation changes.

SENATOR WIELECHOWSKI said yes. He explained that the Senate Bill last year had a delayed effective date and that eliminated the fiscal note. The House bill had an immediate effective date and it had a fiscal impact. Senator Huggins preferred an immediate effective date, and that's what SB 4 has; thus, the fiscal note.

[2:19:02 PM](#)

CHAIR DUNLEAVY stated he would hold SB 4 in committee and take public testimony at the next hearing.

[2:19:57 PM](#)

There being no further business to come before the committee, Chair Dunleavy adjourned the Senate Labor and Commerce Committee at 2:19 p.m.