

ALASKA STATE LEGISLATURE
SENATE STATE AFFAIRS STANDING COMMITTEE

March 3, 2015

9:00 a.m.

MEMBERS PRESENT

Senator Bill Stoltze, Chair
Senator John Coghill, Vice Chair
Senator Charlie Huggins
Senator Bill Wielechowski

MEMBERS ABSENT

Senator Lesil McGuire

COMMITTEE CALENDAR

SENATE CONCURRENT RESOLUTION NO. 2

Recognizing Miss Alaska as the official hostess of the State of Alaska.

- MOVED SCR 2 OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 43(STA)

"An Act establishing Alaska Law Enforcement Officers' Day."

- MOVED CSHB 43(STA) OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1(EDA) AM

"An Act declaring the Arctic policy of the state."

- MOVED SCS CSHB 1(STA) OUT OF COMMITTEE

SENATE JOINT RESOLUTION NO. 12

Proposing amendments to the Constitution of the State of Alaska relating to the office of attorney general.

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SCR 2

SHORT TITLE: RECOGNIZING MISS ALASKA & PAGEANT

SPONSOR(s): SENATOR(s) MEYER

01/23/15 (S) READ THE FIRST TIME - REFERRALS
01/23/15 (S) STA
03/03/15 (S) STA AT 9:00 AM BUTROVICH 205

BILL: HB 43

SHORT TITLE: JAN 9: AK LAW ENFORCEMENT OFFICERS' DAY
SPONSOR(S): REPRESENTATIVE(S) LYNN, TALERICO, VAZQUEZ, WOOL,
CLAMAN

01/21/15 (H) PREFILE RELEASED 1/9/15
01/21/15 (H) READ THE FIRST TIME - REFERRALS
01/21/15 (H) STA
01/27/15 (H) STA AT 8:00 AM CAPITOL 106
01/27/15 (H) <Bill Hearing Postponed to 2/3/2015>
02/03/15 (H) STA AT 8:00 AM CAPITOL 106
02/03/15 (H) Moved CSHB 43(STA) Out of Committee
02/03/15 (H) MINUTE(STA)
02/04/15 (H) STA RPT CS(STA) 6DP
02/04/15 (H) DP: TALERICO, STUTES, VAZQUEZ, KREISS-
TOMKINS, LYNN, KELLER
02/20/15 (H) TRANSMITTED TO (S)
02/20/15 (H) VERSION: CSHB 43(STA)
02/23/15 (S) READ THE FIRST TIME - REFERRALS
02/23/15 (S) STA
03/03/15 (S) STA AT 9:00 AM BUTROVICH 205

BILL: HB 1

SHORT TITLE: STATE ARCTIC POLICY
SPONSOR(S): REPRESENTATIVE(S) HERRON

01/21/15 (H) PREFILE RELEASED 1/9/15
01/21/15 (H) READ THE FIRST TIME - REFERRALS
01/21/15 (H) EDA, STA
01/27/15 (H) EDA AT 10:15 AM BARNES 124
01/27/15 (H) Heard & Held
01/27/15 (H) MINUTE(EDA)
02/05/15 (H) EDA AT 11:30 AM BARNES 124
02/05/15 (H) Moved CSHB 1(EDA) Out of Committee
02/05/15 (H) MINUTE(EDA)
02/06/15 (H) EDA RPT CS(EDA) 1DP 5NR
02/06/15 (H) DP: HERRON
02/06/15 (H) NR: JOHNSON, TILTON, WOOL, ORTIZ,
STUTES
02/10/15 (H) STA AT 8:00 AM CAPITOL 106
02/10/15 (H) Moved CSHB 1(EDA) Out of Committee
02/10/15 (H) MINUTE(STA)

02/11/15 (H) STA RPT CS(EDA) 3DP 1NR 2AM
02/11/15 (H) DP: TALERICO, STUTES, LYNN
02/11/15 (H) NR: KELLER
02/11/15 (H) AM: KREISS-TOMKINS, GRUENBERG
02/13/15 (H) TRANSMITTED TO (S)
02/13/15 (H) VERSION: CSHB 1(EDA) AM
02/18/15 (S) READ THE FIRST TIME - REFERRALS
02/18/15 (S) ARC,STA
02/19/15 (S) ARC AT 11:15 AM BUTROVICH 205
02/19/15 (S) -- Testimony < Public and Invited > --
02/26/15 (S) ARC AT 11:15 AM BUTROVICH 205
02/26/15 (S) Moved SCS CSHB 1(ARC) Out of Committee
02/26/15 (S) MINUTE(ARC)
02/27/15 (S) ARC RPT SCS 6DP SAME TITLE
02/27/15 (S) DP: GIESSEL, MCGUIRE, OLSON, COGHILL,
STEVENS, BISHOP
03/03/15 (S) STA AT 9:00 AM BUTROVICH 205

BILL: SJR 12

SHORT TITLE: CONST. AM: ELECTED ATTORNEY GENERAL

SPONSOR(s): SENATOR(s) STOLTZE

02/06/15 (S) READ THE FIRST TIME - REFERRALS
02/06/15 (S) STA,JUD,FIN
03/03/15 (S) STA AT 9:00 AM BUTROVICH 205

WITNESS REGISTER

SENATOR KEVIN MEYER
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of SCR.

BLAIR ROBINSON, representing herself
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SCR 2.

BONNIE FAULK, Board President
Miss Alaska Scholarship Foundation
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SCR 2.

REPRESENTATIVE BOB LYNN
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of HB 43.

JOANNA LEWIS, Staff
Representative Bob Lynn
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions related to HB 43.

SARAH HIEB, President
Alaska Peace Officers Association-Juneau
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 43.

TERRY VRABEC, Deputy Director
Department of Public Safety
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 43.

AARON DANIELSON, President
Public Safety Employee Association
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 43.

RODNEY DIAL, Lieutenant
Alaska State Troopers
Ketchikan, Alaska

POSITION STATEMENT: Testified in support of HB 43.

BRANDY JOHNSON, representing herself
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 43.

REPRESENTATIVE BOB HERRON
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of HB 1.

DR. JOE MCLAUGHLIN, State Epidemiologist
Department of Health and Social Services (DHSS)
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 1.

DANIEL GEORGE, Staff
Senator Bill Stoltze
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided information related to SJR 12.

ACTION NARRATIVE

[9:00:47 AM](#)

CHAIR BILL STOLTZE called the Senate State Affairs Standing Committee meeting to order at 9:00 a.m. Present at the call to order were Senators Huggins, Coghill, Wielechowski, and Chair Stoltze. He announced the agenda.

SCR 2-RECOGNIZING MISS ALASKA & PAGEANT

[9:01:10 AM](#)

CHAIR STOLTZE announced that the first order of business would be SCR 2.

[9:01:30 AM](#)

SENATOR KEVIN MEYER, Alaska State Legislature, sponsor of SCR 2, explained that resolution recognizes the Miss Alaska and the Miss Alaska Scholarship Foundation Pageant. He said he introduced the bill on behalf of a constituent. He pointed out that the Sixth Alaska State Legislature passed the resolution in 1970 designating Miss Alaska as the official state hostess. The Miss Alaska Scholarship Pageant selects the Alaska representative for the Miss America Pageant. It is a subsidiary of the Miss America Organization, one of the largest scholarship programs in the world. He spoke of related community service projects.

[9:03:58 AM](#)

CHAIR STOLTZE opened public testimony.

[9:04:09 AM](#)

BLAIR ROBINSON, representing herself, testified in support of SCR 2. She spoke of the wonderful scholarship program she received as Miss Alaska 2003. She added that the pageant teaches young women about integrity and self-confidence and provides wholesome role models.

[9:05:41 AM](#)

BONNIE FAULK, Board President, Miss Alaska Scholarship Foundation, Anchorage, Alaska, testified in support of SCR 2. She shared that the program is a scholarship organization that focuses on education and community service. She said that last year the organization made available \$47 million in scholarships and all profits go toward scholarships and the Children's Miracle Network. All staff are volunteers.

She related that the University of Alaska provides eight one-year awards which the organization subsidizes. Alaska Pacific

University also provides \$23,000 in awards and the Alaska Career Academy provides \$10,000 in awards. She listed the foundation's partners and the events they have hosted and attended. She noted that all contestants receive cash scholarships, win or lose. The foundation makes available about \$120,000 annually for scholarships. She concluded that the resolution gives the Miss Alaska organization the distinction of being the oldest pageant in the world and the largest provider of scholarships.

[9:09:45 AM](#)

SENATOR WIELECHOWSKI asked what it means to be the official hostess of the State of Alaska.

MS. FAULK replied that Miss Alaska attends all VIP events when dignitaries come to Alaska. She also raise funds for charitable events.

[9:11:13 AM](#)

SENATOR COGHILL inquired if there are competing organizations not a part of Miss Alaska.

MS. FAULK replied that there are other pageants, but Miss Alaska is a scholarship program. She highlighted the special traits of the organization.

CHAIR STOLTZE closed public testimony. He noted a zero fiscal note.

[9:13:59 AM](#)

SENATOR COGHILL moved to report SCR 2 from committee with individual recommendations and accompanying zero fiscal note. There being no objection, the motion carried.

[9:14:20 AM](#)

At ease.

HB 43-JAN 9: AK LAW ENFORCEMENT OFFICERS' DAY

[9:15:13 AM](#)

CHAIR STOLTZE announced the consideration of HB 43. [CSHB 43(STA) was before the committee.]

[9:15:30 AM](#)

REPRESENTATIVE BOB LYNN, Alaska State Legislature, sponsor of HB 43, explained his family background in law enforcement and his job as a policeman years ago. He related that law enforcement technology has changed over the years, but the job itself has

not changed. He spoke of the risks of being in law enforcement and shared a personal story. He opined that law enforcement deserve a special day.

CHAIR STOLTZE asked why January 9 was chosen.

REPRESENTATIVE LYNN replied that his staff would explain the reason.

[9:18:45 AM](#)

JOANNA LEWIS, Staff, Representative Bob Lynn, Alaska State Legislature, answered questions related to HB 43. She said January 9 was chosen because that is also National Law Enforcement Appreciation Day and it would show solidarity with the national movement.

CHAIR STOLTZE opened public testimony.

[9:19:47 AM](#)

SARAH HIEB, President, Alaska Peace Officers Association-Juneau, testified in support of HB 43. She said she was a police officer for eight-and-a-half years and understands the challenges and dangers that peace officers deal with each day. She spoke of her presence as an officer in schools and how valuable appreciation is. She noted there is a Peace Officers Memorial Day on May 15, but voiced appreciation for a day to honor those who are currently serving.

[9:22:14 AM](#)

TERRY VRABEC, Deputy Director, Department of Public Safety, testified in support of HB 43. He noted Commissioner Folger's support for the bill and the support of law enforcement across the state. He thanked the sponsor.

[9:23:33 AM](#)

AARON DANIELSON, President, Public Safety Employee Association, testified in support of HB 43. He said he has been a cop for eight years. There are over 1,300 officers that work in Alaska enforcing laws, conducting search and rescues, and protecting the public. He termed it a tough and difficult profession both physically and mentally. He concluded that the bill is an opportunity for Alaskans to say thank you to law enforcement officers.

[9:25:07 AM](#)

RODNEY DIAL, Lieutenant, Alaska State Troopers, testified in support of HB 43.

[9:25:37 AM](#)

BRANDY JOHNSON, representing herself, testified in support of HB 43. She said she is the recent widow of Scott Johnson, whose job was that of a Sergeant with the Alaska State Troopers. She stated that she represents all the men and women in law enforcement in Alaska. She related that last year there were 121 line-of-duty deaths in the United States, two of which occurred in Alaska, and one of which was her husband and the other was Trooper Gabe Rich. She maintained that the law enforcement community in Alaska should know they are appreciated. She said they performs tasks most of us would never want to experience. She provided examples of positive and negative tasks. She shared how much appreciation means to the law enforcement community.

[9:28:29 AM](#)

CHAIR STOLTZE thanked Mrs. Johnson.

CHAIR STOLTZE closed public testimony.

[9:28:56 AM](#)

At ease

[9:30:12 AM](#)

SENATOR COGHILL moved to report CSHB 43(STA) from committee with individual recommendations and attached new Department of Administration zero fiscal note and a zero fiscal note from Legislative Affairs. There being no objection, the motion carried.

[9:31:09 AM](#)

At ease.

HB 1-STATE ARCTIC POLICY

[9:32:36 AM](#)

CHAIR STOLTZE announced consideration of HB 1. [CSHB 1(EDA)AM was before the committee.]

REPRESENTATIVE BOB HERRON, Alaska State Legislature, sponsor of HB 1, explained in 2013 and 2014 the Alaska Arctic Policy Commission, made up of ten legislators, five from each house, along with 16 peer experts, met to work on an Arctic Policy. They delivered the final report, the implementation plan, and executive summary on January 30, 2015, as required by the legislature. There was much dialogue, debate, and conversation throughout the state as to the best policies. He said the most

important points are that Alaska people should come first and the policy will benefit the entire state. The policy strengthens Alaska's position in the Arctic with the federal government and other Arctic nations and must lead to economic benefit to Alaskans.

He noted Section 1 sends the most important message: Alaskans are Arctic experts.

[9:34:13 AM](#)

REPRESENTATIVE HERRON reviewed the four lines of effort in the implementation plan: promote economic development, address infrastructure gap, support healthy communities, and strengthen Arctic science and research.

CHAIR STOLTZE requested information on a recent amendment on the House Floor regarding the Law of the Sea.

REPRESENTATIVE HERRON explained that the Law of the Sea Treaty is before the U.S. Senate and does not need to be stated in the Arctic Policy. He said he supported the deletion of the amendment.

CHAIR STOLTZE summarized that all endorsements for the Law of the Sea Treaty are removed.

REPRESENTATIVE HERRON answered yes.

[9:35:51 AM](#)

SENATOR COGHILL understood that the U.S. would be assuming the chairmanship of the Arctic Council. He requested to know to whom the report is targeted.

REPRESENTATIVE HERRON answered that there are three audiences targeted by the report. The first, and most important, is the Alaska State Legislature. The second audience is the executive branch. The third audience is the federal government. He pointed to recent decisions made by the federal government for Alaska. He stressed that Alaska should determine its own destiny.

He explained that the Arctic Policy also targets the Arctic Commission in that it explains how Alaska would like to be treated and involved in decision-making regarding the Arctic. He noted Alaska has a very close working relationship with the State Department who will chair the Arctic Council; Ambassador David Balton will be the chair of the Senior Arctic Officials.

[9:39:44 AM](#)

SENATOR COGHILL thanked Representative Herron for his concise explanation.

CHAIR STOLTZE asked Representative Herron to address page 3, lines 16 to 18. He requested an explanation of the collaboration with the stated entities.

REPRESENTATIVE HERRON explained that it means Alaska will have discussions with all the listed entities about having a transparent and inclusive decision-making process. It asks the executive branch to participate, as well as the legislature, as much as possible. The most difficult entity has been the federal government.

[9:41:25 AM](#)

CHAIR STOLTZE noted a reference to non-governmental organizations (NGOs).

REPRESENTATIVE HERRON clarified that there are NGO's the state can benefit from, such as environmental NGO's (ENGO's), a term created by the North Slope Borough. Alaska would like the NGO's to be as informed as possible and would like to be informed by their intentions and efforts.

CHAIR STOLTZE asked for NGO specifications.

REPRESENTATIVE HERRON said the Pew Foundation is an example of a friendly NGO. He said the goal is to be informed of the true intention of entities and for Alaska to be included in the decision-making process.

[9:43:36 AM](#)

CHAIR STOLTZE did not know if he was comfortable with the Pew Foundations.

REPRESENTATIVE HERRON noted that they have done good things for Alaska, such as opposing the Aleutian Sanctuary.

CHAIR STOLTZE opened public testimony.

[9:44:24 AM](#)

DR. JOE MCLAUGHLIN, State Epidemiologist, Department of Health and Social Services (DHSS) testified in support of HB 1. He said the bill promotes the health and wellness of Alaskans by supporting healthy Arctic communities and strengthening a state-based agenda for Arctic science and research. He noted areas of

health impact prevention due to the Arctic Policy: climate change, environmental contaminants, subsistence food, resource changes, cultural changes in communities, changing infectious and chronic disease patterns, access to medical care, and emergency response capacity. The bill is beneficial in that it fosters wide-ranging collaboration to achieve transparent, inclusive, and informed decision-making to maximize the benefit to Alaskans.

[9:46:07 AM](#)

CHAIR STOLTZE closed public testimony. He asked Representative Herron if he had seen the amendment.

REPRESENTATIVE HERRON said he had.

[9:46:30 AM](#)

SENATOR HUGGINS moved Amendment 1, labeled 29-LS0013\F.1.

AMENDMENT 1

OFFERED IN THE SENATE BY SENATOR STOLTZE
TO: SCS CSHB 1(ARC)

Page 2, following line 23:

Insert a new subsection to read:

"(c) Nothing in the Act is meant to support, endorse, or reestablish the Alaska Coastal Management Program that expired in 2011 and was rejected by state voters in 2012."

[9:46:44 AM](#)

CHAIR STOLTZE object for discussion.

REPRESENTATIVE HERRON stated support for Amendment 1.

CHAIR STOLTZE explained that the amendment removes the possibility of including the Alaska Coastal Management Program in the bill.

REPRESENTATIVE HERRON restated support for the amendment.

SENATOR WIELECHOWSKI asked if the amendment refers to not endorsing or supporting any coastal management program.

CHAIR STOLTZE said yes; the intent is to be much broader.

SENATOR WIELECHOWSKI objected.

A roll call vote was taken. Senators Coghill, Stoltze, and Huggins voted in favor of adopting Amendment 1. Senator Wielechowski voted against it. Therefore, Amendment 1 passed by a vote of 3 to 1.

[9:48:14 AM](#)

SENATOR COGHILL moved that the fiscal notes to HB 1 be approved. There being no objection, the fiscal notes were adopted.

CHAIR STOLTZE thanked the sponsor for his support of the amendment and noted that it only applies to HB 1 and not to any other legislation.

[9:50:11 AM](#)

SENATOR COGHILL moved to report SCS CSHB 1(STA) from committee with individual recommendations and attached fiscal note(s). There being no objection, the motion carried.

[9:50:32 AM](#)

At ease.

SJR 12-CONST. AM: ELECTED ATTORNEY GENERAL

[9:52:08 AM](#)

CHAIR STOLTZE called the committee back to order and announced the consideration of SJR 12.

CHAIR STOLTZE, speaking as sponsor of SJR 12, noted that constitutional amendments are a two-year process. He said that 43 other states have elected attorney generals. He opined that the office should serve the people of Alaska, not a body politic. He said SJR 12 does not reflect upon the current occupant of Alaska's Office of Attorney General.

[9:54:17 AM](#)

CHAIR STOLTZE said he agrees with former-Governor Egan when he said during the Constitutional Convention, "I'm in favor of a strong executive branch of government in order that the people might ever be able to place the finger of responsibility without buck passing. One office, I feel, should most certainly remain elected is that of the state attorney general. It would seem to me that this would provide a safeguard against a strong chief executive usurping the powers of his office." Chair Stoltze opined that the attorney general is the most appropriate advocate to speak up for the people of Alaska. He said there has been bi-partisan support for this idea, which has been before

the legislature many times, but has not been successful. He thought the people of Alaska would support SJR 12.

[9:57:39 AM](#)

CHAIR STOLTZE stated that it was the first hearing on SJR 12 and there was no public testimony today. He said it is his intent to keep public testimony open throughout the process.

SENATOR WIELECHOWSKI reviewed the qualifications for the lieutenant governor and suggested there be requirements to be a state resident for a period of time and an attorney for a period of time. A number of states have similar provisions.

CHAIR STOLTZE noted those issues have been discussed in the past. He said he is open to those types of changes.

[10:00:36 AM](#)

SENATOR COGHILL stated that he will have to review the general qualifications in the executive and legislative branches in order to attempt to achieve consistency.

CHAIR STOLTZE commented that SJR 12 is a critical policy issue and he takes it seriously.

SENATOR COGHILL pointed out that an elected attorney general puts that position into a political realm, which he finds hard to justify.

CHAIR STOLTZE replied that there is an element of politics in any position.

[10:03:13 AM](#)

SENATOR HUGGINS asked if the resolution usurps the judicial council in any way.

CHAIR STOLTZE answered no.

He invited people to testify on the bill or contact his office.

SENATOR COGHILL noted that the legislature takes seriously the voice of the people.

[10:05:08 AM](#)

DANIEL GEORGE, Staff, Senator Bill Stoltze, Alaska State Legislature, provided information related to SJR 12. He related that in territorial days the attorney general was an elected office and it was debated at the Constitutional Convention with

strong feelings on both sides. He said it is the 26th such proposal in the legislature. He provided some of the legislative history of the bill, including qualifications for the position.

CHAIR STOLTZE expressed hope that at the end of the two-year session, SJR 12 would be before the voters. He noted it will take a super majority to pass.

10:06:54 AM

CHAIR STOLTZE held SJR 12 in committee.

10:08:02 AM

There being no further business to come before the committee, Chair Stoltze adjourned the Senate State Affairs Standing Committee hearing at 10:08 a.m.