

ALASKA STATE LEGISLATURE
SENATE STATE AFFAIRS STANDING COMMITTEE

April 7, 2016

9:03 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 231(FIN)

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

- MOVED SCS CSHB 231(STA) OUT OF COMMITTEE

SENATE BILL NO. 150

"An Act adding the commissioner of the Department of Military and Veterans' Affairs to the membership of the Council on Domestic Violence and Sexual Assault."

- HEARD & HELD

SENATE BILL NO. 171

"An Act relating to the duties of the Department of Administration; relating to payment of judgment against the state; relating to pre-audit of claims; relating to travel costs and travel outside the state; repealing authorization and administration of the Department of Administration to make advances to the University of Alaska; and repealing the United States savings bond purchase plan."

- MOVED CSSB 171(STA) OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 77(FIN)

"An Act relating to training regarding disabilities for police officers, probation officers, parole officers, correctional officers, and village public safety officers; relating to guidelines for drivers when encountering or being stopped by a peace officer; relating to driver's license examinations; and relating to a voluntary disability designation on a state identification card and a driver's license."

- MOVED CSHB 77(FIN) OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 273(STA)

"An Act relating to the transfer of the title to a vehicle, including certain manufactured homes and trailers, on the death of the owner; allowing a person to act for the surviving spouse of a decedent to make a demand of the personal representative of the decedent's estate related to enforcing a liability against real property or an interest in real property transferred at death by a transfer on death deed; and providing for an effective date."

- HEARD & HELD

CONFIRMATION HEARINGS

Board of Fisheries
Israel Payton
Alan Cain
Robert Ruffner

- ITEM REMOVED FROM THE AGENDA

PREVIOUS COMMITTEE ACTION

BILL: HB 231

SHORT TITLE: EXTEND BOARD OF PAROLE

SPONSOR(s): LYNN

01/19/16	(H)	PREFILE RELEASED 1/8/16
01/19/16	(H)	READ THE FIRST TIME - REFERRALS
01/19/16	(H)	STA, FIN
01/21/16	(H)	STA AT 8:00 AM CAPITOL 106
01/21/16	(H)	Moved HB 231 Out of Committee
01/21/16	(H)	MINUTE(STA)
01/22/16	(H)	STA RPT 7DP
01/22/16	(H)	DP: TALERICO, STUTES, VAZQUEZ, GRUENBERG, KREISS-TOMKINS, LYNN, KELLER
03/15/16	(H)	FIN AT 1:30 PM HOUSE FINANCE 519

03/15/16 (H) Heard & Held
 03/15/16 (H) MINUTE(FIN)
 03/24/16 (H) FIN AT 9:30 AM HOUSE FINANCE 519
 03/24/16 (H) Moved CSHB 231(FIN) Out of Committee
 03/24/16 (H) MINUTE(FIN)
 03/25/16 (H) FIN RPT CS(FIN) 8DP
 03/25/16 (H) DP: SADDLER, KAWASAKI, PRUITT, GARA,
 WILSON, GUTTENBERG, MUNOZ, THOMPSON
 03/29/16 (H) TRANSMITTED TO (S)
 03/29/16 (H) VERSION: CSHB 231(FIN)
 03/30/16 (S) READ THE FIRST TIME - REFERRALS
 03/30/16 (S) STA, FIN
 04/05/16 (S) STA AT 9:00 AM BUTROVICH 205
 04/05/16 (S) Heard & Held
 04/05/16 (S) MINUTE(STA)
 04/07/16 (S) STA AT 9:00 AM BUTROVICH 205

BILL: SB 150

SHORT TITLE: DMVA COMMISSIONER MEMBER OF CDVSA
 SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

01/21/16 (S) READ THE FIRST TIME - REFERRALS
 01/21/16 (S) STA, FIN
 03/22/16 (S) STA AT 9:00 AM BUTROVICH 205
 03/22/16 (S) Heard & Held
 03/22/16 (S) MINUTE(STA)
 04/07/16 (S) STA AT 9:00 AM BUTROVICH 205

BILL: SB 171

SHORT TITLE: DOA PAYMENTS; REPEAL OTHER DOA DUTIES
 SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

02/05/16 (S) READ THE FIRST TIME - REFERRALS
 02/05/16 (S) STA, FIN
 02/18/16 (S) STA AT 8:30 AM BUTROVICH 205
 02/18/16 (S) Heard & Held
 02/18/16 (S) MINUTE(STA)
 03/24/16 (S) STA AT 9:00 AM BUTROVICH 205
 03/24/16 (S) Heard & Held
 03/24/16 (S) MINUTE(STA)
 03/31/16 (S) STA AT 9:00 AM BUTROVICH 205
 03/31/16 (S) Heard & Held
 03/31/16 (S) MINUTE(STA)
 04/07/16 (S) STA AT 9:00 AM BUTROVICH 205

BILL: HB 77

SHORT TITLE: DISABILITY: ID/LICENSE AND TRAINING RQMTS.

SPONSOR (s) : THOMPSON

01/23/15 (H) READ THE FIRST TIME - REFERRALS
01/23/15 (H) STA, FIN
03/24/15 (H) STA AT 8:00 AM CAPITOL 106
03/24/15 (H) Heard & Held
03/24/15 (H) MINUTE(STA)
04/02/15 (H) STA AT 8:00 AM CAPITOL 106
04/02/15 (H) -- MEETING CANCELED --
04/07/15 (H) STA RPT CS(STA) NT 5DP
04/07/15 (H) DP: STUTES, KELLER, VAZQUEZ, KREISS-
TOMKINS, LYNN
04/07/15 (H) STA AT 8:00 AM CAPITOL 106
04/07/15 (H) Moved CSHB 77(STA) Out of Committee
04/07/15 (H) MINUTE(STA)
03/15/16 (H) FIN AT 1:30 PM HOUSE FINANCE 519
03/15/16 (H) Heard & Held
03/15/16 (H) MINUTE(FIN)
03/24/16 (H) FIN AT 9:30 AM HOUSE FINANCE 519
03/24/16 (H) Moved CSHB 77(FIN) Out of Committee
03/24/16 (H) MINUTE(FIN)
03/25/16 (H) FIN RPT CS(FIN) 10DP
03/25/16 (H) DP: SADDLER, KAWASAKI, PRUITT, GARA,
WILSON, GUTTENBERG, GATTIS, EDGMON,
MUNOZ,
03/25/16 (H) THOMPSON
03/30/16 (H) TRANSMITTED TO (S)
03/30/16 (H) VERSION: CSHB 77(FIN)
04/01/16 (S) READ THE FIRST TIME - REFERRALS
04/01/16 (S) STA, FIN
04/07/16 (S) STA AT 9:00 AM BUTROVICH 205

BILL: HB 273

SHORT TITLE: VEHICLES: TRANSFER ON DEATH TITLE; ESTATES

SPONSOR (s) : STATE AFFAIRS

01/22/16 (H) READ THE FIRST TIME - REFERRALS
01/22/16 (H) STA
02/04/16 (H) STA AT 8:00 AM CAPITOL 106
02/04/16 (H) Heard & Held
02/04/16 (H) MINUTE(STA)
02/09/16 (H) STA AT 8:00 AM CAPITOL 106
02/09/16 (H) DMV REVOCATION OF DRIVER'S LICENSE
03/15/16 (H) STA AT 8:00 AM CAPITOL 106
03/15/16 (H) Moved CSHB 273 (STA) Out of Committee
03/15/16 (H) MINUTE(STA)
03/16/16 (H) STA RPT CS(STA) NT 7DP

03/16/16	(H)	DP: STUTES, SPOHNHOLZ, KELLER, TALERICO, KREISS-TOMKINS, VAZQUEZ, LYNN
03/23/16	(H)	TRANSMITTED TO (S)
03/23/16	(H)	VERSION: CSHB 273 (STA)
03/25/16	(S)	READ THE FIRST TIME - REFERRALS
03/25/16	(S)	STA, FIN
04/07/16	(S)	STA AT 9:00 AM BUTROVICH 205

WITNESS REGISTER

ESTHER MIELKE, Staff
 Representative Lynn
 Alaska State Legislature
 Juneau, Alaska

POSITION STATEMENT: Provided an overview of HB 231.

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

POSITION STATEMENT: Provided an overview of SB 150 and SB 171.

LAURIE HUMMEL, Commissioner
 Alaska Department of Military & Veterans Affairs (DMVA)
 Elmendorf Airforce Base, Alaska

POSITION STATEMENT: Addressed questions regarding SB 150.

JAYNE ANDREEN, President
 Alaska Public Health Association
 Douglas, Alaska

POSITION STATEMENT: Testified in opposition to Amendment 2 of SB 150.

LAUREE MORTON, Executive Director
 Council on Domestic Violence and Sexual Assault
 Juneau, Alaska

POSITION STATEMENT: Answered questions regarding SB 150.

CHRIS CHRISTENSEN, Associate Vice President of State Relations
 University of Alaska
 Anchorage, Alaska

POSITION STATEMENT: Answered questions regarding SB 150 and SB 171.

SCOT AREHART, Director
 Division of Finance

Alaska Department of Administration
Juneau, Alaska

POSITION STATEMENT: Addressed questions regarding SB 171.

LYNETTE BERGH, Staff
Representative Steve Thompson
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided an overview of HB 77.

JUANITA WEBB, Member
Wall Busters Advocacy Group
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 77.

PATRICK REINHART, Executive Director
Governor's Council on Disabilities and Special Education
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 77.

CHAD GOEDEN, Academy Commander
Division of Alaska State Troopers
Alaska Department of Public Safety
Sitka, Alaska

POSITION STATEMENT: Testified on HB 77.

ART DELAUNE, Member
Wall Busters Advocacy Group
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 77.

AMY ERICKSON, Director
Division of Motor Vehicles
Alaska Department of Administration
Anchorage, Alaska

POSITION STATEMENT: Addressed questions regarding HB 77.

DENEEN TUCK, Staff
Representative Lynn
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented an overview of HB 273.

ACTION NARRATIVE

[9:03:02 AM](#)

CHAIR BILL STOLTZE called the Senate State Affairs Committee meeting to order at 9:03 a.m. Present at the call to order were Senators Coghill, Huggins, McGuire, and Chair Stoltze. Senator Wielechowski arrived shortly thereafter.

HB 231-EXTEND BOARD OF PAROLE

9:03:33 AM

CHAIR STOLTZE announced the consideration of HB 231.

9:04:05 AM

ESTHER MIELKE, Staff, Representative Lynn, Alaska State Legislature, Juneau, Alaska, explained that HB 231 would extend the Board of Parole's sunset date. She noted that the sunset date originally was six years, but changes were made due to the pending crime bill. She revealed that the Division of Audit provided recommendations, but found the Board of Parole to be in good operating order.

CHAIR STOLTZE stated that he was not sure there was a consensus on Board of Parole and noted that improvements would be addressed with Director Edwards. He said an amendment was before the committee and affirmed that the intent was to have the board's sunset date interact with the crime bill, SB 91. He asked Senator Coghill, SB 91 sponsor, if he had any comments.

SENATOR COGHILL explained that an audit would be requested to be done sooner because a lot of new duties were being asked from the jail system and the Board of Parole. He surmised that a 2020 sunset date would mean an audit would be done in 2019.

CHAIR STOLTZE asked for a motion to adopt the Senate committee substitute (SCS).

SENATOR MCGUIRE moved to adopt the work draft SCS for CSHB 231, 29-LS1138\N, as the working document.

CHAIR STOLTZE announced that hearing no objection, version N was adopted. He declared that no other comments were heard and asked Senator McGuire for a motion.

9:06:58 AM

SENATOR MCGUIRE moved to report SCS CSHB 231 from committee with individual recommendations and attached fiscal note.

CHAIR STOLTZE announced that hearing no objection, SCS CSHB 231(STA) moves from committee.

[9:07:15 AM](#)

At ease.

SB 150-DMVA COMMISSIONER MEMBER OF CDVSA

[9:10:51 AM](#)

CHAIR STOLTZE announced the consideration of SB 150 and moved to adopt Amendment 1, labeled 29-GS2797\A.2:

AMENDMENT 1

OFFERED IN THE SENATE
TO SB 150

Page 1, line 2, following "Assault":

Insert "; and relating to the duties of the Council on Domestic Violence and Sexual Assault"

Page 2, following line 13:

Insert a new bill section to read:

"* **Sec. 3.** AS 18.66.050 is amended to read:

Sec. 18.66.050. Duties of the council. The council shall

(1) Hire an executive director, and the executive director may hire staff; the executive director is in the exempt service under AS 39.25.110 and staff members are in the classified service under AS 39.25.100;

(2) Elect one of its members as presiding officer;

(3) In consultation with authorities in the field, develop, implement, maintain, and monitor domestic violence, sexual assault, and crisis intervention and prevention programs, including educational programs, films, and school curricula on the cause, prevention, and treatment of domestic violence and sexual assault;

(4) Coordinate services provided by the Department of Law, the Department of Education and Early Development, the Department of Public Safety, the Department of Health and Social Services, the Department of Corrections, **the Department of Military and Veterans' Affairs,** and other state agencies and community groups dealing with domestic violence, sexual assault, and crisis intervention and

prevention, and provide technical assistance as requested by those state agencies and community groups;

(5) Develop and implement a standardized data collection system on domestic violence, sexual assault, and crisis intervention and prevention;

(6) Conduct public hearings and studies on issues relating to violence, including domestic violence and sexual assault, and on issues relating to the role of crisis intervention and prevention;

(7) Receive and dispense state and federal money and award grants and contracts from appropriations for the purpose to qualified local community entities for domestic violence, sexual assault, and crisis intervention and prevention programs;

(8) Oversee and audit domestic violence, sexual assault, and crisis intervention and prevention programs that receive money under this chapter;

(9) Provide fiscal and technical assistance to plan, organize, implement, and administer domestic violence, sexual assault, and crisis intervention and prevention programs;

(10) Make an annual report to the governor on the activities of the council, plans of the council for new services and programs, and concerns of the council, including recommendations for legislation necessary to carry out the purposes of this chapter; the council shall notify the legislature that the report is available;

(11) Adopt regulations in accordance with AS 44.62 (Administrative Procedure Act) to carry out the purposes of this chapter and to protect the health, safety, well-being, and privacy of persons receiving services financed with grants or contracts under this chapter;

(12) Consult with the Department of Health and Social Services in the formulation of standards and procedures for the delivery of services to victims of domestic violence by health care facilities and practitioners of healing arts and personnel in those facilities as required in AS 18.66.300;

(13) Consult with the Alaska Police Standards Council and other police training programs in the state to develop training programs regarding domestic violence for police officers and for correction, probation, and parole officers;

(14) Consult with public employers, the Alaska Supreme Court, school districts, and prosecuting authorities who are required by AS 18.66.300 - 18.66.310 to provide continuing education courses in domestic violence to employees."

SENATOR COGHILL objected for discussion purposes.

[9:11:02 AM](#)

DANIEL GEORGE, Staff, Senator Stoltze, Alaska State Legislature, Juneau, Alaska, explained that Amendment 1 catches an oversight to add the commissioner for the Department of Military and Veterans' Affairs (DMVA) to the Council on Domestic Violence and Sexual Assault (CDVSA).

SENATOR COGHILL removed his objection.

CHAIR STOLTZE announced that no further objection was heard and Amendment 1 was adopted.

[9:12:25 AM](#)

CHAIR STOLTZE moved to adopt Amendment 2, labeled 29-GS2797\A.1:

AMENDMENT 2

OFFERED IN THE SENATE
TO SB 150

Page 2, line 7, following "affairs":
Insert "who shall serve ex officio as a nonvoting member of the council"

SENATOR COGHILL objected for discussion purposes.

MR. GEORGE said two letters were presented to the committee that addressed Amendment 2. They were from the commissioner of DMVA and the Alaska Network on Domestic Violence and Sexual Assault.

SENATOR COGHILL commented that the amendment would make the DMVA commissioner an ex officio, non-voting member for CDVSA.

CHAIR STOLTZE explained that the purpose for ex officio status was not to alter CDVSA's public balance as well as keep the fiscal note from occurring on the bill. He said a sensitivity existed to not have an outnumbering of government officials over public members.

CHAIR STOLTZE opened public testimony.

SENATOR WIELECHOWSKI asked if Commissioner Hummel supported Amendment 2 for SB 150.

[9:13:59 AM](#)

LAURIE HUMMEL, Commissioner, Department of Military & Veterans Affairs (DMVA), Anchorage, Alaska, replied that she opposed making commissioners non-voting members on the administration's own boards, commissions and councils.

SENATOR WIELECHOWSKI pointed out that the concern was an imbalance would occur with her appointment. He asked if Commissioner Hummel agreed that the concern was valid.

COMMISSIONER HUMMEL voiced that she was concerned about an imbalance and recommended that an additional public member be added to the board.

CHAIR STOLTZE asked if the administration proposed adding a public member when introducing the bill.

COMMISSIONER HUMMEL replied that she did not believe there was a discussion.

[9:16:40 AM](#)

SENATOR WIELECHOWSKI pointed out that CDVSA's current membership already had five commissioners and four public members. He asked if the committee wanted to add more public members.

CHAIR STOLTZE commented that SB 150 was not his bill, but added that he did not want to further promote CDVSA's imbalance. He opined that the administration could have offered alternatives for the imbalance.

SENATOR HUGGINS commented that the bill was a prime example of being careful before asking for something where the state's price tag for doing business was driven up.

[9:18:22 AM](#)

JAYNE ANDREEN, President, Alaska Public Health Association, Douglas, Alaska, testified in opposition to Amendment 2 and voiced her support for a balanced board. She shared her history of serving on CDVSA's board and discussed the importance of having a balanced board. She set forth that public members have an important voice whose primary role is serving as a coordinating entity.

[9:20:50 AM](#)

CHAIR STOLTZE noted that each commissioner has a strong voice and could serve as ex-officio members. He suggested that all commissioners should be ex officio. He stated that Amendment 2 was the most cost effective way to not disrupt the balance and make sure that the public votes were at least at par. He noted that fiscal notes for board costs have been appropriately scrutinized and opined that the cost for adding another member would be better served going to victims' services.

[9:22:13 AM](#)

SENATOR WIELECHOWSKI pointed out that SB 150 would make the CDVSA board 6-commissioners and 4-public members. He said there was a reluctance to spend more money on additional public members. He asked Ms. Andreen if she would support an imbalanced board.

MS. ANDREEN replied that she would support adding another public member.

CHAIR STOLTZE commented that the 2014 gubernatorial race involved DMVA discussions by the governor where arrests would be made. He opined that the attorney general's office has had a muted response to DMVA.

SENATOR MCGUIRE asked if there was anything in CDVSA's meetings that prevented any commissioner or lawmakers from addressing the council.

[9:25:30 AM](#)

LAUREE MORTON, Executive Director, Council on Domestic Violence and Sexual Assault, Juneau, Alaska, answered no. She specified that CDVSA's meetings were open to the public with stated comment periods. She revealed that CDVSA has issue-specific days where guest speakers were invited.

SENATOR MCGUIRE asked if there has been an instance where a request to attend was denied.

[9:27:14 AM](#)

MS. MORTON answered no, not during her tenure since 2011.

SENATOR MCGUIRE opined that SB 150 was a solution in search of a problem. She stated that she did not think politicizing CDVSA was appropriate. She set forth that she did not support the amendment.

CHAIR STOLTZE explained that the amendment was offered as kind of a placeholder to facilitate a discussion. He remarked that he was comfortable with sending SB 150 forward to Senator McKinnon in the Senate Finance Committee.

SENATOR MCGUIRE replied that she was not comfortable with the power imbalance created by the amendment. She requested that the SB 150 be held in committee.

CHAIR STOLTZE stated that the bill would be held for the administration to address the committee's issues.

SENATOR WIELECHOWSKI asked Ms. Morton to comment on SB 150 and Amendment 2.

MS. MORTON replied that the council was neutral on the bill and would accept the decision. She revealed that state members absorb costs within their own departments to participate and the council provides cost for public members that would amount to an approximate \$2,500 fiscal note. She set forth that both costs and balance were important.

CHAIR STOLTZE asked Mr. Christensen from the University of Alaska to address the committee. He inquired if there was a problem with sexual assault and domestic violence on the university's campuses.

[9:32:49 AM](#)

CHRIS CHRISTENSEN, Associate Vice President of State Relations, University of Alaska, Anchorage, Alaska, replied that there were issues with violence on the university campus. He detailed that rates tended to be lower than rates in the general population, but the university was very concerned. He explained that the university aggressively focuses on following Title IX rules as well.

CHAIR STOLTZE asked if there was a problem whether revealed or hidden regarding sexual assaults on campuses.

MR. CHRISTENSEN replied that there was a problem. He specified that some problems were stranger-on-stranger violence that was found in the rest of the state and some were dating-related violence where alcohol and drugs were a significant part.

CHAIR STOLTZE opined that sexual assaults on campuses was not raised in the campaign and were really concealed because the

university does not want to talk about it. He asserted that a university person should be on be a member on the CDVSA board.

CHAIR STOLTZE announced that SB 150 would be held in committee. [Amendment 2 was pending.]

[9:37:59 AM](#)

At ease.

SB 171-DOA PAYMENTS; REPEAL OTHER DOA DUTIES

[9:39:17 AM](#)

CHAIR STOLTZE announced the consideration of SB 171.

DANIEL GEORGE, Staff, Senator Stoltze, Alaska State Legislature, Juneau, Alaska, stated that the CS for SB 171(STA), version H, was adopted during the 3/24/16 hearing. He explained that the CS inserted into the statutes for: the state's online-checkbook system, fiscal-note inclusion, and department appropriation and allocation. He added that fiscal note revisions by the Department of Administration were done as well.

CHAIR STOLTZE requested that Mr. George review the revised fiscal notes.

MR. GEORGE explained that the previous fiscal note from the Department of Administration contained the addition of three-fulltime positions and several hundred-thousand dollars of personal services as well as \$81,000 of commodities starting in FY17. He opined that the fiscal note was fairly significant.

He detailed that Commissioner Fisher from the Department of Administration worked with the committee's office to help reduce the fiscal impact to the state while implementing a policy that ensured transparency to the public. He revealed that the new fiscal note reflected no personal-services costs as well as a reduced services cost in FY17 and FY18, and no additional personnel. He added that the revised fiscal note was contingent on the adoption of Amendment 3.

MR. GEORGE added that the CS requires the university system and court system to participate in the state's managed-travel program. He noted that the court system presented a fiscal note with thorough analysis in a previous meeting that participation in the state's managed-travel program was not cost effective. He added that the university system's president submitted a letter

addressing participation in the managed-travel program, but a fiscal note was not provided.

[9:42:47 AM](#)

CHAIR STOLTZE withdraw Amendment 1. [Amendment 1 was not offered but was in the bill packet.]

CHAIR STOLTZE moved to adopt Amendment 2, labeled 29-GS2811\H.1.

AMENDMENT 2

OFFERED IN THE SENATE

TO: CSSB 171(STA), Draft Version "H"

Page 2, lines 14 - 18:

Delete all material.

Renumber the following bill sections accordingly.

Page 6, line 8:

Delete "sec. 6"

Insert "sec. 5"

Page 6, line 12:

Delete "sec. 6"

Insert "sec. 5"

CHAIR STOLTZE explained that Amendment 2 removes the court system from participating in the state's managed-travel program. He opined that the court system made a case that participating in the managed-travel program would not provide efficiencies.

He announced that hearing no objection, Amendment 2 was adopted.

CHAIR STOLTZE moved to adopt Amendment 3, labeled 29-GS2811\H.5

AMENDMENT 3

OFFERED IN THE SENATE

TO: CSSB 171(STA), Draft Version "H"

Page 2, lines 11 - 12:

Delete ", approving, purchasing, and reimbursing"

Insert "and purchasing"

Page 6, line 8:

Delete "October 1, 2016"

Insert "January 1, 2017"

Page 6, line 12:

Delete "must,"

Page 6, lines 13 - 14:

Delete "list information from the previous fiscal year. Beginning on October 1, 2017, the list shall be updated monthly or annually, as specified"

Insert "must implement and expand a public data portal as follows:

(1) Software for expenditure transactions, by July 1, 2017;

(2) Employee-payroll transactions, by January 1, 2019;

(3) Revenue transactions, by January 1, 2020"

SENATOR COGHILL objected for discussion purposes.

MR. GEORGE explained that Amendment 3, version H.5, replaces Amendment 1. He clarified that the state managed-travel program does not approve someone's travel or reimburse them, but simply dealt with purchasing the travel. He added that the state's online-checkbook would be delayed three months to January 1, 2017 to help defray costs. He said Amendment 3 also added transitional language regarding the implementation timeline for the state's online-checkbook as well as software expenditures and implementation payroll and revenue.

[9:45:09 AM](#)

SCOT AREHART, Director, Division of Finance, Department of Administration, Juneau, Alaska, testified that the fiscal note was modified by scheduling software implementation in phases that used current resources within the division.

CHAIR STOLTZE asked Mr. Arehart to confirm that scheduling coordination would occur with other major upgrades that the division was already doing.

MR. AREHART answered correct.

CHAIR STOLTZE asked if there were any objections to Amendment 3.

SENATOR COGHILL removed his objection.

CHAIR STOLTZE announced that hearing no objection, Amendment 3 was adopted.

CHAIR STOLTZE moved Amendment 4, labeled 29-GS2811\H.6.

AMENDMENT 4

OFFERED IN THE SENATE

TO: CSSB 171(STA), Draft Version "H"

Page 1, lines 2 - 3:

Delete "the Department of Administration's managed travel program"

Insert "negotiated state contracts to make arrangements for persons traveling on official business"

Page 2, lines 8 - 18:

Delete all material and insert:

"Sec. 14.40.335. Use of negotiated state contracts. The University of Alaska shall use state contracts negotiated by the Department of Administration to make arrangements for a person traveling on official business."

Renumber the following bill sections accordingly.

Page 6, line 8:

Delete "sec. 6"

Insert "sec. 5"

Page 6, line 12:

Delete "sec. 6"

Insert "sec. 5"

SENATOR COGHILL objected for discussion purposes.

[9:47:00 AM](#)

MR. GEORGE explained that Amendment 4, version H.6, clarified that the university system would use the Department of Administration's already negotiated travel contracts and that the university can become a separate entity under the contracts.

CHAIR STOLTZE pointed out that the amendment was requested by Commissioner Fisher.

SENATOR COGHILL withdrew his objection.

SENATOR WIELECHOWSKI asked if the university supports Amendment 4.

CHRIS CHRISTENSEN, Associate Vice President of State Relations, University of Alaska, Anchorage, Alaska, remarked that the amendment takes care of part of the problem. He pointed that the university has reduced its unrestricted-travel budget by approximately 30 percent over the past three and a half years. He stated that the university's preference would be that the language instruct the university system to use the state's contracts or adopt a travel system that provides an equivalent or greater cost savings and efficiencies. He expressed that the university system could conceivably come up with a system that works better. He noted that more than half of the university system's travel was actually federally funded due research grants and Medicaid travel.

[9:50:16 AM](#)

SENATOR WIELECHOWSKI asked if Mr. Christensen supported Amendment 4.

MR. CHRISTENSEN suggested that language be added that allowed greater flexibility for the university system to use either the state's managed-travel program or its own travel system if savings were equal or greater than the state's managed-travel program.

CHAIR STOLTZE noted that the Senate State Affairs Committee was the first committee of referral and the bill would go through both the Senate and House finance committees. He reiterated that the bill was a placeholder for further discussions and possible changes.

[9:52:58 AM](#)

CHAIR STOLTZE announced that Amendment 4 was adopted without objection.

[9:53:25 AM](#)

SENATOR COGHILL moved to report the CS for SB 171(STA), as amended, from committee with individual recommendations and attached fiscal notes.

CHAIR STOLTZE objected for Senator Wielechowski to make a statement.

SENATOR WIELECHOWSKI stated that he appreciated the online-checkbook additions. He noted that Alaska was dead last in the country regarding an online-checkbook system which led to a severe lack of transparency in what was happening in government. He said the bill would get the state to the point where people can have more confidence in what was happening in the government. He added that he appreciated what was done regarding savings as well.

CHAIR STOLTZE removed his objection and announced that without objection, CSSB 171(STA) moved out of committee.

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[9:54:35 AM](#)

At ease.

HB 77-DISABILITY: ID/LICENSE AND TRAINING REQUIREMENTS.

[9:55:11 AM](#)

CHAIR STOLTZE announced the consideration of HB 77. [CSHB 77(FIN) was before the committee.]

[9:56:40 AM](#)

REPRESENTATIVE STEVE THOMPSON, Alaska State Legislature, Juneau, Alaska, sponsor of HB 77, explained that constituents who are advocates for the disabled approached him to address legislation for non-apparent disabilities due to bad interactions with law enforcement officers. He detailed that his office worked with Wall Busters and Access Alaska to compose a bill that would improve communications between individuals with non-apparent disabilities and law enforcement.

He detailed that HB 77 has three main components as follows:

1. Non-apparent disability awareness training at state trooper and police training academies.
2. Section added to the Division of Motor Vehicle's handbook addressing driver's responsibilities when interacting with law enforcement.
3. Statewide voluntary identification system for driver's licenses or state IDs that lets police officers or corrections officers know an individual has a non-apparent disability.

REPRESENTATIVE THOMPSON summarized that the bill can improve communication between all parties and help instruct people on what to expect when stopped by a police officer.

CHAIR STOLTZE revealed that his family has a member with autism and interacting with police has been addressed. He remarked that an interaction between an individual with a non-apparent disability and a police officer who does not understand the disability can turn badly. He noted that an incident occurred in Kodiak that could have been prevented. He stated that he appreciated the legislation coming forward for more awareness and training for law enforcement officials.

9:59:18 AM

LYNETTE BERGH, Staff, Representative Steve Thompson, Alaska State Legislature, Juneau, Alaska, explained that the bill evolved from statewide input so that the legislation could be accepted by the public and law enforcement. She set forth that the bill would help both disabled people and others on what to do when stopped by a police officer.

10:00:39 AM

JUANITA WEBB, Member, Wall Busters Advocacy Group, Fairbanks, Alaska, testified in support of HB 77. She detailed that Wall Busters was a consumer-driven advocacy group that brought the bill forward with Access Alaska and Representative Thompson's office. She set forth that the bill came about because of a need, both on a national and local level. She asserted that law enforcement needs to understand how a person with a non-apparent disability may have communication or understanding opportunities that can drastically change the interaction with law enforcement.

She specified that HB 77 would accomplish an understanding as follows:

- Discreet icon on ID or driver's license that was completely voluntary.
- Education of law enforcement, corrections, or probation officers at the academy level.
- Education for anyone applying for a driver's license.

She detailed that a person has to have diagnostic proof from a licensed physician, nurse practitioner or licensed psychiatrist in order to obtain a disability ID. She noted that the bill had a zero-fiscal note. She set forth that the disability ID was not a get-out-of-jail-free card. She summarized that the discreet

indicator and education would create a safe environment for both the general public, people with disabilities, and law enforcement. She asked that the bill be waived from the Senate Finance Committee assignment due to the bill's zero-fiscal note.

[10:04:26 AM](#)

PATRICK REINHART, Executive Director, Governor's Council on Disabilities and Special Education, Anchorage, Alaska, testified in support of HB 77. He set forth that the bill would improve the experience between people with unapparent disabilities and law enforcement.

[10:05:26 AM](#)

CHAD GOEDEN, Academy Commander, Division of Alaska State Troopers, Department of Public Safety, Sitka, Alaska, testified that the department was neutral on HB 77. He stated that the academy can modify its training to meet the bill's requirements. He noted that the academy already had an 8-hour segment that covered disabilities.

CHAIR STOLTZE asserted that Mr. Goden was neutral from a political standpoint and noted that his department as well as the governor's office did not take a position. He asked if Mr. Goden saw value in adding the training.

MR. GOEDEN replied that he saw value, but remarked that the bill would not solve all of the problems. He stated that the bill was a step in the right direction to increase communication from both sides.

CHAIR STOLTZE opined that the bill would also help law enforcement better understand the circumstances for both the person and public, ultimately strengthening the officer's position.

[10:06:48 AM](#)

SENATOR WIELECHOWSKI asked if the state would be exposed to liability if the requirements were not followed if a person with disabilities was not recognized.

MR. GOEDEN responded that he did not think he was the best person to answer Senator Wielechowski's question.

CHAIR STOLTZE asked Ms. Berge if the liability question has come up before.

MS. BERGH replied that she did not recall the question coming up, but noted that the designation was voluntary. She opined that she did not believe that a person could be held responsible if certain behaviors and interactions took place. She specified that the icon was just a notification to law enforcement that a person has a type of a disability.

CHAIR STOLTZE stated that he did not want to rely on an opinion and noted that a very specialized area of disability law existed.

10:08:09 AM

SENATOR MCGUIRE stated that she liked the bill. She revealed that she has a head-injured brother and remarked that everyone has been touched at some point or another by someone with disabilities. She said her biggest area of questioning centered on liability. She remarked that the bill may expose the state along with jurisdictions with corrections and village public safety officers due to the bill's new set of standards. She asked that Legal Services provide an opinion due to new actions caused by either disability-law theory or police council's training requirements. She detailed that receiving an opinion might mitigate or offset liability by setting mental standards or placing a cap on what the amount would be. She stated that all public-safety individuals should be included. She noted that she did not see not the inclusion of correctional officers in the bill.

MS. BERGH noted that version W included correctional officers.

SENATOR MCGUIRE confirmed that correctional officers, probation officers, police officers, and village public safety officers were covered in the bill. She asked Ms. Bergh to confirm that the regulations were equal for everyone.

MS. BERGH replied that the standards applied to all officers throughout the state.

10:12:02 AM

CHAIR STOLTZE noted that two committee members brought up liability issues. He offered that the committee meet on an ad hoc basis to receive legal opinions.

SENATOR MCGUIRE stated that she would be happy to move the bill along and suggested that liability issue be flagged with recommendations for the next committee of assignment.

CHAIR STOLTZE agreed to "flag" the bill and move it on.

SENATOR COGHILL asked Chair Stoltze to confirm that the committee would get a legal opinion for the next committee.

CHAIR STOLTZE confirmed that the next committee chair would be aware of the committee's concerns.

[10:14:50 AM](#)

ART DELAUNE, Member, Wall Busters Advocacy Group, Fairbanks, Alaska, testified in support of HB 77. He noted that Wall Busters, a grassroots organization, was concerned about people being treated poorly. He detailed that Representative Thompson was enlisted to write the bill and noted improvements made by the bill. He pointed out that all three police academies had training in place, but upgrades to address certain disabilities must be made. He summarized that the bill would use of a discreet, medical information would not be shared, police officers would be made aware, and a conversation between the parties would be opened. He set forth that the bill's intent was to make interaction safer between law enforcement and the public. He specified that the resolve was not to have police officers discern specific disabilities with everyone they encountered. He asserted that the legislation would be a tool to help officers be more aware and facilitate better communication.

CHAIR STOLTZE closed public testimony on HB 77. He asked Ms. Erickson to address what would be required for an icon designation on driver's licenses.

[10:20:42 AM](#)

AMY ERICKSON, Director, Division of Motor Vehicles (DMV), Alaska Department of Administration, Anchorage, Alaska, explained that DMV envisioned a simple form that would be certified by a doctor under conditions outlined by the bill. She asserted that DMV would not want to know any medical information.

CHAIR STOLTZE asked Ms. Erickson to confirm that she did not envision a fiscal note as well as a nominal fee being charged for the designation.

MS. ERICKSON answered correct and noted that the designator fee would be \$5, the same as the veterans' designator.

[10:22:22 AM](#)

SENATOR MCGUIRE stated that she supported the bill and opined that there may be more cost than what was indicated in the

bill's fiscal note. She noted that a cultural shift was occurring in the area of law enforcement to move away from adversarial interactions with citizens. She added that the bill could be improved in the next committee by clarifying that a new legal cause of action was not created as well as clarifying language about what the cause of action would be and what the set amount would be so that the state's exposure was limited.

[10:23:41 AM](#)

SENATOR MCGUIRE moved to report CSHB 77 from committee with individual recommendations and attached zero-fiscal note.

CHAIR STOLTZE announced that without objection CSHB 77(FIN) moves from committee.

[10:24:20 AM](#)

He called attention to the confirmation hearing in the previous committee meeting on the appointment of Commissioner of Corrections, Dean Williams. He announced that in accordance with AS 39.05.080, the State Affairs Committee reviewed the following and recommends the appointment be forwarded to a joint session for consideration.

HB 273-VEHICLES: TRANSFER ON DEATH TITLE; ESTATES

[10:25:29 AM](#)

CHAIR STOLTZE announced the consideration of HB 273.

DENEEN TUCK, Staff, Representative Lynn, Alaska State Legislature, Juneau, Alaska, read the sponsor statement for HB 273 with commentary as follows:

HB 273 is a way that people can plan their estate without going through the problems, length and expense of probate; this is the fourth step in this process. A number of years ago Title 13 provisions were added that would allow a person to have a Transfer on Death (TOD) bank account and designate a beneficiary with one or more beneficiaries, depending on the institution, and simply designating to the account by filling out a small card. When you open a bank account or thereafter, you can change it or do anything you want with it, but it has proven very beneficial. Title 13 provides for brokerage accounts, like Merrill Lynch or accounts that do the same thing and these are also permitted under Federal law; it has proven to be a

very good step in the area of estate planning and not controversial. You don't have to do it, but you can do it if you wish.

Several years ago, legislators carried this one step further in enacting TOD-deed legislation that does the same thing with real estate. If you want a TOD deed than there is a form you just fill out and it becomes effective upon your death and you record it. When you die the person who's the beneficiary simply presents a copy of the death certificate or whatever proof of death that's recorded and then the deed becomes effective.

From what I know the TOD concept has been very successful and now we're trying with this bill to expand that concept to vehicles. Currently 15 states have at last count, excluding Alaska. There is no uniform act yet for this, hopefully there will be or a model act or a suggested state legislation or something; but, what we did was we got Legislative Research and they gave us copies of all the state laws and in addition, copies of the state laws for which four states have expanded this for watercraft and we also register snow machines in this state and we are looking at outboard motors as well.

The Division of Motor Vehicles has been very helpful and has provided a lot of technical assistance in the drafting of this bill because they were given these laws to see how they could put together a bill for us; they did not feel it was appropriate to go with the watercraft and we can't do aircraft because that is federal and there are obligations on their titles, it's not done internally that way. HB 273 is 6-page bill so that it has conforming language with all of the other TOD language in the statute.

[10:28:39 AM](#)

CHAIR STOLTZE announced that HB 273 would be held in committee.

[10:29:21 AM](#)

There being no further business to come before the committee, Chair Stoltze adjourned the Senate State Affairs Standing Committee at 10:29 a.m.