

ALASKA STATE LEGISLATURE
HOUSE LABOR AND COMMERCE STANDING COMMITTEE

February 10, 2017

3:23 p.m.

MEMBERS PRESENT

Representative Sam Kito, Chair
Representative Andy Josephson
Representative Louise Stutes
Representative Chris Birch
Representative Gary Knopp
Representative Colleen Sullivan-Leonard

MEMBERS ABSENT

Representative Adam Wool, Vice Chair
Representative Mike Chenault (alternate)
Representative Bryce Edgmon (alternate)

COMMITTEE CALENDAR

HOUSE BILL NO. 48

"An Act relating to the composition of the State Board of Registration for Architects, Engineers, and Land Surveyors; extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors; and providing for an effective date."

- MOVED HB 48 OUT OF COMMITTEE

HOUSE BILL NO. 69

"An Act repealing the Workers' Compensation Appeals Commission; relating to decisions and orders of the Workers' Compensation Appeals Commission; relating to superior court jurisdiction over appeals from Alaska Workers' Compensation Board decisions; repealing Rules 201.1, 401.1, and 501.1, Alaska Rules of Appellate Procedure, and amending Rules 202(a), 204(a) - (c), 210(e), 601(b), and 603(a), Alaska Rules of Appellate Procedure; and providing for an effective date."

- MOVED HB 69 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 48

SHORT TITLE: ARCHITECTS, ENGINEERS, SURVEYORS: EXTEND BD

SPONSOR(s): REPRESENTATIVE(s) KITO

01/18/17 (H) READ THE FIRST TIME - REFERRALS
01/18/17 (H) L&C, FIN
02/08/17 (H) L&C AT 3:15 PM BARNES 124
02/08/17 (H) Heard & Held
02/08/17 (H) MINUTE(L&C)
02/10/17 (H) L&C AT 3:15 PM BARNES 124

BILL: HB 69

SHORT TITLE: REPEAL WORKERS' COMP APPEALS COMMISSION

SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

01/20/17 (H) READ THE FIRST TIME - REFERRALS
01/20/17 (H) L&C, JUD
02/06/17 (H) L&C AT 3:15 PM BARNES 124
02/06/17 (H) Heard & Held
02/06/17 (H) MINUTE(L&C)
02/10/17 (H) L&C AT 3:15 PM BARNES 124

WITNESS REGISTER

JANEY HOVENDEN, Director
Division of Corporations, Business, and Professional Licensing
(DCBPL)
Department of Commerce, Community & Economic Development (DCCED)
Juneau, Alaska

POSITION STATEMENT: Answered questions regarding HB 48.

MARIE MARX, Director
Division of Workers' Compensation
Department of Labor & Workforce Development (DOLWD)
Juneau, Alaska

POSITION STATEMENT: Answered questions regarding HB 69.

ACTION NARRATIVE

[3:23:29 PM](#)

CHAIR SAM KITO called the House Labor and Commerce Standing Committee meeting to order at 3:23 p.m. Representatives Josephson, Stutes, Birch, Knopp, Sullivan-Leonard, and Kito were present at the call to order.

HB 48-ARCHITECTS, ENGINEERS, SURVEYORS: EXTEND BD

[3:24:11 PM](#)

CHAIR KITO announced that the first order of business would be HOUSE BILL NO. 48, "An Act relating to the composition of the State Board of Registration for Architects, Engineers, and Land Surveyors; extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors; and providing for an effective date."

[3:24:38 PM](#)

CHAIR KITO closed public testimony on HB 48.

[3:25:13 PM](#)

CHAIR KITO explained that HB 48 would extend the State Board of Registration for Architects, Engineers, and Land Surveyors (AELS) and make the temporary, non-voting, landscape architect board position a permanent and voting position. He noted an updated fiscal note which identifies that the revenue for the board comes from program receipts in an amount of \$29,600 through fiscal year 2023 (FY 23), which is different from the previous fiscal note.

[3:26:01 PM](#)

REPRESENTATIVE KNOPP asked if the new projections are in line with those of past years.

[3:26:38 PM](#)

JANEY HOVENDEN, Director, Division of Corporations, Business, and Professional Licensing (DCBPL), Department of Commerce, Community & Economic Development (DCCED), answered that the updated fiscal note includes the projected costs for the board to conduct its business, and she stated the costs are in line with what has been done in the past. She added that the fiscal note includes there are some additional cost-cutting initiatives with regard to travel.

[3:27:14 PM](#)

CHAIR KITO stated that information provided in a previous meeting showed fluctuations in the board's revenues. The board has a surplus; therefore, the fees are anticipated to go down further. It will adjust fees every other year according to statute.

[3:27:46 PM](#)

REPRESENTATIVE KNOPP stated that was his understanding as well. He said that he hadn't seen the prior appropriations and wanted to make sure the fiscal note was in line with the prior appropriations.

[3:28:01 PM](#)

REPRESENTATIVE SULLIVAN-LEONARD stated that she has been watching the board and supports the voting position for landscapes architects.

[3:28:32 PM](#)

REPRESENTATIVE BIRCH spoke in support of HB 48, which he stated is a great effort and has been a long time coming.

[3:28:55 PM](#)

REPRESENTATIVE JOSEPHSON moved to report HB 48 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 48 was moved from committee.

[3:29:21 PM](#)

The committee took an at-ease from 3:29 p.m. to 3:31 p.m.

HB 69-REPEAL WORKERS' COMP APPEALS COMMISSION

[3:31:45 PM](#)

CHAIR KITO announced that the final order of business would be HOUSE BILL NO. 69, "An Act repealing the Workers' Compensation Appeals Commission; relating to decisions and orders of the Workers' Compensation Appeals Commission; relating to superior court jurisdiction over appeals from Alaska Workers' Compensation Board decisions; repealing Rules 201.1, 401.1, and 501.1, Alaska Rules of Appellate Procedure, and amending Rules 202(a), 204(a) - (c), 210(e), 601(b), and 603(a), Alaska Rules of Appellate Procedure; and providing for an effective date."

[3:32:14 PM](#)

CHAIR KITO closed public testimony on HB 69.

CHAIR KITO explained that HB 69 would repeal the Workers' Compensation Appeals Commission. He mentioned a letter from the Department of Labor & Workforce Development (DOLWD) [included in the committee packet] which answers questions raised by the committee in a previous meeting.

[3:32:53 PM](#)

MARIE MARX, Director, Division of Workers' Compensation, Department of Labor & Workforce Development (DOLWD), answered questions regarding HB 69. In response to a previous question about who generally wins cases appealed to the Alaska Supreme Court from the commission, she stated that the majority of cases were not decided by the Alaska Supreme Court: often the parties settled, the Supreme Court declined to hear a petition for review, the parties failed to prosecute, or the Alaska Supreme Court would send the case back to the commission. She noted that although it is hard to determine a clear winner because of nuances, she calculated that 51 percent of the 39 cases decided in favor of the claimant - 49 percent in favor of the employer.

[3:34:10 PM](#)

CHAIR KITO said it is basically a statistical dead heat.

MS. MARX responded, "That would be accurate." She stated that she may have misstated in her previous testimony by calling "reports of injuries" claims. She clarified that reports of injury are anytime someone is injured, which doesn't have to involve time loss or medical care. She explained there are around 20,000 reports of injury per year. Of those, approximately 1,200 result in workers' compensation claims being filed - a very small percentage are disputed. The Workers' Compensation Board holds hearings on about 250 to 300 claims and petitions. She explained that a lot of claims do not reach the board for a hearing because they are often settled, mediated, or there is a failure to prosecute.

[3:36:15 PM](#)

REPRESENTATIVE JOSEPHSON moved to report HB 69 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 69 was moved from committee.

[3:37:00 PM](#)

The committee took an at-ease from 3:37 p.m. to 3:39 p.m.

3:39:40 PM

CHAIR KITO gave an overview of the upcoming schedule for finance subcommittees and the upcoming House Labor and Commerce Standing Committee schedule.

3:41:04 PM

ADJOURNMENT

There being no further business before the committee, the House Labor and Commerce Standing Committee meeting was adjourned at 3:41 p.m.