

ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE

April 4, 2017

3:04 p.m.

MEMBERS PRESENT

Representative Jonathan Kreiss-Tomkins, Chair
Representative Gabrielle LeDoux, Vice Chair
Representative Chris Tuck
Representative Adam Wool
Representative Chris Birch
Representative DeLena Johnson
Representative Gary Knopp

MEMBERS ABSENT

Representative Andy Josephson (alternate)
Representative Chuck Kopp (alternate)

COMMITTEE CALENDAR

HOUSE BILL NO. 158

"An Act relating to the location of offices for the Alaska Public Offices Commission and the locations at which certain statements and reports filed with the commission are made available."

- HEARD & HELD

HOUSE BILL NO. 190

"An Act relating to the presentation of oral comments on the proposed adoption, amendment, or repeal of regulations."

- HEARD & HELD

HOUSE BILL NO. 163

"An Act authorizing the Department of Public Safety to enter into agreements with nonprofit regional corporations and federal, tribal, and local government agencies to provide law enforcement services; authorizing the Department of Public Safety to collect fees for certain law enforcement services; and providing for an effective date."

- HEARD & HELD

HOUSE JOINT RESOLUTION NO. 3

Proposing amendments to the Constitution of the State of Alaska relating to the duration of regular sessions of the legislature.

- HEARD & HELD

HOUSE BILL NO. 165

"An Act relating to hiring for positions in state service based on substitution of military work experience or training for civilian work experience or training requirements."

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: HB 158

SHORT TITLE: APOC OFFICE LOCATIONS

SPONSOR(s): REPRESENTATIVE(s) EASTMAN

03/06/17 (H) READ THE FIRST TIME - REFERRALS
03/06/17 (H) STA, FIN
04/04/17 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HB 190

SHORT TITLE: REGULATION ADOPTION/ORAL COMMENT

SPONSOR(s): REPRESENTATIVE(s) TALERICO

03/22/17 (H) READ THE FIRST TIME - REFERRALS
03/22/17 (H) STA
03/28/17 (H) STA AT 5:30 PM GRUENBERG 120
03/28/17 (H) Heard & Held
03/28/17 (H) MINUTE(STA)
04/04/17 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HB 163

SHORT TITLE: DPS LAW ENFORCE. SVCS: AGREEMENTS/FEEES

SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

03/08/17 (H) READ THE FIRST TIME - REFERRALS
03/08/17 (H) STA, FIN
03/16/17 (H) STA AT 3:00 PM GRUENBERG 120
03/16/17 (H) <Bill Hearing Canceled>
03/21/17 (H) STA AT 3:00 PM GRUENBERG 120
03/21/17 (H) Heard & Held
03/21/17 (H) MINUTE(STA)
03/28/17 (H) STA AT 5:30 PM GRUENBERG 120
03/28/17 (H) Heard & Held
03/28/17 (H) MINUTE(STA)

03/30/17 (H) STA AT 3:00 PM GRUENBERG 120
03/30/17 (H) Scheduled but Not Heard
04/04/17 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HJR 3

SHORT TITLE: CONST. AM: 90 DAY REGULAR SESSION

SPONSOR(S): CLAMAN

01/18/17 (H) PREFILE RELEASED 1/9/17
01/18/17 (H) READ THE FIRST TIME - REFERRALS
01/18/17 (H) STA, JUD, FIN
04/04/17 (H) STA AT 3:00 PM GRUENBERG 120

WITNESS REGISTER

REPRESENTATIVE DAVID EASTMAN

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Presented HB 158, as prime sponsor.

HEATHER HEBDON, Executive Director

Alaska Public Offices Commission (APOC)

Anchorage, Alaska

POSITION STATEMENT: Testified during the hearing on HB 188.

JULIE MORRIS, Staff

Representative Dave Talerico

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Presented the proposed committee substitute (CS) for HB 190 on behalf of Representative Talerico, prime sponsor.

REPRESENTATIVE DAVE TALERICO

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 190, as prime sponsor.

SUSAN POLLARD, Chief Assistant Attorney General - Statewide
Section Supervisor

Legislation & Regulations Section

Civil Division (Juneau)

Department of Law (DOL)

Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 190.

SARA CHAMBERS, Operations Manager
Division of Corporations, Business, and Professional Licensing
(CBPL)
Department of Commerce, Community & Economic Development (DCCED)
Juneau, Alaska
POSITION STATEMENT: Answered questions during the hearing on HB
190.

PAMELA SAMASH
Nenana, Alaska
POSITION STATEMENT: Testified in support of HB 190.

WALT MONEGAN, Commissioner Designee
Department of Public Safety (DPS)
Anchorage, Alaska
POSITION STATEMENT: Presented the proposed committee substitute
(CS) for HB 163, labeled Version 30-GH1811/D, Martin, 3/30/17.

REPRESENTATIVE MATT CLAMAN
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Introduced HJR 3, as prime sponsor.

SARA PERMAN, Staff
Representative Matt Claman
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Presented HJR 3 on behalf of Representative
Claman, prime sponsor.

ACTION NARRATIVE

[3:04:30 PM](#)

CHAIR JONATHAN KREISS-TOMKINS called the House State Affairs
Standing Committee meeting to order at 3:04 p.m.
Representatives Tuck, Birch, Johnson, Knopp, and Kreiss-Tomkins
were present at the call to order. Representatives LeDoux and
Wool arrived as the meeting was in progress.

HB 158-APOC OFFICE LOCATIONS

[3:06:38 PM](#)

CHAIR KREISS-TOMKINS announced that the first order of business
would be HOUSE BILL NO. 158, "An Act relating to the location of
offices for the Alaska Public Offices Commission and the

locations at which certain statements and reports filed with the commission are made available."

3:07:02 PM

REPRESENTATIVE DAVID EASTMAN, Alaska State Legislature, presented HB 158, as prime sponsor. He relayed that under current state statute, the Alaska Public Offices Commission (APOC) is required to have physical office locations in each Senate district in the state and to have a central office. He stated that APOC is required to make available paper copies of all filings made to the commission at each of these locations as well as at the Office of Lieutenant Governor (OLG) and at the Legislative Affairs Agency (LAA) reference library. He mentioned that there are about 13 offices for which APOC is required to provide paper copies of the filings. He asserted that the statute is outdated: there is no mention of accessing the filings through a website or submitting online reports.

REPRESENTATIVE EASTMAN stated that HB 158 would reduce the statutory burden on APOC: APOC would no longer be required to have physical office locations in each Senate district; it only would be required to maintain one central office with physical copies of filings available to the public; and it would provide information through the APOC website and receive filings online, which is already occurring. He added that HB 181 would not require any APOC policy change but would give APOC the statutory permission to do what it is already doing in an "internet age."

3:10:10 PM

REPRESENTATIVE KNOPP asked, "Do we have an APOC office in all 20 Senate districts currently?"

REPRESENTATIVE EASTMAN replied, "Currently we do not." He explained that APOC currently is not following state statute regarding this requirement, and it maintains that it lacks the funds to do so.

REPRESENTATIVE KNOPP asked for the location of APOC offices.

REPRESENTATIVE EASTMAN responded that APOC has an office in Anchorage and a smaller one in Juneau.

REPRESENTATIVE KNOPP asked whether the proposed legislation only would remove statutory language; there would be no functional changes.

REPRESENTATIVE KNOPP answered that the functional changes are that APOC neither would be required to have offices in every Senate district nor be required to offer access to physical documents at the OLG and LAA locations. He stated that the documents would be handled at a central office designated by APOC. He added that there would be no requirement that APOC close offices, but the requirement for the [additional] offices would be eliminated.

REPRESENTATIVE KNOPP referred to Section 1(j) of HB 188, which read, "The commission shall establish a central office". He asked for clarification of the intent of HB 188: that the central office has been established already, that the Anchorage office will be considered the central office, or APOC will establish a central office.

REPRESENTATIVE EASTMAN replied that his intent is for APOC to determine which office will be the central office.

REPRESENTATIVE KNOPP asked if APOC currently is violating state statute by not having an office in each Senate district.

REPRESENTATIVE EASTMAN answered, "That is correct."

CHAIR KREISS-TOMKINS suggested that the intent of the proposed legislation is both to "clean up" statutes that don't represent practices and to enact a functional change "bringing the statutes into the twenty-first century" and acknowledging the possibility of digitizing records.

REPRESENTATIVE EASTMAN responded, "Absolutely." He added that HB 188 would set the following priorities: ensuring that there is a website; ensuring it is functional; and allowing candidates and groups to use the website in place of the expectation of many district offices.

[3:13:10 PM](#)

REPRESENTATIVE JOHNSON referred to the zero-fiscal note and suggested that if offices will be closed, the fiscal note should be negative.

REPRESENTATIVE EASTMAN answered that if there were a dozen offices across the state, there would be a negative fiscal-note; however, since the budget has not allowed for those offices, there would be no savings due to office closures.

REPRESENTATIVE JOHNSON asked for the number of APOC offices.

REPRESENTATIVE EASTMAN replied that he only is aware of the office in Anchorage and a satellite office in Juneau.

REPRESENTATIVE JOHNSON asked if under HB 188, one of the two offices would be closed.

REPRESENTATIVE EASTMAN answered that under HB 188, it would not be required that one of the offices close; the requirement would be that only one office is required and APOC must establish a central office. He added that APOC could choose to have three offices. He conjectured that later APOC could decide it has the resources for 20 offices, but he opined that possibility is not likely.

[3:14:59 PM](#)

REPRESENTATIVE WOOL summarized as follows: the statute currently requires one office in each of 20 Senate districts; APOC has not been abiding by the statute as it has two Senate district offices - one in Anchorage and one in Juneau; the proposed legislation would change the statutory requirement to one office, which would allow APOC to close the Juneau office; there would be one centralized statewide office; and all other transmittals would be electronic. He asked if the proposed legislation requires one office, or if APOC could maintain the office in Juneau, as well.

REPRESENTATIVE EASTMAN explained that the statute currently requires APOC to have between 12 and 20 offices. There is an exemption for a large municipality such as Anchorage, which has multiple Senate districts; Anchorage is not required to have an office in each of its Senate districts but must have one Anchorage office. He said that under HB 188, there would be an expectation of one or more offices rather than an expectation of 13 or more offices. He stated that the decision to maintain a Juneau office would be at the discretion of APOC.

REPRESENTATIVE WOOL asked Representative Eastman to indicate where the language "one or more office" is in HB 188.

REPRESENTATIVE EASTMAN responded that the requirement for maintaining a central office is on page 1, line 6, of HB 188. He added that the proposed legislation does not preclude APOC from having satellite offices.

REPRESENTATIVE WOOL specified that the proposed legislation states that APOC shall establish a central office. He suggested that the future of the Juneau office remains a question. He added that the Juneau office could be named the central office and, therefore, the Anchorage office would be in question.

REPRESENTATIVE EASTMAN relayed that whichever office was not the central office would always be in question, and it would be for APOC to decide [if it should remain open]. He said that the requirement under HB 188 is to have at least one office and a website.

[3:17:46 PM](#)

HEATHER HEBDON, Executive Director, Alaska Public Offices Commission (APOC), stated that if passed, HB 188 would have very little impact for APOC; it would align the statutes with current practice. She mentioned that it has been a long time since APOC has had more than two offices.

[3:18:36 PM](#)

REPRESENTATIVE BIRCH asked if all transmittals to and from APOC are electronic.

MS. HEBDON relayed that there are a few paper filings received from the smaller municipalities; however, they are scanned to a Portable Document Format (PDF) and are available on the APOC website. She said that those documents are data-entered into the online filing system; therefore, the majority, if not all, of the reports are available through the website and on the online system.

[3:19:45 PM](#)

REPRESENTATIVE WOOL asked how many people work in the Anchorage and Juneau offices, respectively.

MS. HEBDON responded that the Anchorage office has five full-time employees and the Juneau office has one full-time employee.

CHAIR KREISS-TOMKINS announced that HB 188 was held over.

HB 190-REGULATION ADOPTION/ORAL COMMENT

[3:20:46 PM](#)

CHAIR KREISS-TOMKINS announced that the next order of business would be HOUSE BILL NO. 190, "An Act relating to the presentation of oral comments on the proposed adoption, amendment, or repeal of regulations."

[3:21:57 PM](#)

REPRESENTATIVE KNOPP, after ascertaining the correct document for the motion, moved to adopt the proposed committee substitute (CS) for HB 190, Version 30-LS0732\J, Bannister, 3/31/17, as the working document. There being no objection, Version J was before the committee.

[3:22:38 PM](#)

JULIE MORRIS, Staff, Representative Dave Talerico, Alaska State Legislature, on behalf of Representative Talerico, prime sponsor of HB 190, reviewed the document included in the committee packet entitled "Explanation of Changes to HB 190 Version A to Version J," which read as follows [original punctuation provided]:

Sec. 1 AS 44.62.190(a)(1) deletes newspaper from a requirement of publication., and includes the Internet address of the state Agency's Internet website.

Sec. 2 AS 44.62.200 (d) deletes the newspaper requirement.

Sec. 3 AS 44.62.210(a) deleted language (when requested by the person or the person's authorized representative).

Sec. 4 AS 44.62.245 (b)(2) amends post to the agency's Internet website and deletes requirement in newspaper of general circulation.

Sec. AS.21.123 (b) repealed the oral requirement in this statute since it will be covered now in Section 3.

Sec. 6 Applicability applies to regulations amended, adoption [sic] or repealed on or after effective date.

[3:25:19 PM](#)

REPRESENTATIVE BIRCH referred to the fiscal note and asked what savings would be realized by eliminating the requirement for publishing [a proposed action to adopt, amend, or repeal a regulation] in a newspaper.

MS. MORRIS explained that the fiscal note, included in the committee packet, was drafted for Version A. She stated that the publication requirements, both in newspaper and trade and industry publications, and any potential savings under Version J are still in discussion.

[3:26:21 PM](#)

REPRESENTATIVE KNOPP asked, "At whose request are we removing the newspaper component?"

MS. MORRIS responded that the discussion of the cost of publications occurred during meetings with "the chairman and his staff," the Department of Law (DOL), and the Department of Commerce, Community, and Economic Development (DCCED). She stated that the public can post written comments to the website for online public notices; however, depending on the agency, oral testimony is not always allowed.

REPRESENTATIVE KNOPP commented that he is not as technology ("tech") savvy as some people and still relies on the newspaper to be alerted to proposed regulation changes. He added that he consults the website after seeing notice in the newspaper. He stated that he has an issue with excluding newspaper publication [of proposed regulation changes].

[3:27:55 PM](#)

REPRESENTATIVE JOHNSON asked if there has been consideration for a consistent standard throughout the [Alaska Administrative] Code (AAC) for notification procedures and information sharing.

MS. MORRIS answered that in the proposed legislation, the consideration has been for allowing the public the opportunity to give oral comment. She maintained that the elimination of a newspaper publication for public notification is secondary. She conceded that many people still do rely on newspapers for information instead of electronic devices. She emphasized that there is a need to "get the word out" on how regulations are being amended and changed. She asserted that she does not want to create more bureaucracy but wants to streamline the process

and allow oral testimony. She maintained that doing so would neither slow the process down nor cost more money.

REPRESENTATIVE JOHNSON agreed that there are many people relying on the newspaper for notices. She expressed a need for bridging the gap between those individuals and tech savvy people by making the information available both in newspapers and online. She suggested that the requirement for newspaper publication be retained and the language for the information technology (IT) piece be added to the statute until the state attains consistency regarding its public notices. She lamented that currently there is no standardization in that regard.

[3:32:23 PM](#)

REPRESENTATIVE WOOL stated that in Version A, oral testimony would have been allowed in addition to written testimony. He added that oral testimony is less formal than written testimony and undocumented. He asked if it was the intent of the original version of HB 190 to allow the less formal testimony.

[3:33:06 PM](#)

REPRESENTATIVE DAVE TALERICO, Alaska State Legislature, prime sponsor of HB 190, responded, "That was the intention." He referred to the 129 boards and commissions in Alaska to point out that not all of them adopt, amend, or repeal regulations. He gave two examples of groups which make recommendations but have no regulatory authority: the Alaska Minerals Commission (AMC) and the Alaska Safety Advisory Council (ASAC). He offered that the Alaska Board of Architects and Engineers is one board that does have regulatory authority. He concluded that under the proposed legislation, oral testimony would be available for those boards and commissions that do have regulatory authority, but not for those that do not.

REPRESENTATIVE WOOL asked if under Version J, a specialist, such as a geologist or an optometrist, who would be directly impacted by the proposed regulatory change, would be notified of it or would have to "find it."

REPRESENTATIVE TALERICO answered, "That's probably the big question." He said that the changes in Version J are up for discussion. He expressed his belief that "our future is probably more electronic"; the discussion on procedures for notification is an important one going forward; and he conceded

that many older people rely on the newspaper and many young people rely on electronic devices.

REPRESENTATIVE WOOL mentioned that he reads online newspapers and is more apt to do that than visiting board websites or the Alaska Online Public Notice System. He offered his understanding that similar legislation was proposed by the committee chair allowing state agencies to put publications online rather than producing paper copies. He offered that he is more likely to read something that comes to his mailbox than to navigate to a website to obtain information.

[3:38:26 PM](#)

SUSAN POLLARD, Chief Assistant Attorney General, Statewide Section Supervisor, Legislation & Regulations Section, Civil Division (Juneau), Department of Law (DOL), testified that one of her job duties is to advise agencies on how to comply with the administrative procedures while proceeding through the steps for adopting regulations. She stated that the Alaska Online Public Notice System is one of the available tools for receiving notice of state agency actions. She asserted that the system was not maintained by DOL but by the Office of the Lieutenant Governor (OLG). She mentioned that the notice of proposed regulation change or public hearing by an agency, board, or commission must be posted on the system.

REPRESENTATIVE BIRCH asked what the cost differential was between a published advertisement in a newspaper and an online advertisement.

[3:40:30 PM](#)

SARA CHAMBERS, Operations Manager, Division of Corporations, Business, and Professional Licensing (CBPL), Department of Commerce, Community & Economic Development (DCCED), responded that CBPL represents 21 boards and commissions and 22 licensing programs; all 43 entities have regulatory authority. She explained that CBPL posts proposed regulation changes on the Alaska Online Public Notice System; it sends notices to anyone on the interested parties list; and it sends notices to licensees who will be impacted by a regulation change, such as through a fee increase or an increase in the cost of continuing education. She added that CBPL always publishes notice in the newspaper. By statute it must be a newspaper with major circulation; therefore, CBPL chooses to publish in the largest newspaper in the state. She said that the cost of publishing a

newspaper notice is typically a couple hundred dollars per notice; one project may require as many as four notices depending on the number of changes to the project and supplemental notices. She maintained that the potential savings to the licensees through the elimination of the requirement for a hard copy publication of notice - including a trade or industry publication notice - would be substantial. She added that it is the licensees who support CBPL; the division does not receive any state general funds (GF).

[3:42:52 PM](#)

REPRESENTATIVE BIRCH asked if there is any legal reason for advertising in print media, or if online notification alone would be allowed.

MS. POLLARD answered that the notice of proposed regulation changes is designed to reach interested parties and any person who potentially could be affected by the regulatory action. She stated that when the Administrative Procedure Act (APA) was adopted [in 1959], newspapers were the best method of providing general notice. She offered that there is probably no legal requirement for notification in print media, but she suggested that the question is: What is the best way to reach a diverse group? She said that the court has looked at whether a newspaper meets that standard, and she added that her agency could consider that further.

[3:44:15 PM](#)

REPRESENTATIVE KNOPP mentioned that when he served at the municipal level, the assembly had to give notice of meeting agendas. He maintained that there was only one newspaper with general circulation; therefore, the rates were "out of control." He stated that to control cost, the assembly responded by giving as notice of meetings the date, time, and reference to a website. This reduced the advertisement from a half page down to a couple columns. He suggested that his concern is that the proposed regulation change be "noticed"; the content of the change is not necessary in the notification; and he can visit a website for the "body" of the proposed change. He reiterated that he avoids searching the internet unless it is a necessity. He stated that his concern is that electronic media would be the sole source of notice. He asked if the state has record of the number of times that the Alaska Online Public Notice System has been accessed and if there was any measure of the effectiveness of the system.

MS. POLLARD replied that she did not know.

[3:46:57 PM](#)

REPRESENTATIVE LEDOUX asked if notices of proposed regulation changes are published in the classified section of a trade or industry publication. She suggested that no one would look in the classified section for them.

MS. CHAMBERS responded that notifications are published in the legal notices section. In response to Representative Knopp, she said that the notifications are condensed to the extent allowed by statute, the drafting manual, and the APA.

REPRESENTATIVE LEDOUX suggested that professionals who are looking for notification in the legal notices section [of a trade or industry publication] would look online, if they knew that was where notice would be published.

MS. CHAMBERS answered that she has discovered that when people are given the opportunity to select the method of notification - paper notification or email notification - more and more they are opting for email. She added that CBPL still publishes notification in newspapers, because it is required in statute. She concluded that CBPL posts notification to the Alaska Online Public Notice System, publishes it in the newspaper, posts it to its website, and continues to "push out" notification to licensees when requested.

REPRESENTATIVE LEDOUX suggested the possibility of the proposed legislation only requiring that public notice [of a proposed regulation change] be posted online, and only sending it out through email or mail to people asking to be informed.

MS. CHAMBERS responded that the impact of online-only notification to CBPL would be savings in time and cost. She mentioned that she did not know what the impact would be to the public.

[3:50:52 PM](#)

REPRESENTATIVE LEDOUX requested that someone testify on the impact to the public of her suggested method of notification.

MS. POLLARD replied that each agency, including each board and commission, would need to "weigh in" on how that would affect

its interested parties. She added that DOL cannot speak for all executive branch departments; the DOL would assist the agencies to comply with whatever the legislature decides is the mandatory notice.

MS. CHAMBER suggested that newspaper publishers may be able to give the results of studies that they have done on the readership of legal notices.

[3:52:06 PM](#)

CHAIR KREISS-TOMKINS asked if the savings realized by eliminating the publication requirement would be savings to licensees who currently underwrite the cost of notification advertising through their license fees.

MS. CHAMBERS responded that for her agency, that is true, but it is not necessarily true for other agencies with other funding mechanisms. She added that CBPL does represent a large portion of the "regulations generators." She offered that the Version J would retain the requirement for a trade or industry publication [to publish notification of a proposed regulation change], and she added that adopting the CS might be like "nailing Jell-O to a wall."

CHAIR KREISS-TOMKINS clarified that Version J has been adopted by the committee. He asked that at the next committee meeting, members be provided with a review of the spectrum of annual savings to each license holder if the requirement for newspaper publication of notification were eliminated.

MS. CHAMBER responded that an updated fiscal note would be provided for Version J. She added that if the proposed legislation eliminates the newspaper notification requirement but includes a trade or industry publication notification requirement, it may result in a far greater expense.

[3:54:30 PM](#)

REPRESENTATIVE WOOL offered that a licensee would be notified of a proposed change in regulation; the discussion is regarding notice to the public. He asked, "Are you trying to reach beyond the licensees? Are you just trying to reach ... the average guy or girl? ... Who are you trying to reach with this?"

MS. POLLARD answered that the people that an agency, board, or commission must reach is listed in the APA mandatory steps;

these people include the licensees under CBPL, anyone on an interested parties list, and legislators. She stated that it is set in statute; the legislature gives the agencies parameters as to who needs to receive notice; and the intention is that the maximum number of people who are interested in the regulatory action will receive notice.

REPRESENTATIVE WOOL mentioned that the trend of newspaper publishers is to put content online; people do not buy as many newspapers as they once did; and more people are reading newspapers online. He said that as a purchaser of a newspaper advertisement, he is given the choice - print or digital. He suggested that there are many who do read legal notices depending on their interests. He maintained that putting notice on a public, centralized location rather than a state website would be desirable to the average person.

[3:57:32 PM](#)

REPRESENTATIVE JOHNSON referred to page 3, line 4, which read, "contentions in writing or orally" and asked Ms. Pollard if she had any comment on that phrase.

MS. POLLARD responded that DOL does not have any comment. She explained that the section deals with public proceedings in a regulations project and would require that people interested in commenting would have the opportunity to present comments orally as well as in writing. She added that currently that is optional for agencies and boards.

REPRESENTATIVE JOHNSON referred to someone calling in to an agency with a comment on a proposed regulation and asked if that spoken testimony must be recorded to be part of the official record.

MS. POLLARD answered that there is a requirement in the APA that an agency "take a hard look" at comments received during a regulations project; a complex regulations project attracts a great deal of written information; and the agency would document the receipt of comments while responding to them. She added that when DOL reviews a regulations project, it must have evidence that it complied with each statutory procedure, which includes an affidavit from the person handling the regulations project that oral and written comments were considered.

REPRESENTATIVE JOHNSON asked if under the proposed legislation, oral comments would be recorded verbatim and entered into the record.

MS. POLLARD pointed out that page 10 of DOL's Drafting Manual for Administrative Regulations was included in the committee packet. She explained that this page advises agencies on handling public hearings; the agency must have a plan for keeping a record of the public comments received. She gave as examples transcription by a court reporter or staff notes.

[4:02:20 PM](#)

REPRESENTATIVE BIRCH stated that he supports the proposed legislation because it addresses both written and oral testimony. He mentioned that some people will call in repeating the testimony they gave in an email. He said that the proposed legislation offers more opportunity for testimony. He stated that he also supports eliminating the requirement for publishing notification [of proposed regulation change] in newspapers to save money.

[4:03:17 PM](#)

CHAIR KREISS-TOMKINS opened public testimony on HB 190.

[4:03:28 PM](#)

PAMELA SAMASH testified that she supports HB 190 because of her experience with the Alaska State Medical Board (ASMB). She stated that she was denied the opportunity to provide oral testimony on a regulation that was important to her and "a matter of life or death." She said she asked ASMB for the opportunity to provide oral testimony but was only allowed to give written testimony by email. She said she was concerned that ASMB members would not read all the written testimony they received. She maintained that because the issue being considered by ASMB was "lethal and dangerous to human life," she wanted to be sure that each member of ASMB heard her testimony. She asserted that ASMB never agreed to hear oral testimony, and she said that she hopes the members read most of the emailed testimony. She said that she felt "powerless and silent" regarding a vote that was very important to her and to "hundreds and thousands of future very innocent people."

[4:05:25 PM](#)

REPRESENTATIVE KNOPP asked Ms. Samash where she looks for proposed regulation changes - the online site or the newspaper.

MS. SAMASH replied that she has received notice through the newspaper, but for the regulation to which she was referring in her testimony, she received notification through the internet.

[4:06:34 PM](#)

CHAIR KREISS-TOMKINS, after ascertaining that there was no one else who wished to testify, closed public testimony on HB 190.

[4:06:45 PM](#)

CHAIR KREISS-TOMKINS announced that HB 190 would be held over.

HB 163-DPS LAW ENFORCE. SVCS: AGREEMENTS/FEES

[4:07:08 PM](#)

CHAIR KREISS-TOMKINS announced that the next order of business would be HOUSE BILL NO. 163, "An Act authorizing the Department of Public Safety to enter into agreements with nonprofit regional corporations and federal, tribal, and local government agencies to provide law enforcement services; authorizing the Department of Public Safety to collect fees for certain law enforcement services; and providing for an effective date."

[4:07:28 PM](#)

The committee took an at-ease from 4:07 p.m. to 4:10 p.m.

[4:10:02 PM](#)

CHAIR KREISS-TOMKINS stated that the Department of Public Safety (DPS) has proposed a committee substitute (CS) for HB 163.

[4:10:15 PM](#)

REPRESENTATIVE KNOPP moved to adopt the proposed CS for HB 163, Version 30-GH1811\D, Martin, 3/30/17, as a working document. There being no objection, Version D was before the committee.

[4:11:00 PM](#)

WALT MONEGAN, Commissioner Designee, Department of Public Safety (DPS), explained that the only change under Version D is the addition of a sentence in the paragraph entitled "APPLICABILITY"

under Section 3 of HB 163. The new sentence states that nothing in the section requires a nonprofit to enter into an agreement with DPS. He asserted that this change would assure the nonprofits that DPS would not force them to pay [for law enforcement services}. He added that DPS is anticipating a meeting with the Governor's Tribal Advisory Council (GTAC) to further discuss the language in the proposed legislation.

[4:12:11 PM](#)

REPRESENTATIVE LEDOUX referred to the language in the "APPLICABILITY" paragraph of Version D, Section 3, which states that a contract with DPS is only allowed for an entity with no local police force. She said that she did not understand the rationale behind not allowing an entity with a local police force to supplement its services through a contract with DPS.

COMMISSIONER MONEGAN responded that DPS does not want to compete with existing police agencies; it will always augment or assist them if requested. He stated that the proposed legislation addresses DPS entering into a contract with agencies and charging them. He maintained that DPS wants to avoid having communities dissolve their police departments and ask DPS to "take over."

REPRESENTATIVE LEDOUX stated that she did not understand why DPS, which does not want to contract with communities having an organized police force in the future, would agree to contract with communities with an organized police force as of the effective date of the [bill]. She said that her understanding was that the proposed legislation could address the Girdwood situation. She said, "I still don't get it."

COMMISSIONER MONEGAN replied that the Girdwood situation is unique: Girdwood is part of the Municipality of Anchorage (MOA), which has an organized police force, and there is a mechanism in place for the Anchorage Police Department (APD) to provide services. Girdwood taxed itself to pay for services, but the amount was not enough for what APD required; appropriate charges are still being determined. He stated that the only other areas for which he has concerns are areas like Bethel: a number of police officers walked off the job [in Bethel] a few years ago, and because there was a crisis, DPS had to assist with the state charges. It did not assist with city charges. He maintained that DPS intends to explore the possibility of a charge.

REPRESENTATIVE LEDOUX relayed that DPS is concerned about communities like Bethel, for which DPS is called upon to assist without the ability to charge. She suggested that the prohibition for contracting with an entity with no organized police force should be eliminated from the language of the proposed legislation.

COMMISSIONER MONEGAN responded that there was a situation in which DPS was requested to provide a Village Public Safety Officer (VPSO) to a community to augment its law enforcement; as soon as DPS did so, the community fired its tribal and village police officers to save money. He maintained that it is for that reason that DPS is hesitant to engage initially with an entity that already has a police force, and he said he suspects that DPS would act on a case by case basis. He reiterated that DPS has seen communities take advantage of the department's willingness to assist them.

[4:17:26 PM](#)

REPRESENTATIVE BIRCH asserted that the question is: Are DPS and the Alaska State Troopers (AST) obligated to provide law enforcement services outside of organized areas that have their own law enforcement, such as the City of Fairbanks, the City of North Pole, MOA inside the police service area, and across the state? He stated his concern regarding the lack of law enforcement on the Seward Highway for the people of the Kenai Peninsula and the municipality. He mentioned that legislators have been advised that DPS intends to move the state troopers from the area after May 2.

COMMISSIONER MONEGAN answered that the municipality can tax itself. He added that DPS's dilemma is that trooper staffing level is such that it is a struggle to staff areas with no police availability at all. He stated that it is a moral dilemma for DPS; in the Bush, where there is no alternative, there are over 100 communities with no law enforcement presence at all. He reiterated that MOA can tax itself; it partially does tax itself; but it didn't "buy the whole APD package." He maintained that it is incumbent upon the community, not the state, to address that.

REPRESENTATIVE BIRCH stated that he respectfully disagrees. He relayed that the legislature is seated as an assembly under the Alaska State Constitution for the areas outside of organized municipalities and boroughs with law enforcement. He maintained that outside of the city service areas, there is no provision

for police service. Residents can vote to organize a borough and enlist police services; the city of Bethel could do so; and it takes time to do so. He said he takes umbrage with the issue that only 52 of 76 funded VPSO positions are filled; there are 24 vacancies; therefore, money is available to provide the law enforcement services. He concluded that the legislature needs to consider its ultimate responsibility for public safety. He maintained that the Seward Highway between Anchorage and the Kenai Peninsula with its heavy traffic cannot be ignored.

CHAIR KREISS-TOMKINS concurred that the issue is a legislative and budgeting issue in terms of DPS resources.

[4:21:27 PM](#)

REPRESENTATIVE WOOL stated that several different problems have created the situation. The first was the Girdwood situation: Girdwood had an APD trooper; trooper funding was cut; and APD "pulled back" officers from Girdwood. He said that consequently the community of Girdwood, wanting law enforcement coverage, contracted for it with its own funds. He stated that the second problem involved the situation in Bethel: because of a lack of personnel, troopers came into Bethel. He restated Commissioner Monegan's fear that Bethel would fire its police force and rely on the troopers. Since Bethel is an organized community, AST is not responsible for law enforcement in Bethel. He stated the third problem: the lack of officers in the AST force. He referred to Commissioner Monegan's testimony in the 3/28/17 House State Affairs Standing Committee meeting that these troopers would typically be retired troopers brought back into the work force.

REPRESENTATIVE WOOL asserted that the problem is multi-layered: there is a shortage of troopers and a shortage of funding except for VPSOs. He maintained that DPS would not want to expend resources in one area, when they are needed in other areas. He asked Commissioner Monegan if in the Bethel situation - helping Bethel out by providing officers - temporarily buys it time until it can secure more officers, at which time DPS can reallocate resources.

COMMISSIONER MONEGAN responded that in the Bethel situation that was exactly what would happen. He relayed that AST filled in to handle life threatening situations; there were only two Bethel police officers at the time; and even the chief of police had "walked off the job." He stated that AST provided assistance

until the Bethel Police Department (BPD) was able to rebuild its police force and take over again.

COMMISSIONER MONEGAN relayed the history of the Girdwood situation as it relates to the proposed legislation: Girdwood offered to contract with DPS to retain troopers in the community; it was during these discussions that DPS realized it did not have the receipt authority to enter into a contract with Girdwood; and HB 163 was introduced to address this. He stated that DPS wishes to expand its presence and provide services at a higher and more quantitative level than currently - especially in the rural areas. He offered that it is for this reason DPS will resist a reduction in the number of VPSOs; it is hoping to "turn around" on the recruiting and training issues for both VPSOs and troopers. He opined that it would be short sighted to "rob Peter to pay Paul, so to speak, especially if Paul had the ability to find better and more readily available trained police officers to them versus someplace else that has none." He mentioned that the answer is "tangled" because the situation is tangled, and there is not one answer to satisfy everyone. He added that HB 163 is an attempt to give DPS receipt authority, and DPS can work toward perfecting the process as it progresses.

[4:26:43 PM](#)

REPRESENTATIVE JOHNSON relayed that she appreciates the problem and the attempt to solve the problem through the proposed legislation. She said that she recognizes that Alaska has a shortage of troopers. She expressed her belief that the proposed solution does not fundamentally "fit" the problem and creates an "upside down" situation. She relayed that local government would be asked to contract with DPS for a trooper to provide police services and then would oversee the state officers.

REPRESENTATIVE JOHNSON asked if there are police service areas like there are road service areas and fire service areas.

REPRESENTATIVE BIRCH stated that the answer to Representative Johnson's question is yes. He relayed that it takes a vote of the people to have a police service area - the same as for a water service area, a sewage service area, or a fire service area. He asserted that if a location is outside of an area, that means that the residents have not voted to have the service area. He added that historically the void has been filled by the State of Alaska, which is responsible for the unorganized boroughs and all the areas outside of service areas.

COMMISSIONER MONEGAN, in response to Representative Johnson, relayed that troopers with whom a community contracts would still answer to trooper commanders, enforce state law and city ordinances, and through the contract, get direction from the community about its concerns. He said that DPS would use retired troopers under long-term, non-permanent ("non-perm") positions for these contracts.

REPRESENTATIVE JOHNSON mentioned that troopers at the trooper post in Palmer have worked outside of their service area under an agreement. She stated that providing public safety is a fundamental function of state government; if a location is not in a public safety service area, then it is the responsibility of the troopers to provide services; and if a city has a public safety service area, then they established it through a tax base. She expressed her concerns with the proposed legislation: it would introduce complicated scenarios of the state contracting with non-profits and tribal organizations; it would mix requirements of the state with the requirements of other entities; and it would be fraught with many other issues.

[4:31:47 PM](#)

REPRESENTATIVE LEDOUX asked why any part of a municipality is required to be in a service area. She stated that she lives in Muldoon and, therefore, must pay for police protection from APD. Hillside is not part of the service area; therefore, Hillside residents do not have to pay for police protection by way of property taxes. She asked why, if Hillside gets police protection from the state troopers, she must pay for police protection, but Hillside residents do not.

REPRESENTATIVE BIRCH responded that Anchorage consisted of a city and a borough, and when they were unified, service areas were identified. Police and fire services were not area-wide; schools were area-wide. He stated that the service areas represented subsets of the larger municipality; service areas were established through an affirmative vote by the municipality annexing an area and an affirmative vote by the area being annexed; and a tax was levied. He said that Girdwood residents are not paying for police services because they are outside the service area, and he mentioned that he believes the service area stops at Potter Marsh. He added that what is being discussed is the state highway from Potter Marsh past Girdwood to its city limits at Portage. He said that outside the service area, it is the state's responsibility to provide law enforcement services.

He maintained that with only 52 positions filled out of 76 funded DPS positions, there is much money available to reassign to public safety for troopers.

REPRESENTATIVE LEDOUX asserted that state troopers patrol Hillside without cost to the residents, because the residents have not voted for a police service area.

REPRESENTATIVE BIRCH responded that is incorrect. Hillside is in the [APD] service area; it was added many years ago under former Mayor [Rick] Mystrom.

[4:36:03 PM](#)

REPRESENTATIVE JOHNSON added that residents of the unorganized borough do not pay taxes, and they receive trooper services; whereas, another area might have to tax itself to pay for trooper services. She said, "It's very mixed up here."

[4:36:38 PM](#)

REPRESENTATIVE KNOPP asked Commissioner Monegan if the troopers have an obligation for patrolling federal and state highways regardless of service areas.

COMMISSIONER MONEGAN answered that there are no federal highways in Alaska; federal highways are interstate highways. He explained that troopers have the authority to patrol state and local highways, and it is by agreement with the municipality which areas are covered.

REPRESENTATIVE KNOPP stated that DPS has evolved and grown over time. In the past public safety predominantly addressed highway corridors, but currently it maintains an investigative unit, a cold case unit, and other units. He asked if the Girdwood issue was about providing public safety services along the highway corridors or about the [special] units he just mentioned.

COMMISSIONER MONEGAN replied that was a point of contention: Girdwood wanted to contract with DPS; the DPS decided that it could provide the services for \$600,000; but the Girdwood [Valley Service Area] Board of Supervisors (GBOS) did not want the Girdwood funded troopers to be on the highway or leave the Girdwood valley. He said that was a "deal-breaker" for DPS during negotiations even before DPS determined it had no ability to collect funds from Girdwood for the services. He said that subsequently Girdwood got [MOA assembly] approval to tax itself;

it has collected the tax; and it has contracted with the City of Whittier [for police services]. He relayed that there are ongoing discussions between APD and the City of Whittier, as well as, between APD and the communities on the [Seward Highway] to establish a fee schedule. He said that eventually APD will support Whittier (indisc.) for the major crimes.

COMMISSIONER MONEGAN asserted that "all this was really, truly brought on" due to DPS staff reduction. He claimed that without the reduction, these issues would not have occurred. He said that DPS has lost troopers and VPSOs, and it makes more sense for DPS to provide the rare services to communities (indisc.--coughing).

[4:41:27 PM](#)

REPRESENTATIVE WOOL expressed his relief that the communities that no longer have troopers did not pay for them through state taxes. He mentioned Commissioner Monegan's reference to "retired or non-perm officers" being employed under contract with DPS to provide services to an area in need of them. He asked if the language in the proposed legislation could include "retired officers". He stated that if a retired trooper was providing public safety services to a community that contracted with DPS for the services, then his concern for losing a trooper to a community that is paying would be alleviated. He said he did not know the prevalence of retired officers willing to work on a contractual basis, and possibly many would prefer that type of work. He offered that some of the communities wanting to contract for police services just want a [public safety] "presence." He suggested that there be language in the proposed legislation that specifically identified retired or non-perm officers for fulfilling long-term contracts. He emphasized that he is not referring to short-term crisis management, like in the Bethel situation.

COMMISSIONER MONEGAN responded that in discussing the proposed legislation with Colonel [James] Cockrell (Director, AST, DPS), Colonel Cockrell expressed his belief that the proposed legislation could provide mentoring for new troopers; troopers just released from training would benefit from working with seasoned veterans of AST. He said that DPS tries to afford the "baby troopers" as much exposure to the various types of criminal investigations and activities as possible before being transferred to a remote area. He contended that if only retirees were considered under the proposed legislation, then DPS would lose the benefit of retirees in other areas. He said,

"We would bring on the brand-new fellows and gals into these contract areas - the long-term." He opined that the use of retirees is best decided internally by DPS. He maintained that the crux of the proposed legislation is for DPS to have receipt authority and enter into agreements with entities that wish to contract for services, and it is not about how staffing will be accomplished. He mentioned that Nikiski has approached DPS about contracting for additional troopers.

[4:45:01 PM](#)

CHAIR KREISS-TOMKINS referred to page 2, lines 8-9, of Version D, and said that he has a question about the language, which proscribes the ability for DPS to contract with an entity that already has a police force. He offered to discuss that question out of committee meeting.

REPRESENTATIVE BIRCH referred to different contracting agents - armed security in federal buildings, security at the Port of Anchorage (POA), and security in city buildings. He asked what experience DPS has in contracting with qualified law enforcement personnel who are equivalent to a full-fledged trooper but are at a "secondary level of law enforcement or security services."

COMMISSIONER MONEGAN responded that the personnel utilized under the proposed legislation would only be troopers or "special commissions." He said that the troopers that would be considered by DPS would be retired certified police officers, who could handle any situation in the community, just like troopers do. He stated that security guards and private police are a different category and not what DPS would consider.

CHAIR KREISS-TOMKINS announced that HB 163 would be held over.

[4:47:38 PM](#)

The committee took an at-ease from 4:48 to 4:50.

[4:49:40 PM](#)

CHAIR KREISS-TOMKINS announced that the hearing on HB 165 would be postponed to the 5:30 p.m. House State Affairs Standing Committee meeting of 4/4/17.

HJR 3-CONST. AM: 90 DAY REGULAR SESSION

[4:49:56 PM](#)

CHAIR KREISS-TOMKINS announced that the final order of business would be HOUSE JOINT RESOLUTION NO. 3, Proposing amendments to the Constitution of the State of Alaska relating to the duration of regular sessions of the legislature.

[4:50:11 PM](#)

REPRESENTATIVE MATT CLAMAN, Alaska State Legislature, as prime sponsor of HJR 3, stated that it has been over ten years since Alaska voters passed a ballot initiative to limit the legislative session to 90 days. He maintained that since the implementation of the initiative in 2008, the legislature has exceeded the 90-day limit five times. He asserted that as elected officials, it is the duty of legislators to listen to the people of Alaska. The current pattern of extending the session to 120 days shows voters that the legislature is neither performing its job nor performing its job in the length of time expected by the public.

REPRESENTATIVE CLAMAN relayed that HJR 3 would allow voters to decide once and for all on the length of the regular session of the legislature by voting on an amendment to the Alaska State Constitution. He offered that if the amendment is passed by the voters, the length of the regular session would be changed from 120 days to 90 days in the state constitution. He noted that if the amendment failed, he would support legislation to change the Alaska Statutes to reflect 120 days, which would be consistent with the public's intent.

REPRESENTATIVE CLAMAN emphasized that the public elected legislators to make tough choices and to make these choices on time and under budget. He asserted that the legislature needs to maintain public confidence in the elective system.

[4:51:29 PM](#)

SARA PERMAN, Staff, Representative Matt Claman, Alaska State Legislature, on behalf of Representative Claman, prime sponsor of HJR 3, stated that HJR 3 would put a proposed constitutional amendment on the ballot to change the length of the legislative session from 120 days to 90 days. She reiterated that Alaska voted in November 2006 to shorten the duration of the regular legislative session to 90 days; since the initiative took effect, the legislature has exceeded the 90-day limit five times, costing Alaskans more than \$900,000.

MS. PERMAN explained that currently the Alaska State Constitution and the Alaska Statutes are inconsistent regarding legislative session duration. She cited AS 24.05.150(b), which read: "The Legislature shall adjourn from a regular session within 90 consecutive calendar days, including the day the legislature first convenes in that regular session." She referred to Article II, Section 8, of the Alaska State Constitution, which read: "The legislature shall adjourn from regular session no later than one hundred twenty consecutive calendar days from the date it convenes".

MS. PERMAN asserted that HJR 3 would update the state constitution by changing 120 days to 90 days, if the public votes in favor of the constitutional amendment. She said that Section 1 of HJR 3 would amend Article II, Section 8, to state "not later than ninety days". Section 2 of HJR 3 would amend [Article XV] to state that the amendment to Article II, Section 8, would apply during the first regular session of the Thirty-First Alaska State Legislature, [2019-2020], and thereafter. She said that Section 3 of HJR 3 states that the proposed amendments would be placed on the ballot in the next general election.

MS. PERMAN relayed that in 1984 the Alaska State Constitution was amended from an undefined session length to 120 days after legislators were racking up costs (indisc.) oil tax structures. She said that in 1981, session lasted 165 days. She explained that the framers of the state constitution did not initially set a limit for the length of session, but she added that clearly without session duration limits, the legislature does not resolve business in a timely and cost-effective manner.

MS. PERMAN related that last year's extended session lasted 121 days and cost the state \$698,772, which does not include the later special sessions. She maintained that the legislature should eliminate the inconsistencies between the Alaska State Constitution and the Alaska Statutes and demonstrate to Alaskans that legislators are "here to do the job they elected us to do in the time they have designated."

MS. PERMAN noted that the proposed amendment would not remove the legislature's ability to extend session one time by ten days by a two-thirds majority vote; that allowance will remain in Article II, Section 8, of the state constitution. She also mentioned that the Office of the Governor has assigned a zero-fiscal note.

4:54:08 PM

REPRESENTATIVE KNOPP stated that he agrees in concept and has no doubt that if put on the ballot, Alaskans will vote for a 90-day session limit. He said that his concern is that the legislature has only been successful in limiting the session to the 90 days two times. He opined that he is not sure the legislature can get its work done in 90 days. He offered that the legislature may have to consider how it conducts business, and he suggested that there would be unending special sessions.

REPRESENTATIVE CLAMAN answered that when the initiative for 90 days passed, the legislature should have changed the way it did business. He noted the length of time legislators spent in budget sub-committees. He said, "I'm not pointing the finger at anyone, it's part of the process." He offered the scenario of legislators recognizing that budget sub-committees must be concluded within 30 days. He said, "We would be in much better shape in terms of debating budget issues if we ... realized there was a meaningful deadline that we needed to meet to get finished in 90 days." He asserted that he agrees that the legislature needs to change the structure of how business is done. He relayed that when he is in his home district, he is asked, "What's taking so long?" When the answer is, "We're just not very good at getting our work done," the response is, "You just need to get better." He reiterated that legislators are not hired to delay but to figure out ways to do their work efficiently.

REPRESENTATIVE KNOPP asked if there is any suggestion for how to limit the [number of] special sessions through constitutional amendment; a special session may be necessary once or twice but should not be called endlessly "to get your way."

REPRESENTATIVE CLAMAN responded that he would not have a problem with trying to limit the authority allowing for repeated special sessions. He maintained that a special session is called for a specific purpose or limited items. For example, a special session was called in October 2015 for oil and gas tax related issues; it was for a specific purpose; and the work was completed in seven to ten days. He mentioned that last summer's special session had a limited number of items on the agenda. He asserted that since the constitution allows 120 days for session, "everything is still on the table" past the 90-day point; therefore, legislators may continue to pretend that it is "business as usual" for the next 30 days. He stated that the proposed joint resolution addresses the extension of the regular

session beyond 90 days. He offered that he is open to consideration of the question of calling special sessions, but he said he does not believe the two issues to be linked. He asserted that the governor's authority in the constitution to call special sessions is separate from the section that HJR 3 proposes to amend.

4:58:50 PM

REPRESENTATIVE WOOL stated that when the legislative session was unlimited [in length], legislators had no staff; a legislator did all his/her own work. He mentioned that in films of old floor sessions, there was one person next to the Speaker of the House; now there is a "small army up there." He attested that some legislators have as many as seven staffers. He maintained that rather than legislators not getting their work done, they are taking on much more work; because they are introducing so many bills, they run out of time. He asserted that in conjunction with the 90-day limit, there should be a limit on the number of bills that are introduced and processed. He maintained that the work of the legislature is not a 90-day job. He said that even if the legislative session ended after 90 days, it has "such machinery in place that ... promulgates so much more work than can be started and stopped in 90 days."

REPRESENTATIVE WOOL maintained that he is not against a very part-time legislature that meets for 90 days, but he stated that he believes that the legislature would need to "take apart some of the machinery" that is in place for inherently creating more work than can be done in 90 days. He said that he applauds Representative Claman's effort; he does not feel 120, 150, or 180 days should be the norm; but the legislature needs to take on less work. He conceded that currently there is a great deal going on in the state regarding the budget and revenue that is unprecedented. He asked if Representative Claman foresees a time when the legislature has a smaller mountain of work to do and can do it in 90 days, and there are not hundreds of bills to be processed.

REPRESENTATIVE CLAMAN answered that if the public knew the details of all the bills that individual legislators chose to introduce, it would be disappointed. He maintained that Alaska has functioned "pretty well" over the last 58 years. He asserted that there are still problems to be fixed, but many of the bills that are introduced have no chance of passing both bodies of the legislature. It is generally recognized that those bills are "not going to go anywhere." He said that the

question is: "Why are people continuing to bring forward bills that they don't see any chance of them going anywhere?" He maintained that the public is asking that question; it is a question regarding legislators exercising proper restraint. He relayed that in other states - many with shorter legislative sessions than Alaska - one of the appeals of the shorter session is that it is harder to file more bills. He asserted that he is 100 percent certain, for the reasons articulated by Representative Wool, if the legislature reverted to a 120-day session, there would not be a reduction in the bills filed, but an increase, and the legislature would be in session even longer.

[HJR 3 was held over.]

[5:04:01 PM](#)

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 5:04 p.m.