

ALASKA STATE LEGISLATURE
SENATE JUDICIARY STANDING COMMITTEE

April 7, 2017

1:49 p.m.

MEMBERS PRESENT

Senator John Coghill, Chair
Senator Mia Costello
Senator Kevin Meyer
Senator Pete Kelly
Senator Bill Wielechowski

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

CONFIRMATION HEARINGS

State Commission on Human Rights
Drew Phoenix - Anchorage

- CONFIRMATION HELD

Alaska Police Standards Council
Bryce Johnson - Juneau

- CONFIRMATION ADVANCED

Board of Governors of the Alaska Bar
William Granger - Anchorage

- CONFIRMATION ADVANCED

SENATE BILL NO. 15

"An Act relating to possession of an electronic smoking product or a product containing nicotine by a minor and to selling or giving an electronic smoking product to a minor; relating to business license endorsements to sell cigarettes, cigars, tobacco, products containing tobacco, electronic smoking products, or products containing nicotine; and relating to citations for certain offenses concerning tobacco or nicotine products."

- MOVED CSSB 15(JUD) OUT OF COMMITTEE

SENATE BILL NO. 100

"An Act relating to municipal liens."

- HEARD & HELD

SENATE BILL NO. 106

"An Act relating to a municipal tax exemption or deferral for economic development property; and relating to a municipal tax exemption for a fire protection system."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 15

SHORT TITLE: E-CIGS: SALE TO AND POSSESSION BY MINOR

SPONSOR(S): SENATOR(S) STEVENS

01/13/17	(S)	PREFILE RELEASED 1/13/17
01/18/17	(S)	READ THE FIRST TIME - REFERRALS
01/18/17	(S)	L&C, JUD
02/14/17	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)
02/14/17	(S)	Heard & Held
02/14/17	(S)	MINUTE(L&C)
02/21/17	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)
02/21/17	(S)	Heard & Held
02/21/17	(S)	MINUTE(L&C)
02/28/17	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)
02/28/17	(S)	<Bill Hearing Canceled>
03/02/17	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)
03/02/17	(S)	Moved CSSB 15(L&C) Out of Committee
03/02/17	(S)	MINUTE(L&C)
03/06/17	(S)	L&C RPT CS 4DP NEW TITLE
03/06/17	(S)	DP: COSTELLO, HUGHES, MEYER, GARDNER
03/27/17	(S)	JUD AT 1:30 PM BELTZ 105 (TSBldg)
03/27/17	(S)	Heard & Held
03/27/17	(S)	MINUTE(JUD)
03/29/17	(S)	JUD AT 1:30 PM BELTZ 105 (TSBldg)
03/29/17	(S)	<Bill Hearing Canceled>
04/03/17	(S)	JUD AT 1:30 PM BELTZ 105 (TSBldg)
04/03/17	(S)	Heard & Held
04/03/17	(S)	MINUTE(JUD)
04/05/17	(S)	JUD AT 1:30 PM BELTZ 105 (TSBldg)
04/05/17	(S)	Heard & Held

04/05/17 (S) MINUTE(JUD)
04/07/17 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)

BILL: SB 100

SHORT TITLE: MUNICIPAL LIENS: AUTHORITY FOR & PRIORITY
SPONSOR(s): SENATOR(s) EGAN BY REQUEST

03/29/17 (S) READ THE FIRST TIME - REFERRALS
03/29/17 (S) JUD
04/07/17 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)

BILL: HB 106

SHORT TITLE: CIVIL LEGAL SERVICES FUND
SPONSOR(s): REPRESENTATIVE(s) FANSLER

02/06/17 (H) READ THE FIRST TIME - REFERRALS
02/06/17 (H) JUD, FIN
02/15/17 (H) JUD AT 1:30 PM GRUENBERG 120
02/15/17 (H) Heard & Held
02/15/17 (H) MINUTE(JUD)
02/20/17 (H) JUD AT 1:30 PM GRUENBERG 120
02/20/17 (H) Moved HB 106 Out of Committee
02/20/17 (H) MINUTE(JUD)
02/22/17 (H) JUD RPT 3DP 1NR
02/22/17 (H) DP: KOPP, FANSLER, CLAMAN
02/22/17 (H) NR: REINBOLD
03/06/17 (H) FIN AT 1:30 PM HOUSE FINANCE 519
03/06/17 (H) Heard & Held
03/06/17 (H) MINUTE(FIN)
03/16/17 (H) FIN AT 1:30 PM HOUSE FINANCE 519
03/16/17 (H) Moved HB 106 Out of Committee
03/16/17 (H) MINUTE(FIN)
03/17/17 (H) FIN RPT 6DP 4NR
03/17/17 (H) DP: KAWASAKI, ORTIZ, GUTTENBERG, GRENN,
SEATON, FOSTER
03/17/17 (H) NR: WILSON, PRUITT, THOMPSON, TILTON
03/24/17 (H) TRANSMITTED TO (S)
03/24/17 (H) VERSION: HB 106
03/27/17 (S) READ THE FIRST TIME - REFERRALS
03/27/17 (S) JUD, FIN
04/07/17 (S) JUD AT 1:30 PM BELTZ 105 (TSBldg)

WITNESS REGISTER

DREW PHOENIX, Appointee
State Commission on Human Rights
Anchorage, Alaska

POSITION STATEMENT: Testified as appointee to the State Commission on Human Rights.

BRYCE JOHNSON, Appointee
Alaska Police Standards Council
Juneau, Alaska

POSITION STATEMENT: Testified as appointee to the Alaska Police Standards Council.

WILLIAM GRANGER, Appointee
Board of Governors of the Alaska Bar
Anchorage, Alaska

POSITION STATEMENT: Testified as appointee to the Board of Governors of the Alaska Bar.

JORDAN SHILLING, Staff
Senator John Coghill
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Reviewed the changes in version N of the CS for SB 15.

JOE DARNELL, Investigator
Division of Behavioral Health
Department of Health and Social Services (DHSS)
Anchorage, Alaska

POSITION STATEMENT: Provided information related to SB 15.

SENATOR GARY STEVENS
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of SB 15.

TIM LAMKIN, Staff
Senator Gary Stevens
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Stated agreement with version N of the CS for SB 15 on behalf of the sponsor.

SENATOR DENNIS EGAN
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of SB 100.

REPRESENTATIVE ZACH FANSLER
Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Sponsor of HB 106.

GREG RAZO, President and Chairman of the Board
Alaska Legal Services Corporation (ALSC)
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 106.

JOHN BIOFF, General Counsel
Kawerak, Inc.
Nome, Alaska

POSITION STATEMENT: Testified in support of HB 106.

NICOLE BORROMEO, Executive Vice President and General Council
Alaska Federation of Natives
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 106.

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

POSITION STATEMENT: Testified in support of HB 106.

MARIE DARLIN
AARP and the Capital City Taskforce
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 106.

MARY SCHLOSSER, Staff
Representative Zach Fansler
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided information and answered questions related to HB 106.

ACTION NARRATIVE

[1:49:40 PM](#)

CHAIR JOHN COGHILL called the Senate Judiciary Standing Committee meeting to order at 1:49 p.m. Present at the call to order were Senators Costello, Kelly, Wielechowski, and Chair Coghill. Senator Meyer arrived soon thereafter.

CONFIRMATION HEARINGS
State Commission on Human Rights
Alaska Police Standards Council

Board of Governors of the Alaska Bar

[1:50:49 PM](#)

CHAIR COGHILL announced the first order of business would be confirmation hearings.

[1:51:06 PM](#)

SENATOR MEYER joined the committee.

CHAIR COGHILL asked Chief Johnson to tell the committee about his interest in serving on the Alaska Police Standards Council.

[1:51:16 PM](#)

BRYCE JOHNSON, Appointee, Alaska Police Standards Council, Juneau, Alaska, said he has been in law enforcement for more than 24 years, the last four of which he has been serving as chief of the Juneau Police Department. He said he cares deeply about the profession and appreciates this opportunity to serve.

CHAIR COGHILL thanked Chief Johnson for his service. Finding no questions, he advised that his name would be forwarded to the full body for consideration.

CHAIR COGHILL asked Mr. Granger to tell the committee about his interest in serving on the Board of Governors of the Alaska Bar.

[1:53:13 PM](#)

WILLIAM GRANGER, Appointee, Board of Governors of the Alaska Bar, Anchorage, Alaska, said he is a banker by profession and has served as treasurer on the board of governors for about 12 years. He said he is pleased to report that the financial condition of the board is sound, and he appreciates the opportunity to continue this service.

CHAIR COGHILL asked what the board of governors looks at in terms of managing the bar association.

MR. GRANGER explained that it provides general oversight and direction as to how the organization functions.

CHAIR COGHILL thanked Mr. Granger for his service. Finding no questions, he advised that his name would be forwarded to the full body.

[1:57:34 PM](#)

CHAIR COGHILL asked Mr. Phoenix to tell the committee about his interest in serving on the State Commission on Human Rights.

DREW PHOENIX, Appointee, State Commission on Human Rights, Fairbanks, Alaska, said his passion, experience, and education center on human rights and civil rights. The nine years he has lived in Alaska he has worked in a variety of nonprofits focusing on civil rights. He said he firmly believes that eliminating the threat of discrimination for individuals will benefit the entire state in terms of health, safety, and economic wellbeing. "I am honored to be able to use my expertise in diversity management on behalf of the human rights commission."

CHAIR COGHILL, noting that he had worked for the ACLU, asked what things he had advocated for.

MR. PHOENIX said he worked at the ACLU of Alaska for four years in various capacities. Most recently he worked as the director of development and communication coordinating the analysis and public education of various civil rights issues. He recalled the top three issues involved workplace discrimination, ADA compliance violations, and voting rights. Most recently he worked at Identity, Inc. as the executive director. It is the statewide lesbian, bisexual, transgender nonprofit corporation that does education, advocacy and community support.

CHAIR COGHILL described gender identity as a hot button issue and asked if he works in that area.

MR. PHOENIX said his concern, and his role in the Human Rights Commission, is the protection of all Alaskans in all areas that pertain to the Alaska Human Rights Law, AS 18.80. That law primarily focuses on race, sex, religion, national origin, ability, disability, and age. He noted that the statute does not include certain things that he worked on in his role at Identity.

CHAIR COGHILL asked if he could be even handed and work through the law in those areas.

MR. PHOENIX replied he would objectively and impartially enforce the existing Alaska Human Rights Law to the best of his ability

[2:03:25 PM](#)

SENATOR KELLY asked if he supported the ACLU when it sought to overturn the law passed in 2010 that required a parent to be notified before an abortion could be performed on their minor daughter.

MR. PHOENIX replied the ACLU decided to pursue that item as an organization; his opinions and vantage point are separate from that. He added, "I am here to uphold and enforce the Human Rights Law as it pertains to discrimination in areas of employment, public accommodation, finance and credit and I will absolutely do that in keeping with the law."

SENATOR KELLY said, "You're associated with ACLU. I just want to know if you supported their position on that or not."

MR. PHOENIX said he isn't sure how that pertains to this position, but he does support a woman's right to choose the kind of reproductive care she receives.

SENATOR KELLY said he wanted to know his predisposition on that kind of thing. "Did you support the ACLU's position on that matter or not?"

MR. PHOENIX said he just started working at the ACLU in 2010 and that matter did not pertain to his job.

SENATOR KELLY asked if he supported the Alaska ACLU when it sought to overturn a law that limited public funding of abortion to those cases for which it was medically necessary.

MR. PHOENIX answered yes.

SENATOR KELLY mentioned an ACLU lawsuit against a Catholic hospital in Michigan and asked if he believes a health care provider would be guilty of sex discrimination if it refused to provide abortions or sterilization procedures.

MR. PHOENIX said if something like that came before the Human Rights Commission, he would rely on the expertise of the commission's legal counsel regarding how it pertains to AS 18.80 as well as the legal background of the case before making an objective decision.

SENATOR KELLY shared that he struggles with the current Alaska Human Rights Commission. "It seems to want to get out of the bounds that are created for it by the statutes that we have written, and it seems that the ACLU often comes to their aid in that. I'm just trying to figure out here, are we going to add another person to the commission that maybe has views that are opposed to what the statute is and is willing to go through other means to achieve those ends." He expressed concern about

the commission usurping the legislature's authority and questioned whether the appointee holds views that are out of step with the rest of Alaska. Alaskan's consistently vote conservatively on these matters, yet the commission seems to be moving to the left, he said. "As we go forward, I have some real questions about this candidate and I want to know more." He requested the chair hold Mr. Phoenix's name, so he could send the appointee some questions. His answers would become part of the record.

CHAIR COGHILL asked Mr. Phoenix if he would like to respond.

MR. PHOENIX said he would be happy to respond to the questions that are sent to him. He added, "I am being asked as a commissioner to enforce the current law and I would do that to the best of my ability with all objectivity and impartiality."

[2:11:54 PM](#)

SENATOR WIELECHOWSKI said he finds the previous line of questioning a little perplexing because the Alaska Human Rights Commission has nothing to do with abortion. He asserted that the appointee's private views on the subject are irrelevant and the questions border on violating his constitutional right to privacy. He pointed out that the Alaska Supreme Court agreed with the ACLU when it reversed both lower court decisions on parental notification and public funding for abortions. He said, "I want someone on the Human Rights Commission who understands the law [and] is advocating for justice and human rights. And I don't care what his personal views are on these highly controversial issues that have absolutely nothing to do with his ability to perform his functions as a commissioner on the Human Rights Commission."

[2:13:01 PM](#)

CHAIR COGHILL responded saying, "I've been on this committee for a long, long, time and I've heard you and many others ask people deeply about their personal views on things only to find out how they would serve on a committee."

SENATOR WIELECHOWSKI replied, "Never on abortion Mr. Chairman."

CHAIR COGHILL responded, "Yes sir."

SENATOR KELLY said it is absurd to say that questioning a candidate's views on controversial issues is a violation of their constitutional rights. These are exactly the kinds of issues that will come before the Human Rights Commission.

CHAIR COGHILL commented on the passion these issues elicit.

[2:14:55 PM](#)

SENATOR MEYER asked why he left the profession of theology to work for the Community Action on Toxics, the ACLU, and then Identity, Inc.

MR. PHOENIX said he still is an ordained minister but no longer serves local churches. After serving as a minister for over 20 years he was ready for a change. He fell in love with Alaska and decided to move here and use his education and experience in executive management in a different sector than the ministry.

SENATOR MEYER asked what he is doing in Fairbanks.

MR. PHOENIX said he and his wife opened a diversity management consulting firm. He is also homeschooling their child and interviewing for permanent positions in Fairbanks.

CHAIR COGHILL thanked Mr. Phoenix and asked him to return based on Senator Kelly's request.

[2:18:48 PM](#)

SENATOR WIELECHOWSKI asked if the public would have an opportunity to comment on the appointee.

[2:18:58 PM](#)

CHAIR COGHILL confirmed that public testimony would be taken.

SB 15-E-CIGS: SALE TO AND POSSESSION BY MINOR

[2:19:18 PM](#)

CHAIR COGHILL announced the consideration of SB 15 and solicited a motion to adopt the proposed committee substitute (CS).

[2:20:26 PM](#)

SENATOR COSTELLO moved to adopt the CS for SB 15, labeled 30-LS0170\N, as the working document.

CHAIR COGHILL objected for an explanation of the changes.

[2:20:41 PM](#)

JORDAN SHILLING, Staff, Senator John Coghill, Alaska State Legislature Juneau, Alaska explained that the CS for SB 15 version N, removes Section 3 of the previous version of the bill. [It removes amendments to AS 11.76.106(a)] that prohibit

electronic smoking products or products containing nicotine to be sold to individuals 19 years of age or older while not in the presence of a sales clerk.

SENATOR MEYER asked how age is verified on internet sales.

MR. SHILLING said he didn't know, but current law does not prohibit individuals 19 years of age and older from purchasing e-cigarettes and e-liquids when not in the presence of a sales clerk. He deferred further explanation to the Department of Health and Social Services (DHSS).

CHAIR COGHILL asked Mr. Darnell how age is verified for online sales.

[2:22:48 PM](#)

JOE DARNELL, Investigator, Division of Behavioral Health, Department of Health and Social Services (DHSS), Anchorage, Alaska, advised that online businesses have age verification questions and that the Department of Revenue regulates online sales for tax purposes.

CHAIR COGHILL said he didn't want a blanket prohibition on internet sales at this time.

SENATOR MEYER said he appreciates that, but youth need to be protected from access to vaping products if they are the primary users.

CHAIR COGHILL stated his preference to only address youth in the bill. Adult use is a different policy discussion.

SENATOR MEYER said his concern is that by not addressing internet sales youth will use that avenue for access.

[2:25:57 PM](#)

SENATOR GARY STEVENS, Alaska State Legislature, sponsor of SB 15, said this bill is targeted to restrict youth access to e-cigarettes. It has enjoyed very little opposition and widespread support. It is not a tax bill. "I think we can do some good things for the young people in our communities by passing this bill as it is."

SENATOR MEYER asked if he supports the CS.

SENATOR STEVENS suggested Mr. Lamkin respond.

[2:27:39 PM](#)

TIM LAMKIN, Staff, Senator Stevens, Alaska State Legislature, said the CS is agreeable; Section 3 of the previous version was problematic because it raises tax issues.

SENATOR MEYER asked if Section 3 is the only change.

CHAIR COGHILL replied it is the primary change.

SENATOR MEYER reiterated his concern that youth would use the internet to access e-products.

[2:31:04 PM](#)

SENATOR STEVENS said this is not the perfect answer, but it will help.

CHAIR COGHILL voiced support for moving the bill and thanked the sponsor for working with him on the new CS.

[2:32:06 PM](#)

SENATOR COSTELLO moved to report the CS for SB 15, version 30-LS0170\N, from committee with individual recommendations and attached fiscal note(s).

CHAIR COGHILL stated that CSSB 15(JUD) is reported from committee.

SB 100-MUNICIPAL LIENS: AUTHORITY FOR & PRIORITY

[2:32:47 PM](#)

CHAIR COGHILL announced the consideration of SB 100.

[2:33:27 PM](#)

SENATOR DENNIS EGAN, Alaska State Legislature, sponsor of SB 100, introduced the bill speaking to the following sponsor statement:

SB 100 is at the request of a number of Alaska city attorneys. It fixes an unintended consequence of a 1998 bill aimed at ending unauthorized 'common law' liens that were being used to go after public servants when individuals disagreed with a government action.

Liens are a tool local governments across America use to recoup unpaid costs of providing services or abating dangerous situations. In Alaska, many rural municipalities provide utility services for their

communities. Those municipalities use liens to collect from people who use services but don't pay. Liens have historically also been used to recover local governments' costs when they have to abate dangerous, dilapidated, or public nuisance properties.

In 2012, the Alaska Supreme Court held that because liens based solely on municipal law were not included in the code of civil procedure, municipal liens without a hook to some other state law were not valid. SB 100 puts the tools back in municipalities' hands by giving liens under municipal law the same authority as state and federal law liens under Alaska statutes.

[2:35:33 PM](#)

SENATOR COSTELLO asked if he was aware of any opposition to the bill.

SENATOR EGAN said no.

CHAIR COGHILL held SB 100 in committee for further review.

HB 106-CIVIL LEGAL SERVICES FUND

[2:36:47 PM](#)

CHAIR COGHILL announced the consideration of SB 106.

[2:37:17 PM](#)

REPRESENTATIVE ZACH FANSLER, Alaska State Legislature, sponsor of HB 106, introduced the legislation speaking to the following sponsor statement:

This bill will safeguard Alaskans' access to the civil justice system by creating a stable and sustainable mechanism for funding the Alaska Legal Services Corporation, protecting those who cannot afford to hire an attorney of their own. It allows the Legislature to appropriate up to 25 percent of filing fees paid to the Alaska Court System during the previous fiscal year into the already existing Civil Legal Services Fund.

The Alaska Legal Services Corporation—established in 1967—is a nonprofit charitable 501(c)(3), whose funding comes from a variety of state, federal, and private sources.

Alaska Legal Services Corporation endeavors to serve a growing number of eligible applicants. Since 1984, the number of Alaskans who qualified for legal services has more than doubled, from 41,000 to over 100,000.

Yet currently, the state's contribution to The Alaska Legal Services Corporation is only a fraction of what it was 30 years ago. House Bill 106 aims to stabilize the Alaska Legal Services Corporation funding and help ensure that civil legal aid is available to all Alaskans, not just the few who can afford it.

[2:38:47 PM](#)

CHAIR COGHILL opened public testimony on HB 106.

[2:39:32 PM](#)

GREG RAZO, President and Chairman of the Board, Alaska Legal Services Corporation (ALSC), Anchorage, Alaska, advised that ALSC provides free legal help to low-income Alaskans and is dedicated to assuring access to justice for all Alaskans. He said HB 106 aims to reduce Alaska's civil justice gap that ALSC has tried to bridge for 15 years. He provided examples of the individuals that ALSC has represented. He said he has volunteered his time to serve on the ALSC board for more than 25 years because he believes in the mission and has seen how these lawyers can change people's lives for the better. He has also witnessed the bad outcomes when Alaskans cannot afford to get the civil legal help they need. He pointed out that defendants who cannot pay are not guaranteed a court-appointed attorney for civil cases. ALSC is their only option.

MR. RAZO said he can also attest that ASLC is fiscally prudent, so it can serve as many clients as possible. These attorneys are some of the best lawyers in Alaska. They receive positive results in 86 percent of their cases and they resolve 80 percent of their clients' legal issues without having to go to court. He reported that the ALSC helped 6,500 Alaskans last year but had to turn away 850 clients because they couldn't afford to do the work. The ALSC fund already exists and HB 106 will provide one more funding source.

CHAIR COGHILL said Mr. Razo's arguments compelled him to bring the bill up even though he does not generally support a designated funding stream.

[2:45:41 PM](#)

JOHN BIOFF, General Counsel, Kawerak, Inc., Nome, Alaska, stated that he is testifying in support of HB 106. He said he has worked closely with the ALSC for the last 15 years. It provides a critical service to many of the families in the region who rely heavily on subsistence to survive. Many of the people in this region are not able to afford a private attorney for any civil legal matter and ALSC has provided this service. They have no other recourse and there would be a real civil legal services gap if ALSC attorneys weren't present in the area.

[2:48:05 PM](#)

NICOLE BORROMEO, Executive Vice President and General Council, Alaska Federation of Natives (AFN), Anchorage, Alaska, stated that the AFN has worked with the Alaska Legal Services Corporation on several issues and has found it to be a great organization that is doing tremendous work in the state. She cited the example several years ago when ALSC helped find a solution when the state and Native community were at odds on a legal matter concerning a Native child and the application of the Indian Child Welfare Act (ICWA). With their help, guidance and technical expertise, emergency regulations were passed and then the statute was changed last year as well. She said that every dollar that ALSC receives is multiplied in terms of benefits that come to Alaskans, not just the Native community but also to veterans, seniors, and children. She urged the committee to pass HB 106 quickly.

[2:50:16 PM](#)

PATRICK REINHART, Executive Director, Governor's Council on Disabilities and Special Education, Anchorage, Alaska, stated that the council supports HB 106 and has done so in previous years. He said their primary interest is that many of their beneficiaries use the services of the Alaska Legal Services Corporation. These services are vital for access to housing, health care and food, and protection from abuse. He said the council submitted a letter of support and hopes the committee passes HB 106.

[2:51:26 PM](#)

MARIE DARLIN, representing AARP and coordinator of the Capital City Taskforce, advised that AARP submitted a letter that lists the reasons for AARP's support for HB 106. It establishes a more stable funding mechanism for the Alaska Legal Services Corporation. She reminded the committee that with the rapidly increasing population of older Alaskans, there will be increased need for ASLC services.

CHAIR COGHILL asked the sponsor to explain how the Alaska Legal Services Corporation is funded.

REPRESENTATIVE FANSLER deferred the question to his staff.

[2:54:57 PM](#)

MARY SCHLOSSER, Staff, Representative Zach Fansler, Alaska State Legislature, explained that ALSC is an Alaska organization that was established in 1967. It receives some funding from the national legal services organization as well as a \$450,000 grant from the Department of Commerce, Community and Economic Development and occasional punitive damages. She said the commerce grant decreased \$100,000 over the last two years while the caseload has steadily increased over the last 10 years. HB 106 would stabilize the funding.

SENATOR MEYER asked to hear from the Court System about how they would be affected if 25 percent of the filing fees were dedicated to ALSC. He asked for an explanation that ALSC seems to be doing more with less.

REPRESENTATIVE FANSLER clarified that court fees currently go into the undesignated general fund, so the bill would not impact funding for the Court System. Regarding doing more with less, he said the numbers show that there is more need for ALSC services every year. Current estimates indicate that about half of the applications for services are turned away because funding is not stable.

CHAIR COGHILL shared that he is not a proponent of designated funding and would therefore be looking for a way to amend the bill.

REPRESENTATIVE FANSLER pointed out that the bill states it is not the intent to create a dedicated fund. Future legislatures could choose to appropriate zero percent in lean times and up to 25 percent when the state is in better fiscal shape.

[3:00:22 PM](#)

CHAIR COGHILL held HB 106 in committee.

[3:00:38 PM](#)

There being no further business to come before the committee, Chair Coghill adjourned the Senate Judiciary Standing Committee meeting at 3:00 p.m.