

ALASKA STATE LEGISLATURE
SENATE LABOR AND COMMERCE STANDING COMMITTEE

February 25, 2020

1:32 p.m.

MEMBERS PRESENT

Senator Click Bishop, Chair
Senator Gary Stevens, Vice Chair
Senator Joshua Revak
Senator Elvi Gray-Jackson

MEMBERS ABSENT

Senator Mia Costello

COMMITTEE CALENDAR

CONFIRMATION HEARING(S)

Board of Architects, Engineers and Land Surveyors

Jeffrey Garness - Anchorage

Robert Bell - Anchorage

Eric Milliken - Anchorage

Loren Leman - Anchorage

- CONFIRMATIONS ADVANCED

Fishermen's Fund Advisory and Appeals Council

Marilyn Charles - Emmonak

- CONFIRMATION ADVANCED

Board of Pharmacy

Richard Holt - Eagle River

- CONFIRMATION ADVANCED

Board of Certified Real Estate Appraisers

William Barnes - Palmer

- CONFIRMATION ADVANCED

SENATE BILL NO. 81

"An Act relating to electric and telephone cooperatives; and relating to telephone service and related telecommunications services."

- MOVED CSSB 81(L&C) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 81

SHORT TITLE: TELEPHONE COOPERATIVES; TELECOMMUNICATIONS

SPONSOR(S): SENATOR(S) HUGHES

03/06/19	(S)	READ THE FIRST TIME - REFERRALS
03/06/19	(S)	L&C
02/11/20	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)
02/11/20	(S)	Heard & Held
02/11/20	(S)	MINUTE (L&C)
02/25/20	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)

WITNESS REGISTER

JEFFREY GARNES, Appointee

State Board of Registration for Architects, Engineers & Land Surveyors

Division of Corporations, Business and Professional Licensing
Department of Commerce, Community and Economic Development
Anchorage, Alaska

POSITION STATEMENT: Testified as appointee to the State Board of Registration for Architects, Engineers & Land Surveyors.

BOB BELL, Appointee

State Board of Registration for Architects, Engineers & Land Surveyors

Division of Corporations, Business and Professional Licensing
Department of Commerce, Community and Economic Development
Anchorage, Alaska

POSITION STATEMENT: Testified as appointee to the State Board of Registration for Architects, Engineers & Land Surveyors.

ERIC MILLIKEN, Appointee

State Board of Registration for Architects, Engineers & Land Surveyors

Division of Corporations, Business and Professional Licensing
Department of Commerce, Community and Economic Development
Anchorage, Alaska

POSITION STATEMENT: Testified as appointee to the State Board of Registration for Architects, Engineers & Land Surveyors.

LOREN LEMAN, Appointee
State Board of Registration for Architects, Engineers & Land Surveyors
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community and Economic Development
Anchorage, Alaska
POSITION STATEMENT: Testified as appointee to the State Board of Registration for Architects, Engineers & Land Surveyors.

MARILYN CHARLES, Appointee
Fishermen's Fund Advisory and Appeals Council
Division of Workers' Compensation
Department of Labor and Workforce Development (DOLWD)
Emmonak, Alaska
POSITION STATEMENT: Testified as appointee to the Fishermen's Fund Advisory and Appeals Council.

RICHARD HOLT, Appointee
Board of Pharmacy
Department of Commerce, Community and Economic Development
Eagle River, Alaska
POSITION STATEMENT: Testified as appointee to the Board of Pharmacy.

WILLIAM BARNES, Appointee
Board of Certified Real Estate Appraisers
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community and Economic Development
Palmer, Alaska
POSITION STATEMENT: Testified as appointee to the Board of Certified Real Estate Appraisers.

CODY GRUSENSDORF, Staff
Senator Click Bishop
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Reviewed the changes from Version M to Version S of SB 81.

BUDDY WHITT, Staff
Senator Shelley Hughes
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Stated that the sponsor was amenable to the changes in CSSB 81, Version S.

ACTION NARRATIVE

[1:32:58 PM](#)

CHAIR CLICK BISHOP called the Senate Labor and Commerce Standing Committee meeting to order at 1:32 p.m. Present at call to order were Senators Revak, Stevens, Gray-Jackson, and Chair Bishop.

Confirmation Hearing(s)
State Board of Registration for Architects, Engineers & Land
Surveyors
Fishermen's Fund Advisory & Appeals Council
Board of Pharmacy
Board of Certified Real Estate Appraisers

[1:33:45 PM](#)

CHAIR BISHOP announced the first order of business would be consideration of governor appointees. He asked each appointee to place their name and affiliation on the record, give a brief introduction, and discuss the reason they want to serve on the board or commission. He advised that public testimony would be taken after all appointees have testified and the names would be forwarded to the full body for consideration. The hearing was not a recommendation on any subsequent vote.

[1:35:28 PM](#)

JEFFREY GARNES, Appointee, State Board of Registration for Architects, Engineers & Land Surveyors, Division of Corporations, Business and Professional Licensing, Department of Commerce, Community and Economic Development (DCCED), Anchorage, Alaska, stated that he has been an Alaska resident since 1969, he graduated from UAA with a bachelor's degree in engineering and master's degree in Arctic engineering, and he has been in practice for 30 years. He recounted his experience serving on both state and municipal boards and assured the committee that he was ready, able, and willing to serve.

CHAIR BISHOP commented on his impressive resume and noted that he had been chief of maintenance at Fort Richardson.

MR. GARNES agreed and added that prior to that he worked at what used to be the 21st Civil Engineering Squadron.

CHAIR BISHOP noted that his resume reflects his work throughout Alaska applying his engineering skills.

CHAIR BISHOP asked Mr. Bell to provide testimony and advised that the Vice Chair may have a comment on his military service.

[1:37:56 PM](#)

BOB BELL, Appointee, State Board of Registration for Architects, Engineers & Land Surveyors, Division of Corporations, Business and Professional Licensing, Department of Commerce, Community and Economic Development (DCCED), Anchorage, Alaska, began his testimony by chronicling his military service where he was able to use his skills as a recent engineering graduate. His experience in Vietnam, in particular, gave his career a head start that would have been difficult to achieve in the private sector. In 1969 he moved to Alaska to work for an engineering firm doing projects across the state. He related that he started his own business in 1974 and since then has worked with most of the architectural engineering firms throughout the state. He opined that 50 years of practice and 49 years of practice as a land surveyor provides a lot of experience to draw on for issues that will come before the board.

SENATOR GRAY-JACKSON commented that she was happy to see his reappointment. She related that Mr. Bell was one of the 42 members she worked with when she was staff to the Anchorage Assembly.

[1:41:47 PM](#)

SENATOR STEVENS thanked him for his service to the country and state and noted that they served in the Army at the same time.

CHAIR BISHOP asked if he oversaw some civil projects with private contractors while he was in Vietnam.

MR. BELL answered yes, but the majority of the projects were in house.

[1:43:45 PM](#)

ERIC MILLIKEN, Appointee, State Board of Registration for Architects, Engineers & Land Surveyors, Division of Corporations, Business and Professional Licensing, Department of Commerce, Community and Economic Development (DCCED), Anchorage, Alaska, stated that he works throughout the state as the program director at Rural Alaska Community Action Program (RURALCAL). He has lived and worked in Alaska for nine years and considers it home. He offered his belief that infrastructure development and access will be a core component of building a future Alaska, particularly in the rural areas. He pointed out that the

continued expansion of broadband infrastructure and basic water and sewer services has been transformational in rural communities. Clearly, the technical professionals that survey the land, design homes, and build out community infrastructure are important to the future of the state. He said he became interested in serving as the public member on this board when he learned that the average age of land surveyors in Alaska is 50 something. He said that with one percent of the land in the state in private ownership, he wondered if the lack of capacity of land surveyors contributes to the slow disposition of state-owned land to the public. He offered his belief that his peripheral contact with the profession and bachelor's degree in economics from UAA and continuing business education enhance his ability to think critically about public protections and commonsense regulations from the consumer perspective. This experience may add value as the board looks at streamlining regulations.

CHAIR BISHOP expressed appreciation for his resume and interest in his Youth Conservation Corps work.

MR. MILLIKEN replied the YCC is a great opportunity for young people and he would be happy to talk offline about it any time.

[1:46:36 PM](#)

LOREN LEMAN, Appointee, State Board of Registration for Architects, Engineers & Land Surveyors, Division of Corporations, Business and Professional Licensing, Department of Commerce, Community and Economic Development (DCCED), Anchorage, Alaska, stated that he has lived in Alaska since 1950 and has practiced as a civil environmental engineer for 46 years. He entered the profession in the first wave of young engineers hired to solve wastewater challenges when the Clean Water Act amendments passed in 1972. He reported that he has worked on wastewater projects across Alaska and believes it has been a great opportunity. His interest in serving on the board was based on the Governor's request to serve and help address challenges in Alaska. He recounted his involvement in boards and commissions and community service activities relating to the engineering profession, including a collaborative effort with the University of Alaska Fairbanks and Science, Technology, Engineering, Mathematics (STEM) education in the younger grades. He brings that background and his legislative experience to the board. He opined that he can also be an example for another engineer who may want to serve in elective or appointed office.

[1:51:12 PM](#)

SENATOR STEVENS quipped about retirement.

MR. LEMAN responded that he is only semi-retired because he still has clients who want his services.

CHAIR BISHOP thanked him for his service.

1:53:09 PM

MARILYN CHARLES, Appointee, Fishermen's Fund Advisory and Appeals Council, Division of Workers' Compensation, Department of Labor and Workforce Development (DOLWD), Emmonak, Alaska, stated that she grew up on the Yukon Delta and fished until she was old enough to work for two different subsidiaries of the Community Development Quota (CDQ) Program for the Yukon Delta Fisheries Development Association. Her work experience includes protection and indemnity (P&I) insurance work for land and river. She was asked to serve because "it's right up my ally." Her personal reason for wanting to serve is to show her children it is possible to be successful regardless of impediments. She has served for several months and is eager to continue.

CHAIR BISHOP commented that he spent a little time in "Emmo" in the 1970s.

1:55:39 PM

RICHARD HOLT, Appointee, Board of Pharmacy, Department of Commerce, Community and Economic Development (DCCED), Eagle River, Alaska, stated that he is the current chair of the board and is a licensed pharmacist in New York, Alaska, and Florida. He has lived in Alaska for about nine years and has served on the board for four years. He expressed his desire to keep serving as chair of the board in order to continue to advance the practice of pharmacy in Alaska.

CHAIR BISHOP thanked him for his testimony.

1:57:27 PM

WILLIAM BARNES, Appointee, Board of Certified Real Estate Appraisers, Division of Corporations, Business and Professional Licensing, Department of Commerce, Community and Economic Development (DCCED), Palmer, Alaska, stated that he moved to Alaska two months after he graduated from Colorado State University in 1974, worked on the Trans Alaska Pipeline System (TAPS) for 2.5 years, and started his real estate appraisal career in Juneau in 1978. The current chair asked him to apply for this position and he has been serving since August. He

reported that he has been volunteering his appraisal skills for the last 10 years and has found it rewarding.

[1:59:43 PM](#)

At ease

[1:59:53 PM](#)

CHAIR BISHOP reconvened the meeting and stated the following:

In accordance with AS 39.05.080, the Senate Labor and Commerce Standing Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

State Board of Regents for Architects, Engineers and Land Surveyors

Robert Bell - Anchorage

Jeffrey Garness - Anchorage

Eric Milliken - Anchorage

Loren Leman - Anchorage

Fishermen's Fund Advisory and Appeals Council

Marilyn Charles - Emmonak

Board of Certified Real Estate Appraisers

William Barnes - Palmer

Board of Pharmacy

Richard Holt - Eagle River

Signing the reports regarding appointments to boards and commissions in no way reflects individual members' approval or disapproval of the appointees; the nominations are merely forwarded to the full legislature for confirmation or rejection.

[2:00:34 PM](#)

At ease

SB 81-TELEPHONE COOPERATIVES; TELECOMMUNICATIONS

[2:02:23 PM](#)

CHAIR BISHOP reconvened the meeting and announced the consideration of SENATE BILL NO. 81, "An Act relating to electric and telephone cooperatives; and relating to telephone service and related telecommunications services."

He stated that this is the second hearing, there is a proposed committee substitute, and the committee received an updated zero

fiscal note from the Department of Commerce, Community and Economic Development (DCCED).

[2:02:49 PM](#)

He found no one in the room or online who wished to testify and closed public testimony on SB 81.

SENATOR STEVENS moved to adopt the proposed committee substitute (CS) for SB 81, work order 31-LS0379\S, as the working document.

[2:03:09 PM](#)

CHAIR BISHOP objected for an explanation of the changes.

[2:03:14 PM](#)

CODY GRUSENSDORF, Staff, Senator Click Bishop, Alaska State Legislature, Juneau, Alaska, reviewed the following changes from Version M to Version S for SB 81:

Section 8, page 4, lines 18-20: AS 10.25.090(a), adds "another means of communication that ensures all members participating can hear each other during the meeting."

Section 10, page 5, line 7: AS 10.25.100 changes "if" to "when" at the advice of the revisor.

Section 13, page 5, lines 29-31: AS 10.25.175(a) adds "another means of communication that ensures all participating directors can hear each other during the meeting."

Section 14, page 6, lines 14-15: AS 10.25.175(c)(5) changes the scope [of executive session] to "matters that would have an adverse effect on the ability of the cooperative to compete in the market served by the cooperative."

[2:04:13 PM](#)

CHAIR BISHOP asked Mr. Whitt whether the sponsor was amenable to the changes.

[2:04:31 PM](#)

BUDDY WHITT, Staff, Senator Shelley Hughes, Alaska State Legislature, Juneau, Alaska, answered yes; the sponsor agrees to the changes in SB 81 that Mr. Grussendorf described.

[2:04:52 PM](#)

CHAIR BISHOP removed his objection. Finding no further objection, he stated that Version S was adopted. He reviewed the zero fiscal note from the Department of Commerce, Community and Economic Development (DCCED); Allocation: Corporations, Business and Professional Licensing; OMB Component Number 2360.

Finding no questions, he solicited a motion.

[2:05:41 PM](#)

SENATOR STEVENS moved to report the CS for SB 81, work order 31-LS0379\S, from committee with individual recommendations and attached zero fiscal note(s).

[2:05:58 PM](#)

CHAIR BISHOP found no objection and CSSB 81(L&C) was reported from the Senate Labor and Commerce Standing Committee.

[2:06:26 PM](#)

There being no further business to come before the committee, Chair Bishop adjourned the Senate Labor and Commerce Standing Committee meeting at 2:06 p.m.