

**ALASKA STATE LEGISLATURE  
HOUSE STATE AFFAIRS STANDING COMMITTEE**

March 24, 2022

3:03 p.m.

**MEMBERS PRESENT**

Representative Jonathan Kreiss-Tomkins, Chair (via teleconference)

Representative Matt Claman, Vice Chair

Representative Geran Tarr (via teleconference)

Representative Sarah Vance

Representative James Kaufman

Representative David Eastman

**MEMBERS ABSENT**

Representative Andi Story

**COMMITTEE CALENDAR**

CONFIRMATION HEARING(S) :

State Commission for Human Rights

Zackary Gottshall - Anchorage

Jessie Ruffridge - Soldotna

- CONFIRMATION(S) ADVANCED

Board of Parole

Jason Wilson - Juneau

- CONFIRMATION(S) ADVANCED

Alaska Public Offices Commission

Lanette Blodgett

- CONFIRMATION(S) ADVANCED

State Personnel Board

Keith Hamilton - Soldotna

- CONFIRMATION(S) ADVANCED

HOUSE BILL NO. 31

"An Act relating to daylight saving time; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 124

"An Act relating to filling a vacancy in the legislature by appointment."

- HEARD AND HELD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 31

SHORT TITLE: OBSERVE DAYLIGHT SAVING TIME ALL YEAR

SPONSOR(S): REPRESENTATIVE(S) ORTIZ

02/18/21	(H)	PREFILE RELEASED 1/8/21
02/18/21	(H)	READ THE FIRST TIME - REFERRALS
02/18/21	(H)	STA, FIN
05/18/21	(H)	STA AT 3:00 PM GRUENBERG 120
05/18/21	(H)	Heard & Held
05/18/21	(H)	MINUTE(STA)
03/24/22	(H)	STA AT 3:00 PM GRUENBERG 120

BILL: HB 124

SHORT TITLE: FILLING VACANCY IN LEGISLATURE

SPONSOR(S): REPRESENTATIVE(S) CARPENTER

03/03/21	(H)	READ THE FIRST TIME - REFERRALS
03/03/21	(H)	STA, JUD
04/24/21	(H)	STA AT 3:00 PM GRUENBERG 120
04/24/21	(H)	<Bill Hearing Canceled>
05/04/21	(H)	STA AT 3:00 PM GRUENBERG 120
05/04/21	(H)	Heard & Held
05/04/21	(H)	MINUTE(STA)
03/24/22	(H)	STA AT 3:00 PM GRUENBERG 120

**WITNESS REGISTER**

ZACKARY GOTTSHALL, Appointee  
State Commission for Human Rights  
Anchorage, Alaska

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

JESSIE RUFFRIDGE, Appointee  
State Commission for Human Rights  
Soldotna, Alaska

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

JASON WILSON, Appointee  
Board of Parole  
Juneau, Alaska

**POSITION STATEMENT:** Testified as appointee to the Board of Parole.

LANETTE BLODGETT, Appointee  
Alaska Public Offices Commission  
Anchorage, Alaska

**POSITION STATEMENT:** Testified as appointee to the Alaska Public Office Commission.

KEITH HAMILTON, PhD, Appointee  
State Personnel Board  
Soldotna, Alaska

**POSITION STATEMENT:** Testified as appointee to the Personnel Board.

ROBIN O'DONOGHUE  
Alaska Public Interest Research Group  
Anchorage, Alaska

**POSITION STATEMENT:** Expressed opposition to Dr. Hamilton's appointment to the State Personnel Board.

REPRESENTATIVE DAN ORTIZ  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided introductory remarks and answered questions during the hearing on HB 31, as the prime sponsor.

ABIGAIL SWEETMAN, Staff  
Representative Dan Ortiz  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on HB 31.

TOM WILLIAMS, Chief Financial Officer  
Ward Air  
Juneau, Alaska

**POSITION STATEMENT:** Testified in support of HB 31.

SUZY CROSBY, Owner  
Cottonwood Creek Farm  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in support of HB 31.

LISA ALEXIA  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in opposition to HB 31.

KEN LANDFIELD  
Homer, Alaska

**POSITION STATEMENT:** Testified during the hearing on HB 31.

ANDY MILLS, Legislative Liaison  
Department of Transportation & Public Facilities  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on HB 31.

REPRESENTATIVE BEN CARPENTER  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided introductory remarks on HB 124, as the prime sponsor.

MEGAN WALLACE, Director  
Legislative Legal Services  
Legislative Affairs Agency  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on HB 31.

#### **ACTION NARRATIVE**

[3:03:47 PM](#)

**CHAIR CLAMAN** called the House State Affairs Standing Committee meeting to order at 3:03 p.m. Representatives Eastman, Vance, Kaufman, Tarr (via teleconference), Kreiss-Tomkins (via teleconference), and Claman were present at the call to order.

**CONFIRMATION HEARING(S):**  
**State Commission for Human Rights**  
**Board of Parole**  
**State Personnel Board**

Alaska Public Offices Commission

3:04:38 PM

CHAIR CLAMAN announced that the first order of business would be confirmation hearings for various boards and commissions.

3:05:52 PM

ZACKARY GOTTSHALL, Appointee, State Commission for Human Rights, shared a brief history of his military service and professional career. He expressed his interest in helping those in need and ensuring their fair treatment in both the workplace and the public sector. He welcomed questions from committee members.

CHAIR CLAMAN asked whether he was currently serving on the commission or whether he was a new appointee.

MR. GOTTSHALL said he was a relatively new appointment.

3:07:40 PM

REPRESENTATIVE EASTMAN asked Mr. Gottschall to define the commission's role.

MR. GOTTSHALL shared his understanding that the role of the commission was to assist the legislative body on improving and upholding Alaska Statutes.

REPRESENTATIVE EASTMAN asked what made Mr. Gottschall uniquely qualified to serve on the commission.

MR. GOTTSHALL recalled how he handled challenges associated with personnel actions during his time in the military.

REPRESENTATIVE EASTMAN asked whether he had any recommendations on statutes that could be improved upon.

MR. GOTTSHALL said not at this time, adding that there was much for him to learn.

3:10:36 PM

REPRESENTATIVE KAUFMAN thanked him for his desire to serve and commended him for the certifications on his resume.

3:11:33 PM

JESSIE RUFFRIDGE, Appointee, State Commission for Human Rights, shared a brief history of her life, professional career and experience working with marginalized persons. She noted that she was appointed in August 2021 and had attended two commission meetings so far.

CHAIR CLAMAN asked whether she was currently serving on the commission or whether she was a new appointee.

MS. RUFFRIDGE reiterated that she was a fairly new appointment.

[3:13:48 PM](#)

REPRESENTATIVE EASTMAN asked whether she had family members serving on other boards or commissions.

MS. RUFFRIDGE answered yes, her husband Justin Ruffridge was serving on the Board of Pharmacy.

REPRESENTATIVE EASTMAN asked what made Ms. Ruffridge uniquely qualified to serve on the commission.

MS. RUFFRIDGE answered life experience and a willingness to do the work.

REPRESENTATIVE EASTMAN asked whether service on the commission would limit Ms. Ruffridge's ability to express personal opinions - political or otherwise.

MS. RUFFRIDGE answered no, adding that she looked forward to promoting an Alaska free of discrimination.

[3:16:39 PM](#)

JASON WILSON, Appointee, Board of Parole, shared a brief history of his life and professional career. He reported that this was his second term on the Board of Parole, serving a total of six years.

[3:18:22 PM](#)

REPRESENTATIVE EASTMAN sought to confirm whether Mr. Wilson was working with a high school softball team.

MR. WILSON answered yes, he was serving as the assistant coach for the Thunder Mountain High School softball team while his daughter was on the team.

REPRESENTATIVE EASTMAN asked what uniquely qualified Mr. Wilson to serve on the board.

MR. WILSON said as an Alaska Native, he brought a cultural understanding and different perspective to the board.

[3:20:10 PM](#)

REPRESENTATIVE TARR asked whether a fellow board member was currently running for office and whether he/she was required to step down.

MR. WILSON understood that the woman in question had resigned from the Board of Parole to pursue that endeavor.

[3:21:21 PM](#)

REPRESENTATIVE EASTMAN asked whether Mr. Wilson had been asked to disclose any potential conflicts of interest.

MR. WILSON said not that he was aware of.

REPRESENTATIVE EASTMAN asked whether Mr. Wilson anticipated any board-related actions or conflicts that he would need to recuse himself from.

MR. WILSON answered no.

[3:23:11 PM](#)

CHAIR CLAMAN shared a concern he had heard about the board rarely granting parole. He asked Mr. Wilson how he determined whether parole should be granted.

MR. WILSON conveyed that a lot went into determining a person's eligibility for discretionary parole. He explained the process, which included an interview with the parolee. He suggested that a release plan and some indication that the individual had taken steps or participated in programming to address the underlying factors that lead to incarceration were important indicators. He pointed out that COVID-19 minimized the availability of such programming inside DOC facilities, which could have factored

into the suggestion that there were fewer releases during the pandemic.

CHAIR CLAMAN asked how many times the board had granted discretionary parole during Mr. Wilson's six-year tenure on the board and whether he had noticed any trends.

MR. WILSON shared his belief that trends appeared in waves.

[3:28:44 PM](#)

REPRESENTATIVE EASTMAN asked whether the time period between evaluations for a person who was granted parole was sufficient to make informed decisions.

MR. WILSON shared his belief that the board received information in a timely manner.

REPRESENTATIVE EASTMAN asked whether the board received timely information in terms of reviewing past decisions to grant or deny parole.

MR. WILSON clarified that once discretionary parole was granted, the board would not be made aware of the individual's success; however, if the individual violated the conditions of parole, he/she would be required to appear before the board again.

MR. WILSON, in response to a question from Representative Claman, explained that an inmate who was denied parole could reapply or ask for reconsideration at any time.

CHAIR CLAMAN asked whether inmates had to apply to be seen by the board.

MR. WILSON indicated that inmates were required to apply via a parole officer to appear before the board.

[3:35:41 PM](#)

REPRESENTATIVE EASTMAN inquired about the board's workload and whether there was enough time to make thoughtful decisions.

MR. WILSON explained that a week prior to the parole hearing, packets on the parolees' history were sent to the board members for review. He confirmed that a week was adequate time for preparation.

REPRESENTATIVE EASTMAN inquired about the role of victims in the parole process.

MR. WILSON opined that the board and its staff did a good job at assisting victims who wanted to be involved in the process.

[3:38:33 PM](#)

LANETTE BLODGETT, Appointee, Alaska Public Offices Commission (APOC), shared a brief history of her life and professional career. She believed that her unique skills would contribute to fact checking and investigations in particular.

CHAIR CLAMAN asked whether she was currently serving on the commission or whether she was a new appointee.

MS. BLODGETT said this was her first time before the legislature for confirmation.

[3:40:39 PM](#)

REPRESENTATIVE EASTMAN asked which seat she was fulfilling on the commission.

MS. BLODGETT answered, "The Democrats seat, because they're the ones that put my name forward."

REPRESENTATIVE EASTMAN asked Ms. Blodgett to define the commission's role.

MS. BLODGETT opined that APOC provided the public with a way to "build a good record" in case there was an appeal. She shared her understanding that the commission enforced regulation and helped people process problems.

[3:42:48 PM](#)

REPRESENTATIVE TARR asked Ms. Blodgett to comment on APOC's role in working with the legislature to establish new campaign finance limits.

MS. BLODGETT stated that she had not had the chance to read up on that issue. She said she would like to keep an open mind on this as it evolved.

REPRESENTATIVE TARR expressed appreciation for Ms. Blodgett's willingness to learn.

[3:46:20 PM](#)

REPRESENTATIVE EASTMAN remarked:

There are some that feel and have a concern that the process is designed for those that are connected politically or understand the rules or have an attorney or a treasurer they can turn to when they have questions, and then there's another group of people who are afraid of the rules and don't have those personal relationships with people ... and don't engage in the political process to the extent that they would otherwise like to because of the way that APOC works.

MS. BLODGETT observed that APOC had a lot of power to negotiate, which was not the case for every state agency. She believed that the commission handled cases in a compassionate, fair, and personal matter. She concluded by stating that she would be proud to serve on the commission.

[3:50:25 PM](#)

KEITH HAMILTON, PhD, Appointee, State Personnel Board, shared a brief history of his life and professional career. He noted that he was up for reappointment.

CHAIR CLAMAN asked whether Dr. Hamilton was initially appointed by former Governor Parnell.

DR. HAMILTON answered yes.

[3:53:17 PM](#)

REPRESENTATIVE EASTMAN asked Dr. Hamilton to define the board's role.

DR. HAMILTON stated that the board spent most of its time working on amendments to personnel rules, as well as acting on recommendations on the extension of a partially exempt service and classified service, which came from the Division of Personnel, DOA. Additionally, the board was occasionally called to work for the administration under the Alaska Executive Branch Ethics Act on ethics complaints, which were confidential matters.

[3:54:39 PM](#)

CHAIR CLAMAN opened public testimony on the appointees.

[3:55:23 PM](#)

ROBIN O'DONOGHUE, Alaska Public Interest Research Group (AKPIRG), stated his opposition to Dr. Hamilton's reappointment to the State Personnel Board. He indicated the organization was opposed on the grounds that AKPIRG had submitted multiple ethics complaints, which the board failed to respond to despite its statutory obligation to do so. He claimed that AKPIRG had testified before the board on its failure to respond and sent multiple communications. He urged committee members to ask Dr. Hamilton about this incident.

[3:56:43 PM](#)

REPRESENTATIVE EASTMAN asked whether the objection was specific to Dr. Hamilton or to all members of the board.

MR. O'DONOGHU said given that the board in its entirety had failed to respond to the complaints, AKPIRG was frustrated with the board overall; nonetheless, as it was Dr. Hamilton up for reappointment today, AKPIRG was specifically opposed to his reappointment.

REPRESENTATIVE EASTMAN asked whether a particular member of the board could unilaterally respond to an ethics complaint.

MR. O'DONOGHU was unsure of the answer.

[3:58:37 PM](#)

REPRESENTATIVE KREISS-TOMKINS asked Dr. Hamilton to respond to Mr. O'donoghu's testimony.

DR. HAMILTON understood that AKPIRG may be frustrated; nonetheless, he emphasized that the board followed its statutory requirements. He explained that upon receipt of an ethics complaint, the chair of the board would take it under advisement and involve the Division of Personnel, DOA. He shared his understanding that the board had responded to each complaint.

[4:00:51 PM](#)

CHAIR CLAMAN closed public testimony.

[4:01:57 PM](#)

REPRESENTATIVE VANCE moved to advance the confirmation of appointees to the State Commission for Human Rights, Board of Parole, Alaska Public Offices Commission, and State Personnel Board to the joint session of the House and Senate for consideration. She reminded members that signing the reports regarding appointment to board and commissions in no way reflected individual members' approval or disapproval of the appointees, and that the nominations were merely forwarded to the full legislature for confirmation or rejection. There being no objection, the confirmation was advanced.

**HB 31-OBSERVE DAYLIGHT SAVING TIME ALL YEAR**

[4:02:45 PM](#)

CHAIR CLAMAN announced that the next order of business would be HOUSE BILL NO. 31, "An Act relating to daylight saving time; and providing for an effective date."

[4:04:47 PM](#)

REPRESENTATIVE DAN ORTIZ, Alaska State Legislature, prime sponsor, summarized HB 31 by paraphrasing the sponsor statement [included in the committee packet], which read in its entirety as follows [original punctuation provided]:

House Bill 31 establishes Daylight Saving Time (DST) as the official time for the State of Alaska year-round, subject to the authorization of federal law. DST is observed between the second Sunday of March and the first Sunday of November.

Adoption of this legislation is the first step. To fully implement the change to full-time DST, action by the United States Congress is required. Congress will need to amend federal law to allow states to observe DST throughout the calendar year.

Nationally, the initiative to change to full-time DS is gaining traction. As of December 2020, 13 states have enacted DST legislation. In 2020 alone, 32 states considered DST legislation. On the west coast California voters authorized the change pending legislation and in 2019, both Washington and Oregon

passed legislation similar to HB31. Our Canadian neighbors have also taken steps to move to full-time DST. British Columbia passed legislation to implement full-time DST contingent on the U.S. west coast also implementing it. Yukon began full-time DST on March 8, 2020.

Because of our close economic and geographic ties to the U.S. and Canadian west coasts, Alaska can avoid being 'left in the dark' by passing HB31.

[4:08:07 PM](#)

REPRESENTATIVE EASTMAN inquired about the benefits of year-round Daylight Saving Time (DST), as opposed to year-round Standard Time ("ST").

REPRESENTATIVE ORTIZ explained that DST was important to Alaska's major industries, like tourism, as it would maintain the existing daylight hours in the summer and extend daylight hours later in the day in the winter, which seemed to be favorable to morning daylight, he said.

[4:09:59 PM](#)

REPRESENTATIVE EASTMAN asked whether the federal government had the authority to dictate Alaska's time zones.

[4:10:44 PM](#)

ABIGAIL SWEETMAN, Staff, Representative Dan Ortiz, Alaska State Legislature, on behalf of Representative Ortiz, prime sponsor, answered, "No, that's still under federal decision." She offered to follow up with a legal memorandum that addressed that concern.

REPRESENTATIVE ORTIZ opined that it would be better if all states were united on this issue, as it would allow for easier communication.

REPRESENTATIVE EASTMAN asked whether Alaska had the authority to create multiple time zones within the state without seeking approval from the federal government.

MS. SWEETMAN said that was under federal jurisdiction.

[4:12:52 PM](#)

REPRESENTATIVE VANCE directed attention to page 2, line 1, and asked why the bill specified December 31, 2030.

REPRESENTATIVE ORTIZ stated that he didn't have an answer. He welcomed an amendment on that language.

[4:14:34 PM](#)

CHAIR CLAMAN pointed out that some states, such as Arizona, chose to stay on ST year-round. He asked whether Arizona had to gain permission from the federal government to do so.

REPRESENTATIVE ORTIZ offered his understanding that all time-zone-related decisions in any state required approval from the federal government.

[4:16:24 PM](#)

REPRESENTATIVE KREISS-TOMKINS recalled that the United States experimented with permanent DST in the 1970s, which was met with a "loudly negative" response from the general public. He asked what had changed from the 1970s and why the legislature should expect a different response.

MS. SWEETMAN explained that before permanent DST was instated, it had a high approval rating of 79 percent, which immediately dropped to 42 percent, as parents were concerned about their school-age children walking or riding bikes to school in the dark. However, a study conducted in 2009 indicated that only 13 percent of students walked or rode their bikes to school. She concluded that the decline in approval in the 1970s was largely due to children going to school.

[4:20:30 PM](#)

REPRESENTATIVE KAUFMAN asked whether the origin of DST was considered by the bill sponsor. He shared his understanding that the original purpose was to align production hours with factories that were still lit by skylights. He asked whether there was a bias in either permanent DST or permanent ST that was better for Alaska.

REPRESENTATIVE ORTIZ believed that there was a regional bias, as opposed to a consensus bias.

[4:23:37 PM](#)

REPRESENTATIVE EASTMAN asked whether there would be any health-related benefits from making this change.

REPRESENTATIVE ORTIZ anecdotally reported that there were more incidents of heart attacks during the switchover from ST to DST and vice versa. The medical community was united in the idea that sticking to one, whether it be Standard Time or DST, would improve people's circadian rhythm.

[4:24:52 PM](#)

REPRESENTATIVE TARR wondered whether the bill sponsor had gathered perspectives from local governments and municipalities on the issue. Further, she asked whether other states had considered it. She wondered whether approaching congress with a coordinated proposal from a block of states would be beneficial.

REPRESENTATIVE ORTIZ emphasized that the bill was contingent on support from West Coast states in addition to approval from the federal government.

[4:28:04 PM](#)

CHAIR CLAMAN opened public testimony.

[4:28:47 PM](#)

TOM WILLIAMS, Chief Financial Officer, Ward Air, expressed support for HB 31 for the following reasons: it would end the twice-a-year changing of clocks, which was associated with higher rates of health risks; maintain the existing daylight hours in the summer that were critical for the Alaska tourism industry; extend daylight hours later in the day during the winter, allowing for later flight operations and more after school daylight; and reduce the time zone difference between Alaska and the East Coast financial markets. He addressed the three other West Coast states - California, Oregon, and Washington - that were supporting year-round DST, as well as potentially British Columbia. He reiterated his belief that Alaska should join its neighbors in the effort to encourage the U.S. Department of Transportation to approve year-round DST for all four West Coast states, if not the entire United States.

[4:32:19 PM](#)

SUZY CROSBY, Owner, Cottonwood Creek Farm, expressed her support for HB 31. She discussed the disadvantages of year-round Standard Time, explaining that her support for the bill stemmed from the fear of a proposal to eliminate DST, which she characterized as a disastrous idea. She argued that most Alaskans preferred the extended daylight at the end of the day, as opposed to the beginning. She discussed the history of time zones in Alaska.

[4:36:16 PM](#)

LISA ALEXIA, paraphrased the following written remarks [original punctuation provided]:

As a psychiatric physician assistant who provides health care in rural Alaska as well as Anchorage, I write with professional, academic, and personal knowledge of the impact that Alaska's long dark mornings have on human health, mental health, and safety. I respectfully request that you reconsider your approach to eliminating the clock change and advocate instead for permanent Standard Time. Eliminating the clock change is important—we can agree on that—but please understand that making DST permanent would worsen the quality of life and health outcomes for a majority of Alaskans.

Permanent Daylight Saving Time is federally prohibited. It would delay Juneau sunrise to 9:46am (past 8am 4.1 months), Anchorage sunrise to 11:15am (past 8am 5.7 months). On St. Paul Island, sunrise on winter solstice would not take place until nearly noon! This may not seem like a big deal in Eastern Alaska, but as someone who has worked in Western Alaskan communities, and Anchorage, (where most of our state population resides), I can tell you that the delayed clock time is a big problem. Long dark mornings for much of the year, and extended evening light in the spring, wreak havoc on schoolchildren and entire communities who struggle with getting enough sleep when they must convince children to go to bed early in April in May when it is light late, and to wake hours before dawn for most of the school year—not because they are far north, but because of the displacement of the civil clock from true sun time. Alaska lost most of its time zones in the 80s and this has disproportionately affected the health and safety

of Western Alaska (including Anchorage and Fairbanks). HB 31 would worsen an already difficult situation. Permanent DST would force earlier waking relative to sunrise, further misalign clocks from circadian rhythms during the winter when Alaskans most need morning light, and chronically deprive sleep.

For Alaska in particular, our high rates of cancer, diabetes, unintentional injury, suicide, homicide read like a treatise on all the harms of displaced circadian rhythms and the sleep deprivation it causes. If Alaska were to implement permanent Standard Time, we might finally make some headway on improving some of these public health issues. But if HB31 were to pass and the state went to permanent DST, these public health problems (for which AK is already notorious in the nation and the world) would worsen.

Permanent DST has failed before with loss of life. The National Education Association, National School Boards Association, National Safety Council, National PTA, American College of Occupational & Environmental Medicine, American Academy of Sleep Medicine, Society for Research on Biological Rhythms, The American College of Chest Physicians, and many others urge permanent Standard Time as best for health, safety, and prosperity. Please consider amending this bill to advocate for permanent Standard Time. Eliminating the clock change can happen at a state level by eliminating DST completely and just remaining on standard time. Arizona and Hawaii do this. It's time Alaska does the same. Eliminating the clock change to convert to DST actually would take longer because you will be waiting for federal action.

CHAIR CLAMAN sought to confirm that under current federal law, states could opt-out of DST; however, they were not allowed to opt-in to year-round DST.

MS. ALEXIA answered yes.

REPRESENTATIVE EASTMAN inquired about the process of opting out and what that entailed.

MS. ALEXIA was unsure of the answer. She suspected that it involved the legislative process.

[4:42:01 PM](#)

KEN LANDFIELD questioned why the bill was proposing a switch to DST over ST. He argued that ST was more in line with people's circadian rhythm. He pointed out that both Arizona and Hawaii were on ST, arguing that Alaska should "hitch its wagon" to the 48<sup>th</sup> and 50<sup>th</sup> states to present a unified western front. He acknowledged that time was an artificial construct, admitting that either year-round DST or year-round ST would be better than switching back and forth.

[4:44:23 PM](#)

CHAIR CLAMAN closed public testimony.

[4:44:50 PM](#)

REPRESENTATIVE VANCE referenced the document, titled "Research - 4. Vehicle Crashed by AJPH," which suggested that DST saved pedestrian lives and could save additional lives by extending daylight further into the winter months. She inquired about the correlation between time change and [car crashes].

[4:45:33 PM](#)

ANDY MILLS, Legislative Liaison, Department of Transportation & Public Facilities (DOT&PF), offered to follow up with the requested information.

[4:46:24 PM](#)

REPRESENTATIVE EASTMAN asked whether Alaska could petition congress for an allowance to make its own decisions regarding time zones.

REPRESENTATIVE ORTIZ offered to discuss that option with Alaska's federal delegation.

[4:48:36 PM](#)

CHAIR CLAMAN announced that HB 31 was held over.

**HB 124-FILLING VACANCY IN LEGISLATURE**

[4:48:48 PM](#)

CHAIR CLAMAN announced that the final order of business would be HOUSE BILL NO. 124, "An Act relating to filling a vacancy in the legislature by appointment."

[4:50:26 PM](#)

REPRESENTATIVE BEN CARPENTER, Alaska State Legislature, prime sponsor of HB 124, provided a summary of the legislation. He indicated that the bill would clarify the existing ambiguity in AS 15.40.320 regarding filling vacancy appointments to the Alaska State Legislature.

[4:52:20 PM](#)

REPRESENTATIVE VANCE directed attention to paragraph (2) on page 1, line 13, of HB 124 and asked how a special election could be held before the legislature convened by special session if that were to occur.

[4:53:20 PM](#)

MEGAN WALLACE, Director, Legislative Legal Services, Legislative Affairs Agency, explained that a special election would be used to fill a vacancy in the Senate that occurred for an unexpired term of more than two years and five full calendar months. She remarked:

What the statute says is that the governor will not fill that vacancy if that special election is going to determine ... who's going to fill that seat before the next special session or the next time the legislature, for example, convenes its second session or meets in some other manner.

REPRESENTATIVE VANCE asked:

So, if we were in that window of time and a special session was called, what would be the process? Is that the person for Senate would just go along with the election along with the two-year representatives' election? Or would there be a time that there would have to be a seat filled so that there is a full session during a special session?

MS. WALLACE asked her to repeat the question.

REPRESENTATIVE VANCE inquired about the timeline and sequence of events that would occur if a vacancy occurred and a special session was called.

MS. WALLACE shared her understanding that if the legislature was going to meet before a special election could be held to permanently fill a vacancy in the Senate, the temporary appointment would serve until there was a special election held to fill the seat.

[4:57:23 PM](#)

CHAIR CLAMAN shared his understanding that the current statute on special elections suggested that the governor would not be allowed to fill a vacancy in the Senate that occurred within the first year and a half of a four-year term. He explained that in that scenario, a "special election" would be held in November of that next "go-around," effectively holding an election to fill the remaining two years of the four-year term. Alternatively, as members of the House were elected every two years, the governor could appoint an individual to fill a vacancy in the House for the remainder of the two years.

MS. WALLACE believed that he was correct.

[5:00:20 PM](#)

REPRESENTATIVE EASTMAN considered a scenario in which an election was held to fill a vacancy in the House to ensure that a portion of the state didn't lose representation for a period of time.

REPRESENTATIVE CARPENTER remarked:

I think I understand what you're saying- if you have a vacancy that occurs generally around an election and the election occurs and there's a certified winner but the vacancy hasn't been filled yet, then the governor just appointing the winner of the election to fill the vacancy and then when the next legislative session happens, then the winner of that election continues on for their new term.

REPRESENTATIVE CARPENTER asked if that was correct.

REPRESENTATIVE EASTMAN answered yes; however, he suggested that vacancy could be automatically filled by the certified election

winner. He surmised that the governor wouldn't necessarily need to appoint the certified winner to fill the vacancy.

REPRESENTATIVE CARPENTER pointed out that whether the new legislator was appointed or won the election, he/she would be sworn in to fill the two-year term.

REPRESENTATIVE EASTMAN agreed; however, he pointed out that the process of swearing in a legislator did not have to occur during session.

CHAIR CLAMAN announced that HB 124 was held over.

[5:03:24 PM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 5:03 p.m.