

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

March 12, 2024

3:02 p.m.

MEMBERS PRESENT

Representative Laddie Shaw, Chair
Representative Stanley Wright, Vice Chair
Representative Ben Carpenter
Representative Craig Johnson
Representative Jamie Allard
Representative Ashley Carrick
Representative Andi Story

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 103

"An Act relating to peer support counseling programs for law enforcement agencies, emergency service providers, and the Department of Corrections."

- MOVED HCS SB 103 (STA) OUT OF COMMITTEE

CS FOR SENATE BILL NO. 12 (JUD)

"An Act relating to the duties of the Department of Administration; creating an address confidentiality program; and providing for an effective date."

- MOVED HCS CSSB 12 (STA) OUT OF COMMITTEE

HOUSE JOINT RESOLUTION NO. 18

Urging the United States Congress to repeal the Windfall Elimination Provision and Government Pension Offset of the Social Security Act.

- MOVED CSHJR 18 (STA) OUT OF COMMITTEE

CS FOR SENATE BILL NO. 95 (STA) AM

"An Act relating to special request specialty organization registration plates; relating to special registration plates commemorating peace officers killed in the line of duty; and providing for an effective date."

- MOVED HCS CSSB 95(STA) OUT OF COMMITTEE

HOUSE BILL NO. 190

"An Act establishing a violation for hindering the Alaska Sunset Commission; relating to the duties of the legislature; establishing the Alaska Sunset Commission to review and make recommendations on discontinuation of or changes to state entities; relating to the powers and duties of the Alaska Sunset Commission; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 103

SHORT TITLE: PEER SUPPORT COUNSELING PROGRAM

SPONSOR(s): SENATOR(s) DUNBAR

03/15/23	(S)	READ THE FIRST TIME - REFERRALS
03/15/23	(S)	CRA
03/28/23	(S)	CRA AT 1:30 PM BELTZ 105 (TSBldg)
03/28/23	(S)	Heard & Held
03/28/23	(S)	MINUTE(CRA)
04/04/23	(S)	CRA AT 1:30 PM BELTZ 105 (TSBldg)
04/04/23	(S)	Moved SB 103 Out of Committee
04/04/23	(S)	MINUTE(CRA)
04/05/23	(S)	CRA RPT 3DP
04/05/23	(S)	DP: DUNBAR, GRAY-JACKSON, GIESSEL
04/24/23	(S)	TRANSMITTED TO (H)
04/24/23	(S)	VERSION: SB 103
04/26/23	(H)	READ THE FIRST TIME - REFERRALS
04/26/23	(H)	STA
02/22/24	(H)	STA AT 3:00 PM GRUENBERG 120
02/22/24	(H)	-- MEETING CANCELED --
02/29/24	(H)	STA AT 3:00 PM GRUENBERG 120
02/29/24	(H)	Heard & Held
02/29/24	(H)	MINUTE(STA)
03/07/24	(H)	STA AT 3:00 PM GRUENBERG 120
03/07/24	(H)	Heard & Held
03/07/24	(H)	MINUTE(STA)
03/12/24	(H)	STA AT 3:00 PM GRUENBERG 120

BILL: SB 12

SHORT TITLE: ADDRESS CONFIDENTIALITY PROGRAM

SPONSOR(s): SENATOR(s) KIEHL

01/18/23 (S) PREFILE RELEASED 1/9/23
01/18/23 (S) READ THE FIRST TIME - REFERRALS
01/18/23 (S) STA, JUD, FIN
02/02/23 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)
02/02/23 (S) Heard & Held
02/02/23 (S) MINUTE(STA)
02/28/23 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)
02/28/23 (S) Moved CSSB 12(STA) Out of Committee
02/28/23 (S) MINUTE(STA)
03/01/23 (S) STA RPT CS 1DP 3NR NEW TITLE
03/01/23 (S) DP: KAWASAKI
03/01/23 (S) NR: WIELECHOWSKI, BJORKMAN, MERRICK
03/08/23 (S) JUD AT 1:30 PM BUTROVICH 205
03/08/23 (S) Heard & Held
03/08/23 (S) MINUTE(JUD)
03/15/23 (S) JUD AT 1:30 PM BUTROVICH 205
03/15/23 (S) Moved CSSB 12(JUD) Out of Committee
03/15/23 (S) MINUTE(JUD)
03/17/23 (S) JUD RPT CS 3DP 1AM NEW TITLE
03/17/23 (S) DP: CLAMAN, TOBIN, KIEHL
03/17/23 (S) AM: KAUFMAN
03/28/23 (S) FIN AT 9:00 AM SENATE FINANCE 532
03/28/23 (S) Heard & Held
03/28/23 (S) MINUTE(FIN)
04/03/23 (S) FIN RPT CS(JUD) 3DP 3NR 1AM
04/03/23 (S) DP: OLSON, HOFFMAN, KIEHL
04/03/23 (S) NR: STEDMAN, MERRICK, BISHOP
04/03/23 (S) AM: WILSON
04/03/23 (S) FIN AT 9:00 AM SENATE FINANCE 532
04/03/23 (S) Moved CSSB 12(JUD) Out of Committee
04/03/23 (S) MINUTE(FIN)
04/24/23 (S) TRANSMITTED TO (H)
04/24/23 (S) VERSION: CSSB 12(JUD)
04/26/23 (H) READ THE FIRST TIME - REFERRALS
04/26/23 (H) STA, JUD, FIN
05/04/23 (H) STA AT 3:00 PM GRUENBERG 120
05/04/23 (H) Heard & Held
05/04/23 (H) MINUTE(STA)
03/05/24 (H) STA AT 3:00 PM GRUENBERG 120
03/05/24 (H) Heard & Held
03/05/24 (H) MINUTE(STA)
03/07/24 (H) STA AT 3:00 PM GRUENBERG 120
03/07/24 (H) Heard & Held
03/07/24 (H) MINUTE(STA)
03/12/24 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HJR 18

SHORT TITLE: SOCIAL SECURITY BENEFIT REDUCTION REPEAL
SPONSOR(s): REPRESENTATIVE(s) GALVIN

01/22/24 (H) READ THE FIRST TIME - REFERRALS
01/22/24 (H) STA
02/22/24 (H) STA AT 3:00 PM GRUENBERG 120
02/22/24 (H) -- MEETING CANCELED --
03/05/24 (H) STA AT 3:00 PM GRUENBERG 120
03/05/24 (H) Heard & Held
03/05/24 (H) MINUTE(STA)
03/12/24 (H) STA AT 3:00 PM GRUENBERG 120

BILL: SB 95

SHORT TITLE: LIC. PLATES: SPECIALTY ORGS/PEACE OFFICER
SPONSOR(s): SENATOR(s) MERRICK

03/08/23 (S) READ THE FIRST TIME - REFERRALS
03/08/23 (S) STA, FIN
04/18/23 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)
04/18/23 (S) -- MEETING CANCELED --
04/20/23 (S) STA AT 3:30 PM
04/20/23 (S) Heard & Held
04/20/23 (S) MINUTE(STA)
05/02/23 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)
05/02/23 (S) Moved CSSB 95(STA) Out of Committee
05/02/23 (S) MINUTE(STA)
05/03/23 (S) STA RPT CS 5DP SAME TITLE
05/03/23 (S) DP: KAWASAKI, WIELECHOWSKI, CLAMAN,
MERRICK, BJORKMAN
05/10/23 (S) FIN AT 9:00 AM SENATE FINANCE 532
05/10/23 (S) Heard & Held
05/10/23 (S) MINUTE(FIN)
05/12/23 (S) FIN RPT CS(STA) 6DP 1NR SAME TITLE
05/12/23 (S) DP: STEDMAN, HOFFMAN, WILSON, KIEHL,
MERRICK, BISHOP
05/12/23 (S) NR: OLSON
05/12/23 (S) FIN AT 9:00 AM SENATE FINANCE 532
05/12/23 (S) Moved CSSB 95(STA) Out of Committee
05/12/23 (S) MINUTE(FIN)
05/16/23 (S) TRANSMITTED TO (H)
05/16/23 (S) VERSION: CSSB 95(STA) AM
01/16/24 (H) READ THE FIRST TIME - REFERRALS
01/16/24 (H) STA, FIN
03/05/24 (H) STA AT 3:00 PM GRUENBERG 120
03/05/24 (H) Heard & Held
03/05/24 (H) MINUTE(STA)
03/12/24 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HB 190

SHORT TITLE: ALASKA SUNSET COMMISSION

SPONSOR(S): WAYS & MEANS

05/03/23	(H)	READ THE FIRST TIME - REFERRALS
05/03/23	(H)	W&M, STA, FIN
05/08/23	(H)	W&M AT 6:00 PM DAVIS 106
05/08/23	(H)	<Bill Hearing Canceled>
05/09/23	(H)	W&M AT 6:00 PM DAVIS 106
05/09/23	(H)	Heard & Held
05/09/23	(H)	MINUTE(W&M)
01/24/24	(H)	W&M AT 6:00 PM DAVIS 106
01/24/24	(H)	Heard & Held
01/24/24	(H)	MINUTE(W&M)
01/31/24	(H)	W&M AT 6:00 PM DAVIS 106
01/31/24	(H)	Heard & Held
01/31/24	(H)	MINUTE(W&M)
02/14/24	(H)	W&M AT 6:00 PM DAVIS 106
02/14/24	(H)	Moved CSHB 190(W&M) Out of Committee
02/14/24	(H)	MINUTE(W&M)
02/19/24	(H)	W&M RPT CS(W&M) NEW TITLE 4DP 2NR
02/19/24	(H)	DP: MCKAY, MCCABE, TILTON, CARPENTER
02/19/24	(H)	NR: GRAY, GROH
03/12/24	(H)	STA AT 3:00 PM GRUENBERG 120

WITNESS REGISTER

KACI SCHROEDER, Assistant Attorney General
Central Office
Criminal Division
Department of Law
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on SB 103.

BUDDY WHITT, Staff
Representative Laddie Shaw
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided an explanation for Amendment 1 to SB 12; Described the committee substitute to HJR 18.

SARAH STANLEY, Assistant Attorney General
Legal Services Section
Criminal Division
Department of Law

Anchorage, Alaska

POSITION STATEMENT: Answered questions during the hearing on SB 12.

SENATOR JESSE KIEHL

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: As prime sponsor, provided his perspective of Amendment 1 to SB 12.

NANCY MEADE, General Counsel

Office of the Administrative Director

Alaska Court System

Anchorage, Alaska

POSITION STATEMENT: Answered questions during the hearing on SB 12.

SUZI PEARSON, Executive Director

Abused Women's Aid in Crisis

Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 12.

LAUREE MORTON, Deputy Director

Alaska Network on Domestic Violence and Sexual Assault

Juneau, Alaska

POSITION STATEMENT: Testified in support of SB 12.

KATHLEEN YERBICH, representing self

Wasilla, Alaska

POSITION STATEMENT: Testified in support of HJR 18.

MARILYN PILLIFANT, representing self

Anchorage, Alaska

POSITION STATEMENT: Testified in support of HJR 18.

SARAH CAMPBELL, representing self

Ketchikan, Alaska

POSITION STATEMENT: Testified in support of HJR 18.

NATASHA GRAHAM, representing self

Anchorage, Alaska

POSITION STATEMENT: Testified in support of HJR 18.

LINDA SHARP, representing self

Anchorage, Alaska

POSITION STATEMENT: Testified in support of HJR 18.

PAMELA LLOYD, representing self
Sterling, Alaska

POSITION STATEMENT: Testified in support of HJR 18.

REPRESENTATIVE ALYSE GALVIN
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided comments during the hearing on HJR 18, as prime sponsor.

SENATOR KELLY MERRICK
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, provided comments during the hearing on SB 95.

KERRY CROCKER, Staff
Senator Kelly Merrick
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: On behalf of Senator Merrick, prime sponsor, answered questions during the hearing on SB 95.

REPRESENTATIVE BEN CARPENTER
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented a sponsor statement for HB 190 on behalf of the sponsor, the House Special Committee on Ways and Means, on which he serves as chair.

KENDRA BROUSSARD, Staff
Representative Ben Carpenter
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided a sectional analysis for HB 190 on behalf of Representative Carpenter, chair of the House Special Committee on Ways and Means, sponsor

DONNA ARDUIN, Staff
Representative Ben Carpenter
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on SB 190 on behalf of Representative Carpenter, chair of the House Special Committee on Ways and Means, sponsor.

ACTION NARRATIVE

[3:02:41 PM](#)

CHAIR LADDIE SHAW called the House State Affairs Standing Committee meeting to order at 3:02 p.m. Representatives Carpenter, Johnson, Allard, Carrick, Wright, and Shaw were present at the call to order. Representative Story arrived as the meeting was in progress.

SB 103-PEER SUPPORT COUNSELING PROGRAM

[3:03:34 PM](#)

CHAIR SHAW announced that the first order of business would be SENATE BILL NO. 103, "An Act relating to peer support counseling programs for law enforcement agencies, emergency service providers, and the Department of Corrections." [SB 103 was amended by the committee on 3/7/24.]

[3:04:24 PM](#)

The committee took a brief at-ease.

[3:04:48 PM](#)

REPRESENTATIVE CARPENTER referred to SB 103 as amended, page 2, lines 14-16 and asked whether information collected during the peer-support counseling program would be something that a grand jury could subpoena.

[3:06:06 PM](#)

KACI SCHROEDER, Assistant Attorney General, Central Office, Criminal Division, Department of Law, clarified that information collected during the peer support counseling program would not be admissible at a grand jury trial. Only if the information falls under one of the exceptions could it apply.

[3:07:08 PM](#)

REPRESENTATIVE C. JOHNSON asked about mandatory reporting within the process of peer counseling.

MS. SCHROEDER answered that a mandatory reporter would be required to report in the case of several exceptions listed within the bill. She referred to several exceptions including "information that is required by law to be reported",

"information relating to the abuse of a child or vulnerable adult", and if there is "any admission of criminal conduct". She said there are no concerns from the Department of Law with respect to mandatory reporting requirements.

[3:08:22 PM](#)

CHAIR SHAW thanked Ms. Schroeder.

REPRESENTATIVE WRIGHT moved to report SB 103, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HCS SB 103(STA) was reported out of the House State Affairs Standing Committee.

[3:08:53 PM](#)

The committee took an at-ease from 3:08 p.m. to 3:11 p.m.

SB 12-ADDRESS CONFIDENTIALITY PROGRAM

[3:11:27 PM](#)

CHAIR SHAW announced that the next order of business would be CS FOR SENATE BILL NO. 12(JUD), "An Act relating to the duties of the Department of Administration; creating an address confidentiality program; and providing for an effective date." [Before the committee, adopted as a working document on 3/7/24, was the proposed House committee substitute (HCS) for CSSB 12(JUD), Version 33-LS0162\H, C. Radford, 3/6/24 ("Version H").]

[3:11:46 PM](#)

CHAIR SHAW moved to adopt Amendment 1 to Version H, labeled 33-LS0162\D.1, C. Radford, 3/8/24, which read as follows:

Page 1, following line 3:

Insert a new bill section to read:

"* Section 1. AS 18.65.087(b) is amended to read:

(b) Information about a sex offender or child kidnapper that is contained in the central registry, including sets of fingerprints, is confidential and not subject to public disclosure except as to the sex offender's or child kidnapper's name, aliases, address, photograph, physical description, description of motor vehicles, license numbers of motor vehicles, and vehicle identification numbers of motor vehicles, place of employment, date of birth, crime for which

convicted, date of conviction, place and court of conviction, length and conditions of sentence, and a statement as to whether the offender or kidnapper is in compliance with requirements of AS 12.63 or cannot be located. A sex offender's or child kidnapper's address is confidential and not subject to public disclosure if the sex offender or child kidnapper is enrolled in the address confidentiality program under AS 44.21.022."

Page 1, line 4:

Delete "**Section 1**"

Insert "**Sec. 2**"

Renumber the following bill sections accordingly.

Page 3, lines 1 - 3:

Delete "not required to register as a sex offender or child kidnapper under AS 12.63 or a similar law of another jurisdiction and is"

Page 3, following line 14:

Insert a new subsection to read:

"(d) An individual who has a duty to register under AS 12.63.010 may petition the court for an order that the individual is eligible to enroll, or remain enrolled, in the program. A copy of the petition must be served on the Department of Public Safety. If the Department of Public Safety does not file a response within 45 days after service of the petition, the court may grant the petition without further proceedings, subject to the requirements of (c) of this section. The court may issue an order finding that an individual who has a duty to register under AS 12.63.010 is eligible to enroll, or remain enrolled, in the program if it finds by clear and convincing evidence that the individual's safety interest in keeping the individual's address confidential outweighs the public safety interest in making the individual's address public as provided in AS 12.63.010 and AS 18.65.087."

Reletter the following subsections accordingly.

Page 3, lines 27 - 29:

Delete all material and insert:

"The department shall remove an individual enrolled in the program if, during the time of the individual's enrollment in the program, the individual is required to register under AS 12.63.010 and the individual does not obtain a court order as required under (d) of this section."

Page 5, line 6:
Delete "sec. 2"
Insert "sec. 3"

Page 5, line 9:
Delete "Section 3"
Insert "Section 4"

Page 5, line 10:
Delete "sec. 4"
Insert "sec. 5"

REPRESENTATIVE WRIGHT objected for the purpose of discussion.

CHAIR SHAW made note that while he is the sponsor of the amendment, policy discussion will help him decide whether to support his amendment or not.

[3:12:18 PM](#)

BUDDY WHITT, Staff, Representative Laddie Shaw, Alaska State Legislature, provided an explanation for Amendment 1. He related a hypothetical story to explain Amendment 1, in which a person registered as a sex offender is experiencing domestic abuse and may need address confidentiality for their personal safety. The amendment establishes a method by which a person who is on the sex offender list may be able to enter the address confidentiality program by petitioning the court. If the court takes no action or finds there is clear and convincing evidence that the individual's safety interest outweighs the public safety interest, that individual may be granted access to the address confidentiality program.

[3:17:33 PM](#)

REPRESENTATIVE STORY asked to hear from the Department of Public Safety.

[3:18:18 PM](#)

The committee took an at-ease from 3:18 p.m. to 3:19 p.m.

[3:19:37 PM](#)

SARAH STANLEY, Assistant Attorney General, Legal Services Section, Criminal Division, Department of Law, introduced herself for the record.

[3:20:10 PM](#)

The committee took a brief at-ease.

[3:20:18 PM](#)

REPRESENTATIVE STORY asked about Amendment 1 and whether it was brought forth by the Department of Public Safety.

[3:20:29 PM](#)

MS. STANLEY explained that she is prepared to answer legal questions about what the amendment does but said she cannot provide opinion on policy decisions.

[3:21:02 PM](#)

REPRESENTATIVE CARRICK asked the bill sponsor to explain whether the amendment is intended to be "friendly."

[3:21:20 PM](#)

SENATOR JESSE KIEHL, Alaska State Legislature, as prime sponsor of CSSB 12(JUD), offered his thanks to the committee for discussing this policy. He provided his perspective of Amendment 1 to the proposed HCS, Version H. He said that it would be considered a "friendly" amendment. He said the idea for the amendment was inspired through his time spent on the Governor's Council on Human and Sex Trafficking. The amendment seeks to protect those in rare situations of escape from rough situations who need protection. He explained the process of court petitioning. He noted that the Department of Public Safety would still have access to their physical address, as well as the Department of Corrections and law enforcement.

[3:24:25 PM](#)

REPRESENTATIVE CARPENTER asked about "clear and convincing evidence".

[3:25:14 PM](#)

NANCY MEADE, General Counsel, Office of the Administrative Director, Alaska Court System, explained that "clear and convincing evidence" is a standard that courts regularly use. She further explained that "preponderance of the evidence" could indicate 51 percent certainty, "beyond a reasonable doubt" would be over 90 percent certain, "clear and convincing evidence" would be somewhere in between 51-90 percent certainty, though it is not typically defined in exactitude. The court would need to consider whether there is enough evidence to support that a person is at risk and poses less risk to the community to be considered eligible for address confidentiality protection.

[3:28:10 PM](#)

REPRESENTATIVE CARPENTER asked about what kind of evidence would elevate the victim/offender's status enough to grant their address confidentiality.

[3:29:16 PM](#)

SENATOR KIEHL emphasized that the language of Amendment 1 specifies risk to life or physical safety, not privacy interests or desires.

REPRESENTATIVE CARPENTER commented that any sex offender could make the argument that they are in a dangerous situation and seek qualification under the address confidentiality program. He stated his feeling that the amendment may create a loophole for sex offenders.

[3:31:09 PM](#)

REPRESENTATIVE CARRICK asked how many sex trafficking victims are also prosecuted as a sex offender or child kidnapper.

SENATOR KIEHL said the council is working on a clear definition of "trafficking victim". He stated that he lacks specific data but estimated that the number of people who may utilize the provisions under Amendment 1 is low.

REPRESENTATIVE CARRICK said someone's safety would have to be impacted with clear and convincing evidence indicating that they qualify for address confidentiality. She asked if the amendment is centric to people who have also been victimized.

MS. MEAD answered that the amendment is applicable only to those required to be on the sex offender registry. She noted that this situation would likely be somewhat rare, and she added that it would be quite difficult for the court to decide given the compelling interest in protecting the public from sex offenders. She emphasized that proceedings in these situations would not be routine or taken lightly.

REPRESENTATIVE CARRICK commented that even though these situations are unlikely, it would be good to have protections in place. She remarked that there are likely some gray areas. She offered her support of Amendment 1.

[3:36:05 PM](#)

REPRESENTATIVE ALLARD asked how many sex offenders have protective orders against other individuals.

MS. MEAD responded that the court does not maintain that data. When a court issues a protective order, there is not a discussion of a victim's past criminal history.

REPRESENTATIVE ALLARD asked about the likelihood of a sex offender recommitting.

MS. MEAD responded that there is mixed information, and she does not have enough information to guess.

REPRESENTATIVE ALLARD commented that she's not interested in protecting sex offenders. She said, "They deserve whatever they're getting."

MS. MEAD clarified that [the proposed House committee substitute, Version H] states that sex offenders cannot participate in the address confidentiality program. Amendment 1 provides an opportunity for a sex offender to go to the court to make their case for address confidentiality eligibility.

[3:39:05 PM](#)

REPRESENTATIVE C. JOHNSON expressed his concern about the proposed amendment. He moved to table Amendment 1.

REPRESENTATIVE CARRICK objected.

A roll call vote was taken. Representatives Wright, Carpenter, C. Johnson, Allard, and Shaw voted in favor of tabling Amendment 1 to the proposed HCS, Version H. Representatives Carrick and Story voted against it. Therefore, Amendment 1 was tabled by a vote of 5-2.

[3:42:04 PM](#)

The committee took an at-ease from 3:42 p.m. to 3:43 p.m.

[3:43:28 PM](#)

CHAIR SHAW opened public testimony on SB 12.

[3:43:39 PM](#)

SUZI PEARSON, Executive Director, Abused Women's Aid in Crisis, testified in support of SB 12 with the tabled Amendment. She said the bill would protect victims of domestic violence and stalking, who are at the highest risk of lethality. This bill protects victims and employees of Abused Women's Aid in Crisis.

[3:45:11 PM](#)

LAUREE MORTON, Deputy Director, Alaska Network on Domestic Violence and Sexual Assault, testified in support of SB 12. She remarked that Alaska is one of the few states that has yet to establish an address confidentiality program. Similar programs in other states are effective and help to save lives. She explained that one of the most dangerous times for victims is when they attempt to leave. Address confidentiality helps to keep victims and their children safe during extremely sensitive and dangerous times where secrecy is critical. She noted that there are times when protective orders place the victim at even greater risk.

[3:47:40 PM](#)

CHAIR SHAW, after ascertaining that no one else wished to testify, closed public testimony on SB 12.

[3:47:57 PM](#)

SENATOR KIEHL thanked the committee for consideration the proposed legislation and provided closing remarks.

[3:48:21 PM](#)

REPRESENTATIVE WRIGHT moved to report HCS CSSB 12, Version 33-LS0162\H, C. Radford, 3/6/24 out of committee with individual recommendations and the accompanying fiscal notes, and to authorize Legislative Legal Services to make any necessary technical or conforming changes. There being no objection, HSC CSSB 12(STA) was reported out of the House State Affairs Standing Committee.

[3:48:48 PM](#)

The committee took an at-ease from 3:48 p.m. to 3:50 p.m.

HJR 18-SOCIAL SECURITY BENEFIT REDUCTION REPEAL

[3:50:57 PM](#)

CHAIR SHAW announced that the next order of business would be HOUSE JOINT RESOLUTION NO. 18, Urging the United States Congress to repeal the Windfall Elimination Provision and Government Pension Offset of the Social Security Act.

[3:51:12 PM](#)

REPRESENTATIVE WRIGHT moved to adopt the proposed committee substitute (CS) to HJR 18, Version S, 33-LS0162\H, C. Radford, 3/6/24, as a working document.

[3:51:24 PM](#)

CHAIR SHAW objected for the purpose of discussion.

[3:51:35 PM](#)

BUDDY WHITT, Staff, Representative Laddie Shaw, Alaska State Legislature, explained that the committee substitute was brought to the committee by request of the bill sponsor to ensure the clarity of the bill language.

[3:52:13 PM](#)

CHAIR SHAW announced there being no objection, Version S was before the committee.

CHAIR SHAW opened public testimony on HJR 18.

[3:52:47 PM](#)

KATHLEEN YERBICH, representing self, described her work and life history as a paper delivery person, restaurant employee, veteran, teacher, and mother. She expressed her support for HJR 18. She described the unpleasant surprise when she learned about the government pension offset (GPO) and the windfall elimination provision (WEP). She explained that because she worked as a teacher in Alaska, her and her husband's social security benefits would not be made fully available to her. She described stories of people who reached retirement age before being made aware of the situation.

[3:55:12 PM](#)

MARILYN PILLIFANT, representing self, testified in support of HJR 18. She thanked Representative Galvin for her work on HJR 18. She told the committee of the commonality of Alaskans at retirement age finding out that they are not eligible for full social security after decades of public service. She explained that she didn't find out about WEP/GPO until she retired after 28 years working in an elementary school.

[3:57:51 PM](#)

SARAH CAMPBELL, representing self, testified in support of HJR 18. She thanked Representative Galvin for introducing the resolution. Retirement is a significant issue facing Alaska's public employees, she said, and dedicated public employees need to know their representatives support them by urging the federal government to repeal WEP and GPO. She told a story of when she was informed that her social security benefits would be slashed. She mentioned that she had paid into social security through her part-time job to supplement her teaching salary. She also mentioned that her husband, a state trooper who also worked in the private sector, will experience WEP/GPO reductions because of his tenure as a state trooper. These provisions punish Alaska's public employees and need to be repealed. She said that over 70 percent of those affected by GPO lose their entire spousal and survivor benefits.

[4:00:44 PM](#)

NATASHA GRAHAM, representing self, provided background information about her work and life as a military spouse, teacher, and mother. She testified in support of HJR 18. She said that as a Tier III educator in Alaska's teacher retirement system (TRS), she will lose more than half of the social

security benefits that she earned because of the Windfall Elimination Provision. She said without a pension and social security, she expects to outlive her retirement benefits.

[4:02:14 PM](#)

LINDA SHARP, representing self, testified in support of HJR 18. She told the committee that she learned about WEP when she went to collect social security for the first time a few years after retiring. She suggested the legislature work to fund schools as generously as the legislature funded itself when it approved a wage increase for representatives last year.

[4:03:59 PM](#)

PAMELA LLOYD, representing self, testified in support of HJR 18. She thanked Representative Galvin for introducing the resolution. She mentioned the disproportionate impact of WEP/GPO on Alaskans compared to other states. She said her husband will not be able to receive her social security earnings should she die first.

[4:05:15 PM](#)

CHAIR SHAW, after ascertaining that no one else wished to testify, closed public testimony on HJR 18.

[4:05:38 PM](#)

REPRESENTATIVE ALYSE GALVIN, Alaska State Legislature, as prime sponsor of HJR 18, thanked the House State Affairs Standing Committee for hearing the resolution. She made note of the bipartisan support for the resolution at the federal level. She sought to ensure current public servants that the legislature is speaking up for them.

[4:06:36 PM](#)

CHAIR SHAW highlighted his own experience with social security and offered his support for HJR 18.

[4:06:55 PM](#)

REPRESENTATIVE WRIGHT moved to report CSHJR 18, Version S, 33-LS0162\H, C. Radford, 3/6/24, out of committee with individual recommendations and the accompanying zero fiscal notes. There

being no objection, CSHJR 18(STA) was reported out of the House State Affairs Standing Committee.

[4:07:17 PM](#)

The committee took an at-ease from 4:07 p.m. to 4:08 p.m.

SB 95-LIC. PLATES: SPECIALTY ORGS/PEACE OFFICER

[4:08:57 PM](#)

CHAIR SHAW announced that the next order of business would be CS FOR SENATE BILL NO. 95(STA), "An Act relating to special request specialty organization registration plates; relating to special registration plates commemorating peace officers killed in the line of duty; and providing for an effective date."

[4:09:15 PM](#)

REPRESENTATIVE ALLARD moved to adopt Amendment 1 to CSSB 95(STA), which read as follows:

Page 1, line 2, following "**duty;**":

Insert "**relating to special registration plates for vehicles owned by women veterans; relating to special request registration plates for United States Space Force personnel;**"

Page 3, following line 6:

Insert new material to read:

"(nn) Vehicles owned by women veterans. The department, upon receipt of written proof that the woman veteran is a sole or joint owner of a motor vehicle, shall issue special registration plates for the motor vehicle to a requesting person who is a woman veteran or retired woman veteran of the armed forces of the United States. The design and color of the women veteran or retired women veteran plates shall be designed by a committee of women veterans and retired women veterans.

(oo) Special request plates for United States Space Force personnel. Upon application by the owner of a motor vehicle who presents satisfactory proof of current membership in the United States Space Force, the department may design and issue registration plates that identify the vehicle as registered to a member of the United States Space Force. The

department may disapprove the issuance of registration plates under this subsection when the requested plates are a duplication of an existing registration.

* **Sec. 2.** AS 28.10.421(d)(2) is amended to read:

(2) special request plates for

(A) Alaska National Guard or United States Space Force personnel \$30;

(B) veterans, retired veterans, women veterans, retired women veterans, or Lao veterans . \$30;

(C) recipients of the Purple Heart none;

(D) recipients of the Bronze Star awarded for valor, Silver Star, Navy Cross, Distinguished Service Cross, Air Force Cross, Coast Guard Cross, or other award reflecting valor \$30;

(E) owners of custom collector vehicles \$50;

(F) Iditarod race finishers \$50;

(G) other special request plates \$30;

plus the fee required for that vehicle under (b) of this section; the fee required by this paragraph shall be collected only on the first issuance and on the replacement of special request plates;"

Renumber the following bill sections accordingly.

Page 3, following line 18:

Insert a new bill section to read:

"* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to read:

DESIGN COMMITTEE FOR WOMEN VETERAN SPECIAL REGISTRATION PLATES. A committee for the design of women veteran or retired women veteran special registration plates under AS 28.10.181(nn) is established. The committee consists of women veterans and retired women veterans, with a legislator who is a retired woman veteran serving as chair. The committee shall determine the design and color of the women veteran or retired women veteran plates."

Renumber the following bill section accordingly.

[4:09:19 PM](#)

REPRESENTATIVE WRIGHT objected for the purpose of discussion.

REPRESENTATIVE ALLARD expressed her appreciation to the bill sponsor for bringing forward CSSB 95(STA). She explained that Amendment 1 seeks to include Space Force and women veterans to

the list of organizations that can be recognized on license plates. She reported that about 10,000 women veterans reside in Alaska. Also included in the amendment is the formation of a committee for female veterans to design a license plate.

REPRESENTATIVE WRIGHT said he is inclined to support the amendment and has created legislation to support the inclusion of Space Force in Alaska State Statute. He asked to hear from the bill sponsor.

[4:11:48 PM](#)

SENATOR KELLY MERRICK, Alaska State Legislature, as prime sponsor of SB 95, commented that Amendment 1 is contrary to the point of the bill. She said SB 95 was written to eliminate the need for the legislature to pass legislation for specialty plates to be made. She explained that the specialty plate for fallen peace officers was added only because the bill had been introduced prior to SB 95. Including extra plates will likely quadruple the fiscal note. By passing the bill as written, women veterans and Space Force personnel can request specialty through the DMV instead of through the legislature.

[4:13:06 PM](#)

REPRESENTATIVE ALLARD, in response to Senator Merrick, commented that marginalizing female veterans and Space Force is alarming. She said she lives in the district with the most female military veterans in the state. She argued that the cost of the specialty plates is minimal and should be spent to honor those who have served our country.

[4:13:50 PM](#)

REPRESENTATIVE STORY asked for clarification.

[4:14:05 PM](#)

SENATOR MERRICK explained that any group, including a group of women veterans, would be able to apply through the DMV for specialty plates. The proposed legislation would not prevent legislators from bringing future license plates forward in a bill in the future; the bill just makes it possible for specialty license plates to be approved by the DMV.

[4:14:50 PM](#)

REPRESENTATIVE CARRICK asked for the bill sponsor's perspective of when the specialty plates for fallen peace officers was added to the original bill.

[4:15:07 PM](#)

SENATOR MERRICK explained that a bill to approve specialty plates for fallen peace officers was introduced before SB 95. It was discussed in the Senate Finance Committee, then added as a floor amendment. She explained there was some disagreement about the procedure. She found it reasonable and decided not to object because the bill had previously been filed.

REPRESENTATIVE CARRICK asked, if the fallen peace officers' specialty license plate not been included in the bill, whether SB 95, "the license plate bill to end all license plate bills," would make it possible to create that specialty plate through the DMV instead of the legislature.

SENATOR MERRICK affirmed Representative Carrick's description.

REPRESENTATIVE CARRICK asked if Senator Merrick disapproved of the amendment because of the specific plates mentioned or because of the process by which they are put forth.

SENATOR MERRICK responded that she does not seek to diminish the importance of Space Force personnel or women veterans. She reclarified that adding more organizations to the bill in an amendment defeats the purpose of the bill. She explained that currently, specialty license plates approved by the legislature utilize general fund dollars. She mentioned the current fiscal crisis.

REPRESENTATIVE CARRICK asked for the average cost of adding a new license plate through the state legislature.

[4:17:02 PM](#)

KERRY CROCKER, Staff, Senator Kelly Merrick, Alaska State Legislature, on behalf of Senator Merrick, prime sponsor of SB 95, answered that over the last eight years with different specialty plate bills there have been fiscal notes ranging from \$0 to \$16,000.

[4:17:28 PM](#)

REPRESENTATIVE WRIGHT maintained his objection.

A roll call vote was taken. Representatives Allard, Story, Wright, C. Johnson, and Shaw voted in favor of Amendment 1 to CSSB 95(STA). Representative Carrick voted against it. Therefore, Amendment 1 was adopted by a vote of 5-1.

[4:18:12 PM](#)

CHAIR SHAW opened public testimony on SB 95. After ascertaining that no one wished to testify, he closed public testimony.

SENATOR MERRICK provided wrap-up comments about SB 95.

[4:19:06 PM](#)

REPRESENTATIVE WRIGHT moved to report CSSB 95(STA), as amended, out of committee, with individual recommendations and the accompanying zero fiscal notes. There being no objection, HCS SB 95(STA) was reported out of the House State Affairs Standing Committee.

[4:19:24 PM](#)

The committee took an at-ease from 4:19 p.m. to 4:22 p.m.

[4:22:01 PM](#)

REPRESENTATIVE WRIGHT corrected his previous motion and moved to report CSSB 95(STA) AM, as amended, out of committee, with individual recommendations and the accompanying fiscal notes. There being no objection, HCS CSSB 95(STA) was reported out of the House State Affairs Standing Committee.

HB 190-ALASKA SUNSET COMMISSION

[4:22:19 PM](#)

CHAIR SHAW announced that the final order of business would be HOUSE BILL NO. 190, "An Act establishing a violation for hindering the Alaska Sunset Commission; relating to the duties of the legislature; establishing the Alaska Sunset Commission to review and make recommendations on discontinuation of or changes to state entities; relating to the powers and duties of the Alaska Sunset Commission; and providing for an effective date." [Before the committee was CSHB 190(W&M).]

[4:22:36 PM](#)

REPRESENTATIVE BEN CARPENTER, Alaska State Legislature, presented CSHB 190(W&M) on behalf of the sponsor, the House Special Committee on Ways and Means, on which he serves as chair. He paraphrased a sponsor statement [included in the committee packet] for CSHB 190(W&M), which read as follows [original punctuation provided]:

Alaska spends twice as much as other states on government. There is not enough time or information available to utilize the annual budget process to ensure efficient spending, effective service delivery and continual process improvement in state agencies. The Executive Budget Act requires the Governor and his agencies to use performance and financial data in its budgeting process and to provide such information to the legislature for its budget deliberations. Nonetheless, the Executive Budget Act is not being followed by the executive or the legislature as it should. Data provided by executive departments is insufficient for program evaluation, planning and budgeting.

In addition, for the past ten years, the State Auditor has produced performance review audits of state agencies. Again, these resources are not being utilized by state agencies or the legislature, and the statute is sunseting.

HB 190 aims to both provide usable data and impose recourse into the review process. Adding an extensive third-party review, and the real risk that an entity of government will be eliminated by law, may be the external disruption necessary to lead to leaner government.

HB 190 "The Alaska Sunset Commission Act" will help ensure adherence to performance requirements and process improvement in the operation of our state government. The bill establishes the Alaska Sunset Commission under the Lieutenant Governor as an independent and objective group charged with reviewing each department by division in the state on a rotating schedule.

The Commission will be comprised of seven individuals from the private sector with financial, budget

analysis, accounting, operations management, and other areas of expertise who will be appointed by the governor (3), speaker of the house (2) and president of the senate (2). Commissioners will have staggered terms of five years, choose a chair, and will serve without compensation but commissioners will be entitled to per diem and travel expenses authorized for boards and commissions. The Commission may employ staff and hire consultants as it determines necessary to perform its duties.

Duties of the commission will be to determine whether there is a public need for the continuation of the entity and to make a recommendation to the legislature to continue, discontinue, restructure, or transfer the duties and programs of the entity to another entity.

The Commission will review the entities of one department each year that will include adherence to financial and performance requirements under the Executive Budget Act, utilization of process improvement, efficiency of operations, overlap with other state entities, and the extent to which the entity is making it difficult to do business in Alaska.

The Commission will submit a report to the Governor and Legislature within the first 10 days of legislative session that includes a recommendation to continue, discontinue, restructure, or transfer duties to another entity.

Along with the submission of the report to the legislature, the Commission will provide any recommended statutory changes necessary to accomplish the recommendations in the report to the Rules Committees with requests to introduce the legislation. If the legislature does not act on the Commission's report, the entity subject of the report will be sunset at the conclusion of the following fiscal year.

[4:27:35 PM](#)

KENDRA BROUSSARD, Staff, Representative Ben Carpenter, Alaska State Legislature, on behalf of the sponsor, the House Special Committee on Ways and Means, on which Representative Carpenter serves as chair, provided a sectional analysis for CSHB 190

(W&M) [included in the committee packet], which read as follows [original punctuation provided]:

Sections 1-5:

Amends the State Personnel Act to include the Alaska Sunset Commission.

Section 1

Allows persons who hinder the work of the Alaska Sunset Commission to be fined like those who may hinder the work of the Legislative Audit and Budget Committee.

Section 2

A person who has been convicted under Section 1 of this Act cannot be appointed to state service unless a waiver is granted by the commissioner of administration.

Section 3

Makes public information that a state employee has been dismissed or disciplined for a violation of interference or failure to cooperate with the Alaska Sunset Commission.

Section 4

Allows a state employee to be disciplined or dismissed for failure to give full cooperation to the Alaska Sunset Commission.

Section 5

Makes interference or failure to cooperate with the Alaska Sunset Commission a matter of public concern.

Section 6

Amends the Public Record Disclosure Act to add the Alaska Sunset Commission to the definition of "public agency."

Section 7

Adds a new section of law to establish the Alaska Sunset Commission under the Lieutenant Governor. The Commission consists of seven public members appointed by the Governor (3), Speaker (2), and Senate President (2) for staggered five-year terms. Establishes the qualifications of appointed members, selection of a chair, and allows the Commission to employ staff and

hire consultants. Commissioners will receive per diem and travel expenses.

Provides the powers and duties of the Commission, including reviewing the activities of each state entity subject to Commission review state entities and make recommendations to the legislature.

Prior to the Commission's review of an entity each state entity shall provide to the legislature a report of the entity's evaluation of its adherence to the criteria for the Commission's review under this Act.

Provides for a schedule of entities to be reviewed. The entities are each of the entities of a one state agency or the University of Alaska each year from 2024 through 2035.

Provides the criteria for review, including the adherence to performance requirements set under the Executive Budget Act, alternative methods for delivery of services, organizational processes, efficiency with which the entity operates, reorganization potential, and the extent to which statutory changes are necessary for the entity to meet the desired improvements.

Requires the Commission to hold public hearings and except public testimony.

Requires a report by the Commission following each review of a state entity with a recommendation to the legislature to continue, discontinue, restructure, or transfer the duties and programs of the entity and a recommendation on a winding-down period for the entity to conclude its business or provide for a restructuring plan. The commission shall include in the report draft legislation to implement the recommendations of the Commission with a request to the rules committees to submit the legislation for introduction.

Provides that if the recommendations of the Commission are not implemented by law, the entity subject to review will be sunset on June 30 of the fiscal year following the review.

Provides definitions.

Section 8

Repeals statutes governing the disposition of entities, statutes related to sunseting performance reviews.

Section 9

Repeals Performance Review State Law 2013 that is set to sunset July 1, 2023.

Section 10

Makes Section 9 of this Act immediately effective

[4:31:56 PM](#)

MS. BROUSSARD provided a PowerPoint presentation, titled "HB 190 Alaska Sunset Commission," [hard copy included in committee packet]. She read through the presentation starting on slides 2-3, titled "How the Alaska Sunset Commission Will Work," which read as follows [original punctuation provided]:

The Sunset shines a light on state agencies and programs to see if they are still relevant in a changing world. If the answer is yes, the Sunset recommends improvements to make them more effective and efficient. If the answer is no, the sunset recommends abolishing the agency or transferring its functions to another agency with related functions

The Commission would be administratively housed under the Lt. Governor. Commissioners will be appointed by the Governor, Speaker, and Senate President.

The Commission shall be proficient in financial management, business operations, budgeting economics, process improvement or government efficiency.

The Commission may hire staff and consultants with similar proficiencies to conduct a review of each entity of a Department

HB 190 would Require the Commission to hold public hearings; at least one on the road system for each entity reviewed.

The Commission drafts legislation that must be acted upon or the entity will sunset

4:33:09 PM

MS. BROUSSARD continued with slides 4-5, titled "How the Alaska Sunset Works," which read as follows [original punctuation provided]:

- Sunset Staff Evaluation
 - o Each year, the Commission will review one state department and each of its entities: divisions and corporations. Sunset staff will perform extensive research and analysis to evaluate the need for, performance for, and improvements to the entity under review.
- Sunset Commission Staff
 - o Reviews the agency's self-evaluation report
 - o Receives input from interested parties
 - o Evaluates entity and identifies problems
 - o Develops recommendations
 - o Publishes staff reports
- Sunset Commission Deliberation
 - o The Sunset Commission conducts a public hearing to take testimony on the staff report and the agency overall. The Sunset Commission conducts a second meeting to vote on which changes to recommend to the Legislature.
- Public Hearings
 - o Sunset staff presents its reports and recommendations
 - o The agency presents its response
 - o The Sunset Commission will hear public testimony and receive written comments
 - o The Sunset Commission will meet again to consider and vote on recommendations
 - o Public Input is published on the website
 - o The Sunset bills will go through the normal legislative process
- Legislative Action
 - o The Sunset bill on an entity is drafted and submitted through the Rules Committee
 - o The Legislature will consider the Sunset Commission's recommendations and make its final decisions

- o The Senate and the House conduct committee hearings and debate/Amend the bill
- o Bill passes or fails adoption
- o If the Legislature fails to adopt or act on a bill, the entity sunsets at the end of the following fiscal year.

[4:34:51 PM](#)

MS. BROUSSARD moved to slide 6, titled "HB 190 is Modeled After The Texas Sunset Commission," which read as follows [original punctuation provided]:

The sunset process is a key legislative oversight tool that significantly streamlined and improved Texas government since it was created by the Texas Legislature in 1977. Sunset promotes a culture of continuous improvement in state government by providing objective, nonpartisan public forum for evaluating the need for state agencies and their effectiveness, efficiency, and responsiveness to the public.

[4:35:27 PM](#)

REPRESENTATIVE CARPENTER made note that the Sunset Commission is not new and has been functioning in Texas since 1977.

[4:35:35 PM](#)

MS. BROUSSARD moved to slide 7, titled "Texas Sunset During the 88th Legislature," which read as follows [original punctuation provided]:

The Sunset Commission reviewed 21 entities for the 88th Legislative Session in Texas, resulting in 235 recommendations to streamline state government while enhancing services to our citizens. Generally, the recommendations eliminate unnecessary regulations, and improve accountability, align agencies' procedures with best practices, and strengthen effective delivery of services to Texans.

[4:36:06 PM](#)

MS. BROUSSARD moved to slide 8, titled "Impact of Sunset Reviews," which read as follows [original punctuation provided]:

The Texas Sunset process has led to major policy changes in almost every area of state government. Sunset recommendations also have eliminated duplication among agencies and programs, increased public participation, helped with government accountability, and improved the quality and efficiency of government services.

[4:36:27 PM](#)

MS. BROUSSARD read slide 9, titled "Sunset's Impact Since 1977," which read as follows [original punctuation provided]:

Streamlining Texas Government

- 42 entities and programs have been abolished
- 52 entities and programs have been abolished and transferred or consolidated

Saving Taxpayer money

- \$1 billion in state and federal savings and revenue gains
- Return of \$18 for every \$1 appropriated to the Sunset Commission since 1985

Providing Effective Oversight

- 570 reviews of state agencies and programs conducted
- 80 percent of Sunset recommendations to the Legislature have become state law since 2001

[4:37:12 PM](#)

REPRESENTATIVE CARPENTER made note that slide 9 encompasses significant change over many decades in Texas which still has a functioning government despite the many efficiency changes.

[4:37:30 PM](#)

MS. BROUSSARD described slide 10, titled "State of Alaska Department Entities," which read as follows [original punctuation provided]:

- Department of Administration - 15
- Department of Commerce, Community and Economic Development - 18
- Department of Corrections - 4
- Department of Education and Early Development - 5

- Department of Environmental Conservation - 5
- Department of Family and Community Services - 7
- Department of Fish and Game - 10
- Department of Health - 8
- Department of Labor and Workforce Development - 11
- Department of Law - 8
- Department of Military and Veterans Affairs - 12
- Department of Natural Resources - 13
- Department of Public Safety - 14
- Department of Revenue - 16
- Department of Transportation and Public Facilities - 31
- University of Alaska - 3

Total amount of Entities = 180

[4:37:43 PM](#)

REPRESENTATIVE CARPENTER noted that the 180 entities are not just departments, but subunits of each department.

[4:37:57 PM](#)

MS. BROUSSARD directed the committee's attention to slide 11, titled "Helpful Links," which read as follows [original punctuation provided]:

Texas Sunset Advisory Commission
<https://www.sunset.texas.gov/>

The State of Alaska Agency Directory
<https://www.alaska.gov/akdir1.html>

[4:38:13 PM](#)

REPRESENTATIVE STORY asked how current audits fit into this process and whether the sunset commission would replace state audits.

REPRESENTATIVE CARPENTER answered that the Sunset Commission is not meant to replace state audits. He explained that state audits provide recommendations to the legislature and the legislature is not required to act upon those recommendations. The Sunset Commission would be an entity housed below the lieutenant governor who is currently responsible for regulatory review. He said that the Sunset Commission would be complementary to a state audit, not a replacement.

REPRESENTATIVE STORY asked about penalties for not cooperating with the commission.

[4:40:40 PM](#)

DONNA ARDUIN, Staff, Representative Ben Carpenter, Alaska State Legislature, on behalf of the sponsor, the House Special Committee on Ways and Means, on which Representative Carpenter serves as chair, answered that required cooperation of state staff to the legislative auditor is mirrored in the bill language of the Sunset Commission.

[4:41:11 PM](#)

REPRESENTATIVE CARRICK asked, if the legislature is not able to act on all the recommendations of the commission, whether the intent of the legislation would be to sunset various agencies.

REPRESENTATIVE CARPENTER answered that the language in the bill is "substantially comply with", and therefore there would be a judgement call as to how many if not all then some components are taken up.

MS. ARDUIN added that the legislation requires a report on each entity. If legislation is not acted upon, process improvements and reorganization may occur. If the audits are not acted upon, an entity may sunset the following year.

REPRESENTATIVE CARRICK asked what would happen if the Sunset Commission found government entity inefficiency due to a lack of resources.

REPRESENTATIVE CARPENTER responded that if inefficiencies were found in an entity due to a lack of adequate resources and funding, then the Sunset Commission would make a recommendation to the legislature to increase funding to alleviate the inefficiencies.

REPRESENTATIVE CARRICK asked what would occur if the legislature received a recommendation from the Sunset Commission to increase funding and did not do so.

REPRESENTATIVE CARPENTER answered that if a recommendation from the sunset commission was not followed, the entity would sunset. This forces the legislature to look closely at inefficiencies in the government and may choose to partially increase funding to

prevent sunseting of essential services. The legislation is not intended to reduce the authority of the legislature.

[4:46:12 PM](#)

MS. ARDUIN added that the Sunset Commission would be required to submit a report on the evaluated entities, not legislation. She said the commission is not designed to sunset an entity if a recommendation is ignored.

[4:47:09 PM](#)

CHAIR SHAW referred to slide 10, and asked if there is a reason the Sunset Commission does not include the governor's office, lieutenant governor's office, or the legislature in the list of department entities.

MS. ARDUIN responded that there is a separation of powers issue with review in the governor's office.

REPRESENTATIVE CARPENTER said he would be supportive of a friendly amendment to include the legislature in the list of entities.

CHAIR SHAW thanked Representative Carpenter.

[4:48:15 PM](#)

REPRESENTATIVE C. JOHNSON asked how Texas dealt with collective bargaining.

REPRESENTATIVE CARPENTER offered to do some research and follow up later.

REPRESENTATIVE C. JOHNSON commented that the Sunset Commission could "turn political very fast." He asked if safeguards have been considered to ensure that members of the Sunset Commission are consistent.

[4:49:52 PM](#)

REPRESENTATIVE CARPENTER answered that as the bill is currently drafted, there are 5-year terms for appointed commissioners. He explained the division of appointments between the House, Senate, and the executive branch.

REPRESENTATIVE C. JOHNSON reiterated his concern that appointing commissioners could be political.

REPRESENTATIVE CARPENTER ensured that since the Sunset Commission was enacted in Texas in 1977 there have likely been political arguments, yet the state government continues to function.

[4:51:26 PM](#)

REPRESENTATIVE STORY asked about the University of Alaska and how the University of Texas has been impacted by the Sunset commission. She discussed accreditation.

REPRESENTATIVE CARPENTER answered that there have been case studies and referred to links provided in the presentation. He offered to do research and follow up later.

[4:52:37 PM](#)

CHAIR SHAW opened public testimony on HB 190. After ascertaining that no one wished to testify, he closed public testimony.

[4:52:55 PM](#)

CHAIR SHAW announced that HB 190 was held over.

[4:53:20 PM](#)

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at [4:53] p.m.