

**HB**

**155**

HFIN

FILE

# FISCAL NOTE

**STATE OF ALASKA**  
**1997 LEGISLATIVE SESSION**

Revision Date: \_\_\_\_\_ Dept. Affected: Office of the Governor  
 Title: "An Act relating to hearings before and authorizing BRU: Commissions and Special Offices  
fees for the State Commission for Human Rights: ...." Component: Human Rights Commission  
 Sponsor: Rules Committee  
 Requester: Governor COMPONENT SERIAL NO. 1

**Expenditures/Revenues (Thousands of Dollars)**

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
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**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Medical Health						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY97) cost: \$ 0.0

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS: (Attach a separate page if necessary)**

The Commission has seen a dramatic increase in the number of Alaskans requesting services at a time when the Commission is operating with fewer staff. As a result, the Commission now has more cases in its inventory than ever before in its 33-year history and Alaskans must wait upwards of eight (8) months prior to cases reaching an investigator's desk. Passage of this bill will assist the Commission by reducing costs and allowing it to reallocate these resources to investigations.

This legislation will provide the Commission with authorization to conduct hearings at its office, rather than incur the expense of travel for the Hearing Advocate, and Hearing Examiner to the place where the unlawful conduct is alleged to have occurred. Any savings resulting from passage of this bill will be utilized in responding to the public's increased demand for services.

This bill also provides authorization for the Commission to charge fees for certain services. After legislative authorization is provided and required regulations are promulgated, the Commission will estimate the level of fees to be collected and seek the appropriate level of authority for receipts in the budget process.

Prepared by: Paula M. Haley, Executive Director *Paula M. Haley* Phone: 276-7474  
 Division: Human Rights Commission Date: 11-19-96  
 Approved by Commissioner: Jim Ayers, Chief of Staff *J. Ayers* Date: 11-20-96  
 Agency: Office of the Governor

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*Amended*

CS FOR HOUSE BILL NO. 155(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 3/26/97

Referred: Health, Education and Social Services, Finance

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to hearings before and authorizing ~~fees~~ for the State  
2 Commission for Human Rights; *to establish certain fees* and providing for an effective date."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 \* Section 1. AS 18.80.060(b) is amended to read:

5 (b) In addition to other powers and duties prescribed by this chapter, the  
6 commission may

7 (1) delegate to the executive director all powers and duties given it by  
8 this chapter except the duties and powers given it by AS 18.80.120 and 18.80.130;

9 (2) call upon the departments and agencies of the state, with the  
10 approval of the governor, for cooperation and assistance in carrying out this chapter;

11 (3) hold hearings under AS 18.80.120;

12 (4) establish the amount and manner of payment of fees for  
13 educational services, information, and materials that the commission provides to  
14 public and private organizations and other persons.

1 \* Sec. 2. AS 18.80.120 is amended to read:

2           Sec. 18.80.120. **Hearing.** If the informal efforts to eliminate the alleged  
3 discrimination are unsuccessful, the executive director shall inform the commission of  
4 the failure, and the commission shall provide the respondent and the complainant with  
5 notice of the failure and shall serve written notice, together with a copy of the  
6 complaint, requiring the person, employer, labor organization, or employment agency  
7 charged in the complaint to answer the allegations of the complaint at a hearing before  
8 the commission. The hearing shall be held by the commission at the commission's  
9 office unless a party [PLACE WHERE THE UNLAWFUL CONDUCT IS ALLEGED  
10 TO HAVE OCCURRED UNLESS THE PERSON, EMPLOYER, LABOR  
11 ORGANIZATION, OR EMPLOYMENT AGENCY] requests a change of venue for  
12 good cause shown, and the commission grants the request. The case in support of  
13 the complaint shall be presented before the commission by the executive director or  
14 a designee who shall be a bona fide resident of the state. The person charged in the  
15 complaint may file a written answer to the complaint and may appear at the hearing  
16 in person or otherwise, with or without counsel, and submit testimony. The executive  
17 director has the power reasonably and fairly to amend the complaint, and the person  
18 charged has the power reasonably and fairly to amend the answer. The commission  
19 is not bound by the strict rules of evidence prevailing in courts of law or equity. The  
20 testimony taken at the hearing shall be under oath and shall be recorded  
21 [TRANSCRIBED AT THE REQUEST OF ANY PARTY TO THE HEARING].

22 \* Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

February 24, 1997

The Honorable Gail Phillips  
Speaker of the House  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182

Dear Speaker Phillips:

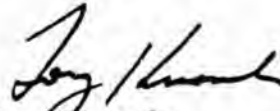
In our efforts to reduce budgets, some actions that save money also create efficiencies which better meet public service goals. That is the case with this bill regarding the Human Rights Commission. This proposal provides the Commission more flexibility in its operations and helps the body perform its essential work for the state.

The bill would allow the Human Rights Commission to hold hearings at its office in Anchorage rather than where the alleged discrimination occurred, as is required under current law. This will save time and money in travel costs. The Commission would continue to ensure that complainants may participate in the hearings.

This bill would also allow the Commission to charge fees to cover the costs of services, information and materials and to provide tapes rather than transcriptions of the hearings, as currently required.

These changes would reduce the cost and time involved in resolving cases, helping the Commission to work through its tremendous backlog of cases, and better respond to the public's increased requests for its services. The result will be better human rights protection for Alaskans.

Sincerely,

  
Tony Knowles  
Governor