

HB

155

HOUSE COMMITTEE REPORT

(7)
Date Referred to Committee: March 26, 1997

FURTHER REFERRALS:

Finance

Date of Committee Action: 4/29/97

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 155

HOUSE BILL NO. 155

HUMAN RIGHTS COMMISSION FEES & HEARINGS

"An Act relating to hearings before and authorizing fees for the State Commission for Human Rights; and providing for an effective date."

recommends it be replaced with the following committee substitute CS HB 155 (STA) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) _____

zero fiscal note(s) Gov/2-24-97

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Paul P...</i>	✓			
<i>James H...</i>	✓			
<i>Car B...</i>	✓			
<i>Brian H...</i>	✓			
<i>Al V...</i>	✓			

CHAIR'S SIGNATURE

Car B...

HOUSE COMMITTEE REPORT

(7)
Date Referred to Committee: February 24, 1997

FURTHER REFERRALS:

HESS
Finance

Date of Committee Action: 3/25/97

The STATE AFFAIRS Committee considered:

HB 155

HOUSE BILL NO. 155

HUMAN RIGHTS COMMISSION FEES & HEARINGS

"An Act relating to hearings before and authorizing fees for the State Commission for Human Rights; and providing for an effective date."

recommends it be replaced with the following committee substitute CSHB 155(STA) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal note(s) _____ fiscal note(s) _____
 zero fiscal note(s) _____ zero fiscal note(s) Gov.

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Sharonette James</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>			

CHAIR'S SIGNATURE *Sharonette James* STATE AFFAIRS COMMITTEE REPORT

FISCAL NOTE

No. 1
 Bill Version: HB 155
 (H) Publish Date: 2/24/97

**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						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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/Mental Health						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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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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

TONY KNOWLES, GOVERNOR

HUMAN RIGHTS COMMISSION

800 A STREET, SUITE 204
ANCHORAGE, ALASKA 99501-0000
PHONE: (907) 274-4692 / 278-7474
TTY/TDD: (907) 270-3177
FAX: (907) 278-0688

March 24, 1997

SENT VIA FAX 907/465-2963

Representative Jeanette James, Chair
House State Affairs Committee
State of Alaska
State Capitol
Juneau, AK 99801-1182

Re: House Bill 155

Dear Representative James:

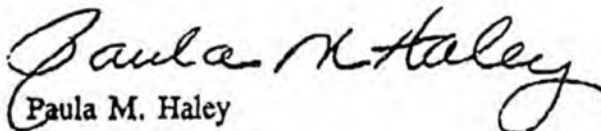
Thank you for the opportunity to testify and answer questions concerning the referenced legislation this past Saturday. I am sorry that my telephone connection made it so difficult for me to hear the questions posed by Committee members. I appreciate your assistance in transmitting their queries back to me.

I am enclosing copies of my letters of response to queries from Representatives Ivan and Vezey during my testimony on House Bill 155 this Saturday.

I hope that these letters address the Committee Members' questions and concerns. I will be at the Legislative Information Office teleconference of the House State Affairs Committee Meeting tomorrow morning if there are other questions.

You are welcome to call me anytime at 907/276-7474, extension 241.

Sincerely,


Paula M. Haley
Executive Director

PMH/mt
Enc: 2

01-A4LH

Toll Free
In Alaska (800) 478-4692
TTY / TDD Only (800) 478-3177

CORRESPONDENCE - ANSWERS TO QUESTIONS IN THE STATE AFFAIRS COMMITTEE

TONY KNOWLES, GOVERNOR

HUMAN RIGHTS COMMISSION

800 A STREET, SUITE 204
ANCHORAGE, ALASKA 99501-3669
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March 24, 1997

SENT VIA FAX 907/465-3258

Representative Al Vezcy
State of Alaska
State Capitol
Juneau, AK 99801-1182

Re: House Bill 155

Dear Representative Vezcy:

I am writing in follow-up to a question and concern which you raised during my testimony this past Saturday before the House State Affairs Committee on House Bill 155 (HB155). I will try to address each below.

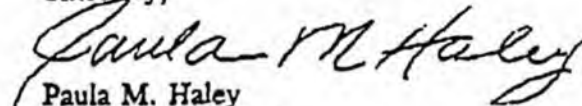
You asked whether the last sentence of Section 18.80.120 which reads "The testimony taken at hearing shall be under oath and shall be recorded. [TRANSCRIBED AT THE REQUEST OF ANY PARTY TO THE HEARING]" is necessary given the Open Meetings Act. While the Commission's meetings are covered by the Open Meetings Act, it is not clear that the agency's hearings are, in light of the exceptions listed under AS 44.62.310 (d)(i). Therefore, it might be best for clarity to leave this sentence in the bill.

You also expressed concern that the broad language of Section 1. AS 18.80.060 (b)(4) would allow for fees for other enforcement services, including filing fees. Representative Dyson and I both indicated that the Commission originally sought authorization to charge fees only for educational services and materials. The legislation, as originally discussed, read as follows: *(4) establish the amount and manner of payment of fees for education and training services and information and materials that the commission provides to public and private organizations and other persons.*

The Commission is fine with returning to this more limited language, if it will resolve the your concerns and those of other Committee members.

I hope that this letter answers your question as my telephone connection made it difficult to hear you and other Committee members. If this letter does not fully address your concerns, or if you need additional information, please feel free to contact me at 907/276-7474, extension 241.

Sincerely,


Paula M. Haley
Executive Director

PMH/mt

c: House State Affairs Committee Members

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TONY KNOWLES, GOVERNOR

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March 24, 1997

Representative Ivan
State Capitol Building
Juneau, AK 99801-1182

Re: House Bill 155

Dear Representative Ivan:

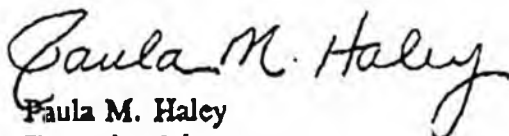
I am writing to answer a question which you raised during my testimony on HB 155 before the House State Affairs Committee on Saturday. You requested information regarding the location of cases filed with the Alaska State Commission for Human Rights (Commission) and location of public hearings.

I believe that Representative Dyson had a copy of the Commission's *1996 Annual Report* with him at the meeting and was able to show you the chart at page 10. This chart breaks out the origin of complaints filed with the agency (copy attached). Complaints from the Bethel area are listed under "Southcentral". More specifically, the Commission received seven complaints of discrimination from the Bethel area in 1996.

In addition, you wished to know where the Commission has been holding its hearings. Of the last ten hearings, six were held in Anchorage, three in Fairbanks and one in Kenai. One of the Anchorage hearings might have been held in Dutch Harbor, but for convenience the parties agreed to hold it in Anchorage. I wish to underscore that if a party does not wish to come to the Commission's office for a hearing, the agency's regulations allow them to attend by telephone.

I hope that this answers your question. My telephone connection made it difficult to hear the Committee members. If this does not fully address your question, or if you need additional information, please feel free to contact me at (907)276-7474 extension 241.

Sincerely,



Paula M. Haley
Executive Director

enc: *1996 Annual Report*

cc: House State Affairs Committee Members w/out enc

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1996 CASE PROCESSING STATISTICS

ANALYSIS OF FILINGS BY COMPLAINANT'S SEX

Female	299
Male	241
Total Filings	540

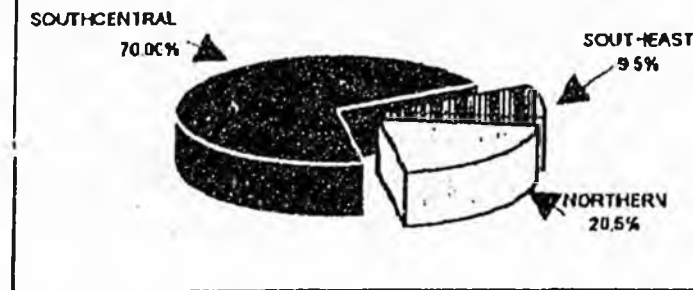
ANALYSIS OF FILINGS BY COMPLAINANT'S RACE

Caucasian	287
Black	96
Alaska Native	49
Hispanic	34
Asian	28
Unknown	24
American Indian	14
Other	6
Total Filings	540

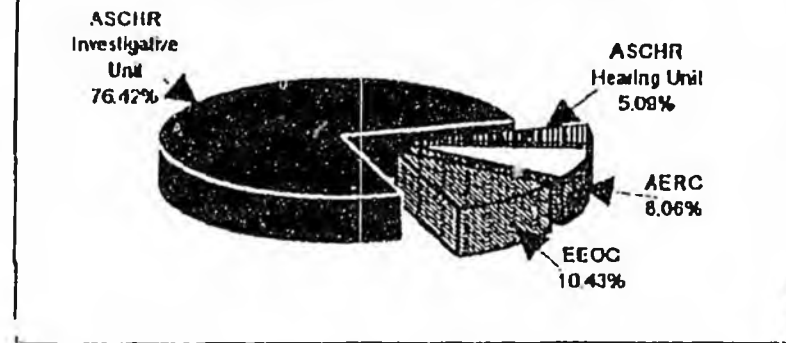
ANALYSIS OF FILINGS BY TYPE

Employment	447
Government Practices	33
Public Accommodation	1
Housing	27
Coercion	0
Finance	0
Multiple	2
Total Filings	540

ORIGIN OF COMPLAINTS FILED WITH ASCHR FOR INITIAL PROCESSING (BY REGION)



LOCATION OF OPEN CASES AT YEAR END INCLUDING FILINGS UNDER WORKSHARING AGREEMENTS



ANALYSIS OF FILINGS BY BASIS

Basis	Single Basis Complaint	Multiple Basis Complaint
Race/Color	103	79
Physical Disability	73	37
Sex	54	96
Age	34	46
National Origin	22	26
Retaliation for Filing	19	18
Religion	15	12
Mental Disability	8	15
Marital Status	7	19
Pregnancy	7	10
Retaliation	5	69
Parenthood	1	10
Multiple Bases	192	0
Total Filings	540	437

ANALYSIS OF FILINGS BY ISSUE

Issue	Single Issue Complaint	Multiple Issue Complaint
Discharge	86	154
Failure to Hire	75	21
Terms & Conditions	68	171
Denied Service	26	5
Failure to Promote	9	20
Other	8	16
Harassment	7	75
Sexual Harassment	5	46
Failure to Rent	5	3
Pay Equity	3	14
Demotion	3	13
Eviction	1	7
Failure to Dispatch	0	3
Multiple Issue	243	0
Total Filings	540	548