

HB

291

<TARGET><BILL>HB 291</BILL><SUBJECT>HB
291</SUBJECT><COMM>HJUD27</COMM></TARGET>

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

January 23, 2012

SUBJECT: HB 291, relating to the posting of notices at U.S. Post Offices
(Work Order No. 27-LS1074\A)

TO: Representative Carl Gatto
Chair of the House Judiciary Committee

FROM: Pamela Finley 
Revisor of Statutes

HB 291 has been referred to the House Judiciary Committee. I would appreciate your scheduling the bill for a hearing at your earliest convenience.

The bill amends four statutes to delete a requirement that certain public notices be posted at a post office. The reason for this is that, since at least August 2007, the U.S. Postal Service has prohibited the posting of nongovernmental notices on postal service property. See enclosed postal service bulletin. The statutes amended are AS 03.35.030 (petitions concerning controlled livestock districts), AS 34.35.175(d) (personal property lien sales), AS 34.45.050(b) (consignee and bailee lien sales), and AS 43.20.270(d) (tax lien sales). It is offered as a special revisor's bill---rather than part of the regular revisor's bill---because there are different ways to fix the problem, which involve different policy choices. The bill as drafted simply deletes the requirement that a notice be posted at the post office. In this respect, it follows section 1, ch. 62, SLA 2010, which deleted the requirement from AS 09.35.140 (concerning sales on execution).

If you have any questions, please contact me (465-6656).

PF:ljw
12-039.ljw

Enclosure

Susan, call the roll.

Next up before the Committee is:

HB 296 –

“An Act relating to service of process on prisoners; relating to the crime of escape; relating to the definition of 'correctional facility'; amending Rule 4, Alaska Rules of Civil Procedure; and providing for an effective date.”

Sponsored by the House Judiciary Committee.

Presenting HB 296 is Representative Max Gruenberg.

Available for questions via teleconference:

- Doug Gardner, Legislative Legal Services Division. We also have with us on teleconference today
- Leslie Houston is online, she is the Director of the Division of Administration, Dept. of Corrections.

((Carl ~ Nancy Mead, General Counsel with the Court System sent an email relaying that the Court has no position on the bill, a copy is on members' desks.... Nancy said: 'I wanted to let you know that the court has no position on the bill, but normally I would attend the hearing because it does say that it indirectly amends a court rule. Unfortunately, I have a conflict tomorrow, and need to be in another hearing at the same time. Please feel free to call me or let me know if I can answer any questions about it. “))

Bill

Presentation

There is one amendment before us. Can I have a Motion to bring amendment, titled 'D.2' is before us.

Rep. ? Move to adopt amendment 1.

Rep. ? Object for purposes of discussion.

Discussion of amendment 1

Rep ? Do you maintain your objection to adoption of Amendent 1?

Seeing no further objection Amendment 1 is adopted.

Does the committee have any further questions for Rep. Gruenberg?

Seeing there are no further questions for Rep. Gruenberg...

I would like to open up public testimony.

_____ please put your name and affiliation on the record and begin your testimony.

Does the committee have any questions for _____.

Close public testimony.

That brings HB 296 back before the committee for discussion. Are there any further questions for the sponsor?

Is there any further discussion on HB 296?

We are going to hold HB 296 for the week, work on it, and plan to take it up again on Friday, February 10th.

At _____ p.m., I adjourn today's meeting of the House Judiciary Committee (GAVEL OUT).

STATE OF ALASKA

SEAN PARNELL, GOVERNOR

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

P.O. BOX 110300
JUNEAU, ALASKA 99811-0300
PHONE: (907) 465-3600
FAX: (907) 465-2075

January 24, 2012

Representative Carl Gatto, Chair
House Judiciary Committee
Alaska State Legislature
State Capitol, Room 118
Juneau, Alaska 99801-1182

Re: HB 291 -- Public Notices Posted at Post Offices

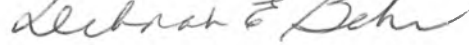
Dear Representative Gatto:

The Department of Law has reviewed HB 291 -- Public Notices Posted at Post Offices.

The bill presents no legal issues.

Sincerely,

RICHARD SVOBODNY
ACTING ATTORNEY GENERAL

By: 
Deborah E. Behr
Chief Assistant Attorney General

RXS:DEB:pav

cc: Kathryn Kurtz, Assistant Revisor of Statutes, Legislative Affairs Agency
Heather Brakes, Legislative Director, Office of the governor
Cori Badgley, Legislative Liaison, Civil Division

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB 291
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HB291-LAW-CIV-01-27-12 Dept. Affected Law
 Title An Act relating to the posting of notices at United States Appropriation Civil
post offices. Allocation Legislation/Regulations
 Sponsor Rules by request of Legislative Council
 Requester (H) Judiciary OMB Component Number 2209

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates					
			FY13	FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants, Benefits								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002	Federal Receipts							
1003	GF Match							
1004	GF							
1005	GF/Prgm (DGF)							
1037	GF/MH (UGF)							
1178	temp code (UGF)							
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS

Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES

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Estimated **SUPPLEMENTAL (FY12) operating costs** _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY13) costs** _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable, initial version.

Prepared by Eileen Donahue, Division Operations Manager Phone 465-5427
 Division Administrative Services Date/Time 1/27/12 4:00 PM
 Approved by Richard Svobodny, Acting Attorney General Date 1/27/2012
Department of Law

FISCAL NOTE

**STATE OF ALASKA
2012 LEGISLATIVE SESSION**

BILL NO. HB 291

Analysis

HB 291 deletes the posting of notices at United States post offices. HB 291 should have no fiscal impact on Department of Law.



Rules and Regulations Governing Conduct on Postal Service Property

Applicability

These rules and regulations apply to all real property under the charge and control of the U.S. Postal Service®, to all tenant agencies, and to all persons entering in or on such property. These rules and regulations must be kept posted at a conspicuous place on all such property. These rules and regulations shall not apply to:

- Any portions of real property, owned or leased by the Postal Service™, that are leased or subleased by the Postal Service to private tenants for their exclusive use.
- With respect to restrictions on soliciting, electioneering, collecting debts, vending, and advertising on sidewalks along the street frontage of Postal Service property falling within the property lines of the Postal Service that are not physically distinguishable from adjacent municipal or other public sidewalks and any paved areas adjacent to such sidewalks that are not physically distinguishable from such sidewalks.

Recording Presence

Except as otherwise ordered, properties must be closed to the public after normal business hours. Properties also may be closed to the public in emergency situations and at such times as may be necessary for the orderly conduct of business. Admission to properties when closed to the public may be limited to authorized individuals who may be required to sign the register and display identification when requested by Security Force personnel or other authorized individuals.

General Restrictions

Preservation of Property

Littering, spitting, creating any hazard to persons or things, throwing articles of any kind from a building, climbing upon the roof or any part of the building, or willfully destroying, damaging, or removing any property or any part thereof is prohibited.

Conformity with Signs and Directions

All persons in and on property shall comply with official signs of a prohibitory or directory nature and with the directions of Security Force personnel or other authorized individuals.

Inspection

Purses, briefcases, and other containers brought into, while on, or being removed from the property are subject to inspection. However, items brought directly to a Postal Service facility's customer mailing acceptance area and deposited in the mail are not subject to inspection, except as provided by the *Administrative Support Manual*, part 274. A person arrested for violation of this part may be searched incident to the arrest. Vehicles and their contents brought into, while on, or being removed from restricted nonpublic areas are subject to inspection. Persons entering these areas who object and refuse to consent to the inspection of the vehicle, its contents, or both may be denied entry. After entering the area without objection, consent to inspection shall be implied. A full search of the person and the vehicle driven or occupied by that person may accompany an arrest.

Specific Restrictions

Disturbances

Disorderly conduct, or conduct that creates loud and unusual noise or obstructs the usual use of entrances, foyers, corridors, offices, elevators, stairways, and parking lots, or that otherwise tends to impede or disturb the public employees in the performance of their duties or otherwise impedes or disturbs the general public in transacting business or obtaining the services provided on Postal Service property is prohibited.

Gambling

Participating in games for money or other personal property, the operation of gambling devices, the conduct of a lottery or pool, or the selling or purchasing of lottery tickets is prohibited on postal premises. This does not apply to state lottery tickets at vending facilities operated by licensed blind persons where such lotteries are authorized by state law.

Alcoholic Beverages, Drugs, and Smoking

Anyone under the influence of alcohol or any drug that has been defined as a "controlled substance" may not enter Postal Service property or operate a motor vehicle on Postal Service property. The possession, sale, or use of any "controlled substance" (except when permitted by law) or the sale or use of any alcoholic beverage (except as authorized by the Postmaster General or designee) on Postal Service premises is prohibited. The term "controlled substance" is defined in Title 21, *United States Code* section 802. Smoking is prohibited in all Postal Service buildings and office space, including public lobbies.

Soliciting, Electioneering, Collecting Debts, Vending, and Advertising

Soliciting aims and contributions, campaigning for election to any public office, collecting private debts, commercial soliciting and vending, displaying or distributing commercial advertising, soliciting signatures on petitions, polls, or surveys (except as otherwise authorized by Postal Service regulations), and impeding entrance to or departure from Post Offices™ are prohibited on Postal Service property. These prohibitions do not apply to the following:

- Commercial or nonprofit activities performed under contract with the Postal Service or pursuant to the provisions of the Randolph-Sheppard Act.
- Posting notices on employee bulletin boards as authorized by Title 39 *Code of Federal Regulations* (CFR) 243.2.
- The solicitation of U.S. Postal Service and other federal military or civilian personnel for contributions by recognized agencies as authorized by the *Manual on Fund Raising Within Federal Service*, issued under Executive Order 12353.

Public Assembly and Public Address

Leafleting, distributing literature, picketing, and demonstrating by members of the public are prohibited in lobbies and other interior areas open to the public. Public assembly and public address, except when conducted or sponsored by the Postal Service, are prohibited in lobbies and other interior areas open to the public.

Depositing Literature

Depositing or posting of handbills, flyers, pamphlets, signs, posters, placards, or other literature (except official Postal Service and other governmental notices and announcements) on the grounds, walks, driveways, parking and maneuvering areas, exteriors of buildings, and other structures, or on the floors, walls, stairs, racks, counters, desks, writing tables, window ledges, or furnishings in interior public areas on Postal Service premises is prohibited. This does not apply to the following:

- Posting notices on employee bulletin boards as authorized by 39 CFR 243.2.
- Interior space assigned to tenants for their exclusive use.

Photographs for News, Advertising, or Commercial Purposes

Photographs for news purposes may be taken in entrances, lobbies, foyers, corridors, or auditoriums when used for public meetings except where prohibited by official signs or Security Force personnel or other authorized personnel or a federal court order or rule. Other photographs may be taken only with the permission of the local postmaster or installation head.

Dogs and Other Animals

Dogs and other animals (except those used to assist persons with disabilities) must not be brought onto Postal Service property for other than official purposes.

Vehicular and Pedestrian Traffic

Drivers of all vehicles in or on Postal Service property must be in possession of a current and valid driver's license and vehicle registration, and the vehicle must display all current and valid tags and licenses required by the jurisdiction in which it is registered. Drivers who have had their privilege or license to drive suspended or revoked shall not drive any vehicle in or on Postal Service property during such period of suspension or revocation.

Drivers of all vehicles in or on Postal Service premises shall drive in a careful and safe manner at all times and must comply with signals and directions of Security Force personnel, other authorized individuals, and all posted traffic signs.

Blocking of entrances, driveways, walks, loading platforms, or fire hydrants is prohibited.

Parking without authority, parking in unauthorized locations or in reserved locations, or parking continuously in excess of 18 hours without permission or contrary to the direction of posted signs is prohibited. Supplemental specific traffic directives may be issued by the postmaster or installation head. When issued and posted, such directives shall have the same force and effect as if made a part hereof.

Voter Registration

Voter registration may be conducted on Postal Service property only with the approval of the postmaster or installation head. See 39 CFR 232.1(h)(4) for the conditions that apply to voter registration activities on Postal Service property.

Weapons and Explosives

No person while on Postal Service property may carry firearms, other dangerous or deadly weapons, or explosives, either openly or concealed, or store the same on Postal Service property, except for official purposes.

Nondiscrimination

No person entering on postal property shall be subjected to discrimination on the basis of race, color, sex, religion, national origin, age (40 years of age or older), or disability (physical or mental) in using any of the services offered by the U.S. Postal Service.

Penalties and Other Law

Alleged violations of these rules and regulations are heard, and the penalties prescribed herein are imposed, either in a federal district court or by a federal magistrate in accordance with applicable court rules. Questions regarding such rules must be directed to the managing counsel for the office involved.

Individuals found guilty of violating these rules and regulations are subject to a fine of not more than \$50 or imprisonment of not more than 30 days, or both. Nothing contained in these rules and regulations shall be construed to abrogate any other federal laws or regulations or any state or local laws and regulations applicable to any area in which the property is situated.

Enforcement

Security Force personnel will exercise the powers of special police and are responsible for enforcing the regulations in this notice in a manner that will protect U.S. Postal Service property. Postal Inspectors, Office of Inspector General Special Agents, and anyone designated by the Chief Postal Inspector may also enforce these regulations.

obstructs the ordinary use of entrances, foyers, corridors, offices, meeting rooms, elevators, stairways, or parking lots, or otherwise tends to impede or disturb the members of the Board in the performance of their duties, or members of the public while attempting to attend or observe a meeting of the Board or of any subdivision, or committee of the Board, is prohibited.

(3) Any person who violates paragraph (n) (1) or (2) of this section may, in addition to being subject to the penalties prescribed in paragraph (p) of this section, be removed from and barred from reentering postal property during the meeting with respect to which the violation occurred.

(4) A copy of the rules of this section governing conduct on postal property, including the rules of this paragraph appropriately highlighted, shall be posted in prominent locations at the public entrances to postal property and outside the meeting room at any meeting of the Board of Governors or of any subdivision or committee of the Board.

(o) *Depositing literature.* Depositing or posting handbills, flyers, pamphlets, signs, poster, placards, or other literature, except official postal and other Governmental notices and announcements, on the grounds, walks, driveways, parking and maneuvering areas, exteriors of buildings and other structures, or on the floors, walls, stairs, racks, counters, desks, writing tables, window-ledges, or furnishings in interior public areas on postal premises, is prohibited. This prohibition does not apply to:

(1) Posting notices on bulletin boards as authorized in §243.2(a) of this chapter;

(2) Interior space assigned to tenants for their exclusive use;

(3) Posting of notices by U.S. Government-related organizations, such as the Inaugural Committee as defined in 36 U.S.C. 501.

(p) *Penalties and other law.* (1) Alleged violations of these rules and regulations are heard, and the penalties prescribed herein are imposed, either in a Federal district court or by a Federal magistrate in accordance with applicable court rules. Questions regarding

such rules should be directed to the regional counsel for the region involved.

(2) Whoever shall be found guilty of violating the rules and regulations in this section while on property under the charge and control of the Postal Service is subject to a fine as provided in 18 U.S.C. 3571 or imprisonment of not more than 30 days, or both. Nothing contained in these rules and regulations shall be construed to abrogate any other Federal laws or regulations or any State and local laws and regulations applicable to any area in which the property is situated.

(q) *Enforcement.* (1) Members of the U.S. Postal Service security force shall exercise the powers provided by 18 U.S.C. 3061(c)(2) and shall be responsible for enforcing the regulations in this section in a manner that will protect Postal Service property and persons thereon.

(2) Local postmasters and installation heads may, pursuant to 40 U.S.C. 1315(d)(3) and with the approval of the chief postal inspector or his designee, enter into agreements with State and local enforcement agencies to insure that these rules and regulations are enforced in a manner that will protect Postal Service property.

(3) Postal Inspectors, Office of Inspector General Criminal Investigators, and other persons designated by the Chief Postal Inspector may likewise enforce regulations in this section.

[37 FR 24346, Nov. 16, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §232.1, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

PART 233—INSPECTION SERVICE AUTHORITY

Sec.

233.1 Arrest and investigative powers of Postal Inspectors.

233.2 Circulars and rewards.

233.3 Mail covers.

233.4 Withdrawal of mail privileges.

233.5 Requesting financial records from a financial institution.

233.6 Test purchases under 39 U.S.C. 3005(e).

233.7 Forfeiture authority and procedures.

§ 231.2

(b) The Chief Postal Inspector is designated as the Security Officer for the U.S. Postal Service. That official is responsible for the issuance of instructions and regulations pertaining to security requirements within the Postal Service.

(39 U.S.C. 401)

[36 FR 4762, Mar. 12, 1971]

§ 231.2 Security Control Officer.

The postmaster or a supervisor designated by the postmaster shall act as Security Control Officer for each post office. The Security Control Officer shall be responsible for the general security of the post office, its stations and branches, in accordance with rules and regulations issued by the Chief Postal Inspector.

(39 U.S.C. 401)

[36 FR 4762, Mar. 12, 1971]

PART 232—CONDUCT ON POSTAL PROPERTY

AUTHORITY: 18 U.S.C. 13, 3061, 3571; 21 U.S.C. 802, 844; 39 U.S.C. 401, 403(b)(3), 404(a)(7), 1201(2).

§ 232.1 Conduct on postal property.

(a) *Applicability.* This section applies to all real property under the charge and control of the Postal Service, to all tenant agencies, and to all persons entering in or on such property. This section shall be posted and kept posted at a conspicuous place on all such property. This section shall not apply to—

(i) Any portions of real property, owned or leased by the Postal Service, that are leased or subleased by the Postal Service to private tenants for their exclusive use;

(ii) With respect to sections 232.1(h)(1) and 232.1(o), sidewalks along the street frontage of postal property falling within the property lines of the Postal Service that are not physically distinguishable from adjacent municipal or other public sidewalks, and any paved areas adjacent to such sidewalks that are not physically distinguishable from such sidewalks.

(b) *Inspection, recording presence.* (1) Purses, briefcases, and other containers brought into, while on, or being

39 CFR Ch. I (7-1-11 Edition)

removed from the property are subject to inspection. However, items brought directly to a postal facility's customer mailing acceptance area and deposited in the mail are not subject to inspection, except as provided by section 274 of the Administrative Support Manual. A person arrested for violation of this section may be searched incident to that arrest.

(2) Vehicles and their contents brought into, while on, or being removed from restricted nonpublic areas are subject to inspection. A prominently displayed sign shall advise in advance that vehicles and their contents are subject to inspection when entering the restricted nonpublic area, while in the confines of the area, or when leaving the area. Persons entering these areas who object and refuse to consent to the inspection of the vehicle, its contents, or both, may be denied entry; after entering the area without objection, consent shall be implied. A full search of a person and any vehicle driven or occupied by the person may accompany an arrest.

(3) Except as otherwise ordered, properties must be closed to the public after normal business hours. Properties also may be closed to the public in emergency situations and at such other times as may be necessary for the orderly conduct of business. Admission to properties during periods when such properties are closed to the public may be limited to authorized individuals who may be required to sign the register and display identification documents when requested by security force personnel or other authorized individuals.

(c) *Preservation of property.* Improperly disposing of rubbish, spitting, creating any hazard to persons or things, throwing articles of any kind from a building, climbing upon the roof or any part of a building, or willfully destroying, damaging, or removing any property or any part thereof, is prohibited.

(d) *Conformity with signs and directions.* All persons in and on property shall comply with official signs of a prohibitory or directory nature, and with the directions of security force personnel or other authorized individuals.

(e) *Disturbances.* Disorderly conduct, or conduct which creates loud and unusual noise, or which impedes ingress to or egress from post offices, or otherwise obstructs the usual use of entrances, foyers, corridors, offices, elevators, stairways, and parking lots, or which otherwise tends to impede or disturb the public employees in the performance of their duties, or which otherwise impedes or disturbs the general public in transacting business or obtaining the services provided on property, is prohibited.

(f) *Gambling.* Participating in games for money or other personal property, the operation of gambling devices, the conduct of a lottery or pool, or the selling or purchasing of lottery tickets, is prohibited on postal premises. In accordance with 20 U.S.C. 107a(a)(5), this prohibition does not apply to the vending or exchange of State Lottery tickets at vending facilities operated by licensed blind persons where such lotteries are authorized by state law.

(g) *Alcoholic beverages, drugs, and smoking.* (1) A person under the influence of an alcoholic beverage or any drug that has been defined as a "controlled substance" may not enter postal property or operate a motor vehicle on postal property. The possession, sale, or use of any "controlled substance" (except when permitted by law) or the sale or use of any alcoholic beverage (except as authorized by the Postmaster General or designee) on postal premises is prohibited. The term "controlled substance" is defined in section 802 of title 21 U.S.C.

(2) Smoking (defined as having a lighted cigar, cigarette, pipe, or other smoking material) is prohibited in all postal buildings and office space, including public lobbies.

(h) *Soliciting, electioneering, collecting debts, vending, and advertising.* (1) Soliciting alms and contributions, campaigning for election to any public office, collecting private debts, soliciting and vending for commercial purposes (including, but not limited to, the vending of newspapers and other publications), displaying or distributing commercial advertising, collecting signatures on petitions, polls, or surveys (except as otherwise authorized by Postal Service regulations), are prohib-

ited. These prohibitions do not apply to:

(i) Commercial or nonprofit activities performed under contract with the Postal Service or pursuant to the provisions of the Randolph-Sheppard Act;

(ii) Posting notices on bulletin boards as authorized in § 243.2(a) of this chapter;

(iii) The solicitation of Postal Service and other Federal military and civilian personnel for contributions by recognized agencies as authorized under Executive Order 12353, of March 23, 1982.

(2) Solicitations and other actions which are prohibited by paragraph (h)(1) of this section when conducted on Postal Service property should not be directed by mail or telephone to postal employees on Postal Service property. The Postal Service will not accept or distribute mail or accept telephone calls directed to its employees which are believed to be contrary to paragraph (h)(1) of this section.

(3) Leafleting, distributing literature, picketing, and demonstrating by members of the public are prohibited in lobbies and other interior areas of postal buildings open to the public. Public assembly and public address, except when conducted or sponsored by the Postal Service, are also prohibited in lobbies and other interior areas of postal building open to the public.

(4) *Voter registration.* Voter registration may be conducted on postal premises only with the approval of the postmaster or installation head provided that all of the following conditions are met:

(i) The registration must be conducted by government agencies or nonprofit civic leagues or organizations that operate for the promotion of social welfare but do not participate or intervene in any political campaign on behalf of any candidate or political party for any public office.

(ii) Absolutely no partisan or political literature may be available, displayed, or distributed. This includes photographs, cartoons, and other likenesses of elected officials and candidates for public office.

(iii) The registration is permitted only in those areas of the postal premises regularly open to the public.

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(iv) The registration must not interfere with the conduct of postal business, postal customers, or postal operations.

(v) The organization conducting the voter registration must provide and be responsible for any equipment and supplies.

(vi) Contributions may not be solicited.

(vii) Access to the workroom floor is prohibited.

(viii) The registration activities are limited to an appropriate period before an election.

(5) Except as part of postal activities or activities associated with those permitted under paragraph (h)(4) of this section, no tables, chairs, freestanding signs or posters, structures, or furniture of any type may be placed in postal lobbies or on postal walkways, steps, plazas, lawns or landscaped areas, driveways, parking lots, or other exterior spaces.

(i) *Photographs for news, advertising, or commercial purposes.* Except as prohibited by official signs or the directions of security force personnel or other authorized personnel, or a Federal court order or rule, photographs for news purposes may be taken in entrances, lobbies, foyers, corridors, or auditoriums when used for public meetings. Other photographs may be taken only with the permission of the local postmaster or installation head.

(j) *Dogs and other animals.* Dogs and other animals, except those used to assist persons with disabilities, must not be brought upon postal property for other than official purposes.

(k) *Vehicular and pedestrian traffic.* (1) Drivers of all vehicles in or on property shall be in possession of a current and valid state or territory issued driver's license and vehicle registration, and the vehicle shall display all current and valid tags and licenses required by the jurisdiction in which it is registered.

(2) Drivers who have had their privilege or license to drive suspended or revoked by any state or territory shall not drive any vehicle in or on property during such period of suspension or revocation.

(3) Drivers of all vehicles in or on property shall drive in a careful and

safe manner at all times and shall comply with the signals and directions of security force personnel, other authorized individuals, and all posted traffic signs.

(4) The blocking of entrances, driveways, walks, loading platforms, or fire hydrants in or on property is prohibited.

(5) Parking without authority, parking in unauthorized locations or in locations reserved for other persons, or continuously in excess of 18 hours without permission, or contrary to the direction of posted signs is prohibited. This section may be supplemented by the postmaster or installation head from time to time by the issuance and posting of specific traffic directives as may be required. When so issued and posted such directives shall have the same force and effect as if made a part hereof.

(l) *Weapons and explosives.* Notwithstanding the provisions of any other law, rule or regulation, no person while on postal property may carry firearms, other dangerous or deadly weapons, or explosives, either openly or concealed, or store the same on postal property, except for official purposes.

(m) *Nondiscrimination.* There must be no discrimination by segregation or otherwise against any person or persons because of race, color, religion, national origin, sex, or disability, in furnishing, or by refusing to furnish to such person or persons the use of any facility of a public nature, including all services, privileges, accommodations, and activities provided on postal property.

(n) *Conduct with regard to meetings of the Board of Governors.* (1) Without the permission of the chairman no person may participate in, film, televise, or broadcast any portion of any meeting of the Board or any subdivision or committee of the Board. Any person may electronically record or photograph a meeting, as long as that action does not tend to impede or disturb the members of the Board in the performance of their duties, or members of the public while attempting to attend or observe a meeting.

(2) Disorderly conduct, or conduct which creates loud or unusual noise,

Melanie Lesh

From: Ernest Prax
ent: Tuesday, January 31, 2012 11:09 AM
To: Melanie Lesh
Subject: Judiciary tomorrow

Carl -

Hi Melanie,

Rep. Keller will have to step out of Judiciary tomorrow around 1:30. There is a joint HSS meeting starting at that time. However, he can step out if need be. Please let me know if you need some form of written notice.

Thanks,

Ernest Prax
Office of Representative Wes Keller
State Capitol, Room 432
Juneau, AK 99801
Phone: 465-2186; Fax: 465-3818

House Judiciary ~ Wednesday, February 1, 2012

(GAVEL IN) Let's call this meeting of the House Judiciary Committee to order.

~~Let the record reflect~~ that it is ____ p.m. on Wednesday, February 1, 2012.

Present today are:

___ Representative Thompson

___ Representative Lynn

___ Representative Keller

___ Representative Pruitt

___ Representative Gruenberg

___ Representative Holmes

___ and Myself, Rep. Gatto

Housekeeping

Before we start, please turn off your cell phones. Just turning them to vibrate will interfere with the recording system. Thank you.

At today's meeting we will hear two new bills:

- 1) HB 291 – "An Act relating to the posting of notices at United States post offices; and providing for an effective date." Sponsored by the House Rules Committee at the Request of Legislative Council. AND
- 2) HB 296 – An Act relating to service of process on prisoners; relating to the crime of escape; relating to the definition of 'correctional facility'; amending Rule 4, Alaska Rules of Civil Procedure; and providing for an effective date." Sponsored by the House Judiciary Committee.

It is my intention today, to hear both of these bills and report them to the next committee of referral.

The first bill up is: HB 291 – "An Act relating to the posting of notices at United States post offices; and providing for an effective date."

Sponsored by the House Rules Committee at the Request of Legislative Council.

Here to present HB 291 is

- Pamela Finley, Revisor of Statutes, with Division of Legal and Research Services with the Legislative Affairs Agency.

Bill

Presentation

Does the committee have any questions for the sponsor?

Seeing there are no further questions for the sponsor.

I would like to open up public testimony.

_____ please put your name and affiliation on the record and begin your testimony.

Does the committee have any questions for _____.

Close public testimony.

That brings HB 291 back before the committee for discussion. Are there any further questions for Ms. Finley?

Is there any further discussion on HB 291?

Ask for a motion to move HB 291 from committee with the attached fiscal notes and individual recommendations.

Rep. Thompson: "I move that we move HB 291 from committee with the attached fiscal notes and individual recommendations."

Susan, call the roll.

Next up before the Committee is:

HB 296 –

“An Act relating to service of process on prisoners; relating to the crime of escape; relating to the definition of 'correctional facility'; amending Rule 4, Alaska Rules of Civil Procedure; and providing for an effective date.”

Sponsored by the House Judiciary Committee.

Presenting HB 296 is Representative Max Gruenberg.

Available for questions via teleconference:

- Doug Gardner, Legislative Legal Services Division. We also have with us on teleconference today
- Leslie Houston is online, she is the Director of the Division of Administration, Dept. of Corrections.

((Carl ~ Nancy Mead, General Counsel with the Court System sent an email relaying that the Court has no position on the bill, a copy is on members' desks.... Nancy said: 'I wanted to let you know that the court has no position on the bill, but normally I would attend the hearing because it does say that I t indirectly amends a court rule. Unfortunately, I have a conflict tomorrow, and need to be in another hearing at the same time. Please feel free to call me or let me know if I can answer any questions about it. "'))

Bill
Presentation

There is one amendment before us. Can I have a Motion to bring amendment D.2 before us.

Rep. ? Move to adopt amendment D.2 #1

Rep. ? Object for purposes of discussion.

Discussion of amendment 1(D.2)

