

HB

279

<TARGET><BILL>HB 279</BILL><SUBJECT>HB
279</SUBJECT><COMM>SFIN27</COMM></TARGET>

SENATE FINANCE COMMITTEE REPORT

DATE: 2/29/12

FURTHER:
DATE TURNED
INTO OFFICE: _____

Finance Committee considered CS FOR HOUSE BILL NO. 279(FIN)

HB 279-EXTENDING CERTAIN BOARDS & COMMISSIONS

"An Act extending the termination dates of the Board of Nursing, the Board of Dental Examiners, the Board of Barbers and Hairdressers, the Big Game Commercial Services Board, the Alcoholic Beverage Control Board, and the Alaska Seismic Hazards Safety Commission; and providing for an effective date."

and recommends:

- be replaced with SCS CS HB 279 (FIN) Same Title Technical Title Change
 New Title/SCR No. _____
- adopt previous SCS _____ (_____) Same Title Technical Title Change
 New Title/SCR No. _____
- attached amendment(s) _____ Letter of Intent
- further referral to _____ Committee

| Dept Abbr. | LEG |
|------------|-----|
| ADM | LAW |
| CED | LWF |
| COR | MVA |
| CRT | DNR |
| EED | DPS |
| DEC | REV |
| DFG | DOT |
| GOV | UA |
| DHS | |

| NEW FISCAL NOTE(S) | | | |
|--------------------|--------|--------|------|
| Dept. | Fiscal | Indet. | Zero |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

| PREVIOUS FISCAL NOTE(S) | | | | | |
|-------------------------|--------|--------|------|------|--|
| Dept. | Fiscal | Indet. | Zero | FN # | |
| DPS | X | | | 9 | |
| DNR | X | | | 8 | |
| CED | X | | | 7 | |
| CED | X | | | 6 | |
| CED | X | | | 5 | |
| CED | X | | | 4 | |

APPROPRIATION - no fiscal note

| SIGNATURES AND RECOMMENDATIONS: | | PRINTED LAST NAME | DO PASS | DO NOT PASS | NO REC | AMEND |
|---------------------------------|--|-------------------|-------------------------------------|-------------|-------------------------------------|-------|
| | | Thomas | <input checked="" type="checkbox"/> | | | |
| | | EGAN | <input checked="" type="checkbox"/> | | | |
| | | O'Shea | | | <input checked="" type="checkbox"/> | |
| | | Ellis | <input checked="" type="checkbox"/> | | | |
| CO-CHAIR: | | Hoffman | <input checked="" type="checkbox"/> | | | |
| CO-CHAIR: | | Steadman | <input checked="" type="checkbox"/> | | | |

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version _____
 Fiscal Note Number 9
 (H) Publish Date 2/24/12

CSHB 279(FIN)

Identifier (file name) HB279-DPS-ABC-02-13-12 Dept. Affected _____ Public Safety
 Title EXTENDING CERTAIN BOARDS & COMMISSIONS Appropriation Statewide Support

Sponsor _____ (H) RLS by Request of LB&A Allocation Alcoholic Beverage Control Board

Requester _____ (H) FIN _____ OMB Component Number 2690

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 | | 1,142.1 | 1,142.1 | 1,142.1 | 1,142.1 | | | |
| Travel | | 85.9 | 85.9 | 85.9 | | | | |
| Services | | 285.5 | 285.5 | 285.5 | | | | |
| Commodities | | 24.6 | 24.6 | 24.6 | | | | |
| Capital Outlay | | 0.1 | 0.1 | 0.1 | | | | |
| Grants, Benefits | | 0.0 | 0.0 | 0.0 | | | | |
| Miscellaneous | | 0.0 | 0.0 | 0.0 | | | | |
| TOTAL OPERATING | 0.0 | 1,538.2 | 1,538.2 | 1,538.2 | 1,538.2 | 0.0 | 0.0 | 0.0 |

| FUND SOURCE | | (Thousands of Dollars) | | | | | | | |
|-------------|-------------------|------------------------|----------------|----------------|----------------|----------------|------------|------------|------------|
| 1002 | Federal Receipts | | | | | | | | |
| 1003 | GF Match | | | | | | | | |
| 1004 | GF | | 0.4 | 0.4 | | 0.4 | | | |
| 1005 | GF/Prgm (DGF) | | 1,414.1 | 1,414.1 | | 1,414.1 | | | |
| 1037 | GF/MH (UGF) | | | | | | | | |
| 1007 | I/A Rcpts (Other) | | 123.7 | 123.7 | | 123.7 | | | |
| | TOTAL | 0.0 | 1,538.2 | 1,538.2 | 1,538.2 | 1,538.2 | 0.0 | 0.0 | 0.0 |

| POSITIONS | | F-11 | | | F-12 | | | F-13 | | |
|---------------------------|--|------|----|--|------|----|--|------|--|----|
| | | | | | | | | | | |
| F-full-time | | | 11 | | | 11 | | | | 11 |
| Part-time | | | | | | | | | | |
| Temporary | | | | | | | | | | |
| CHANGE IN REVENUES | | | | | | | | | | |

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)
 Fund source code changed to reflect 123.7 is interagency receipts.

Prepared by Shirley Gifford, Director Phone (907) 269-0351
 Division Alcoholic Beverage Control Board Date/Time 2/13/12 8:44 AM
 Approved by Joseph A. Masters, Commissioner Date 2/13/2012
Department of Public Safety

FISCAL NOTE #9

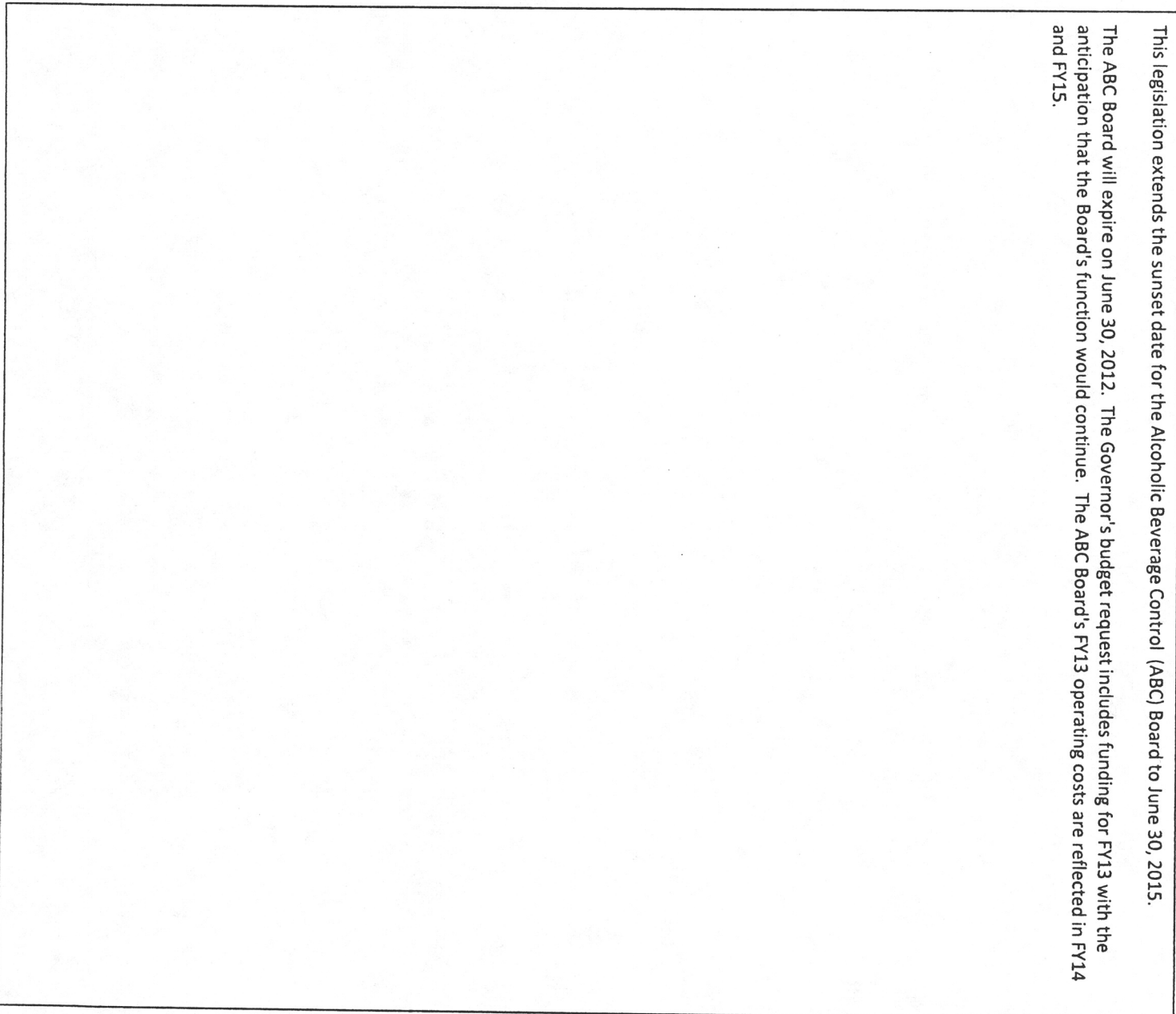
BILL NO. CSHB 279(FIN)

**STATE OF ALASKA
2012 LEGISLATIVE SESSION**

Analysis

This legislation extends the sunset date for the Alcoholic Beverage Control (ABC) Board to June 30, 2015.

The ABC Board will expire on June 30, 2012. The Governor's budget request includes funding for FY13 with the anticipation that the Board's function would continue. The ABC Board's FY13 operating costs are reflected in FY14 and FY15.



FISCAL NOTE #8

STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. CSHB 279(FIN)

Analysis

In its August 19, 2011, sunset review report, the Legislative Budget and Audit Committee (LB&A) found that the Alaska Seismic Hazards Safety Commission (ASHSC) is operating in the public's interest and recommended that the termination date be extended until June 30, 2014.

The ASHSC consists of 11 members appointed by the governor for three-year terms. Members represent a cross section of local, state, and federal government and the private sector and serve without compensation but receive per diem and travel expenses. The commission currently receives administrative assistance from the DNR Division of Geological & Geophysical Surveys (DGGs).

The Alaska Seismic Hazards Safety Commission can continue to function at the current level of effort with its existing annual budget of \$10,000, as included in the Governor's FY13 budget. Out-year Cost estimates reflect the continuation of the expected base budget request.

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version CSHB 279(FIN)
Fiscal Note Number 7
(H) Publish Date 2/24/12

Identifier (file name) HB279-DCCED-CBPL-02-21-12

Dept. Affected DCCED

Title Extending Certain Boards & Commissions

Appropriation Corps, Bus & Professional Licensing
Allocation Corps, Bus & Professional Licensing

Sponsor _____ Rules by request of Leg. Budget & Audit _____
Requester _____ House Finance _____ OMB Component Number 2360

Expenditures/Revenues _____ (Thousands of Dollars)

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

| OPERATING EXPENDITURES | FY13 Appropriation Requested | Included in FY13 Governor's Request | Out-Year Cost Estimates | | | | | |
|------------------------|------------------------------------|--|-------------------------|--------------|--------------|--------------|--------------|--------------|
| | | | FY13 | FY14 | FY15 | FY16 | FY17 | FY18 |
| Personal Services | | 106.4 | 106.4 | 106.4 | 106.4 | 106.4 | 106.4 | 106.4 |
| Travel | | 14.3 | 14.3 | 14.3 | 14.3 | 14.3 | 14.3 | 14.3 |
| Services | | 36.9 | 36.9 | 36.9 | 36.9 | 36.9 | 36.9 | 36.9 |
| Commodities | | 2.6 | 2.6 | 2.6 | 2.6 | 2.6 | 2.6 | 2.6 |
| Capital Outlay | | | | | | | | |
| Grants, Benefits | | | | | | | | |
| Miscellaneous | | | | | | | | |
| TOTAL OPERATING | 0.0 | 160.2 | 160.2 | 160.2 | 160.2 | 160.2 | 160.2 | 160.2 |

| FUND SOURCE | (Thousands of Dollars) | | | | | | | | |
|-----------------------|------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| 1002 Federal Receipts | | | | | | | | | |
| 1003 GF Match | | | | | | | | | |
| 1004 GF | | | | | | | | | |
| 1005 GF/Prgrm (DGF) | | | | | | | | | |
| 1037 GF/MH (UGF) | | | | | | | | | |
| 1156 Rcpt Svcs (DGF) | | | | | | | | | |
| TOTAL | 0.0 | 160.2 | 160.2 | 160.2 | 160.2 | 160.2 | 160.2 | 160.2 | 160.2 |

| POSITIONS | | | | | | | | | |
|---------------------------|--|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Full-time | | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Part-time | | | | | | | | | |
| Temporary | | | | | | | | | |
| CHANGE IN REVENUES | | 160.2 | 160.2 | 160.2 | 160.2 | 160.2 | 160.2 | 160.2 | 160.2 |

Estimated SUPPLEMENTAL (FY12) operating costs _____ 0.0 (separate supplemental appropriation required;
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs _____ 0.0 (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)

This fiscal notes reflects costs for the Board of Barbers and Hairdressers rather than the combined costs of multiple boards.

Prepared by Don Habeger, Director Phone 465-2536
Division Corporations, Business and Professional Licensing Date/Time 2/21/12 3:00pm
Approved by JoEllen Hanrahan, Director Administrative Services Date 2/21/2012
Commerce, Community, and Economic Development

FISCAL NOTE #7

STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. CSHB 279(FIN)

Analysis

HB 279 extends the Board of Barbers and Hairdressers through June 30, 2019 and takes effect immediately upon passage. This board was terminated June 30, 2011. In accordance with AS 08.03.020, funding extends for one year following the termination date, allowing the Board to conclude its affairs. Without extension this legislative session, its statutory authority will be transferred to DCCED on July 1, 2012.

Personal Service costs include a full-time Licensing Examiner and other support staff who directly charge a portion of their time to this board.

Travel expenses represent transportation and per diem for six board members and staff to meet each year in accordance with AS 08.13.040.

Services include contractual obligations, support costs, legal, and other necessary services.

Commodities include small equipment and business supplies.

The program is required to cover costs with licensing fees under AS 08.01.065, and revenue generated by board fees are anticipated to cover its full operating costs.

FISCAL NOTE

**STATE OF ALASKA
2012 LEGISLATIVE SESSION**

Bill Version
Fiscal Note Number
(H) Publish Date

CSHB 279(FIN)
6
2/24/12

Identifier (file name) HB279-DCCED-CBPL-02-21-12
Title Extending Certain Boards & Commissions

Dept. Affected
Appropriation
Allocation

DCCED
Corps. Bus & Professional Licensing
Corps. Bus & Professional Licensing

Sponsor _____ Rules by request of Leg. Budget & Audit
Requester _____ House Finance

OMB Component Number 2360

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 | | 320.1 | 320.1 | 320.1 | 320.1 | 320.1 | 320.1 | |
| Travel | | 30.0 | 30.0 | 30.0 | 30.0 | 30.0 | 30.0 | |
| Services | | 107.5 | 107.5 | 107.5 | 107.5 | 107.5 | 107.5 | |
| Commodities | | 4.0 | 4.0 | 4.0 | 4.0 | 4.0 | 4.0 | |
| Capital Outlay | | | | | | | | |
| Grants, Benefits | | | | | | | | |
| Miscellaneous | | | | | | | | |
| TOTAL OPERATING | 0.0 | 461.6 | 461.6 | 461.6 | 461.6 | 461.6 | 461.6 | 0.0 |

| FUND SOURCE | (Thousands of Dollars) | | | | | | | |
|-----------------------|------------------------|--------------|--------------|--------------|--------------|--------------|--------------|------------|
| 1002 Federal Receipts | | | | | | | | |
| 1003 GF Match | | | | | | | | |
| 1004 GF | | | | | | | | |
| 1005 GF/Prgm (DGF) | | | | | | | | |
| 1037 GF/MH (UGF) | | | | | | | | |
| 1156 Rcpt Svcs (DGF) | 0.0 | 461.6 | 461.6 | 461.6 | 461.6 | 461.6 | 461.6 | 0.0 |
| TOTAL | 0.0 | 461.6 | 461.6 | 461.6 | 461.6 | 461.6 | 461.6 | 0.0 |

| POSITIONS | | | | | | | | |
|---------------------------|--|--------------|--------------|--------------|--------------|--------------|--------------|----------------|
| Full-time | | 3 | 3 | 3 | 3 | 3 | 3 | |
| Part-time | | | | | | | | |
| Temporary | | | | | | | | |
| CHANGE IN REVENUES | | 461.6 | 461.6 | 461.6 | 461.6 | 461.6 | 461.6 | (461.6) |

Estimated SUPPLEMENTAL (FY12) operating costs _____ 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs _____ 0.0 (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)

This fiscal notes reflects costs for the Big Game Commercial Services Board rather than the combined costs of multiple boards.

Prepared by Don Habeger, Division Director Phone 465-2536
 Division Corporations, Business and Professional Licensing Date/Time 2/21/12 3:00pm
 Approved by JoEllen Hanrahan, Director Administrative Services Date 2/21/2011
Commerce, Community, and Economic Development

FISCAL NOTE #6

STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. CSHB 279(FIN)

Analysis

HB 279 extends the Big Game Commercial Services Board through June 30, 2016 and takes effect immediately upon passage. In accordance with AS 08.03.020, funding extends for one year following the termination date, allowing the Board to conclude its affairs. The FY2013 funding is included in the Operating Budget request and costs shown are an average of direct costs for a biennial license period.

The program is required to cover costs with licensing fees under AS 08.01.065, and revenue generated by board fees are anticipated to cover its full operating costs.

Personal Service costs include two Licensing Examiners, one Investigator, and other support staff who directly charge a portion of their time to this board.

Travel expenses represent transportation and per diem for the nine member boards and staff to meet in accordance with AS 08.36.040.

Services include contractual obligations, support costs, legal, and other necessary services.

Commodities include small equipment and business supplies.

The program is required to cover costs with licensing fees under AS 08.01.065, and revenue generated by board fees are anticipated to cover its full operating costs.

FISCAL NOTE

**STATE OF ALASKA
2012 LEGISLATIVE SESSION**

Bill Version
Fiscal Note Number
(H) Publish Date

**CSHB 279(FIN)
5
2/24/12**

Identifier (file name) HB279-DCCED-CBPL-02-21-12
Title Extending Certain Boards & Commissions

Dept. Affected
Appropriation
Allocation

DCCED
Corps. Bus & Professional Licensing
Corps. Bus & Professional Licensing

Sponsor _____ Rules by request of Leg. Budget & Audit
Requester House Finance

OMB Component Number 2360

Expenditures/Revenues

(Thousands of Dollars)

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

| OPERATING EXPENDITURES | FY13 Appropriation Requested | Included in Governor's FY13 Request | Out-Year Cost Estimates | | | | | |
|------------------------|------------------------------------|--|-------------------------|--------------|--------------|--------------|--------------|--------------|
| | | | FY13 | FY14 | FY15 | FY16 | FY17 | FY18 |
| Personal Services | | 127.9 | 127.9 | 127.9 | 127.9 | 127.9 | 127.9 | 127.9 |
| Travel | | 26.9 | 26.9 | 26.9 | 26.9 | 26.9 | 26.9 | 26.9 |
| Services | | 45.1 | 45.1 | 45.1 | 45.1 | 45.1 | 45.1 | 45.1 |
| Commodities | | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 |
| Capital Outlay | | | | | | | | |
| Grants, Benefits | | | | | | | | |
| Miscellaneous | | | | | | | | |
| TOTAL OPERATING | 0.0 | 200.9 | 200.9 | 200.9 | 200.9 | 200.9 | 200.9 | 200.9 |

| FUND SOURCE | (Thousands of Dollars) | | | | | | | | | |
|-----------------------|------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| 1002 Federal Receipts | | | | | | | | | | |
| 1003 GF Match | | | | | | | | | | |
| 1004 GF | | | | | | | | | | |
| 1005 GF/Prgm (DGF) | | | | | | | | | | |
| 1037 GF/MH (UGF) | | | | | | | | | | |
| 1156 Rcpt Svcs (DGF) | | 200.9 | 200.9 | 200.9 | 200.9 | 200.9 | 200.9 | 200.9 | 200.9 | 200.9 |
| TOTAL | 0.0 | 200.9 | 200.9 | 200.9 | 200.9 | 200.9 | 200.9 | 200.9 | 200.9 | 200.9 |

| POSITIONS | | | | | | | | | | | |
|---------------------------|--|--|--------------|--|--------------|--|--------------|--|--------------|--|--------------|
| Full-time | | | 1 | | 1 | | 1 | | 1 | | 1 |
| Part-time | | | | | | | | | | | |
| Temporary | | | | | | | | | | | |
| CHANGE IN REVENUES | | | 200.9 | | 200.9 | | 200.9 | | 200.9 | | 200.9 |

Estimated SUPPLEMENTAL (FY12) operating costs _____ 0.0 _____ (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs _____ 0.0 _____ (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)
This fiscal notes reflects costs for the Board of Dental Examiners rather than the combined costs of multiple boards.

Prepared by Don Habeger, Director Phone 465-2536
Division Corporations, Business and Professional Licensing Date/Time 2/21/12 4:00PM
Approved by JoEllen Hanrahan, Director Administrative Services Date 2/21/2011
Commerce, Community, and Economic Development

FISCAL NOTE #5

STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. CSHB 279(FIN)

Analysis

HB 279 extends the Board of Dental Examiners through June 30, 2019 and takes effect immediately upon passage. This board was terminated June 30, 2011. In accordance with AS 08.03.020 funding extends for one year following the termination date, allowing the Board to conclude its affairs. Without extension this legislative session, its statutory authority will be transferred to DCCED on July 1, 2012.

Personal Service costs include a full-time licensing examiner and other support staff who directly charge a portion of their time to this board.

Travel expenses represent transportation and per diem for the nine member board and staff to meet in accordance with AS 08.36.040.

Services include contractual obligations, support costs, legal, and other necessary services.

Commodities include small equipment and business supplies.

The program is required to cover costs with licensing fees under AS 08.01.065, and revenue generated by board fees are anticipated to cover its full operating costs.

FISCAL NOTE #4

STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. CSHB 279(FIN)

Analysis

HB 279 extends the Board of Nursing through June 30, 2019 and takes effect immediately upon passage. This board was terminated June 30, 2011. In accordance with AS 08.03.020, funding extends for one year following the termination date, allowing the Board to conclude its affairs. Without extension this legislative session, its statutory authority will be transferred to DCCED on July 1, 2012.

Personal Service costs include an Executive Administrator, Records & Licensing Supervisor, two Investigators, Office Assistant I, three Licensing Examiners and other support staff who directly charge a portion of their time to the board.

Travel expenses represent transportation and per diem for the seven member board and staff to meet in accordance with AS 08.68.080.

Services include contractual obligations, support costs, legal, and other necessary services.

Commodities include small equipment and business supplies.

The program is required to cover costs with licensing fees under AS 08.01.065, and revenue generated by board fees are anticipated to cover its full operating costs.

SENATE CS FOR CS FOR HOUSE BILL NO. 279(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:

Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND AUDIT
COMMITTEE

**A BILL
FOR AN ACT ENTITLED**

"An Act relating to qualifications for serving on a state board or commission; extending the termination dates of the Board of Nursing, the Board of Dental Examiners, the Board of Barbers and Hairdressers, the Big Game Commercial Services Board, the Alcoholic Beverage Control Board, and the Alaska Seismic Hazards Safety Commission; and providing for an effective date."

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

* Section 1. AS 08.03.010(c)(4) is amended to read:

(4) Board of Barbers and Hairdressers (AS 08.13.010) - June 30, 2019

[2011];

* Sec. 2. AS 08.03.010(c)(7) is amended to read:

(7) Board of Dental Examiners (AS 08.36.010) - June 30, 2019 [2011];

* Sec. 3. AS 08.03.010(c)(9) is amended to read:

(9) Big Game Commercial Services Board (AS 08.54.591) - June 30,

ADOPTED 4/14/12

27-LS0944E
Martin
4/10/12

SENATE CS FOR CS FOR HOUSE BILL NO. 279(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:

Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND AUDIT COMMITTEE

A BILL
FOR AN ACT ENTITLED

"An Act relating to qualifications for serving on a state board or commission; extending the termination dates of the Board of Nursing, the Board of Dental Examiners, the Board of Barbers and Hairdressers, the Big Game Commercial Services Board, the Alcoholic Beverage Control Board, and the Alaska Seismic Hazards Safety Commission; and providing for an effective date."

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

* Section 1. AS 08.03.010(c)(4) is amended to read:

(4) Board of Barbers and Hairdressers (AS 08.13.010) - June 30, 2019

[2011];

* Sec. 2. AS 08.03.010(c)(7) is amended to read:

(7) Board of Dental Examiners (AS 08.36.010) - June 30, 2019 [2011];

* Sec. 3. AS 08.03.010(c)(9) is amended to read:

(9) Big Game Commercial Services Board (AS 08.54.591) - June 30,

2016 [2012];

* **Sec. 4.** AS 08.03.010(c)(13) is amended to read:

(13) Board of Nursing (AS 08.68.010) - June 30, 2019 [2011];

* **Sec. 5.** AS 39.05.100 is amended by adding a new subsection to read:

(c) Notwithstanding another provision of law, a person convicted of a felony involving moral turpitude may not serve on a board or commission of the state government unless the conviction has been overturned on appeal or otherwise set aside. In this subsection, "felony involving moral turpitude" has the meaning given in AS 15.80.010.

* **Sec. 6.** AS 44.66.010(a)(1) is amended to read:

(1) Alcoholic Beverage Control Board (AS 04.06.010) - June 30, 2015 [2011];

* **Sec. 7.** AS 44.66.010(a)(8) is amended to read:

(8) Alaska Seismic Hazards Safety Commission (AS 44.37.065) - June 30, 2014 [2012];

* **Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to read:

EXEMPTION FROM AS 44.66.050(e). This Act is exempt from the provision of AS 44.66.050(e) that prohibits a bill from reestablishing more than one board or commission.

* **Sec. 9.** The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. Section 5 of this Act applies only to appointments made on or after the effective date of this Act.

* **Sec. 10.** The uncodified law of the State of Alaska is amended by adding a new section to read:

RETROACTIVITY. (a) Sections 1, 2, 4, 6, and 8 of this Act are retroactive to June 30, 2011.

(b) If this Act takes effect after June 30, 2012, secs. 3 and 7 of this Act are retroactive to June 30, 2012.

* **Sec. 11.** This Act takes effect immediately under AS 01.10.070(c).

Sec. 15.80.0104. Definitions.

In this title, unless the context otherwise requires,

- (1) "absentee voting official" means a person appointed to serve as an absentee voting official in accordance with AS 15.20.045;
- (2) "ballot" means any document provided by the director on which votes may be cast for candidates, propositions, or questions;
- (3) "director" means the director of elections who is the chief elections officer of the state appointed in accordance with AS 15.10.105(a);
- (4) "division" means the division of elections created under AS 15.10.105;
- (5) "election board" means the board appointed in accordance with AS 15.10.120;
- (6) "election official" means election board members, members of counting or review boards, employees of the division of elections, and absentee voting officials;
- (7) "electronically generated ballot" means any ballot other than a paper ballot that is physically marked by the voter using a writing instrument or a mechanical device;
- (8) "federal election" means a general, special, or primary election held solely or in part for the purpose of selecting, nominating or electing a candidate for the office of President, Vice-President, presidential elector, United States senator, or United States representative;
- (9) "felony involving moral turpitude" includes those crimes that are immoral or wrong in themselves such as murder, manslaughter, assault, sexual assault, sexual abuse of a minor, unlawful exploitation of a minor, robbery, extortion, coercion, kidnapping, incest, arson, burglary, theft, forgery, criminal possession of a forged device, offering a false instrument for recording, scheme to defraud, falsifying business records, commercial bribe receiving, commercial bribery, bribery, receiving a bribe, perjury, perjury by inconsistent statements, endangering the welfare of a minor, escape, promoting contraband, interference with official proceedings, receiving a bribe by a witness or a juror, jury tampering, misconduct by a juror, tampering with physical evidence, hindering prosecution, terrorist threatening, riot, criminal possession of explosives, unlawful furnishing of explosives, promoting prostitution, criminal mischief, misconduct involving a controlled substance or an imitation controlled substance, permitting an escape, promoting gambling, possession of gambling records, distribution of child pornography, and possession of child pornography;

Alaska State Legislature

Legislative Budget & Audit Committee

Interim:
716 West 4th Ave
Anchorage, Alaska 99501
(907) 269-0244



Session:
State Capitol Building
Juneau, Alaska 99801
(907) 465-4949

Representative Mike Hawker, Chairman

House Bill 279

Omnibus Board Extensions

Sponsor Statement

Version: CS HB 279 (FIN)

Short Title: EXTENDING CERTAIN BOARDS & COMMISSIONS

House Bill 279 extends the sunset dates for five boards and one commission.

The Board of Barbers and Hairdressers would be extended to June 30, 2019; the Board of Dental Examiners to June 30, 2019; the Big Game Commercial Services Board to June 30, 2016; the Board of Nursing to June 30, 2019; the Alcoholic Beverage Control Board to June 30, 2015; and the Alaska Seismic Hazards Safety Commission to June 30, 2014.

The bill also exempts the reauthorization from a state statute prohibiting a single bill reestablishing more than one board or commission. The omnibus extension is a more efficient mechanism for routine board and commission reauthorizations, particularly in a 90-day legislative session. The omnibus extension further allows for straightforward continuation of these important boards and commissions, disallowing policy shifts best managed through separate legislation.

HB 279 also includes a retroactivity section and immediate effective date to accommodate the four boards that were included in House Bill 126, last year's Omnibus Board Extension bill, which was vetoed by the Governor.

I urge prompt passage of this legislation.

House Bill 279
Omnibus Board Extensions
Sectional Analysis
Version: CS HB 279 (FIN)

Sections 1-6: Extend the following boards and commission to the following dates:

1. Board of Barbers and Hairdressers June 30, 2019
2. Board of Dental Examiners..... June 30, 2019
3. Big Game Commercial Services Board June 30, 2016
4. Board of Nursing..... June 30, 2019
5. Alcoholic Beverage Control Board..... June 30, 2015
6. Alaska Seismic Hazards Safety Commission June 30, 2014

Section 7: Provides an exemption from the provision of statute that prohibits a bill from reestablishing more than one board or commission.

Section 8: Retroactivity section for the boards that sunset on June 30, 2011 and are currently in their wind down year.

Section 9: Immediate effective date.



Division of Legislative Audit

Report Digest #08-20068-10

SUMMARY OF:

A Sunset Review on the Department of Commerce, Community, and Economic Development (DCCED), Board of Barbers and Hairdressers (BBH), September 30, 2010

PURPOSE OF THE REPORT

In accordance with Title 24 and Title 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of BBH to determine if there is a demonstrated public need for its continued existence and if it has been operating in an efficient and effective manner. As required by AS 44.66.050(a), this report shall be considered by the committee of reference during the legislative oversight process in determining whether BBH should be reestablished. Currently, under AS 08.03.010(c)(4), the board will terminate on June 30, 2011, and will have one year from that date to conclude its administrative operations.

REPORT CONCLUSIONS

BBH should continue to regulate barbers, hairdressers, estheticians, manicurists, tattooists/permanent cosmetic colorists, and body piercers. The board is serving the public interest by promoting the competence and integrity of those who provide services to the public under these professions. We recommend the legislature extend the board's termination date to June 30, 2019.

DCCED, Division of Corporations, Business and Professional Licensing's investigation unit did not address all investigations in a timely manner.

The current public board member is a licensed practitioner and therefore does not meet the statutory requirements.

FINDINGS AND RECOMMENDATIONS

1. The division's chief investigator should take steps to ensure complaints and cases are investigated timely.
2. The current public board member should either surrender her license or be removed from the public board member position.



Division of Legislative Audit

Report Digest #08-20069-10

SUMMARY OF:

A Sunset Review on the Department of Commerce, Community, and Economic Development (DCCED), Board of Dental Examiners (BDE), September 30, 2010

PURPOSE OF THE REPORT

In accordance with Title 24 and Title 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of BDE. The purpose of this audit was to determine if there is a demonstrated public need for its continued existence and if it has been operating in an effective manner. As required by AS 44.66.050(a), this report shall be considered by the committee of reference during the legislative oversight process in determining whether the BDE should be re-established. Currently, under AS 08.03.010(c)(7), BDE will terminate on June 30, 2011, and will have one year from that date to conclude its administrative operations.

REPORT CONCLUSIONS

BDE should continue to regulate dentists and dental hygienists. The board is serving the public's interest by promoting the competence and integrity of those who provide services to the public as licensed dentists and dental hygienists. We recommend the legislature extend BDE's termination date to June 30, 2019.

DCCED's, Division of Corporation, Business and Professional Licensing's (DCBPL) investigation unit did not address all investigations in a timely manner.

FINDINGS AND RECOMMENDATIONS

1. DCBPL's chief investigator should take steps to ensure complaints and cases are investigated timely.



Division of Legislative Audit

Report Digest #08-20071-11

SUMMARY OF: A Sunset Review of the Department of Commerce, Community, and Economic Development, Big Game Commercial Services Board, September 13, 2011

PURPOSE OF THE REPORT

In accordance with Titles 24 and 44 of the Alaska Statutes (sunset legislation), we have evaluated the activities of the Big Game Commercial Services Board (board) to determine if there is a demonstrated public need for its continued existence and if it has been operating in an efficient and effective manner. As required by AS 44.66.050(a), this report shall be considered by the committee of reference during the legislative oversight process in determining whether the board should be reestablished. Currently, AS 08.03.010(c)(9) states that the board will terminate on June 30, 2012, and will have one year from that date to conclude its administrative operations. Our audit objectives were as follows.

1. Determine if the termination date of the board should be extended.
2. Determine if the board is operating in the public's interest.
3. Determine if the board has exercised appropriate, regulatory oversight of licensed guide-outfitters and transporters.

REPORT CONCLUSIONS

In our opinion, the termination date of the board should be extended. The regulation and licensing of qualified, registered guide-outfitters and transporters benefits the public's safety and welfare as well safeguards the State's wildlife resources. The board has provided reasonable assurance that the individuals licensed to guide and/or outfit hunts as well as transport hunters to and from hunt locations in Alaska are qualified to do so. The board has also successfully developed and adopted regulatory changes to improve the big game commercial services industry in Alaska. In our opinion, the board serves an important public purpose.

We recommend the board's termination date be extended for four years to June 30, 2016. The recommended extension date is half of the eight-year maximum allowed in statute because the department and the board did not fully address the previous sunset audit's findings and because of other operational support issues identified in the findings and recommendations portion of this report. Except for these deficiencies, the board has met the various statutory sunset criteria.

FINDINGS AND RECOMMENDATIONS

1. The Division of Corporations, Business and Professional Licensing's (division) director should ensure procedures are developed and that division staff adhere to them in order to provide efficient and effective support to the board's day-to-day operations.
2. The division director should ensure staff adhere to investigative case management procedures and develop additional procedures and reporting tools as necessary.
3. The division, in conjunction with the board, should increase licensing fees and/or reduce expenditures to mitigate the board's current and projected operating deficits.
4. The board should consider modifying regulatory first aid requirements to provide consistency between guide-outfitter licensee types.
5. The board should reconsider the electronic accumulation of information gathered from hunt records and transporter reports.
6. The division director should ensure controls over the database security of hunt records and the physical custody of hunt records and transporter reports are adequate.



Division of Legislative Audit

Report Digest #08-20070-10

SUMMARY OF: A Sunset Review of the Department of Commerce, Community, and Economic Development,
Board of Nursing (BON), September 30, 2010

PURPOSE AND SCOPE OF THE REPORT

In accordance with Title 24 and Title 44 of the Alaska Statutes (Sunset legislation), we have reviewed the activities of BON to determine if there is a demonstrated public need for its continued existence and if it has been operating in an effective manner. As required by AS 44.66.050(a), this report shall be considered by the committee of reference during the legislative oversight process in determining whether BON should be reestablished. Currently, under AS 08.03.010(c)(13), BON will terminate on June 30, 2011, and will have one year from that date to conclude its administrative operations.

REPORT CONCLUSIONS

BON is operating in an efficient and effective manner and should continue to regulate the professions it governs. We believe the board is safeguarding the public interest by ensuring the competence and integrity of those who present themselves to the public for the professions regulated by BON: licensed registered nurses, licensed practical nurses (LPN), advanced nurse practitioners (ANP), certified registered nurse anesthetists, certified nurse aides, and nurse and nurse aide training programs.

BON has conducted its business in a satisfactory manner. It continues to propose changes to regulations to improve the board's effectiveness and to ensure that professionals are properly licensed.

Under AS 08.03.010(c)(13), BON will terminate on June 30, 2011. If not extended by the legislature, under AS 08.03.020, BON will have a one-year period to administratively conclude its affairs. We recommend that the legislature extend the board's termination date to June 30, 2019.

FINDINGS AND RECOMMENDATIONS

1. BON should take steps to ensure all appropriate entities are notified when an ANP's authority to write prescriptions has been revoked or suspended.
2. The BON chairman should take steps to ensure that the required training program reviews are being conducted.
3. The Division of Corporations, Business, and Professional Licensing's chief investigator should take steps to ensure that complaints and cases are investigated timely.
4. The director of Boards and Commissions, Office of the Governor, should fill the LPN position with an LPN currently involved in institutional nursing services.



Division of Legislative Audit

Report Digest #12-20063-09

SUMMARY OF: A Sunset Review on the Department of Public Safety, Alcoholic Beverage Control Board, August 14, 2009

PURPOSE OF THE REPORT

In accordance with Title 24 and Title 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the Alcoholic Beverage Control Board (ABC Board or the Board) to determine if there is a demonstrated public need for its continued existence and if it has been operating in an effective and efficient manner. As required by AS 44.66.050(a), this report shall be considered by the committee of reference during the legislative oversight process in determining whether the ABC Board should be reestablished. Currently, under AS 44.66.010(a)(1), the Board will terminate on June 30, 2010 and will have one year from that date to conclude its administrative operations.

The primary objective of this audit was to determine whether there is a public need for the Board and if its existence should be extended. The secondary objective was to determine if the ABC Board is serving the public interest in regards to licensing/permitting functions, administrative activities, board activities, and enforcement activities by reviewing these major functions for effectiveness and efficiency of operations.

REPORT CONCLUSIONS

In our opinion, the ABC Board should continue to regulate the manufacture, sale, barter, and possession of alcoholic beverages in Alaska in order to protect the public's health, safety, and welfare. The Board has demonstrated a need for its continued existence by providing protection to the general public through the issuance, renewal, revocation, and suspension of liquor licenses. Protection has also been provided through active investigation of suspected licensing violations and enforcement of the State's alcoholic beverage control laws and regulations.

With the exceptions noted in the Findings and Recommendations section of this report, the ABC Board is operating in the public interest. However, improvements are needed to improve the effectiveness and efficiencies of its operations.

This is the third audit performed in the last seven years in which we have recommended a stronger internal control environment be implemented to include written policies and operating procedures, as well as a strategic plan governing enforcement activities. Although the current director has taken immediate action to make improvements to the ABC Board, we are nonetheless concerned that certain issues in the last three audits have not yet been addressed. Therefore, we recommend that AS 44.66.010(a)(1) be amended to extend the termination date of the Alcoholic Beverage Control Board to June 30, 2014.

FINDINGS AND RECOMMENDATIONS

Recommendation No. 1

The ABC Board members and director should establish quantifiable and objective enforcement goals and develop a clear plan by which they will direct its enforcement resources to most efficiently and effectively accomplish those goals in a verifiable manner.

There is no enforcement strategy to prioritize and apply resources in a cohesive fashion to enforce the alcoholic beverage laws. The agency does not know if inspecting and checking half the licenses is a good or bad outcome for their efforts, an effective or efficient use of their resources, or in the best interest of the public.

The ABC Board continues to be without a systematic strategy to ensure resources are used effectively and efficiently to enforce the alcoholic beverage laws. The ABC Board members and director should make it a priority to develop and implement goals for enforcement activities that have tangible metrics.

Recommendation No. 2

The ABC Board members and director should develop and enforce written policies and procedures to ensure the staffs compliance with state laws and decisions made by the board and director.

There are instances of non-compliance and non-enforcement with state laws, overpayments to municipalities, possible nonpayment of fees by license holders, and incomplete and inaccurate tracking of data. The ABC Board staffs lack oversight and accountability over their activities to ensure compliance with state laws and decisions made by the board and director.

The ABC Board members and director should ensure written policies and procedures are developed, and followed by staff to ensure compliance with state laws and directives from the board and director.



Division of Legislative Audit

Report Digest #10-20072-11

SUMMARY OF:

A Sunset Review on the Department of Natural Resources, Alaska Seismic Hazards Safety Commission (ASHSC), June 15, 2011

PURPOSE OF THE REPORT

In accordance with Title 24 and Title 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the ASHSC. The purpose of this audit was to determine if there is a demonstrated public need for its continued existence and if it has been operating in an effective manner. As required by AS 44.66.050(a), this report shall be considered by the committee of reference during the legislative oversight process in determining whether the ASHSC should be reestablished. Currently, under AS 44.66.010(a)(8), the ASHSC will terminate on June 30, 2012, and will have one year from that date to conclude its administrative operations.

REPORT CONCLUSIONS

The ASHSC's termination date should be extended until June 30, 2016. Overall, we found the ASHSC is operating in the public's interest. The ASHSC has gathered and disseminated information; facilitated discussions and partnerships with various members of state, local, and federal government as well as private entities concerning seismic hazards and risk mitigation; encouraged efforts to address seismic risk mitigation; and brought attention to seismic hazards.

However, improvements are needed to increase the ASHSC's effectiveness and efficiency. Although the organization has been active in addressing a number of its statutory objectives, it lacks measurable outcomes to improve seismic hazards risk mitigation that correspond to commission activities. Additionally, the ASHSC has made only two formal policy recommendations in six years. By not analyzing its progress on a regular basis, the commission cannot readily identify areas in need of improvement, ways to efficiently manage its goals, or areas in need of greater attention.

FINDINGS AND RECOMMENDATIONS

1. The ASHSC should develop a strategic plan to guide its efforts to mitigate seismic hazard risk in Alaska.
2. The ASHSC should develop procedures to ensure meetings are published on the Alaska Public Notice System in a timely manner.
3. The ASHSC should follow the adopted rules of procedure and recommend immediate replacement of habitually absent members.
4. The Office of the Governor and the ASHSC should work to fill appointments to all commission seats in a timely manner.

6/17/11
7:50pm

STATE CAPITOL
PO Box 110001
Juneau, Alaska 99811-0001
907-465-3500
fax: 907-465-3532



Governor Sean Parnell
STATE OF ALASKA

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907-269-7450
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June 17, 2011

The Honorable Mike Chenault
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

Dear Speaker Chenault,

Under the authority vested in me by Article II, Section 15, of the Alaska Constitution, I have vetoed the following bill:

SCS SHB 126(FIN)

“An Act relating to qualifications for serving on a state board or commission; extending the termination dates of the Board of Nursing, the Board of Dental Examiners, the Board of Barbers and Hairdressers, and the Alcoholic Beverage Control Board; and providing for an effective date.”

While I support the sunset extension provisions of the bill for the Board of Nursing, the Board of Dental Examiners, the Board of Barbers and Hairdressers, and the Alcohol Beverage Control Board, I have grave concerns over the Legislature’s last minute policy call to add a provision prohibiting a person convicted of a felony from serving on a board or commission of State government. While I agree that a person who commits a violent crime and is still a danger to the community should not be considered for appointment to a board or commission, this overly broad provision fails to recognize that a person may be convicted of a nonviolent felony, rehabilitated, and substantially benefit society long after the person’s incarceration. If a person may legally be elected to office, like governor or lieutenant governor, who at one time in life was convicted of a felony, why would we forever ban them from serving the community on a commission? Fundamental notions of fairness are implicated as are constitutional directives toward rehabilitation.

Several State boards and commissions, such as the Advisory Board on Alcoholism and Drug Abuse, advise on the development of programs for the prevention, treatment, and rehabilitation of persons with social and medical issues who make up a large portion of the correctional institutions’ population. The legislation’s provision would eliminate from consideration for appointment persons who may be able to provide invaluable firsthand experience for development of those programs. I raise the questions because no committee record was established for the prohibition, so a full evaluation cannot occur now. Without public testimony or committee discussion of the provision, it is virtually impossible to ferret out the rationale behind this provision.

The Honorable Mike Chenault
June 17, 2011
Page 2

Without anything further in the record to consider, I believe that a one-size-fits-all approach is not in the State's best interest for this complicated issue. This provision is unusual among states to uniformly ban individuals from serving on State boards and commissions regardless of the linkage to the board's or commission's duties, the length of time since the commission of the felony, and whether the felony was nonviolent in nature. A stigma strong enough to stop most appointments already exists so any such appointment would receive great scrutiny. An outright ban appears to be an overreach without more information to consider.

Accordingly, I would urge the Legislature to pass a clean sunset extension for the Board of Nursing, the Board of Dental Examiners, the Board of Barbers and Hairdressers, and the Alcoholic Beverage Control Board next year. Each of these boards will still have a one year period within which to operate and within which the Legislature can act with me to extend their termination dates.

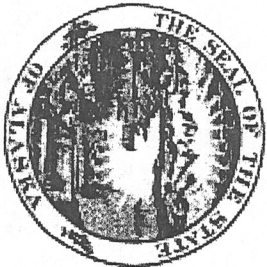
For these reasons, I have vetoed the bill.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean Parnell". The signature is written in a cursive, flowing style with a large, prominent initial "S".

Sean Parnell
Governor

Enclosure



LAWS OF ALASKA

2011

FIRST SPECIAL SESSION

Source

SCS CSHB 126(FIN)

Chapter No.

AN ACT

Relating to qualifications for serving on a state board or commission; extending the termination dates of the Board of Nursing, the Board of Dental Examiners, the Board of Barbers and Hairdressers, and the Alcoholic Beverage Control Board; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to qualifications for serving on a state board or commission; extending the
2 termination dates of the Board of Nursing, the Board of Dental Examiners, the Board of
3 Barbers and Hairdressers, and the Alcoholic Beverage Control Board; and providing for an
4 effective date.

5
6 * Section 1. AS 08.03.010(c)(4) is amended to read:

7 (4) Board of Barbers and Hairdressers (AS 08.13.010) - June 30, 2019
8 [2011];

9 * Sec. 2. AS 08.03.010(c)(7) is amended to read:

10 (7) Board of Dental Examiners (AS 08.36.010) - June 30, 2019 [2011];

11 * Sec. 3. AS 08.03.010(c)(13) is amended to read:

12 (13) Board of Nursing (AS 08.68.010) - June 30, 2019 [2011];

13 * Sec. 4. AS 39.05.100 is amended by adding a new subsection to read:

14 (c) A person convicted of a felony may not serve on a board or commission of

1 the state government unless the conviction has been overturned on appeal or otherwise
2 set aside.

3 * **Sec. 5.** AS 44.66.010(a)(1) is amended to read:

4 (1) Alcoholic Beverage Control Board (AS 04.06.010) - June 30, 2012
5 [2011];

6 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
7 read:

8 EXEMPTION FROM AS 44.66.050(e). This Act is exempt from the provision of
9 AS 44.66.050(e) that prohibits a bill from reestablishing more than one board or commission.

10 * **Sec. 7.** This Act takes effect immediately under AS 01.10.070(c).

LESSMEIER & WINTERS

LAWYERS - LLC

8390 AIRPORT BOULEVARD

SUITE 104

JUNEAU, ALASKA 99801

MICHAEL L. LESSMEIER
GREGORY W. LESSMEIER*
SHELDON E. WINTERS
*OF COUNSEL

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February 1, 2012

VIA Hand Delivery
Representative Mike Hawker
Chair of Legislative Budget and Audit Committee
State Capitol Room 502
Juneau, AK 99801

Re: Support for Alaska Seismic Hazards Safety Commission

Dear Representative Hawker:

State Farm Insurance strongly supports extension of the sunset date for the Alaska Seismic Hazards Safety Commission, as provided for in HB 279 and SB 155. As the largest insurer of homes in the U.S. and Alaska, State Farm is keenly aware of the critical need for earthquake study, evaluation and loss mitigation, especially in Alaska. For that reason State Farm was a proponent of the formation of the Commission in 2002; and since then has had the honor of a State Farm associate sitting on the Commission as the insurance industry representative.

We concur with the Legislative Budget and Audit Committee's recommendation that the Commission be extended at least through June, 2016. As stated best in the Committee's report:

Overall, we found the ASHSC is operating in the public's interest. The ASHSC has gathered and disseminated information; facilitated discussions and partnerships with various members of state, local and federal government as well as private entities concerning seismic hazards and risk mitigation; encouraged efforts to address seismic risk mitigation; and brought attention to seismic hazards.

State Farm respectfully requests HB 279 and SB 155 pass so that the important work of the Commission can continue with the improvements suggested by Budget and Audit. Please let me know if State Farm can offer any more information or support.

Sincerely,

LESSMEIER & WINTERS, LLC

By:



Sheldon E. Winters

State Farm Alaska Lobbyist

STATE OF ALASKA

DEPARTMENT OF MILITARY
AND VETERANS AFFAIRS
DIVISION OF HOMELAND SECURITY
AND EMERGENCY MANAGEMENT

January 30, 2012

SEAN PARNELL, GOVERNOR

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Senator Dennis Egan
Chairman, Senate Labor and Commerce Committee
State Capitol, Room 510
Juneau, AK 99801-1182

Dear Senator Egan:

The Division of Homeland Security and Emergency Management (DHS&EM) would like to provide the Senate Labor and Commerce Committee with the following information to support the renewal of the Alaska Seismic Hazards Safety Commission (ASHSC) under SB 155.

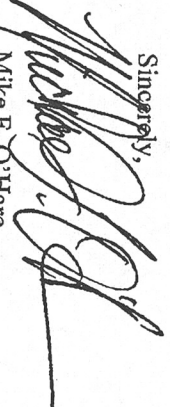
The greatest risk in the state of Alaska for imminent, widespread loss of life and property is from seismic hazards - earthquakes and tsunamis. ASHSC is chartered to, "*make recommendations to the governor and legislature for reducing the State's vulnerability to seismic hazards and to advise the public and private sectors on approaches for mitigating earthquake and tsunami risk*" (ASHSC Charter). Alaska's Commission, like similar commissions in thirteen other states, uniquely contributes to Alaska's seismic safety in several ways, two of which I wish to highlight.

First, ASHSC brings together a diverse panel focused on seismic risk. The Commission membership draws from both private and public sectors including structural engineering, geotechnical engineering, geology, seismology, emergency management, insurance, education, local, State and Federal government.

Second, ASHSC considers a broad range of seismic safety issues extending beyond the scope of any one agency or group crossing multiple disciplines. This is illustrated in ASHSC's work on school seismic safety. ASHSC has considered policy recommendations related to school seismic safety in the areas of building codes, design review, construction, facility hazard assessment, seismic retrofit cost-benefit, curriculum, teacher training and emergency preparedness.

If the Committee wishes more detailed information, ASHSC maintains a resource web site that details the Commission's work: <http://seismic.alaska.gov/>.

My staff and I will be available to answer questions during the Committee hearing as needed.

Sincerely,

Mike F. O'Hare
Deputy Director

2012 HB279/SB155 – Extending termination dates of various boards and commissions

Comments by Rod Combelleck

Alaska Division of Geological & Geophysical Surveys (DGGS)

Comments on extending the Alaska Seismic Hazards Safety Commission (ASHSC)

The Legislature established the Alaska Seismic Hazards Safety Commission (ASHSC) in 2002 with an initial budget of \$33,500 to advise the state on ways to reduce its vulnerability to earthquake and tsunami hazards. The budget was reduced by the administration and legislature to \$10,000 in FY2006. The Commission helps to fill gaps in seismic-risk mitigation that are not adequately addressed by other state agencies or commissions. These include reviewing and recommending improvements to seismic provisions of building codes, design reviews, construction practices, land-use regulation, and earthquake insurance, to name a few. By recommending improvements to state and local policies with the goal of reducing seismic risk, the Commission helps ensure that all links in the chain of earthquake risk reduction—from mitigation to preparedness to response to recovery—remain strong.

The ASHSC coordinates closely with state agencies that have responsibilities in seismic risk mitigation and avoids duplicating their activities. Other agencies with seismic hazard responsibilities include the Division of Homeland Security & Emergency Management (DHSEM) and the Division of Geological & Geophysical Surveys (DGGS), both of which are represented by members on the ASHSC. DGGS has administered the ASHSC since the Commission was transferred from the Governor's office to DNR before the first members were appointed in 2005. DGGS monitors Commission expenses to ensure annual expenses are kept to its approved budget of \$10,000. Regarding areas of possible perceived duplication, DGGS has statutory responsibility through AS 41.08 for identifying and mapping geologic hazards. Although the ASHSC has a Hazards Identification committee, this committee itself does not perform field identification of seismic hazards, but uses hazards information developed by DGGS to help form its recommendations for mitigation. Similarly, although DHSEM has responsibility for all-hazard mitigation and the State Hazard Mitigation Plan, this responsibility does not include risk-reduction measures like building codes, construction practices, land-use planning, or insurance. The ASHSC addresses and makes recommendations on these issues which are not addressed by the DHSEM, DGGS, or any other agencies or commissions.

Rodney A. Combelleck

3/29/2012

Rodney A. Combelleck

Written Testimony to Alaska HB279/SB155

From Dr. John Aho, Chair-Alaska Seismic Hazards Safety Commission (ASHSC)
January 31, 2012

My name is John Aho and I am a life-long Alaskan who currently serves as Chair of the Alaska Seismic Hazards Safety Commission (ASHSC). Thank you for the opportunity to offer this testimony in support of extending the ASHSC termination date to June 20, 2016 as proposed in the Legislative Budget and Audit Report (LBAR) dated June 15, 2011. The report's conclusion was that "overall, we found the ASHSC is operating in the public's interest".

In response to the audit report the Commission is currently:

- Developing a strategic plan
- Publishing meeting notices in a timely manner
- Recommending replacement of members with three or more consecutive unexcused absences
- Assisting the Governor's office in filling open seats in a timely manner

As stated in the LBAR the ASHSC mission, rather than being duplicative of other agencies, is supportive and works with them to address common objectives. Representative sample of current ASHSC activities and accomplishments include:

- Advocating identification and mapping of active faults and other earthquake hazards
- Planning and participating in post-earthquake safety evaluation of buildings
- Working with the Department of Education & Early Development to promote seismic safety evaluations and rehabilitation of public schools
- Reviewing the earthquake hazards section of the Alaska State Hazards Mitigation Plan
- Developing seismic safety policy recommendations for the Governor and Legislature
- Coordinating development of an Earthquake Planning Scenario for the Kodiak area in cooperation with the Kodiak Island Borough and FEMA
- Developing an Earthquake Insurance information brochure in cooperation with the Division of Insurance
- Public presentations on seismic risk mitigation issues

The statutory mission and advisory activities of the ASHSC are important to overall seismic risk mitigation in the state. Rather than duplicating the roles of other agencies or boards, the ASHSC coordinates with and supports them in their efforts to reduce seismic risk.

The talented members of the ASHSC are true advocates who work hard and care deeply about the benefits of proactive efforts in seismic risk mitigation. Efforts in seismic safety can be challenging because many citizens seem indifferent to proactive mitigation and dismiss good ideas about ways to make buildings and communities more resilient to the damaging effects of earthquakes.

The ASHSC is addressing areas that could prevent a potential disaster from becoming a catastrophe. Each step, no matter how small, brings us closer to the goals of a safe and resilient State. The ASHSC is an important entity in the most seismically active State in the United States.

Sam Kito III
Technical Engineer I
State of Alaska
Department of Education and Early Development
Division of School Finance, School Facilities Section

Testimony to House Finance Committee, February 20, 2012, 1:30 pm

The Department of Education and Early Development (DEED) began working with the Alaska Seismic Hazard Safety Commission in January 2009.

As the department's appointed representative on the Schools Committee, I have participated in teleconferences and have occasionally been able to participate in the Commission's face-to-face meetings. During the time that I have been working with the Commission, they have assisted the department in our efforts to address seismic safety of schools in the state.

As you are aware, in many communities in Alaska the school buildings are designated as emergency shelters, and where they are not specifically designated, many schools end up serving that function due to their size and location. Because of these reasons, it is vitally important for the schools to be constructed in such a manner as to make them useful during emergencies.

As you are also aware, DEED administers the School Construction and Major Maintenance grant and Bond Debt reimbursement programs. Through these programs, the department prioritizes school capital projects for construction, addition, renovation and repair of school buildings in the state.

The Commission has provided valuable insight and productive comments as the department developed revisions to the Capital Improvement Project Application. These changes allow districts to separately include costs for seismic investigation and design in a project request and provide districts with guidance on the types of costs to include in the seismic hazard budget category.

The commission also developed a ground acceleration listing of school facilities for the department that is currently posted on the DEED School Facilities website along with a map produced by the Commission that graphically shows the expected peak ground acceleration for the various areas of the state. This information can be combined with other information such as building age and construction type to help school districts determine the relative risk of their facilities to seismic events. This information could not have been developed by department staff because we lack the necessary expertise.

In summary, the Department of Education and Early Development has benefitted from the existence of the Alaska Seismic Hazard Safety Commission, and supports extension of the Commission.