

ALABAMA LEGISLATIVE COMMISSION ON JUVENILE DELINQUENCY  
1595 HJ BILL NOTES - CONFIRMATION HEARING DIANA SHOWDEN

1981-1982

HOUSE JUDICIARY COMMITTEE

LIST OF FILES (PAGE 1)

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HOUSE JUDICIARY COMMITTEE 1982 BILL NOTES

ALASKA CODE REVISION COMMISSION SUNSET  
HEARING

CONFIRMATION HEARING - CAROLYN GUESS  
(A.P.U.C.)

CONFIRMATION HEARING - DIANA SNOWDEN

CONFIRMATION HEARING - SUSAN KNOWLES  
(A.P.U.C.)

PAROLE BOARD SUNSET HEARING

VIOLENT CRIMES COMPENSATION BOARD  
CONFIRMATION

HB 8

HB 47

HB 52

HB 74

HB 81 - SEE HB 434

HB 112

HB 180

HB 184

HB 199

HB 206

HB 210

HB 225, HB 261, HB 293, PAROLE BOARD

HB 252

HB 253, HB 254, HB 255

HB 261 (SEE HB 225 FOLDER)

HB 287

HB 293 (SEE HB 225 FOLDER)

1981-1982

HOUSE JUDICIARY COMMITTEE

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HB 294

HB 332

HB 337

HB 338

HB 339

HB 344

HB 356

HB 377

HB 395, HB 396

HB 409

HB 413

HB 419

HB 428

HB 434 AND HB 81

HB 438

HB 445

HB 468

HB 473

HB 500

HB 546

HB 548

HB 553

HB 556, SB 421

HB 572

HB 573

HB 575

1981-1982

HOUSE JUDICIARY COMMITTEE

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HB 576

HB 577

HB 578

HB 590

HB 591

HB 618, HJR 66

HB 622

HB 623

HB 624

HB 627

HB 632

HB 633

HB 640

HB 642

HB 657

HB 667

HB 674

HB 679

HB 701

HB 753

HB 838

HB 848

HB 869

HCR 55

HJR 12

HJR 14

1981-1982

HOUSE JUDICIARY COMMITTEE

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HJR 22 AND HJR 23

HJR 41

HJR 48

HJR 66 (SEE HB 618 FOLDER)

HJR 67

HJR 69

HJR 71

HJR 77

HJR 81

SB 3

SB 6

SB 29

SB 43

SB 69

SB 80

SB 83

SB 84

SB 89

SB 100

SB 115

SB 165

SB 167

SB 180

SB 186

SB 193

SB 266

1981-1982

HOUSE JUDICIARY COMMITTEE

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SB 283

SB 327

SB 392

SB 421 (SEE HB 556 FOLDER)

SB 485

SB 535 (FILE 1)

SB 535 (FILE 2)

SB 545

SB 547

SB 686

SB 687

SB 692

SB 693

SB 744

SB 765

SB 841

SCR 37

SJR 75

H. JUDICIARY

Committee

"82 BILL

NOTES

House of Representatives  
Committee on Judiciary

Chairman  
C. J. Anell  
C. J. Freeman  
C. J. Meekins  
Rep. Buchholdt

MEMORANDUM

TO: CHIEF CLERK OF THE HOUSE

FROM: REPRESENTATIVE RAMONA BARNES  
CHAIRMAN, HOUSE JUDICIARY COMMITTEE

DATE: January 27, 1982  
TIME: 1:15 p.m.  
PLACE: Room 124, Capitol Building  
RE: COMMITTEE SCHEDULE  
February 1-5, 1982

Monday, February 1, 1982 - Mark-up:  
HB47 - An Act relating to the prohibition against was'p of  
the meat of wild food animals.

HB438 - Chemical Blood Tests, Driving while Intoxicated

Tuesday, February 2, 1982 - Testimony and Mark-up:  
HB590 - An Act relating to the number of Superior Court Judges  
- providing for an additional judge for the First Judicial District.

HB576 - An Act relating to videotaping of the testimony of  
young sex crime victims, and to the closing of the courtroom during the  
trial of such cases.

Wednesday, February 3, 1982 - Testimony and Mark-up.  
HCR55 - A resolution relating to the creation of a Joint  
Committee on Crime.

HB332 - An Act limiting the civil liability of aviation fuel  
refiners, and providing for an effective date.

Thursday, February 4, 1982 - Testimony and Mark-up:

HB624 - An Act creating judicial retention election districts,  
and providing for an effective date.

Friday, February 5, 1982 - Testimony and Mark-up:

HB52 - An Act making miscellaneous amendments to the law  
administered by the Alaska Transportation Commission.

HR/LL

- F  
- REC. FROM  
- REC  
- No  
- REC  
- FS  
- C  
- Cop

# House of Representatives

## Committee on Judiciary

### MEMORANDUM

TO: CHIEF CLERK OF THE HOUSE

FROM: REPRESENTATIVE RAMONA BARNES  
CHAIRMAN, HOUSE JUDICIARY COMMITTEE

DATE: February 1, 1982

TIME: 1:15 p.m.

PLACE: Room 124, Capitol Building

RE: COMMITTEE SCHEDULE  
February 8-12

Monday, February 8, 1982 - Joint Hearing for Teleconference  
Testimony with ~~House~~ <sup>House</sup>, Health and Education and Social Services Committee  
on:

HB225 - Relating to Alaska Board of Parole  
HB293 - Relating to Alaska Board of Parole  
HB261 - Relating to Alaska Board of Parole

} Div of Corrections?  
presumptive -

NOTE: This joint teleconference hearing will be held in Room 112,  
Capitol Building.

Tuesday, February 9, 1982 - Testimony and Mark-up: *LT Gov.*

HB184 - An act authorizing an advisory vote on convening special  
sessions of the legislature at any location in the state.

Wednesday, February 10, 1982 - Testimony and Markup:

HB674 - An act relating to requirement for Attorney General's  
investigation of violations of AS 45.05.50

~~HB229~~ - ~~HB229~~

- Law, Ct System CO

Thursday, February 11, 1982 - Testimony and Markup:

HB428 - An act relating to state litigation and amending Civil  
Rules 6 and 65. - Law

Friday, February 12, 1982 - Testimony and Markup:

HB74 - An act amending the laws relating to creditors and debtors  
duties and rights.

- Ct System  
- Revenue

\* Call Kurtz - 1/12  
will act brief

POUCH V  
JUNEAU, ALASKA 99811

# House of Representatives

## Committee on Judiciary

HOUSE  
COMMITTEE MEETING SCHEDULES  
Prepared by the Chief Clerk's Office  
February 11, 1982

FOR THE WEEK OF February 15 - 19

### HOUSE JUDICIARY COMMITTEE

Meets: Capitol 124, 1:15 - 3:00  
Daily.

Monday, February 15

HB332 Limiting liability of aviation fuel  
refiners. *cancelled*

Tuesday, February 16

HB52 Amending Alaska Transportation  
Commission statute.

332

Wednesday, February 17

HB184 Relating to an advisory note on  
convening special sessions anywhere in  
Alaska.

Thursday, February 18

HB339 Relating to the standard for enactment  
of administrative regulations.

HB438

Relating to drivers' license suspension - *H*  
laws, D.W.I., and blood tests. *- P.S.*

Friday, February 19

HB624

Relating to creation of judicial - *quorum*  
retention districts. *Dick Br*

*Karla Forsyth - testify*

*memo. of  
hearing*

*Dick Br*

# House of Representatives

## Committee on Judiciary

HOUSE  
COMMITTEE MEETING SCHEDULES  
Prepared by the Chief Clerk's Office  
February 18, 1982

FOR THE WEEK OF February 22 - 26

### HOUSE JUDICIARY COMMITTEE

Meets: Capitol 124, 1:15-3:00  
Daily.

Monday, February 22

HB438 Relating to drivers' license suspension laws, D.W.I. and blood tests.

HB47 An Act relating to the prohibition against waste of the meat of wild food animals.

Tuesday, February 23

HB74 Relating to rights of debtors and creditors. *-Kaela*

HB184 Relating to convening special sessions anywhere in Alaska.

Wednesday, February 24

\*\* HB627 Relating to crime victims and witnesses.

\*\* HB869 Relating to crime victim compensation.

Thursday, February 25

\*\* HJR67 Alaska capital investment fund.

Friday, February 26

HJR67 Alaska capital investment fund.

\*\* SB545 Relating to release after conviction of an offense.

HOUSE  
COMMITTEE MEETING SCHEDULES  
Prepared by the Chief Clerk's Office  
March 11, 1982

FOR THE WEEK OF March 15 - 19

HOUSE JUDICIARY COMMITTEE

Meets: Capitol 124, 1:15-3:00 p.m.  
Daily.

Monday, March 15

Bills carried over:

HB74 - ~~Deegan~~ HB428 - ~~Metcalfe~~  
HJR77 - ~~Richardson~~ HJR71 - ~~Cotten~~

Tuesday, March 16

\*\* HCR12 Proposing an amendment to the uniform  
rules relating to the election of the  
presiding officers of the legislation.

\*\* HCR13 Proposing an amendment to the uniform  
rules to establish the composition of  
standing committees.

Wednesday, March 17

HJR67 Alaska Capital Investment Fund.

\*\* HB753 Allowing collection of signatures on  
initiative, referendum, and recall  
petitions in shopping mall, and  
providing for an effective date.

Thursday, March 16

\*\* HB112 Authorizing advisory vote on raising the  
age of majority to 21.

\*\* HJR41 Proposing an amendment to the  
Constitution of Alaska defining the term  
"appropriation." *passed 3-19-82*

Friday, March 17

\*\* HB838 Increasing the liquor tax; and providing  
for an effective date.

*passed 3-19-82*

*Carried  
OVER due  
to 1:15 floor  
session*

## Committee on Judiciary

HOUSE  
COMMITTEE MEETING SCHEDULES  
Prepared by the Chief Clerk's Office  
February 25, 1982

FOR THE WEEK OF March 1 - 5

### HOUSE JUDICIARY COMMITTEE

Meets: Capitol 124, 1:15-3:00  
Daily.

Monday, March 1

HB47

An Act relating to prohibition against waste of the meat of wild food animals.

HJR67

Alaska capital investment fund.

Tuesday, March 2

HB74

Relating to rights of debtors and creditors.

*HB 199 - Lt. Sibley maybe - Harry T. Ragar - occup.*  
Wednesday, March 3

HB438

Relating to drivers' license suspension laws, D.W.I. and blood tests.

Thursday, March 4

HB184

Relating to convening special sessions anywhere in Alaska.

HB 409 -

\*\* Friday, March 5

HJR77

Proposing an amendment to the Constitution relating to annulment of regulations by the legislature.

## Committee on Judiciary

HOUSE  
COMMITTEE MEETING SCHEDULES  
prepared by the Chief Clerk's Office  
FOR THE WEEK OF March 29 - April 2, 1982

### HOUSE JUDICIARY COMMITTEE

Meets: Capitol 124, 1:15-3:00 p.m.  
Daily.

Monday, March 29

\*\* SB89 Child Abuse.

HB553 Relating to the criminal laws of state.

HB423

Tuesday, March 30

SB545 An Act relating to release after  
conviction of an offense.

\*\* HB591 Making corrective amendments in the  
Alaska Statutes as recommended by the  
revisor of statutes.

Wednesday, March 31

\*\* HJR48 Proposing an amendment to the  
Constitution of the State of Alaska  
increasing the size of the legislature.

\*\* HB848 An Act reenacting the law relating to  
the marital deduction in testamentary  
transfers; and providing for an  
effective date.

\*\* HB8 An Act providing for the management and  
control of certain land in the state;  
and providing for an effective date.

HJR 14

Bills carried over

Thursday, April 1

Hearing Confirmation of Susan Knowles to A.P.U.C.

Friday, April 2

Hearing on Confirmation of Diana Snowden and  
Carolyn Guess to the A.P.U.C.

Committee on Judiciary

HOUSE

COMMITTEE MEETING SCHEDULES

Prepared by the Chief Clerk's Office

March 18, 1982

FOR THE WEEK OF March 22 - 26

*Handwritten initials*

HOUSE JUDICIARY COMMITTEE

Meets: Capitol 124, 1:15-3:00 p.m.  
Daily.

Monday, March 22

Bills carried over:

HB210      HB838 -  
HB428 -    HJR41 -  
HB753      HCR 12 & 13  
WORK SESSION

Tuesday, March 23

HB112      Authorizing advisory vote on raising the  
age of majority to 21.  
\*\* HB338      Prohibiting access by minors to premises  
where drug paraphernalia is for sale.

Wednesday, March 24

\*\* SB266      Establishing an official policy of using  
neutral pronouns in the Alaska Statutes.  
\*\* ~~HJR48~~      Proposing an amendment to the  
Constitution increasing size of  
Legislature.

*Car*

Thursday, March 25

\*\* HB553      Relating to the criminal laws of state.  
\*\* SB186      Adopting the Interstate Corrections  
Compact; and effective date.  
HJR67      Alaska Capitol Investment Fund.

Friday, March 26

\*\* HB546      An Act relating to state contracts for  
professional services and establishing  
a penalty for violation of provisions of  
law relating to professional service  
contracts; and effective date.  
\*\* SJR75      Relating to martial law in Poland.  
\*\* HJR14      Urging the United States Congress to  
propose to the people of the United  
States an amendment to the Constitution  
of the United States, or to call a  
convention for the purpose of adopting  
the "Liberty Amendment."

HOUSE  
COMMITTEE MEETING SCHEDULES  
Prepared by the Chief Clerk's Office  
FOR THE WEEK OF April 5 - 9, 1982

HOUSE JUDICIARY COMMITTEE

Meets: Capitol 124, 1:15-3:00 p.m.  
Daily.

Monday, April 5

- \*\* HB701 Relating to the Human Rights Commission
- HB679 An Act relating to imitation controlled substances.

Tuesday, April 6

- \*\* SB69 An Act relating to potential consequences of the assessment of driver's demerit points.

Wednesday, April 7

- \*\* SB765 An Act exempting the importation of alcohol beverages for religious purposes from a prohibition on the importation of alcoholic beverages into municipalities or villages.

Thursday, April 8

- \*\* SB547 Videotaping testimony of minors.

Friday, April 9

- Bills held over to be announced.

- HB338 - Drug paraphernalia - minors.
- HR428 - Amending Civil Rules 6 and 65. Metcalfe.
- HB553 - Relating to criminal laws of the state.
- HB546 - Relating to state contracts for professional services and establishing a penalty for violation of provisions of law relating to professional service contracts, effective date.
- HB576 - Videotaping of testimony, minors.
- HR67 - Alaska Capitol Investment Fund.
- SB266 - Establishing an official policy of using neutral pronouns.
- HB755 - An act allowing for collection of signatures on initiative, referendum, and recall petitions in shopping malls.

*Schedule  
4-3-82*

## Committee on Judiciary

HOUSE  
COMMITTEE MEETING SCHEDULES  
Prepared by the Chief Clerk's Office  
FOR THE WEEK OF April 12 - 16, 1982

*RW*

### HOUSE JUDICIARY COMMITTEE

Meets: Capitol 124, 1:15-3:00 p.m.  
Daily.

Monday, April 12

No Committee Meeting today due to 2:00 p.m.  
Floor Session.

Tuesday, April 13

A.P.U.C. Teleconference

SB85 An Act permitting a minor under the age  
of 18 to continue employment in an  
occupation in which a strike or lockout  
is in progress.

SB744 An Act making special appropriations for  
legal fees and litigation costs related  
to oil and gas matters.

SB692 An Act relating to the duties of  
coroners and the coroner's inquest.

SB547 Videotaping of testimony of minors.

Wednesday, April 14

~~Joint Meeting of Senate and House Judiciary  
Committees and the Alaska Judicial Council.~~

SB535 An Act relating to the Criminal laws  
of the state.

SB687 An Act relating to the issuance of  
search warrants, and changing Rule 37,  
Rules of Criminal Procedure.

Thursday, April 15

SB167 An Act relating to election campaigns  
and to the composition and responsibili-  
ties of the A.P.O.C., eff. date.

SB165 An Act relating to constitutional  
conventions. eff. date.

Friday, April 16

Bills held over.

Against the 399-

Jan Levy:

789-9133 h-

789-0873 Work

If this bill comes up for hearing. Please call her.

She wants to sit on in on Committee

against the bill

SB 399

Jim Herron  
333-9773

called Tim Kelley - did not  
read the read the bills -  
and told him it was a good bill.

PLEASE CALL

Jan Ivy

SB 399

789-9133 (H)

489-0873

Betty Hadd

822-3582

↓  
SB 399 - against  
Bill

TERRY CRAMER

4442

SB 193

contact when heard

notify -

TERESA CRAMER

4442

use: SB 193



**KENNETH L. KAREEN**  
DIRECTOR OF PERSONNEL

STATE OF ALASKA  
Pouch C-0201

Juneau, Alaska 99811  
(907) 485-4430



STATE OF ALASKA

**FREDERICK B. MULLER**  
Deputy Commissioner

DEPARTMENT OF ADMINISTRATION  
Office of Commissioner

10th Floor State Office Bldg.  
Phone: (907) 465-2201

Pouch C (MS-0200)  
Juneau, Alaska 99811

call  
Re:  
193



TO: Representative Ramona Barnes, Chairman  
House Judiciary Committee

FROM: Representative Dick Randolph

DATE: March 22, 1982

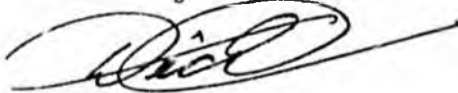
Dear Ramona:

I currently have two pieces of legislation in your committee, which are not scheduled and which I believe are in the best interests of all Alaskans.

HB 8, which is Alaska's version of the "Sagebrush Rebellion" has been transferred to Judiciary from Resources where substantial testimony was received including personal testimony from State Senator Dean Rhodes of Nevada, urging Alaska to pass this bill and help the interest of all western states.

HJR 31 is also an important piece of legislation which deserves a hearing in order to resolve the capital move issue and unite Alaskans for the future.

I sincerely hope that both of these subjects can be scheduled for hearing and action in the near future.



Dick Randolph

DR/p



Partners for Progress  
with Alaska's Communities

RURAL ALASKA COMMUNITY  
ACTION PROGRAM  
A. COHOLISM PROGRAM

**Peg Engwall, Director  
Alcoholism Department**

F. O. BOX 33908  
327 EAGLE STREET  
ANCHORAGE, ALASKA 99501

*SB867 please  
notify*  
(907) 279-2511



From The  
House  
Finance Committee

*Please  
contact*

*4 SB 399  
is calendared*

*SB 399*

*Adoption*

*Joyce*

*Lanier*

*586-7701*

*789-0515*

March 11, 1982

5:30pm

Shayne Tuck

337-2861

HJR 14

Liberty Amendments

want to know when

when this will be rep

contacted

2-23-82

Alaska State Legislature  
House of Representatives

Albert P. Adams  
Chairman  
Committee on Finance

WHILE IN SESSION  
Pouch V  
State Capitol  
Juneau, Alaska 99811  
(907) 465-3706  
HOME - DISTRICT 21  
P.O. Box 271  
Kotzebue, Alaska 99752  
(907) 442-3320



Official Business

TO: Representative Ramona Barnes, Chair  
House Judiciary Committee

FROM: Representative Albert P. Adams, <sup>AP</sup>Chairman  
House Finance Committee

DATE: March 10, 1982

SUBJ: Requesting a Hearing

I would like House Bill 838, Increasing the Liquor Tax, to be scheduled for a hearing as soon as possible. Please speak to Wendy Rader, of my staff, if you have any questions, and to notify when the bill has been scheduled.

Thank you.

*Shake I set sure this  
next week?*

*Unread - 3-19-82*

586-6900

→ COYFOT 5

Henry PRATT - 2-3 wks AP.U.C  
279-5137 Please call when hearings  
are coming up.

HJR 14

- Liberty Amendment

3-14-82



- per Ramona

HJR 48 - ~~per~~ # yrs, when possible

HB 546 - chase for substitute in  
(State Affairs) loss office, Mitch ~~Grady~~ (SP?)

STR-75 - Schulze T. Burns

SB 186 - Schulze

M E M O R A N D U M

TO: House Judiciary Committee Members

FROM: Karla L. Forsythe  
General Counsel, Alaska Court System

SUBJECT: Substantive bills of interest to the court system

DATE: March 2, 1982

1. HB 687 - issuance of search warrants by telephone.  
Status: House Judiciary Committee  
Court System Concerns: Request deletion of transcription requirement. *SEE file for memo*
2. SB 692 - clarifies duties of coroners.  
Status: House Health and Social Services Committee
3. SB 693 - extends court system authority over planning, construction and maintenance of court facilities (sunsets June, 1982).  
Status: Senate Finance Committee
4. SB 811 - includes social security numbers as a data element which must be provided to the court system to eliminate duplicate names from jury list.  
*SEE file for memo*  
Status: Senate Judiciary

Tom Boland  
American Express  
in New York  
(212) 323-3637

call & notify vb

↓  
HB 491

is scheduled  
for a hearing

ALASKA STATE LEGISLATURE

call about  
HJR 14

**BILL ZYBACH**

ADMINISTRATIVE ASSISTANT TO  
SENATOR CHARLES H. PARR

ROOM 209 BEHREND  
POUCH V  
JUNEAU, ALASKA 99811

(907) 465-4908  
AIDE TO HEALTH,  
EDUCATION & SOCIAL  
SERVICES COMMITTEE

~~CS SB 266  
Susan Clark  
A.A. D.M.J.  
Van Housen~~

Ed Kowara  
789-2165  
NS: 576  
from -  
Sexual Abuse  
Task force  
Team  
HTF 67  
Carolyn Burg  
SB6-2717 / 3448

From  
SB 811  
Kanda Fergie  
will testify &  
Drought up

SB 611 - Criminal penalties  
↓ for DWI in aircrafts

- bring up when we do  
Senate bills -

MEMORANDUM

Ramona says yes to both  
a.s.a.p.  
Received 3-4-82

TO: Representative Ramona Barnes, Chairman  
House Judiciary

FROM: Representative David Cuddy

SUBJECT: Hearings on HCR 12 and HCR 13  
heard 3-16-82

I am requesting at this time, hearings on HC.  
and HCR 13 regarding election of presiding officers and  
establishing composition of standing committees.

Doc BEIRNE  
wants this brought  
up in the next  
few weeks if possible  
2-26-82 J.

Introduced: 3/26/81  
Referred: Judiciary and Finance

BY BEIRNE, FREEMAN, ~~MALCOLM~~ HAYES,  
CATO, RANDOLPH, MOSS, ~~BARNES~~, HALFORD,  
FANNING, MONTGOMERY, O'CONNELL AND  
BETTISWORTH, *Phillips, Grassmeyer, McDevitt*

IN THE HOUSE

HOUSE JOINT RESOLUTION NO. 41

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE - FIRST SESSION

3-22-82  
passed  
out

Proposing an amendment to the Consti-  
tution of the State of Alaska defin-  
ing the term "appropriation."

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

\* Section 1. Article XII, Constitution of the State of Alaska, is amended  
by adding a new section to read:

SECTION 14. APPROPRIATION DEFINED. As used in this constitution  
the term "appropriation" or variations of the term means an authoriza-  
tion to withdraw money from the treasury for a specified purpose. It  
does not include disposition of land or other tangible property.

\* Sec. 2. The amendment proposed by this resolution shall be placed  
before the voters of the state at the next general election in conformity  
with art. XIII, sec. 1, Constitution of the State of Alaska, and the elec-  
tion laws of the state.

Bill possibilities -

HB 428 - Medical fees - we've already heard it once, should we move it on now? No indication was given by members at the time as to what direction they want to take  
heard 3-17-82

HB 753 - allow sq., initiatives, referendums. This is Martens Bill and wants to know if we can bring it up for Joe Groves sake  
heard 3-17-82

HB 112 - advisory vote on raising the age of majority to 21. Martens bill. 3-18-82

HB 333 - moratorium on premises of drug para

# Alaska State Legislature



Speaker of the House of Representatives

Pouch V  
State Capitol  
Juneau, Alaska 998  
(907) 465-3720

ial Business

## MEMORANDUM

TO: Representative Ramona Barnes, Chair  
Judiciary Committee

FROM: Speaker Joe Hayes *[Signature]*

DATE: February 19, 1982

RE: HB 210

It is my understanding that the HESS committee substitute for HB 210 (relating to child custody) will be sent to the Judiciary Committee within the next few days. I would appreciate it if you would review this bill and consider moving it quickly through your committee. It is a bill of considerable interest to me and I believe a good piece of legislation.

*see file for Roger's comments*

*Scheduled*

*March 11*

Colonel Russ Anderson  
wants to see  
HB563 pass  
and will do  
anything he can  
to help testify  
and correspondence  
etc. He would  
like us to contact  
him as soon as  
we know anything  
on this Bill -  
(work) 277-1918

Alaska Civil Air Patrol  
Box 1836  
Anchorage, AK 99510

heard 3-16-82

~~HJR 71~~

~~Schedule for leaving  
auto lease -~~

~~HJR 71~~

~~I want Calendars  
for next week - this  
is the second note on  
this subject -~~

~~Tomorrow at 9~~

~~Public Protection Sub Committee~~

scheduled for Fri, March 12

Ramona,

For Joe Grove's  
sake how about  
holding a hearing on

HB 753

Terry

marked 3-19-82

RECEIVED WEEK OF  
2-22-86

ALASKA  
CODE RE-

VISION  
COMMISSION

SUNSET

HEARING

SUNSET HEARING ON ALASKA CODE REVISION COMMISSION

PROPOSED STATUTE CHANGES

-STATUTORY LANGUAGE-

Sec. 24.20.075. Code Revision Commission. (a) The Code Revision Commission is established as permanent commission of the legislature.

(b) The commission consists of two legislators, one from each house, appointed by the presiding officer, (one) four public member s, who (is) are not (an) employee s of the state government, appointed by the governor; a designee of the governor, who is an attorney employed by the executive branch of the state government; a designee of the chief justice of the supreme court; and a designee of the Alaska Bar Association appointed by the board of governors of the association. Legislative members serve at the pleasure of the presiding officer, and appointed members serve at the pleasure of the appointing authority. Members receive the standard per diem for board members, or the regular legislative per diem if they are legislators, for days spend on commission business. The commission selects its chairman and vice-chairman. The director of legal services for the Legislative Affairs Agency, or his designee serves as executive secretary for the commission.

(c) The commission shall

(1) examine the statutes of the state and judicial decisions to discover defects and anachronisms in the law;

(2) review and consider proposed changes in the law recommended by the National Law Institute, the National Conference of Commissioners on Uniform State Laws, the Alaska Judicial Council, the supreme court, the state or local bar associations, principal departments, agencies, boards and commissions of the executive or judicial branch and committees of the legislative branch,

(3) receive and consider suggestions from the Legislative Council as to proposed statute revisions mandated by the Council in 24.20(4)(b) and 24.20.070(a) and (b).

(4) receive and consider suggestions from the Alaska bench and bar, public officials, organizations, and individuals as to areas of law needing review and remedy;

(5) recommend changes in law needed to eliminate antiquated and inadequate rules of law and to bring the law into harmony with current needs and conditions.

(d) The commission may

(1) hold public hearings and other meetings as necessary throughout the state and shall determine an appropriate quorum for conducting business;

(2) establish one or more subcommissions to assist it in the performance of its duties. Persons from the public sector may be solicited by commission members to act as advisory members on the duly established subcommissions.

(e) The staff of the Legislative Affairs serves as staff for the commission. Subject to appropriation for the purpose, the commissions may request the agency to contract with other agencies or persons for the performance of necessary services.

(f) The commission shall submit its reports and recommendations, and draft legislation as to revision of law, to the Legislative Council and shall distribute them to the governor, members of the legislature, and the chief justice of the supreme court.

(g) Within 30 days of the convening of each legislative session, the commission shall address a joint session of the legislature. In the address, the chairman or his designee shall inform the legislators of the primary pieces of legislation they have been working on and which the commission feels should be taken up by the two houses and the reasons why.

(h) All branches of state government shall provide information and documents requested by the commission necessary to the accomplishment of its work.

(i) The commission shall make a formal request to the Legislative Council for funds it considers necessary for the per diem, travel and contractual expenses of the commission. Funds appropriated to the commission are to be disbursed and accounted for under procedure required by the Legislative Affairs Agency. The commission chairman shall approve all expenditure documents (1 ch 114 SLA 1976; am 1 ch 57 SLA 1977)

The above amendments to existing law are an attempt at addressing the following problem areas highlighted in the Alaska Revision Commission Sunset Hearings:

A) The need for additional public input to make proposed legislation more pertinent to legislators and public alike.

B) Implementation of language to provide a closer more cohesive relationship between the Legislative Council and the A.C.R.C., and eliminate possible overlap of work between the two bodies.

C) If the legislation the commission is working on is to be acted up by the legislature, the addition of a joint session informing the members of the proposed legislation would provide the two houses with the initial information necessary to make them aware that such legislation exists through the work of the Code Revision Commission.

\* An additional recommendation to the Alaska Code Revision Commission (not included in statutory changes or requirements) would be to have the commission implement as a top priority the active pursuit of enactment, by the legislature, the legislation they believe to be of vital importance.



# Alaska State Legislature

## House of Representatives

Official Business

Pouch V  
State Capitol  
Juneau, Alaska 99811

February 19, 1982

### MEMORANDUM

FROM: Representative Charles Anderson

TO: Representative Ramona Barnes, Chairman  
House Judiciary

RE: Memo regarding Continuing the Alaska Code Revision  
Commission

For your information, enclosed is a copy of above memo.

ALASKA CODE REVISION COMMISSION



COMMISSIONERS  
JOHN W. ABBOTT - CHAIRMAN  
JAMES L. BALDWIN - VICE CHAIRMAN  
PATRICK M. RODEY  
CHARLES G. ANDERSON  
L. S. KURTZ, JR.  
JUDGE (RET.) THOMAS B. STEWART

ALASKA STATE LEGISLATURE  
POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
(907) 465-4878

EXECUTIVE SECRETARY  
BILLY G. BERRIER

MEMORANDUM

TO: Senator Patrick M. Rodey  
Representative Charles G. Anderson

FROM: Dickerson Regan, Consultant *Dick Regan*  
Alaska Code Revision Commission

DATE: February 18, 1982

RE: Continuing the Alaska Code Revision Commission

Although I am sure you are aware of it, this is a reminder that the Alaska Code Revision Commission expires June 30, 1982 (except for a windup year) unless it is continued or reestablished (AS 44.66.010).

I understand each judiciary committee will be a "committee of reference" to hold "one or more hearings" (AS 44.66.050(a)), and to submit a report to the presiding officer of the (each) house not later than the 60th day of the legislative session (AS 44.66.050(d)). The committee of reference may introduce a bill providing for the reorganization or continuation of the commission (AS 44.66.050(e)). The maximum period of continuation is four years (AS 44.66.010(c)). It appears that the committee bill could be as simple as:

An Act to continue the Alaska Code Revision Commission.

AS 44.66.010(a)(8) is amended to read:

(8) Alaska Code Revision Commission (AS 24.20.075) -- June 30, 1986;

I understand the audit of the commission will be submitted to the committees of reference about February 23rd, or shortly thereafter (AS 24.20.271(1)).

This memo is mainly to mention the report that is required by the 60th day of the session, and the bill that is necessary if the commission is to continue to function actively and not be in its windup year starting July 1, 1982.

DR:chw

SENATOR  
PATRICK M. RODEY  
3271 MONTCLAIRE COURT  
ANCHORAGE, AK 99503



SENATE MAJORITY LEADER  
CHAIRMAN  
SENATE JUDICIARY COMMITTEE  
CHAIRMAN  
SENATE SPECIAL COMMITTEE  
ON BANKING

ALASKA STATE LEGISLATURE

POUCH V  
JUNEAU, ALASKA 99811  
(907) 465-3717

March 2, 1982

Honorable Vic Fischer  
Chairman  
Senate State Affairs Committee  
Pouch V  
Juneau, Alaska 99811

RE: SUNSET OF THE ALASKA CODE REVISION COMMISSION

Mr. Chairman and Members of the Committee:

As your Committee considers the performance record of the Alaska Code Revision Commission, I would like to go on record as supporting the continuation of this Commission.

I was the primary Sponsor of the legislation which created the Commission in 1976. Since its inception, I have served as Chairman, and am currently a member of the Commission. Working with the Commission for more than five years has given me an opportunity to observe its activities and performance on a first-hand basis. It is my belief that the Commission operates in a fair, efficient, economical and effective manner in carrying out its statutory functions and responsibilities.

The membership of the Commission provides a wide range of legislative, judicial, executive and public knowledge and perception. This broad base of experience and expertise has served the legislative process well and I believe it is in the Legislature's best interest to continue the Commission.

I hope the Committee will agree that the Alaska Code Revision Commission deserves continuation so the Legislature can still benefit from their services. The responsibility of revising and updating entire bodies of technical law is a task not performed by any other agency of state government.

Additionally, the Commission has accomplished a great deal toward identifying antiquated and superfluous laws bringing them into conformity with current technological, economical, and social conditions. The Commission has undertaken a task, which if left to the Legislature, would place a heavy burden on our already taxed time.

Sincerely,

A handwritten signature in cursive script that reads "Patrick M. Rodey".  
Patrick M. Rodey

# STATE OF ALASKA

## DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

OFFICE OF THE COMMISSIONER

March 2, 1982

JAY S. HAMMOND, GOVERNOR

POUCH D  
JUNEAU, ALASKA 99811  
PHONE: 465-2500

Honorable Vic Fischer  
Chairman  
Senate State Affairs Committee  
Pouch V  
Juneau, Alaska 99811

Dear Senator Fischer:

Re: Alaska Code Revision Commission ("CRC")

The Division of Banking, Securities, Small Loans & Corporations does not have adequate personnel either in numbers or by training to monitor, prepare and propose necessary revisions to laws it is charged with administering.

The CRC has directed the preparation of revisions to several statutes affecting the division. They include:

The Alaska Business Corporation Act, AS 10.05;  
The Alaska Nonprofit Corporation Act, AS 10.20; and  
The Alaska Uniform Limited Partnership Act, AS 32.10.

It is important that laws affecting Alaska businesses and business activities be kept current and under regular review.

The CRC has been most responsive to our inquiries and suggestions concerning statutes which affect the division or which the division is charged with administering. The CRC in these matters has, in fact, treated us as a de facto member of the commission.

Mr. Kirkpatrick, director of the division, stands ready to answer any questions or furnish additional information.

Sincerely,



Charles R. Webber  
Commissioner

CRW/shB/30

cc: Katherine Walsh, Secretary, CRC  
Pouch Y

ALASKA CODE REVISION COMMISSION

Proposed Budget for FY 83

Personal Services

Secretary (Range 12, step K)  
12 mos. at 2,379 per month \$28,548  
Benefits at 27% 7,708

\$36,256

*research director (Range 23, Step C)*  
12 mo. at 4,022 per mo.

Travel

12 monthly hearings @ \$29,278  
1 hearing in rural Alaska 6,136

\$35,414

Contractual Services

Telephone at \$294 per mo. \$ 3,528  
Printing/advertising 2,354  
Rents/Leases 2,943  
Consultants 152,600

\$161,425

Supplies and Materials

Printing Supplies/Materials @ \$196  
per mo. \$2,352  
Stationery and office supplies 2,825

\$5,177

Total Fiscal Year 1983 \$238,272

Rounded \$239,000

STATE OF ALASKA

ALASKA CODE

REVISION COMMISSION

1981

ANNUAL REPORT



FEBRUARY 1982

ALASKA CODE REVISION COMMISSION  
POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811

ALASKA CODE REVISION COMMISSION

Commission Members

and

Appointing Authority

JOHN W. ABBOTT  
Chairman  
Governor--Public Member

L. S. KURTZ, JR.  
Board of Governors  
Alaska Bar Association

JAMES L. BALDWIN  
Vice-Chairman  
Governor--Executive

CHARLES G. ANDERSON  
Member of the House of  
Representatives  
Alaska State Legislature

PATRICK M. RODEY  
Member of the Senate  
Alaska State Legislature

JUDGE THOMAS B. STEWART (RET.)  
Chief Justice--  
Judicial Branch

---

SUSAN A. BURKE  
served as  
representative of  
Governor--Executive Branch  
until her resignation  
on January 1, 1981

FRED E. BROWN  
served as  
representative of the  
House of Representatives  
until he was replaced in  
June, 1981

WM. GRANT CALLOW  
served as the representative of the  
Chief Justice--Judicial Branch  
until his resignation on September 15, 1981

BILLY G. BERRIER  
Executive Secretary  
Director, Legal Services  
Legislative Affairs Agency

OFFICE:

110 Seward Street, Rm. No. 5  
Juneau, Alaska 99801  
PHONE: (907) 465-4378

MAILING:

Pouch Y, State Capitol  
Juneau, Alaska 99811

ALASKA CODE REVISION COMMISSION



COMMISSIONERS  
JOHN W. ABBOTT - CHAIRMAN  
JAMES L. BALDWIN - VICE CHAIRMAN  
PATRICK M. RODEY  
CHARLES G. ANDERSON  
L. S. KURTZ, JR.  
JUDGE (RET.) THOMAS B. STEWART

ALASKA STATE LEGISLATURE  
POUCH V - STATE CAPITOL  
JUNEAU, ALASKA 99811  
(907) 465-4878

EXECUTIVE SECRETARY  
BILLY G. BERRIER

February, 1982

Representative Hugh Malone  
Chairman, Alaska Legislative Council  
Pouch V, State Capitol  
Juneau, Alaska 99811

Dear Representative Malone:

Pursuant to AS 24.20.075(f), the Alaska Code Revision Commission submits this report of its activities performed throughout the year 1981.

Very truly yours,

A handwritten signature in cursive script that reads "John W. Abbott".

John W. Abbott, Chairman  
Alaska Code Revision Commission

JWA:chw

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# ANNUAL REPORT FOR THE YEAR 1981

## INTRODUCTION

The primary objective of the Alaska Code Revision Commission, as established by AS 24.20.075, is to review and consider proposed changes in the law recommended by the National Law Institute, the National Conference of Commissioners on Uniform State Laws, the Alaska Judicial Council, the supreme court, the state or local bar associations, principal departments, agencies, boards and commissions of the executive or judicial branch, and committees of the legislative branch. The commission also seeks out on its own and works on parts of Alaska Statutes where it finds revision is needed to eliminate antiquated and inadequate law and to bring the law into harmony with current needs and conditions.

The commission consists of (1) two legislators, one from each house, appointed by the respective presiding officers; (2) one public member who is not an employee of the executive branch, appointed by the governor, and one member who is an employee of the executive branch, appointed by the governor; (3) a designee of the chief justice of the supreme court; and (4) a designee of the Alaska Bar Association, appointed by the board of governors of that association. The director of legal services for the Legislative Affairs Agency, or his designee, serves as the executive secretary for the commission.

The commission assists the legislature by carefully studying complex subjects, identifying major policy questions for legislative attention, gathering the views of interested persons and organizations, and drafting legislation for consideration by the legislature. Thus, the commission assists the legislature in accomplishing needed reforms that otherwise might not be made because of the heavy demands on legislative time.

## SUMMARY OF WORK OF COMMISSION

Presently in the Twelfth Legislature, Second Session, there are five bills that the commission prepared. One of the bills it prepared was enacted during the First Session of the Twelfth Legislature. The other bills now in the legislature are carried over from the 1981 session.

The Alaska Code Revision Commission was created in 1976. Since its creation it has generally reviewed the uniform acts proposed for adoption by the National Conference of Commissions on Uniform State Laws and has reviewed and discussed many parts of the Alaska Statutes for possible revision in depth. However, it has concentrated its attention on those projects described below.

Its first major project was revision of debtor and creditor law relating to exemption from execution. The resulting bill was introduced in 1979 and again in 1981. It is HB 74 and is in the House Judiciary Committee as this report is written. Commission members testified before that committee in 1981, and committee work on the bill has resumed in the 1982 session.

In 1978 the commission undertook a major revision of AS 4--Alcoholic Beverages. Since the legislature had established an interim committee specifically for this purpose, the commission forwarded its draft and extensive commentary to the Legislative Council for referral to the appropriate committee for further consideration. A complete revision of AS 4 was enacted as ch. 131, SLA 1980, which included much of the commission's work.

Also in 1978 a review of the real property conveyancing laws was begun. Then in 1979 this major project was divided into two areas: (1) recording and recorded documents; and (2) security interests in real property. The commission prepared draft legislation on each topic. In 1980 the draft bill on recording and recorded documents, which incorporates the Uniform Federal Lien Registration Act as amended by the commission, was submitted to the Legislative Council. However, no action was taken by the council on the bill in 1980, and it was introduced at the start of the First Session of the Twelfth Legislature in 1981 as SB 78. It passed out of the Senate Labor and Commerce Committee early in the session and presently rests in the Senate Judiciary Committee. The commission has provided testimony in both committees. The bill on security interests is in the House Judiciary Committee. The commission has offered to provide testimony on the bill when it comes up for consideration.

From its work on these real property bills, the commission saw the need for revision of the state law on acknowledgment that was based on a uniform law superseded in 1943. Various similar technical requirements of law also needed clarification and definition. The bill that resulted was SB 80 on oath, affirmation, acknowledgment, notarization and verification. It was enacted as ch. 137, SLA 1981.

In 1979 another major project was begun--a revision of Title 10--Corporations and Associations. This project began with an analysis of existing law and a comparison of Alaska law with other states' laws and the Model Act. Detailed drafting was done by a consultant in the field under contract with the commission. A draft of the proposed bill and commentary was completed and approved in November 1980. After forwarding the draft bill to the Legislative Affairs Agency for review, the review and final bill typing were completed in May 1981. After several meetings with the contractor and the staff member of the Legislative Affairs Agency, modifications were approved and the bill was retyped at the agency for introduction during the Second Session of the Twelfth Legislature.

Late in 1980 it was determined that a revision of the nonprofit corporations code should be undertaken, and a contract was entered into with the consultant who performed the work on the for profit code. An initial installment for review was received in February of 1981. After work throughout 1981, the final draft and commentary was approved during the November meeting and then forwarded to the Legislative Affairs Agency for review and bill typing. It is expected that the bill will be introduced sometime during the Second Session of the Twelfth Legislature. Also at the November meeting the contractor was given guidelines for preparation of a draft bill on native corporations. The first installment of that draft will be ready for consideration at the February 1982 meeting.

Also in 1980 a major project to revise the law on occupational licensing, AS 08, was begun. Six drafts were considered during 1981 and the commission gave final substantive approval to this revision and commentary at its January, 1982 meeting.

Throughout the years the commission has considered a variety of revisions. Several projects were either dropped or postponed so the commission could concentrate its efforts on revisions it believed to be more necessary and more consistent with the purposes for which it was created. Of the various topics considered, the following are worthy of note: the insurance code, the class action act, the uniform comparative fault act, the uniform marriage and divorce act, the uniform brain death act, the uniform limited partnership act,

guardians and conservators, the model product liability act, the administrative procedure act, domestic violence, small loans, and vital statistics.

In accordance with the intent of Title 24 and Title 44 of the Alaska Statutes, the Division of Legislative Audit was mandated to perform a "Sunset" review of the commission. A preliminary report including recommendations was presented to the commission in November. Consistent with "sunset" practices, the 1982 session of the legislature will determine whether the commission should be continued.

Each of the commission's bills was developed through a process of study of the available materials on the subject for revision including any pertinent uniform laws, inquiry of persons, groups and agencies concerned, and distribution of proposed drafting for comment.

During 1981 the commission held nine meetings consisting of eighteen working sessions. The time and place of these meetings was advertised in the major newspapers of the state, and special notice was given to the persons and groups thought to be most directly interested in the subjects to be taken up at particular meetings. Public participation has been encouraged in all phases of the commission's work.

## STATUS OF PROPOSED LEGISLATION

The status of legislation proposed by the commission, as detailed in its Annual Report of 1980, is as follows:

### Alaska Exemptions Act--HB 74

The bill was reintroduced in 1981 as HB 74 and was referred to House Judiciary. Although the committee held hearings on the bill, it remains in committee for further consideration in 1982.

### Uniform Commercial Code (Articles 8 and 9)--SB 77

The bill was reintroduced in 1981 as SB 77. It passed the Senate without amendment early in the session. On May 28, 1981, committee work on the bill was completed in the House, and it was referred to Rules for placement on the calendar. Although there appeared to be no opposition to enactment of these uniform amendments to the UCC, the bill was not placed on the calendar and remains in House Rules. Final passage is anticipated in the 1982 session.

### Uniform Disposition of Community Property Rights at Death Act--SB 79

The bill was reintroduced in 1981 as SB 79. It was referred to Senate Judiciary on January 14, 1981, and remains in that committee.

### Security Interests in Real Property--HB 403

The bill was introduced as HB 403 on March 25, 1981, and referred to House Judiciary. Committee hearings have not been held on the bill.

### Recording and Recorded Documents--SB 78

The bill was introduced as SB 78 and referred to Senate Judiciary January 16, 1981. Committee staff has sought to resolve differences that appeared over some aspects of the bill, and a Judiciary Committee substitute is expected to be introduced.

### Corporations--For Profit Code

The bill is scheduled for introduction early in the 1982 legislative session.

### Corporations--Nonprofit Code

The draft bill has been submitted to the Legislative

Affairs Agency for its review. Because of the volume and complexity of the bill it is uncertain when it will reach the legislature, but it should be during the 1982 regular session.

LEGISLATION ENACTED INTO LAW

Oath, Affirmation, Acknowledgment, Notarization and Verification

The commission's bill, SB 80 am H, was enacted in the form in which it was introduced, except for a nonsubstantive amendment, and became ch.37, SLA 1981, effective September 22, 1981.

## WORK OF THE COMMISSION IN 1981

During the year, the commission worked on the revisions listed below.

### Corporations--For Profit Code

The commission's work on corporations law began in 1979. After review and analysis of problems in the state law on business corporations, the commission contracted for a comprehensive study of Title 10 by a leading expert on corporation law, Professor Daniel Wm. Fessler. On the basis of the study, a contract was entered into with Professor Fessler to redraft the business corporations code.

A draft was given the commission's approval late in 1979, and the review process in the Legislative Affairs Agency was begun in 1980. However, the large volume of the work product and some differences in drafting style from the standard adopted by the legislature caused the review process to be especially time-consuming and complex. The work of the commission on the draft during 1981, therefore, was concerned largely with preserving its substantive work on the bill as style and drafting changes were made. The bill is to be introduced in the 1982 legislative session.

### Corporations--Nonprofit Code

Work on the business corporations code led the commission to contract for a review of the nonprofit corporations code and then to carry through a project to revise the law on nonprofit corporations. Work on the project continued through the year in much the same way the work had been done with the consultant on the business corporations law. The consultant's advice on policy issues was reviewed and policy decisions were made, specific drafting was done by the commission on some sections, successive drafts of the consultant's work were reviewed and revised, and a draft was approved for submission to the Legislative Council in November. The draft bill with extensive explanatory notes and section analysis then was sent to Legislative Affairs for further review required by that agency before the bill could be introduced through the Legislative Council. Experience with the for-profit revision indicated that several months will be required for the review process, and the commission may have further work to do on the bill after the Legislative Affairs Agency review.

### Business and Professions--Occupational Licensing

Throughout the year the commission's work on occupational licensing law continued. Study of the subject with

preliminary drafting was done in 1980. In 1981 the commission's work went through several additional drafts. Each of these was sent to chairpersons of the various boards, to the division of occupational licensing, and to other persons and groups thought to be interested, with a request for critical comment and an invitation to participate in the commission's meetings to review the successive drafts. A draft subject to the further review process of the Legislative Affairs Agency was approved in January, 1982. Since some of the agency review had been done at an earlier point, the additional review in that agency should be much less time consuming than that required for the corporations codes, and the bill should be introduced through the Legislative Council in the 1982 legislative session.

### Security Interests in Real Property--HB 403, Twelfth Legislature

Although the bill on real property security interests was ready for introduction early in the 1981 legislative session, there was continued work on the bill in early 1981. Throughout the commission's work on the bill, drafts were sent to title companies, banks, and other interested parties and public hearings were held. Continued and increased interest in the commission's work was shown by the Federal Home Loan Mortgage Association (FNMA, "Fannie Mae") at the time. The commission studied the extensive materials provided by FNMA and revised that part of the bill that limits the use of a "due-on-sale" clause in home sales. At present there is no statutory restriction on use of a "due on sale" clause in real property sales that permits the lender to call the whole debt on the real property due when it is resold. The section which finally resulted in the bill was designed to meet problems brought on by inflation and fluctuating interest rates that were troubling FNMA and other lenders and mortgage buyers. But at the same time, the bill places some limits on enforcement of the "due on sale" clause when a home is resold.

The "due on sale" section, although a very minor part of the bill, has taken attention from the balance of the bill. It would be possible to delete the section without affecting the main substance of the bill.

The bill was introduced as HB 403, was referred to the House Judiciary Committee, and remains in that committee as this report is written. Legislative committee hearings have not yet been scheduled.

A commentary prepared by the commission, including a section analysis, appears as House Journal Supplement No. 21 dated March 25, 1981, and is available in the legislature's bill distribution office or through the Alaska Code Revision Commission, Pouch Y, State Capitol. Juneau, Alaska 99811.

## Recording and Recorded Documents--SB 78, Twelfth Legislature

Although the commission's work in drafting this bill was completed before 1981, it was introduced in the 1981 session. The commission discussed the bill with the Senate Labor and Commerce Committee, its first committee of reference. It was passed out of that committee and referred to Senate Judiciary. The commission met with the committee and made its consultant on the bill available to work with committee staff so the main substance of the bill could be preserved and accommodated to changes desired by the committee.

The issues dealt with are discussed in the commission's commentary on the bill which was sent with the bill to the legislature. Copies are available from the commission's office at Pouch Y, State Capitol, Juneau, Alaska 99811.

## Oath, Affirmation, Acknowledgment, Notarization and Verification

The commission's work on this bill was completed in 1980. During 1981 the commission provided testimony on the bill in legislative committees, and the bill became law as ch. 137, SIA 1981.

## Alaska Hire

The commission is gathering background materials and searching for the optimum person to prepare a study and to work with it on avoidance of constitutional pitfalls in local hire laws.

## Revised Uniform Limited Partnership Act

Priorities set by the commission did not permit further work on the limited partnership law in 1981. The National Conference of Commissions on Uniform State Laws' revised uniform act has been further revised by the NCCUSL, and the subject will be taken up again for review.

## TOPICS FOR FUTURE CONSIDERATION

Setting priorities for the commission's attention has become increasingly important. The following subjects have been temporarily set aside, but they and other subjects will undergo continued work as time permits.

## Administrative Procedure Act

The commission has concluded that a revision of the Administrative Procedure Act is needed and has kept abreast of developments. In 1981 the National Conference of Commissioners

on Uniform State Laws adopted a revised model act. In the Senate Judiciary is a bill, SB 594, which borrows from NCCUSL drafts and would extensively amend the Alaska APA. Because the Senate Judiciary Committee expects concerted committee work on SB 594, the commission determined it should delay its work on the subject to see what progress the legislature makes on that bill during the 1982 session. If it proves that legislative changes in the APA do not come out of the 1982 session, the commission will assess the work that was done during the session on SB 594, and make a judgment, based upon its own assessment and that of legislators and others, on whether it should make the APA a major project.

#### SUNSET REVIEW OF THE COMMISSION

By AS 44.66.010(a), the commission is among a number of boards, commissions, and agencies that will be terminated on fixed dates unless continued by legislative action. Since the commission's termination date is June 30, 1982, the 1982 legislature will consider the place of the commission in the state's governmental and legislative organization and whether it should be continued. The Legislative Audit Division in its preliminary report has recommended termination of the commission unless its composition and role are changed. However, the commission believes it serves a needed function that is not performed by any other agency, and that it should be continued by the legislature in substantially its present form and role.

## ENABLING ACT

The law establishing the Alaska Code Revision Commission and stating its duties follows:

Sec. 24.20.075. Alaska Code Revision Commission. (a) The Alaska Code Revision Commission is established as a permanent commission of the legislature.

(b) The commission consists of two legislators, one from each house, appointed by the presiding officer; one public member, who is not an employee of the state government, appointed by the governor; a designee of the governor, who is an attorney employed by the executive branch of the state government; a designee of the chief justice of the supreme court; and a designee of the Alaska Bar Association appointed by the board of governors of the association. Legislative members serve at the pleasure of the presiding officer; the designee of the governor and the designee of the chief justice serve at the pleasure of the governor and chief justice, respectively; the public member and the designee of the board of governors serve terms of six years each, beginning July 1 and ending on June 30 six years later. Members may be reappointed or redesignated. A vacancy in the membership of the commission occurring other than by expiration of term shall be filled in the same manner as the original appointment but, with regard to the legislative members, the public member, and the board of governors' designee, for the unexpired term only. Members who are not state employees or legislators are entitled to receive the standard per diem and travel allowance provided for members of independent boards and commissions. Legislative members are entitled to receive the regular legislative per diem and travel allowance for days spent on commission business, and members who are state employees are entitled to receive the regular state employees per diem and travel allowance for days spent on commission business. The commission selects its chairman and vice-chairman. The director of legal services for the Legislative Affairs Agency, or his designee, serves as executive secretary for the commission. (am §§ 1, 2 ch 44 SLA 1980)

(c) The commission shall

(1) examine the statutes of the state and judicial decisions to discover defects and anachronisms in the law;

(2) review and consider proposed changes in the law recommended by the National Law Institute, the National Conference of Commissioners on Uniform State Laws, the Alaska Judicial Council, the supreme court, the state or local bar associations, principal departments, agencies, boards and commissions of the executive or judicial branch, and committees of the legislative branch;

(3) receive and consider suggestions from the Alaska bench and bar, public officials, organizations, and individuals as to areas of law needing review and remedy;

(4) recommend changes in law needed to eliminate antiquated and inadequate rules of law and to bring the law into harmony with current needs and conditions.

(d) The commission may

(1) hold public hearings and other meetings as necessary throughout the state and shall determine an appropriate quorum for conducting business;

(2) establish one or more subcommissions to assist it in the performance of its duties.

(e) The staff of the Legislative Affairs Agency serves as staff for the commission. Subject to appropriation for the purpose, the commission may request the agency to contract with other agencies or persons for the performance of necessary services.

(f) The commission shall submit its reports and recommendations, and draft legislation as to revision of law, to the Legislative Council and shall distribute them to the governor, members of the legislature, and the chief justice of the supreme court.

(g) All branches of state government shall provide information and documents requested by the commission necessary to the accomplishment of its work.

(h) The commission shall make a formal request to the Legislative Council for funds it considers necessary for the per diem, travel, and contractual expenses of the commission. Funds appropriated to the commission are to be disbursed and accounted for under procedures required by the Legislative Affairs Agency. The commission chairman shall approve all expenditure documents. (§ 1 ch 114 SLA 1976; am § 1 ch 57 SLA 1977)

#### Editor's Note

Section 4, ch. 44, SLA 1980, effective May 27, 1980, provides: "The public member and the designee of the board of governors, serving on the Alaska Code Revision Commission on the effective date of this Act [May 27, 1980], shall determine the length of their terms by drawing lots. The term of one of those members ends June 30, 1980, and the term of the other ends June 30, 1982. After these initial dates, the six-year-term provisions of AS 24.20.075(b) apply."

**Sec. 24.20.065. Examination of regulations and opinions.** (a) The legislative council shall annually examine administrative regulations, published opinions of state and federal courts and of the Department of Law that rely on state statutes, and final decisions adopted under the Administrative Procedure Act (AS 44.62) to determine whether or not

(1) the courts and agencies are properly implementing legislative purposes;

(2) there are court or agency expressions of dissatisfaction with state statutes;

(3) the opinions or regulations indicate unclear or ambiguous statutes.

(b) The legislative council shall submit a comprehensive report of the annual examination with recommendations to the members of the legislature at the start of each regular session. (§ 1 ch 72 SLA 1963)

**Sec. 24.20.070. Revision of statutes.** (a) The legislature may direct the council to revise the laws of the state in the form of a bulk formal revision. At the direction of the legislature and within the limit of appropriations made, the council may enter into contracts for the printing, annotating, indexing, and distribution of a revision of the laws of the state. The council receives sufficient copies of a revision for exchange with other states and jurisdictions. A revision prepared by the council under authority of this section shall be referred to the legislature for enactment or adoption.

(b) Statute revision is a continuing responsibility of the council. The general and permanent acts of each regular and special session of the legislature shall be integrated with and published as annual supplements to or replacement pamphlets for the Alaska Statutes. (§ 7 ch 17 SLA 1960; am § 5 ch 100 SLA 1963)

*Cited in Employment Sec. Comm'n v. Wilson, Su Ct. Op. No. 587 (File No. 1084), 461 P.2d 400 (1969).*

**Sec. 24.20.075. Code Revision Commission.** (a) The Code Revision Commission is established as a permanent commission of the legislature.

(b) The commission consists of two legislators, one from each house, appointed by the presiding officer; one public member, who is not an employee of the state government, appointed by the governor; a designee of the governor, who is an attorney employed by the executive branch of the state government; a designee of the chief justice of the supreme court; and a designee of the Alaska Bar Association appointed by the board of governors of the association. Legislative members serve at the pleasure of the presiding officer, and appointed members serve at the pleasure of the appointing authority. Members receive the standard per diem for board members, or the regular legislative per diem if they are legislators, for days spent on commission business. The

commission selects its chairman and vice-chairman. The director of legal services for the Legislative Affairs Agency, or his designee, serves as executive secretary for the commission.

(c) The commission shall

(1) examine the statutes of the state and judicial decisions to discover defects and anachronisms in the law;

(2) review and consider proposed changes in the law recommended by the National Law Institute, the National Conference of Commissioners on Uniform State Laws, the Alaska Judicial Council, the supreme court, the state or local bar associations, principal departments, agencies, boards and commissions of the executive or judicial branch, and committees of the legislative branch;

(3) receive and consider suggestions from the Alaska bench and bar, public officials, organizations, and individuals as to areas of law needing review and remedy;

(4) recommend changes in law needed to eliminate antiquated and inadequate rules of law and to bring the law into harmony with current needs and conditions.

(d) The commission may

(1) hold public hearings and other meetings as necessary throughout the state and shall determine an appropriate quorum for conducting business;

(2) establish one or more subcommissions to assist it in the performance of its duties.

(e) The staff of the Legislative Affairs Agency serves as staff for the commission. Subject to appropriation for the purpose, the commission may request the agency to contract with other agencies or persons for the performance of necessary services.

(f) The commission shall submit its reports and recommendations, and draft legislation as to revision of law, to the Legislative Council and shall distribute them to the governor, members of the legislature, and the chief justice of the supreme court.

(g) All branches of state government shall provide information and documents requested by the commission necessary to the accomplishment of its work.

(h) The commission shall make a formal request to the Legislative Council for funds it considers necessary for the per diem, travel, and contractual expenses of the commission. Funds appropriated to the commission are to be disbursed and accounted for under procedures required by the Legislative Affairs Agency. The commission chairman shall approve all expenditure documents. (§ 1 ch 114 SLA 1976; am § 1 ch 57 SLA 1977)

Effect of amendment. — The 1977 amendment inserted "who is not an employee of the state government" and "a designee of the governor, who is an attorney employed by the executive branch of the state government" in the first sentence of subsection (b).

Editor's note. — For provisions relating

to the former Criminal Law Revision Subcommittee of the Code Revision Commission, which expired January 15, 1978, see §§ 2 and 3, ch. 114, SLA 1976, in the Temporary and Special Acts of 1976 in

Binder 9. For provisions amending section 2, ch. 114, SLA 1976, see § 2, ch. 57, SLA 1977, in the Temporary and Special Acts of 1977 in Binder 9.

**Sec. 24.20.080. Intergovernmental cooperation.** The council may encourage and arrange conferences with officials of other states and nations and of other units of government and propose cooperation between this state and other states and nations. The council constitutes the Alaska Commission on Interstate Cooperation in participating in and carrying out the programs of the Council of State Governments as they apply to Alaska. The chairman of the council serves as chairman of the commission. (§ 8 ch 17 SLA 1960; am § 6 ch 126 SLA 1966; am § 1 ch 6 SLA 1972)

**Sec. 24.20.090. Assignment of projects.** The council may be assigned projects or subjects for study, reporting, or drafting. Assignment shall be by resolution. The council may determine a schedule of priorities for these and other assignments or requests based on feasibility, time and the availability of funds and staff. (§ 9 ch 17 SLA 1960)

**Sec. 24.20.100. Requests for service.** Members of the legislature may utilize the research and bill drafting services of the Legislative Affairs Agency. Requests by members of the legislature are confidential. Staff services for members of the legislature shall be accomplished subject only to the priority of assignments determined by the council. (§ 10 ch 17 SLA 1960)

**Sec. 24.20.110. Meetings.** The legislative council may meet during sessions of the legislature and during intervals between sessions at such times and places inside the state as the chairman may determine. The council shall meet immediately after the appointment of its membership at the first regular session of each legislature for purposes of organization. Minutes of each meeting shall be kept. One-half of the membership constitutes a quorum to do business. Members may receive, for the minimum time required to get to and from meetings and while attending meetings, the same travel fare and per diem allowances provided by law for members of the legislature when attending sessions. (§ 11 ch 17 SLA 1960)

**Sec. 24.20.120. Reports.** The council shall submit a summary report of its findings and recommendations to each legislature. The council shall, from time to time, submit memorandum reports to the legislature on matters referred to it or coming before it. Bills supporting council recommendations may be filed or pre-filed in accordance with the uniform rules of the legislature. Reports released by the council are public and may be made available at a reasonable cost. (§ 12 ch 17 SLA 1960)

**Sec. 24.20.130. Budgets.** The council shall submit a budget of its anticipated needs for each fiscal year to the finance committees of the legislature. The executive director shall annually submit an estimated budget to the governor for information purposes in the preparation of the executive budget. The council staff shall also assist, as needed, in preparing a budget of the anticipated annual needs of the legislature. (§ 13 ch 17 SLA 1960)

**Sec. 24.20.140. Appropriations.** Appropriations for carrying out §§ 10 — 140 of this chapter shall be set forth in the general appropriation bill or such other bills as may be necessary. The council may direct the executive director to transfer amounts from one appropriation to another if the transfer is considered necessary to accomplish the work of the council. The council may not exceed the total amount of the authorized appropriation. All expenditures of the council are subject to an independent audit which shall be made annually. (§ 14 ch 17 SLA 1960; am § 2 ch 10 SLA 1976)

**Effect of amendment.** — The 1976 amendment substituted "to an independent audit which shall be made annually" for "to audit" at the end of the last sentence.

**Article 2. Legislative Budget and Audit Committee.**

Section	Section
151. Legislative Budget and Audit Committee established	241. Legislative audit division
161. Membership	251. Qualifications and appointment of legislative auditor
171. Term of membership	261. Staff
181. Vacancies	271. Powers and duties
191. Meetings	281. Special audit
201. Powers	291. Conflict of interest
211. Legislative finance division	301. Records
221. Staff	311. Reports
231. Duties	

**Repeal of former article.** — Section 1, ch. 95, SLA 1971, repealed former Article 2, entitled "Legislative Post Audit." The former article consisted of §§ 24.20.150 — 24.20.370, and derived from ch. 86, SLA 1959.

**Legislative committee report.** — For report on ch. 95, SLA 1971 (FCCS SCS CSHB 14 am 2d FCC), see 1971 House Journal, p. 121.

**Sec. 24.20.151. Legislative Budget and Audit Committee established.** The Legislative Budget and Audit Committee is established as a permanent interim committee of the legislature. The establishment of the committee recognizes the need of the legislature for full-time technical assistance in accomplishing the fiscal analysis, budget review and post-audit functions. (§ 2 ch 95 SLA 1971)

**Sec. 24.20.161. Membership.** The Legislative Budget and Audit

The fourth 1980 amendment added paragraph (8) of subsection (a).

The fifth 1980 amendment added paragraph (9) of subsection (a).

**Sec. 44.66.020. Agency programs.** (a) Agency programs and activities listed in this subsection which are specifically designated as provided in AS 44.66.030 are subject to termination during the regular legislative session convening in the month and year set out after each:

- (1) programs in the budget categories of general government, public protection, and administration of justice — January, 1980;
- (2) programs in the budget categories of education and the University of Alaska — January, 1981;
- (3) programs in the budget categories of health and social services — January, 1982;
- (4) programs in the budget categories of natural resources management, development and transportation — January, 1983.

(b) An agency program or activity designated in (a) of this section shall be subject to termination during the regular legislative session convening four years after the preceding review and may be subject to termination at any time upon the recommendation of the Legislative Budget and Audit Committee and the concurrence of the legislature as if under AS 44.66.030. (§ 3 ch 149 SLA 1977)

**Sec. 44.66.030. Program identification.** During the legislative session preceding each of the years set out in AS 44.66.020, the Legislative Budget and Audit Committee shall designate, not later than March 1 of those years, the programs and activities within each program category which shall be subject to termination in the next fiscal year. The recommendations of the Legislative Budget and Audit Committee shall be submitted to the respective houses of the legislature in the form of a bill which, if enacted into law, would terminate those designated programs and activities on or before July 1 of the following year. (§ 3 ch 149 SLA 1977)

**Sec. 44.66.050. Legislative oversight.** (a) Before the termination, dissolution, continuation or reestablishment of a board or commission under AS 08.03.010 or AS 44.66.010, or of an agency program under AS 44.66.020 and 44.66.030, a committee of reference of each house, which shall be the standing committee of legislative jurisdiction as provided in the Uniform Rules of the Legislature, shall hold one or more hearings to receive testimony from the public, the commissioner of the department having administrative responsibility for each named board, commission, or agency program, and the members of the board or commission involved. The hearings may be joint hearings. The committee shall also consider the proposed budget of the board, commission, or agency program, prepared in accordance with AS 37.07.050(f), and the performance audit of the activities of the board, commission, or agency program, prepared by the legislative audit division as prescribed in AS 24.20.271(1). The committee may consider

any other report of the activities of the board, commission or program, including but not limited to annual reports, summaries prepared by the Legislative Affairs Agency, and any evaluation or general report of the manner of conduct of activities of the board, commission, or agency program prepared by the office of the ombudsman.

(b) During a public hearing, the board, commission or agency shall have the burden of demonstrating a public need for its continued existence or the continuation of the program, and the extent to which any change in the manner of exercise of its functions or activities may increase efficiency of administration or operation consistent with the public interest.

(c) A determination as to whether a board or commission or agency program has demonstrated a public need for its continued existence shall take into consideration the following factors:

(1) the extent to which the board, commission or program has operated in the public interest;

(2) the extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters;

(3) the extent to which the board, commission or agency has recommended statutory changes which are generally of benefit to the public interest;

(4) the extent to which the board, commission or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided;

(5) the extent to which the board, commission or agency has encouraged public participation in the making of its regulations and decisions;

(6) the efficiency with which public inquiries or complaints regarding the activities of the board, commission or agency filed with it, with the department to which a board or commission is administratively assigned, or with the office of the ombudsman have been processed and resolved;

(7) the extent to which a board or commission which regulates entry into an occupation or profession has presented qualified applicants to serve the public;

(8) the extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission or agency to its own activities and the area of activity or interest; and

(9) the extent to which statutory, regulatory, budgeting or other changes are necessary to enable the agency, board or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

(d) As to each board, commission, or agency program assigned to it for purposes of review, the committee of reference shall, not later than the 60th day of the legislative session, submit a report to the presiding officer of the house. The report shall contain a summary of the findings of the committee as to the compliance of the board, commission or program with the factors enumerated in (c) of this section, together with a summary or recommendations of the committee as to each of the following:

(1) an identification of the problems or the needs that the programs and activities of the board, commission or agency are intended to address;

(2) a statement, to the extent practicable, of the objectives of the program of the board, commission, or agency program, and its anticipated accomplishments;

(3) an identification of any other programs having similar, conflicting or duplicate objectives;

(4) an assessment of alternative methods of achieving the purposes of the program;

(5) an assessment of the consequences of eliminating the board, commission or program and consolidating its activities with another program, or of funding it at a lower level;

(6) a justification for the recommended continuation or extension of the board, commission or program, and an explanation of the manner in which it avoids duplication of or conflict with other efforts; and

(7) any other information which, in the opinion of the committee, would improve the performance of the board, commission or agency with respect to its representation of and responsiveness to the public interest.

(e) The committee of reference may introduce a bill providing for the reorganization or continuation of the board, commission or agency program. No more than one board, commission, or agency program shall be continued or reestablished in any legislative bill, and the board, commission, or agency program shall be mentioned in the title of the bill. (§ 3 ch 149 SLA 1977)

Sec. 44.66.060. Existing claims. This chapter shall not cause the termination or dismissal of a claim or right of a citizen against a board, commission or program of an agency terminated under this chapter which is subject to litigation. Claims and rights shall be assumed by the department to which the board or commission terminated under this chapter was attached for administrative purposes. (§ 3 ch 149 SLA 1977)

CONFIRMATION HEARING

CAROLYN  
GUESS (APUG)

House Judiciary Committee

April 2, 1982

Rep. Ramona Barnes, Chairperson

I believe that clarification of a portion of my oral testimony before this committee yesterday is of vital importance to your consideration of reconfirmation of Susan Knowles to the Public Utilities Commission. This clarification regards a telephone conversation between Mrs. Knowles and Deborah Williams, and the description of that conversation to me by Mrs. Williams.

At no time did Mrs. Williams state to me that Mrs. Knowles was mentally imbalanced or incompetent. As a poor choice of words on my part, I tried to state that, if Mrs. Williams related her conversation to me correctly (the conversation in question, between herself and Mrs. Knowles), Mrs. Knowles' attitude regarding criticism of A.P.U.C. actions, or hers as a member of that body, was poor if not improper. This was my opinion, and I do not know for a fact whether or not Mrs. Williams shared that opinion. Mrs. Williams is currently out of state, and I cannot reach her for comment or clarification.

Since I cannot personally attest to the

②

text of that conversation, and cannot  
attest to the veracity of Mrs. Williams,  
I recognize that I may have been unduly  
swayed to request not reconfirming Mrs.  
Knowles to the A.P.U.C. and created an  
unjust bias towards Mrs. Knowles.

I also recognize that - as an adage  
goes - one cannot unring a bell, but I  
now feel that for what I personally know,  
for fact, of Mrs. Knowles, I cannot ask  
this committee to take negative action on  
the reconfirmation of Mrs. Knowles to the  
A.P.U.C.

I offer my apologies to this committee for  
taking advantage of the public hearing  
process, and to Mrs. Knowles for not  
affording her a proper opportunity to rebut  
my understanding of her and her position  
prior to my testimony.

Sincerely,  
Dan Mettley

9304 Turn St.

Juneau, AK 99801

(907) 789-3603

April 2, 1982

Commissioner Susan Knowles  
Alaska Public Utilities Commission  
1100 Mac Kay Building  
Anchorage, AK 99501

Dear Commissioner Knowles,

I have enclosed a copy of a statement, to the House Judiciary Committee, which I hope to present orally and as a written record to that committee today. I believe that it is self-explanatory.

I felt enlightened after our discussion yesterday on the way to the airport. I did follow through on my commitment to seek more information on both you and Deborah, although my contacts were fruitless.

You have my most sincere apology for playing a pawn to unverified statements, and I believe that I have learned a very valuable lesson from this incident.

I wish you the best of luck in your bid for reconfirmation and hope that we can work together in the future towards a better system of public utilities in Alaska.

Best Regards,  
Dan Smalley

A-AP

# ALASKA CONSUMER ADVOCACY PROGRAM

P.O. Box 1093

Anchorage, Alaska 99510

272-6355

82-187

DAN  
MOTLEY

January 22, 1982

Mr. Brian Rogers  
Pouch V  
Juneau, Alaska 99811

Dear Brian:

As we discussed on January 20, ACAP is quite concerned that three APUC Commissioners (Guess, Knowles and Snowden) have yet to be confirmed by the legislature. Further, we question whether or not Commissioners Guess and Knowles, the consumer representatives, have fulfilled their roles as intended by the legislature.

Because of these concerns we suggest that the following questions be raised during the confirmation hearings of Commissioners Guess and Knowles.

1. For the last five years you have served as the first consumer representatives on the APUC. Please define your role on the Commission; how does it differ, if at all, from the other members of the Commission; what, if any, goals did you set for yourself and how do you evaluate your achievements in the area of consumer representation?
2. What steps have you taken since your appointment to improve consumer involvement in APUC proceedings?

Follow-up questions:

- a. Do you feel that consumers have an important role in APUC proceedings and in decision-making by the Commissioners? Is this an informed role?
- b. Have you held meetings with any consumer groups or representatives?
- c. Have you initiated and held any public workshops regarding consumer participation before the APUC?

Answer: To our knowledge neither Knowles nor Guess has made any attempt to improve communications with the consumer.

3. Describe the present consumer education or outreach program employed by the APUC?

Answer: No program is in existence. The consumer division only responds to questions asked by individual consumers.

4. What brochures or plans for consumer publications now exist?

Answer: No brochures or publications exists.

5. What procedure has been adopted to insure public notification of rate cases and testimony at public hearings?

Follow-up question.

- a. Are the individuals with letters on file notified that a matter regarding their utility is pending before the APUC?
- b. Have you advertised for public input beyond the formal notice published in newspapers?

Answer: Notification is advertised under the legal or public notice section of the newspapers only.

6. What is the role of the consumer division of the APUC? How many personnel are presently assigned to the consumer division? What, if any, plans do you have to expand this division?

Answer: Two people are assigned to this division. Commissioner Guess told us that that division has low priority for expansion and additional funding from the APUC budget.

7. What procedure has been adopted to insure consumer input into Staff's representation of the "public interest?"

Follow-up questions:

- a. How do you define "public interest?"
- b. Does "public interest" differ from consumer interest? If so, how does Staff determine what the consumer interest is? Do you encourage Staff to work with consumers? Have Staff's recent recommendations on rate design and revenue requirements been based on any consumer input?
- c. What role does the consumer division play in the tariff meetings? What weight is given their recommendations?

Answer: No organized effort has been made by the APUC to incorporate consumer concerns into the rate-making procedure. Recent Staff proposals have been jeered by consumers.

8. What recommendations do you have for the future of consumer representation and advocacy?

Follow-up questions.

- a. Would you advocate legislation in this area? If no: Do you really believe that the consumers feel adequately represented by Staff?
- b. Would you encourage increasing the personnel in the APUC consumer division?
- c. Would you work with consumers to design a public education program?

Answer: Chairman Guess indicated to ACAP that this area has low priority.

We would appreciate the hearings being held prior to February 28, 1982, as this is the date ACAF goes out of existence. If that is not possible please contact the following consumers so they may be present at the hearings.

ANCHORAGE

Kay Paddon, Chairman  
P. O. Box 41143  
Anchorage, AK 99509  
272-4777

Charles Evans  
605 West 2nd  
Anchorage, AK 99501  
278-4691

MAT-VALLEY

Tamie Miller, Chairman  
P. O. Box 151  
376-5636 (home)/276-8033 (work)

Harvey Bowers  
P. O. Box 1069  
Wasilla, AK 99687

KENAI

Tom Atkinson, Chairman  
P. O. Box 282  
Kenai, AK 99611

Patricia Wheller  
P. O. Box 3357  
Kenai, AK 99611

KODIAK

Lorna Arndt, Chairman  
P. O. Box 2069  
Kodiak, AK 99615  
486-6486

Walter E. Wheeler  
P. O. Box 1934  
Kodiak, AK 99615  
486-4600

FAIRBANKS

Karen Eddy, Chairman  
314 Iditarod  
Fairbanks, AK 99701  
452-6060

Jeff Weltzin  
218 Driveway Street  
Fairbanks, AK 99701  
479-3005

JUNEAU

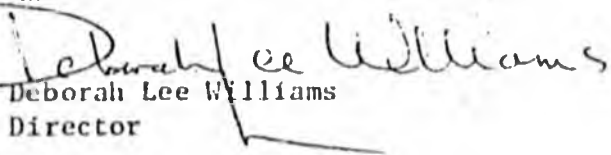
Daniel J. Motley, Chairman  
9951 Sprucewood Ct., #35  
Juneau, AK 99801  
789-3603 (home)/465-2240 (work)

Kenneth King  
P. O. Box 272  
Auke Bay, AK 99821  
789-2239 (home) 364-2121, Ext. 114 (work)

Thank you for your interest and support in this endeavor.

Sincerely,

ALASKA CONSUMER ADVOCACY PROGRAM

  
Deborah Lee Williams  
Director

DLW/ijm

cc: Nancy Ford

CAROLYN S. GUESS

Commissioner Guess is currently the Chairman of the Alaska Public Utilities Commission.

EDUCATION

Bachelor of Arts Degree - College of Williams & Mary  
Williamsburg Va

The Annual Regulatory Studies Program  
National Association of Regulatory  
Utility Commissioners - 1976

Seminar for Retail Rate Consultants  
Rural Electrification Administration - 1977

Public Utility Seminar on Corporate Finance  
Kidder, Peabody & Co., Incorporated - 1978

Electric Utility Rate Design Study  
Electric Power Research Institute - 1980

RELEVANT EXPERIENCE

Alaska Public Utilities Commission

1975 - present - Commissioner  
March 1981 - present - Chairman  
March 1978 - November 1978 - Acting Executive Director  
July 1979 - October 1979 - Acting Executive Director

National Association of Regulatory Utility Commissioners

1975-present	Member
1978-present	Ad Hoc Committee on the National Energy Act

SIGNIFICANT LEGISLATIVE TESTIMONY

Sunset Review of AS 42.05 - 1980

Merger of Alaska Pipeline  
Commission and Alaska Public  
Utilities Commission - 1981

CONFERENCE PARTICIPATION

Energy Conference sponsored by the Alaska Native  
Foundation 1979

Governor's Committee - State Energy Policy - 1978-80

Reliability Council for Alaska (electric)  
sponsored by Alaska Power Administration 1980-present

# MEMORANDUM

# State of Alaska

TO: Jack B. Farleigh  
Executive Director

DATE: March 8, 1982

FILE NO:

TELEPHONE NO:

FROM: Carolyn S. Guess  
Chairman

SUBJECT: Commissioner decision-making  
procedures

In response to your inquiry regarding the Commissioners' decision-making procedures, to the best of my knowledge and memory, for the past six years it has been as follows:

### Tariff Action Meetings

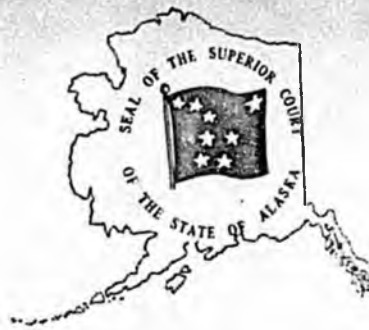
The basis for Commissioner decision-making is the utility's request and Staff's written recommendations, amplified, when necessary, in response to Commissioner questions. The votes in Tariff Action meetings are recorded and public record.

### Commission Orders

In regard to decisions on substantive and procedural matters which result in a Commission Order, the Commissioners' role is similar to that of judges. Our procedure is similar to that of the Alaska Supreme Court. After the hearing panel's initial decision conference on the issues involved in the proceeding, a proposed Order is drafted by the Commissioner docket-manager and circulated, for discussion purposes, to those serving on the panel. Based on the comments received, a final Order is then drafted for concurrence with or dissent by the panel members. A Commissioner who does not agree with the majority decision can indicate his/her dissent and provide a statement, including the reasons for his/her decision, if desired. In addition, a Commissioner who agrees with the result of an Order but disagrees with the rationale supporting the decision may write a separate statement indicating his/her views. Unless otherwise noted, a Commission Order is a consensus decision of the hearing panel. In the event all five Commissioners do not participate in a decision, it is so noted.

Attached are copies of Orders which have been authored by Commissioner Knowles, Commissioner Snowden and myself. It should be noted that Commissioner Snowden joined the APUC in October 1981; therefore, her repertoire of authored Orders is more limited than Susan's and mine, which spans a six-year time frame. These Orders address substantive issues that have been before the Commission during the past six years and provide a broad range of subject matter that has required Commission action.

Enclosures



Superior Court  
State of Alaska

THIRD JUDICIAL DISTRICT  
303 K STREET  
ANCHORAGE, ALASKA  
99501

Chambers of  
VICTOR D. CARLSON, Judge

March 26, 1982

The Honorable Ramona Barnes  
Chairman, Judiciary Committee  
Alaska House of Representatives  
Pouch V  
Juneau, Alaska 99811

Re: Carolyn Guess

Dear Madame Chairman:

This letter is written in support of Mrs. Guess' confirmation to continue as a member of the Alaska Public Utilities Commission.

Having had the opportunity to review the transcript of several hearings in which Commissioner Guess has participated, I want to share my belief that she is thorough, fair, and patient with all parties and witnesses and that her decisions are carefully reasoned. From my experience she has fulfilled the duties of a public utilities commissioner in an exemplary manner.

Thanking you for considering this letter, I am

Very truly yours,

*Victor Carlson*  
Victor D. Carlson  
Superior Court Judge

VDC:rw

Capital Mone  
Hearings  
Legal Notices.

Husband - Wife Conflicts

CONFIRMATION  
HEARING  
DIANA SNOWDEN

# R E S U M E

DIANA E. SNOWDEN

Trapline Drive  
SRA Box 1735-M  
Anchorage, Alaska 99507

Home: (907) 344-0000  
Work: (907) 263-2112

## EXPERIENCE:

ALASCOM, INC., 949 EAST 36TH AVE., ANCHORAGE, AK 99502  
TELEPHONE UTILITIES, INC., 1221 S.W. YAMHILL ST., PORTLAND, OR 97205

Vice President, Industrial Relations - September 1980 to September 1981. Salary and Bonus \$75,000.

Holding dual Vice President office positions for Alascom and Telephone Utilities (both subsidiaries of Pacific Power & Light), was responsible for policy level decisions affecting the overall business performance of the two companies and their 2,500 employees. As member of the senior executive staff, approved \$50 million in annual capital expenditure requests, participated in the budget review process of \$80 million in annual operating costs, reviewed financial and operating statements of the company's monthly progress against budget. Initiated written corporate policy statements, directed management efficiency studies as well as time-and-motion analyses designed to eliminate unnecessary staffing and inefficient spending in a regulated industry. Presented formal reports to the Board of Directors of Alascom, Telephone Utilities, and their parent company (Pacific Power & Light) on matters affecting administration, employee and labor relations.

Directed combined Industrial Relations and Corporate Administrative Services staff composed of over 60 professional and clerical personnel with a 1981 budget of \$7 million. Responsibility for direction and coordination of all functions of Industrial Relations included: corporate employment in over 80 geographic locations in five states, labor relations and contract negotiations with largest Teamster bargaining unit in Alaska as well as IBEW and CWA units in Pacific Northwest, wage and salary administration, employee benefits, management training and development, position classification, EEO and Affirmative Action Programs, employee communications, long-range organizational planning and development, Workers' Compensation, performance appraisals, College Honors Internship Program, Safety and DOD Military Security, and employee social and recreational events. Was further responsible for Corporate Administrative Services including: Word Processing Center, mail and courier services, Telex, corporate aircraft and travel, office supplies and equipment, company cafeteria and motor pool, records management, and office space planning and allocation.

Provided guidance and direction for establishment of corporate policies and long-range planning with regard to human resource management. Provided direct policy guidance on design and development of employee benefits and compensation programs. Personally served as chief negotiator and spokesperson in labor negotiations with seven (7) parent company unions, and determined grievance resolutions. Testified on behalf of Alascom before regulatory agencies on telecommunications issues; represented the Company by speaking to statewide community groups and organizations.

Director of Employee Relations (ALASCOM) - May 1979 to September 1980. Salary \$48,000.

Responsibilities essentially identical to those stated above, but were limited to Alascom only and did not include Telephone Utilities.

ANCHORAGE SCHOOL DISTRICT, 4600 DEBARR ROAD, ANCHORAGE, AK

Director of Employee Relations/EEO - August 1977 to May 1979. Salary \$39,000.

Served as Chief Negotiator on administration negotiating committees; reported directly to the School Board on labor and negotiation matters. Conducted administrative hearings on employee terminations, suspensions, and other serious disciplinary actions, and established District position on disputed union grievances before appointed Hearing Examiner or Arbitrator. Presented School District's case, examined witnesses, prepared briefs, etc. Represented School District before State Unemployment Compensation Office in appeal hearings and prepared cases and represented School District in student/employee discrimination suits (over 70) before various federal and state human rights enforcement agencies.

Organized and conducted School District's training seminars on grievances, EEO, and personnel management related subjects. Chaired Classified Evaluation pilot program committee. Chaired District's Planning and Development Committee and wrote substantial portion of District's five-year operating goals. Responsible for all CETA contracts with State and Municipality. Represented School District in speaking before organizations and groups on a variety of community interests/concerns.

Director, Equal Employment Opportunity Office - November 1973 to July 1977. Salary \$30,000

Responsible for development, implementation, and monitoring of comprehensive district-wide Affirmative Action Plan designed to assure fair and impartial programs relative to employment, pro-

motion, and training for nearly 4,000 employees of the School District. Substantially increased the percentage of minorities in every job classification level. Approved all employee selection and promotion decisions to increase consideration of minority applicants.

WESTWOOD MANAGEMENT CORPORATION, 5401 WESTBARD AVE., WASHINGTON, D.C.

Assistant Vice President/Treasurer - April 1970 to September 1973.  
Salary and Options \$22,000.

Directed real estate management affairs concerned with day-to-day operation of office staff, which managed commercial real estate investments of over \$110,000,000, and held overall operational responsibility for headquarters office in absence of Executive Vice President. Prepared profit and loss statements, net cash flow charts, and cost-effectiveness studies based upon comparable Washington, D.C. real estate market.

SYSTEMS RESEARCH CORPORATION, 1028 CONNECTICUT AVE., WASHINGTON, D.C.

Manager, Proposals and Solicitations - July 1969 to April 1970.  
Salary \$14,000.

General responsibilities centered on research and writing of proposals and government contract bids, including supervision and coordination of staff of nine; liaison with government officials; and marketing. Performed marketing research analyses, attended Congressional hearings, interviewed legislative aides, and researched expected appropriations. Also responsible for corporate news releases and design and writing of a company brochure.

Research Associate - January 1969 to July 1969.  
Salary \$8,900.

Researched and co-authored five technical reports on pre-design phase of the Navy's Amphibious Fire Support Ship (LFS):  
"Life-Cycle Cost Analysis," "Interface Requirements," "Fixed Annual Operating Costs," "Sensitivity and Trade-Off Analysis," and "Competing Systems."

Technical Assistant - September 1969 to January 1970.  
Salary \$6,000.

Researched and wrote classified manuscripts on governmental and economic systems of Jordan, Tunisia and Turkey for technical documents prepared under contract to the U.S. Department of Defense. Rewrote, copy-edited text, and prepared all research and bibliographical materials for entire project.

EDUCATION      (GRADUATE) PROFESSIONAL CERTIFICATE, LABOR/MANAGEMENT RELATIONS, UNIVERSITY OF ALASKA, ANCHORAGE, ALASKA, 1978.

M.P.A. CANDIDATE, UNIVERSITY OF ALASKA, ANCHORAGE, ALASKA. CONCENTRATION LABOR/MANAGEMENT RELATIONS (coursework completed; thesis remaining).

M.A. GEORGETOWN UNIVERSITY, WASHINGTON, D.C., 1969.  
MAJOR - POLITICAL SCIENCE (URBAN STUDIES).

B.A. TRINITY COLLEGE, WASHINGTON, D.C. 1967, MAJOR -  
GOVERNMENT

HONORS &  
ACTIVITIES

COLLEGE: Four-year scholarship to Trinity College; Dean's List; V.P. Student Council; V.P. Russian Club; elected to Pi Gamma Mu Honor Society; graduated Summa Cum Laude; Nominated for Woodrow Wilson Fellowship.

HIGH SCHOOL: Valedictorian; National Merit Scholarship Finalist; Texas State Debating Champion; Second in U.S. Cross-Examination Debate; Texas Science Fair Winner in Biology.

PERSONAL

Date of Birth - October 29, 1947; Height - 5' 11";  
Weight - 120 lbs; Health - excellent.

REFERENCES

References from current and all past employees provided gladly upon request.

STATE OF ALASKA

OATH OF OFFICE

Office or Department of Commerce & Econ. Dev.

I, Diana E. Snowden, do solemnly swear  
(or affirm) that I will support and defend the Constitution of  
the United States, and the Constitution of the State of Alaska,  
and that I will faithfully discharge my duties as a Commissioner  
of (board or commission) the Alaska Public Utilities Comm  
to the best of my ability.

Diana E. Snowden

Subscribed and Sworn to before me this 23<sup>rd</sup> day of  
Sept., 19 81.

Rona J. McPherson  
Notary Public, State of Alaska  
My Commission expires: 3-20-85

(Seal)

A F F I D A V I T  
QUALIFICATIONS FOR APPOINTMENT  
TO AN ALASKA BOARD OR COMMISSION

FULL NAME DIANA E. Snowden  
PLACE OF RESIDENCE Anchorage, ALASKA  
BIRTHPLACE New York, New York  
MAILING ADDRESS SEA Box 1735-M, Anchorage 99507  
I HAVE LIVED IN ALASKA FOR eight (8) YEARS.  
DATE/PLACE OF NATURALIZATION, IF A NATURALIZED CITIZEN  
n/a  
PLEASE GIVE EXACT NAME OR NUMBER OF THE ALASKA PRECINCT IN  
WHICH YOU LAST VOTED O'Malley Elementary #130

I, DIANA E. Snowden, DO  
SOLEMNLY SWEAR (OR AFFIRM) THAT THE ABOVE STATEMENTS ARE  
TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Diana E. Snowden

Subscribed and Sworn to before me this 23<sup>rd</sup> day of  
September 1981.

Lorna J. McPherson  
Notary Public, State of Alaska  
My Commission expires: 3-20-85