

2018 CAPITOL CURRENTS

30th Alaska State Legislature ~ 2nd Session

Fifteenth Edition – 5/7/18 to 5/13/18

~ ANNNND.... you're out! ~

HIGHLIGHTS

Gavel brought down in both bodies Sunday, May 13th in the early morning hours. Senator Meyer moved to adjourn sine die at 1:26am for the Senate and Representative Guttenberg made the same motion for the House at 1:48am.

Several Members announced they will not be seeking reelection to their current seats. We say good-bye to Representatives Guttenberg, Chenault, Kito, Kawasaki, Parish, Birch, Rauscher, Reinbold and Senators Gardner, Egan, MacKinnon and Meyer.

All House seats are up for reelection this fall as well as Senate District seats A, C, E, G, I, K, M, O, Q, and S. The Senate seats are currently held by Sen. Kelly, Bishop, Shower, MacKinnon, Gardner, Costello, Meyer, Micciche, Egan and Hoffman respectively.

Following are several of the bills that made it through the process and are awaiting transmittal to the Governor. The final report will have a recap of all the bills of interest that passed including actions taken by the Governor.

The Senate concurred in the House changes to [SB 37](#), Pharmacy Board & Staff; Drug Distribution/Manufacturing sponsored by Sen. Giessel on April 24th.

[HB 240](#), the Fair Audit and Pricing for Pharmacists bill sponsored by Rep. Guttenberg passed the Legislature on May 7th. Over a decade in the making, the bill regulates pharmacy benefits managers by requiring fair auditing, appeals and pricing practices.

Sponsored by Rep. Tarr, [HB 31](#), Domestic Violence; Sexual Assault; Training; Exam Kits passed the Legislature on May 7th. The bill requires 12 hours of sexual assault response training for police officers; an annual audit of the number of untested kits; and allows reports to be taken anonymously.

[HB 217](#), Local Food Procurement; Farm Tours; Fees also sponsored by Rep. Tarr passed the Legislature on May 3rd. The bill encourages the State, school districts, and municipalities to buy more “Alaska Grown” produce and fish.

HB 217 also authorizes the Department of National Resources to sell products with the Alaska Grown logo and allows a pilot program for the Alaska Food Hub, an online sales platform, to sell locally grown foods.

[HB 151](#), DHSS; CINA; Foster Care; Child Protection sponsored by Rep. Gara passed the Legislature on May 10th. The bill, named the Children Deserve a Loving Home Act, establishes new training and workload standards for caseworkers in the Office of Children’s Services.

The Senate Rules committee rolled three Governor's bills into [HB 312](#) this week and put it on the floor on May 10th. It was amended on the Floor to allow the Alcohol Safety Action Program (ASAP) to accept expanded case referrals from the Courts. The House concurred with all of the changes on May 11th.

The original bill, sponsored by Rep. Claman, allows for probable cause arrest by peace officers when called to health care facilities and someone assaulted a health care worker. It also added an aggravating factor to sentencing if certain crimes were committed in a health care facility against a health care worker.

Now, the bill also has [SB 146](#), allowing the AG to add controlled substances to the controlled substances lists; [SB 149](#), doubling the surcharges convicted offenders will have to pay for certain crimes; and, [SB 150](#), pretrial release and non-Alaska criminal history records included in it.

[HB 336](#), Supportive Decision-Making Agreements, sponsored by Rep. Millett passed the Legislature on May 11th. The bill enables adults with intellectual and developmental disabilities (IDD) to enter into newly created legal structures called supported decision-making agreements (SDMA). The bill provides a less restrictive alternative to full guardianship for adults with IDD.

[HB 214](#), Teen Dating Violence; Programs; Awareness Month sponsored by Rep. Drummond passed the Legislature on the 11th. Originally titled Bree's Law, HB 214 now establishes each February as Teen Dating Violence Prevention Awareness month.

HB 214 further requires the Department of Education and Early Development to adopt teen dating violence prevention curricula for grades 7-12 to ensure consistent messaging throughout the state and requires the curricula be periodically reviewed.

Finally, HB 214 names the program the Bree Moore Teen Dating Violence Awareness and Prevention Program.

Congratulations to clean air advocates were extended from the House Floor on May 12th as [SB 63](#), Regulation of Smoking sponsored by Sen. Micciche passed the House. Amendments were adopted on the Floor to add e-cigarettes and to remove marijuana from the bill's regulation.

SB 63 is known as the statewide smoke free workplace act. The Senate concurred in the House changes so a community opt-out provision remains in the bill.

[HB 106](#), Civil Legal Services Fund sponsored by Rep. Claman passed the Legislature on May 12th. An amount from the general fund that is up to 10 percent of the filing fees received by the Alaska Court System during the previous closed fiscal year may be appropriated to the Fund.

HB 106 allows the legislature to make appropriations from the fund to organizations that provide civil legal services to low-income individuals.

[SB 105](#), Marital/Family Therapy License & Med Services sponsored by Sen. Wilson was amended on the House Floor on May 12th to include [HB 123](#), Disclosure of Health Care Costs sponsored by Rep. Spohnholz and the Resolve from [HCR 2](#), Respond to Adverse Childhood Experiences sponsored by Rep. Tarr.

SB 105 allows 100 hours of required supervision of Licensed Marital and Family Therapists (LMFT) to be by group supervision; defines who may provide the group supervision and what the group

supervision entails. It also clarifies that 100 hours of individual supervision may be completed under more than one supervisor.

Further, it allows independent LMFTs to bill Medicaid for their services. A report to the Legislature is required in 2020 to report on the effectiveness of adding this group of professionals to those who can independently bill Medicaid for services provided.

The Governor/Lt. Governor's Climate Action for Alaska Leadership Team has released a draft climate policy, and recommended action to address climate change. Members of the public are encouraged to review the draft and [submit comments](#) by June 4.

Chaired by the Lt. Gov., the team is focusing on climate change mitigation and adaptation through economic opportunity, renewable energy and energy efficiency, coastal resilience, science communication, and technological innovation. Follow the team's work at climatechange.gov.alaska.gov.

The Office of National Drug Control Policy announced that Alaska will receive new funding to combat drug trafficking. The judicial districts of Anchorage, Fairbanks, and Juneau have officially been designated High Intensity Drug Trafficking Areas (HIDTA).

The Governor requested the designation in January, as part of his [Public Safety Action Plan](#) to help address Alaska's opioid epidemic. Alaska was the only state that had no designated HIDTA areas.

The First Lady's Volunteer Honorees were announced this week. Thirteen of 90 nominees were chosen to receive the award. See the winners here: [Volunteer of the Year Honorees](#)

BUDGET ISSUES

The operating budget conference committee final decisions: [Conference Committee Action By Meeting](#) Both bodies accepted the Conference Committee report on May 12th.

[HB 286](#) features total General Fund spending of \$6.27 billion. There is \$942 million to inflation-proof the value of the Permanent Fund and \$1.02 billion to pay for \$1,600 permanent fund dividends.

[Capital Budget](#): The Senate passed the capital budget, [SB 142](#), on Tuesday the 8th. Meanwhile, HFIN reviewed the House version of the bill and took public testimony on it the same day.

The House version [HCS SB 142](#) which passed the Legislature on May 12th, includes \$12 million for Substance Use Disorder Treatment Expansion and \$3.1 million to address the Alaska Psychiatric Institute's nursing shortage. It does not include the \$500,000 for a long acting reversible contraception (LARC) study.

The Medicaid Program required a \$48 million supplemental to reimburse providers through June 30th. The legislature only approved \$28 million, leaving about a \$20 million shortfall. OMB estimates the program will run out of money by June 10th.

Under similar conditions a couple of years ago the Department of Health and Social Services delayed paying providers that could more easily handle late reimbursements to keep smaller providers afloat until regular payments could resume with the beginning of the new fiscal year-July 1st. It is expected that the Department will soon notify providers about payments for the rest of FY 2018.

A similar scenario will likely happen in FY 2019 since the Legislature appropriated \$30 million less than the Governor's request for next year's anticipated Medicaid expenses.

Both bodies accepted the conference committee report on [SB 26](#) the last week of session. It's awaiting transmittal to the Governor.

SB 26 is the Governor's bill that implements a percent of market value approach (POMV) for the use of earnings from the Alaska Permanent Fund to pay dividends and fund a portion of the cost for essential state services.

The Governor signed the Education early funding bill, [HB 287](#) , on May 3rd . The bill appropriates \$1.32 billion for K-12 public education in fiscal year 2019.

The Senate added a provision to fund the same amount in fiscal year 2020, plus an additional \$30 million in one-time grants to school districts which will kick-in now that the Legislature passed SB 26!

~ End of Report ~

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