

2017 CAPITOL CURRENTS

30th Alaska State Legislature ~ 1st Session

Eighth Edition – 3/6 to 3/12/17

– 34 Days to go! –

~ A blizzard of amendments considered for the operating budget in House Finance ~

HIGHLIGHTS

The amendment process has temporarily deflected attention away from the many proposals dealing with restructuring the Alaska Permanent Fund and the controversial income tax proposals. In all, some 330 amendments were submitted to the House Finance Committee for consideration this past week.

Those numbers haven't been seen since the mid-90's. Luckily Chair Seaton was able to "batch" about 130 of those amendments and get through them in one day.

Some or all of these amendments can come back when the House considers the budget on the Floor this coming week.

BUDGET ISSUES

The long-traveled road to the budget is shaping up to look like the past couple of years – a traffic jam. Both the House and Senate seem to be onboard that the Permanent Fund needs to be restructured.

Conversely, the House is advancing an income tax proposal and increased oil and gas taxes, while the Senate is still pushing for a spending cap.

Meanwhile, the governor has taken a hands-off approach this year when dealing with an overall solution to fix our huge deficit. Whether it's a team approach or a shift in tactics, all the players now realize that we have run out of options and compromise must be the order of the day.

CONSTITUTIONAL ISSUES

The Senate State Affairs Committee considered Joint Resolution (SJR) 1 this past week and moved it from their committee, with a referral next to Judiciary. It proposes amendments to the Constitution of the State of Alaska relating to the Alaska permanent fund, establishing the earnings reserve account, and relating to the permanent fund dividend.

EDUCATION ISSUES

A new proposal would put a twist on the Permanent Fund's Pick-Click-Give program by creating a lottery to help pay for Alaska's education system.

Each \$100 donation under Senate Bill 78 would be something like a lottery ticket.

Half the proceeds would go into a state account currently used for education; one-fourth would go into a new education endowment; the rest would go to a lottery fund that would be used in part to pay winners.

One of the amendments mentioned in the banner headline would have probably eliminated the State Council of the Arts. While it was only a \$200,000 cut that money leverages about \$2.1 million in private and federal grants in matching funds.

HEALTH & SOCIAL SERVICES ISSUES

Congress has introduced legislation to repeal and replace the Affordable Care Act known as the [*American Health Care Act \(AHCA\)*](#). There seems to be a solid wall of opposition from all Democratic lawmakers in DC and a number of Republicans don't like this new plan either.

As reported, elements of this new bill would replace federal insurance subsidies with a new form of individual tax credits and grants to help states shape their own policies. The government would no longer penalize Americans for failing to have health insurance in this new health plan.

The new AHCA would also preserve the section allowing young adults to stay on their parents' health plans until age 26 and forbidding insurers to deny coverage or charge more to people with preexisting medical problems.

It also targets Planned Parenthood, rendering the women's health organization ineligible for Medicaid reimbursements or federal family planning grants.

Medicare Information Office – Fraud Alert! The U.S. Department of Health and Human Services (HHS) Office of Inspector General (OIG) recently confirmed that the HHS OIG Hotline telephone number is being used as part of a telephone spoofing scam, targeting individuals throughout the country.

Individuals should not answer calls from 1-800-HHS-TIPS (1-800-447-8477). The hotline can be used however to report any suspected scam.

Folks may also file a complaint with the Federal Trade Commission (FTC) at 1-877-383-4357.

Here is the link to the Consumer Alerts webpage:

<https://oig.hhs.gov/fraud/consumer-alerts/alerts/phone-scam.asp>

PUBLIC SAFETY ISSUES

The month of April has been proclaimed as Sexual Assault Awareness Month in Alaska by a Senate resolution ([Senate Concurrent Resolution 2](#)). Brought forward every year at this time, it seeks to bring attention to the problem of sexual violence.

One-third of adult women in Alaska have experienced this type of violence according to a [2015 Alaska Victimization Survey](#).

The Alaska Marijuana Control Board will try again to write rules for on-site consumption areas at marijuana retailers, a project that it shot down at its last meeting.

In addition, the board clarified that growers and retailers can roll joints. After reviewing the regulations, the board determined joints can be rolled by growers or retailers as a form of packaging.

Initially they had linked joints to being a marijuana product, meaning only businesses with a manufacturing license, which make edibles and concentrates, could roll a joint.

NATURAL RESOURCES

Spanish oil company Repsol has announced a huge discovery on the North Slope. Partnered with Armstrong Energy, the production from the Horseshoe Wells could amount to 1.2 billion barrels of light oil with a production of around 120,000 barrels per day. This has been touted as the largest onshore oil discovery in the U.S. in the last 30 years.

GOVERNOR'S CORNER

<http://gov.alaska.gov>

The governor's office posts' press releases and other items of interest at the website above.

Governor Bill Walker has introduced legislation to increase protection for vulnerable adults and children and allow for greater collaboration between local communities and the Alaska State Troopers. Briefly, three bills each in the House and Senate were read across this past week.

HB 162/ SB 81 – DHSS Central Registry; License; Background Checks

These 2 bills improve the background check process to better protect vulnerable citizens, while ensuring due process and confidentiality protections to individuals' subject to these checks.

HB 163/ SB 82 – DPS Law Enforcement Services: Agreements/Fees

These bills would allow DPS to enter into contracts and collect fees to pay for trooper's services in certain communities. This would be limited to communities that currently lack an organized police force.

HB 164/ SB 83 – Protection of Vulnerable Adults; Long Term Care Facilities

Both of these bills clarify that Alaska's long-term care ombudsman may only report abuse of vulnerable adults to the DHSS. It also clarifies DHSS responsibilities to investigate all reports of harm to these adults.

NEW BILLS OF INTEREST

<http://www.akleg.gov>

Health Care Issues

HB153 / Eastman – Repeal Certificate of Need Program (SB 62 companion)

Public Safety Issues

HB159 / Governor – Opioids; Prescriptions; Database; Licenses (SB 79 companion)

HB 160 / Tilton – Municipal Enhanced 911 Surcharge

HB 172 / Drummond – Industrial Hemp Production Licenses

HB 174 / Governor – Extend Disaster Emergency: Opioid Epidemic (SB 91 companion)

SB 79 / Governor – Opioids; Prescriptions; Database; Licenses

SB 91 / Governor – Extend Disaster Emergency: Opioid Epidemic

Other Issues

HJR 15 / Johnson – Oppose Federal REAL ID Requirements

WAYS TO FOLLOW HEARINGS

Website-Daily Committee Hearings for March 13 – March 19, 2017

[Hearing Schedule](#)

Gavel to Gavel: Most committee hearings can be seen and heard on Gavel Alaska. It is broadcast on both local access TV and on the internet at www.360north.org

Streaming Video: <http://alaskalegisature.tv>

Testifying:

Legislative Information Office (LIO) Find your LIO here: <http://akleg.gov/lios.php>

BILLS ON THE MOVE

~ Below are pertinent bills that had hearings or other action this past week ~

HOUSE COMMITTEE OR FLOOR ACTION

HB 1 / Election Registration and Voting

Heard and held in House State Affairs on 3/7 and 3/9. Next hearing on 3/14.

Allows qualified voters to register to vote within 30 days or on the day of an election to vote a questioned ballot; enhances online voter registration with electronic signatures to make the registration process quicker and easier; ensures the same early voting locations are available during every election; creates an option for permanent absentee voting for individuals that plan to vote by mail every year; and clarifies terminology for early voting to remove confusion between early voting and absentee in-person voting.

CSHB 20(STA) / Solemnize Marriage: Elected Officials

Heard and held in House Judiciary on 3/6 and moved out on 3/8.

Allows marriages to be solemnized by an individual holding an elective public office in the state.

HB 25 / Insurance Coverage for Contraceptives

Heard and held in House HSS on 3/9. Public testimony was taken.

Requires insurers that cover prescription drugs to provide coverage of FDA-approved prescription contraceptive drugs and devices; requires coverage for voluntary sterilization procedures; and requires coverage for consultations, exams, procedures and medical services necessary to prescribe, dispense, insert, deliver, distribute, administer, or remove the drugs, devices, and other products or services covered; allows exemptions for certain religious organizations and requires the Department of Health and Social Services to amend the state's Medicaid plan to include the enumerated coverage.

HB 43 / New Drugs for the Terminally Ill

Heard and moved from House HSS on 3/7. Referred to House Judiciary.

Allows, terminally ill patients who have exhausted other available treatments and do not qualify for clinical trials to gain faster access to safe, but experimental drugs. By providing certain immunities to prescribing physicians, manufacturers and distributors acting in good faith, this bill would allow terminal patients, in consultation with their doctor, the freedom to try new treatments without the burden of waiting for federal approval.

CSSSHB 44(JUD) / Legislative Ethics: Voting and Conflicts

Heard and held in House State Affairs on 3/7. Public testimony was taken.

The bill lists relationships and situations which if exists would prohibit a legislator from taking or withholding official action or exert official influence that could substantially benefit or harm the financial interest of those involved. The bill defines the phrase "substantially benefit or harm".

HB 49 / Extend Board of Direct-Entry Midwives

Heard and held in House Finance on 3/6.

Extends the Board of Direct-Entry Midwives through June 30, 2021.

HB 79 / Omnibus Workers' Compensation

Heard and held in House L&C on 3/6 and 3/8. Next scheduled for 3/15 and 3/17.

The bill streamlines procedures and bears down on employers who attempt to delay prescribed medical treatments and fail to provide coverage, required by law. It takes aim at employers' misclassification of employees and "deceptive" leasing practices; and, strengthens requirements for employees to report wages they receive while receiving workers' compensation benefits.

The bill also expands personal liability among employers who are shown to be evading workers' compensation requirements. The bill reduces administrative costs by allowing employers to pay benefits electronically and allows the Division of Workers' Compensation to mandate electronic filing of certain reports from employers and insurers.

HB 90 / Occupational Licensing Fees; Investigation Costs

Heard and moved from House L&C on 3/1. Scheduled in House Finance on 3/13.

Spreads the total cost of investigation charges across all licensees regardless of profession. This new investigative surcharge would be in lieu of the current amount that licensees pay in their overall license fee.

HB 102 / Limited Teacher Certificates; Languages

Heard and held in House Education on 3/1. Public testimony taken. Next scheduled on 3/15

HB 102 expands the existing "Type M" and "Type I" teacher certificates, tackling one of the biggest challenges facing Alaska's immersion programs: finding fully certified teachers also fluent in a Native or foreign language. The bill provides districts and charter schools case-by-case flexibility to hire language teachers they know are qualified to lead a classroom but who – for reasons such as limited English proficiency, advanced age, or familial responsibilities – are unable at the time to get a full teacher certification.

CSHB 123(HSS) / Disclosure of Health Care Costs

Heard and moved from House HSS on 3/9. Await transmittal to Judiciary.

The bill will require health care providers to publish health care price information in public spaces and on their websites and to submit that price information to the Department of Health and Social Services. Individual providers will be required to disclose the total undiscounted costs of their 25 most commonly provided health care services and procedures. Larger medical facilities would provide the same price information for their 50 most common health care services and procedures.

HB 138 / March: Sobriety Awareness Month

Heard and held in House HSS on 3/7.

Establishes the month of March each year as Sobriety Awareness Month.

HCR 1 / Amend Uniform Rules: Abstain from Voting

Heard and held in House State Affairs on 3/7. Public testimony taken.

The bill would change the standard from unanimous consent to a majority vote when a member seeks to abstain from voting due to a substantial conflict of interest.

SCR 2 / Sexual Assault Awareness Month: April 2017

<Passed Senate on 3/6>

Referred to House State Affairs on 3/8.

Proclaims April 2017 as Sexual Assault Awareness Month.

SENATE COMMITTEE OR FLOOR ACTION

CSSB 15(L&C) / E-Cigs: Sale to and Possession by Minors

Heard and moved from Senate Labor & Commerce on 3/2. Referred to House Judiciary.

Prohibits a person under the age of nineteen from knowingly possessing an electronic smoking product, or a product containing nicotine—doing so will be a criminal violation. Prohibits selling of such products to persons under nineteen—the penalty is a fine not less than \$300 and under certain circumstances may result in business license revocation.

SB 48 / Insurance for Dependents of Deceased Fire/Police

Heard and moved from Senate State Affairs on 3/2. Awaiting transmittal to Senate Finance.

Provides major medical insurance coverage under the Public Employees' Retirement System of Alaska for certain surviving spouses and dependent children of peace officers and firefighters.

SB 54 / Crime and Sentencing

Heard and held in Senate Judiciary on 3/6 and 3/8.

The bill incorporates 2017 recommendations of the Criminal Justice Commission to the overall criminal justice reform statutes amended through last year's SB91.

See the recommendations here: [Criminal Justice Commission Recommendations](#)

SB 63 / Regulation of Smoking

Heard and moved from Senate HSS on 3/1. Scheduled in Senate Finance on 3/13.

Prohibits smoking in certain places, including specified enclosed areas and at or near specified outdoor areas; provides limited exceptions to the smoking prohibitions for retail tobacco and e-cigarette stores, for enclosed, marked, and vented transit areas, for private residences, for specified vehicles and vessels, for stand-alone shelters and for licensed marijuana establishments; requires notices of smoking prohibitions and fines; prohibits employers and building owners or managers from permitting smoking or supplying smoking accessories in place where it is prohibited; prohibits an employer, or owner or operator of a vehicle from retaliating for initiating or cooperating with enforcement of the Act; allows a municipality to impose additional smoking restrictions and duties.

SR 3 / February 2017: Black History Month

<Senate Resolve #4>

Transmittal to the Governor on 3/8.

Proclaims February 2017 as Black History Month.

CSHB 7(CRA) / Marked Ballot Photos; Persuasion at Polls

<Passed House on 3/1>

Transmitted to the Senate on 3/1 and referred to Senate C&RA.

During the hours the polls are open a person who is in the polling place or within 200 feet of any entrance to the polling place may not physically display a photo, video, or other image of the person's marked ballot in an attempt to persuade a person to vote for or against a candidate, proposition, or question.

HB 8 / Enforcement of Foreign Protective Orders

<Passed House on 3/6>

Referred to Senate C&RA. First hearing scheduled on 3/16.

Conforms Alaska law with the Full Faith and Credit provisions of the Violence Against Women's Act (VAWA) requiring law enforcement and courts to recognize protective orders issued by tribal courts and courts of outside jurisdictions.

CSHB 24(FIN) / List U-47700 as a Controlled Substance

<Passed House on 3/6>

Transmitted to the Senate and referred to Senate Judiciary on 3/8.

Companion to SB 20. Lists "Pink" as a controlled substance; the amendment adds tramadol to the list of controlled substances.

COMMITTEE HEARINGS

MONDAY – March 13

(SENATE) FINANCE Committee

9:00 AM S. Finance Room 532

SB 63 / Regulation of Smoking

(SENATE) Education & Early Development Finance Subcommittee

12:45 PM Butrovich Room 205

Budget Subcommittee Closeout

(HOUSE) FINANCE Committee
1:30 PM H. Finance Room 519
HB 31 / Sexual Assault Examination Kits
HB 90 / Occupational Licensing Fees; Investigation Costs

(SENATE) HSS Committee
1:30 PM Butrovich Room 205
SB 91 / Extend Disaster Emergency: Opioid Epidemic
SB 53 / Insurance Coverage for Contraceptives

(SENATE) JUDICIARY Committee
1:30 PM Beltz Room 105 (TSBldg)
SB 6 / Industrial Hemp Production

(SENATE) Public Safety Finance Subcommittee
4:00 PM Beltz Room 105 (TSBldg) - **Closeout**

TUESDAY – March 14

(SENATE) FINANCE Committee
9:00 AM S. Finance Room 532
SB 36 / Optometry and Optometrists

(SENATE) HSS Finance Subcommittee
1:30 PM S. Finance Room 532
Closeout

(SENATE) LABOR & COMMERCE Committee
1:30 PM Beltz Room 105 (TSBldg)
SB 79 / Opioids; Prescriptions; Database; Licenses <Public Testimony>
SB 37 / Pharmacy Board and Employees; Drug Distro. and Manufacturing <Public Testimony>

(HOUSE) HSS Committee
3:00 PM Capitol Room 106
HB 103 / Optometry and Optometrists Testimony <Invitation only>
HB 54 / Voluntary Termination of Life Testimony <Invitation only>
HCR 2 / Respond to Adverse Childhood Experiences Testimony <Invitation only>
HB174 / Extend Disaster Emergency: Opioid Epidemic Testimony<Invitation only>

(HOUSE) STATE AFFAIRS Committee
3:00 PM Gruenberg Room 120
HB 112 / Sexual Assault by Peace Officers <Public testimony>

(SENATE) STATE AFFAIRS Committee
3:30 PM Butrovich Room 205
SB 31 / No State Employee Pay Increase for Two Years <Public testimony>

(HOUSE) STATE AFFAIRS Committee
5:30PM Gruenberg Room 120
HB 74 / Driver's License and ID Cards and Real ID Act
HJR 15 / Oppose Federal REAL ID Requirements <Pending referral>
HB 1 / Election Registration and Voting

WEDNESDAY – March 15

(HOUSE) EDUCATION Committees

8:00 AM Capitol Room 106

HB 102 / Limited Teacher Certificates; Languages <Public testimony>

(SENATE) MISC Meeting

12:00 PM Butrovich Room 205

Lunch & Learn: Addressing Opioid Addiction One Reentrant at a Time

Presented by Cathleen McLaughlin and Dr. Jyll Green

<Sponsored by Senator Micciche>

(HOUSE) RESOURCES Committee

1:00 PM Barnes Room 124

HB 172 / Industrial Hemp Production Licenses Testimony <Invitation only>

(SENATE) FINANCE Committee

1:00 PM S. Finance Room 532

SB 22 / FY18 Operating Budget

SB 24 / FY18 Mental Health Budget

<**Public Testimony on SB 22 and SB 24**>

1:30 – 2:30 / Bethel, Nome, Kotzebue, Unalaska

2:30 – 3:15 / Barrow, Tok, Delta Junction

3:15 – 4:15 / Ketchikan, Wrangell, Petersburg

4:15 – 5:00 / Sitka, Cordova, Valdez

5:00 – 6:00 / Fairbanks, Matsu

(SENATE) JUDICIARY Committee

1:30 PM Beltz Room 105 (TSBldg)

SB 55 / Omnibus Crime and Corrections

(HOUSE) RESOURCES Committee

6:00 PM Barnes Room 124

HB 172 / Industrial Hemp Production Licenses Testimony <Invitation only>

THURSDAY – March 16

(SENATE) FINANCE Committee

9:00 AM S. Finance Room 532

SB 24 / FY18 Mental Health Budget <**Public Testimony on SB 22 and SB 24**>

9:00 – 10:30 / Juneau

1:00 – 2:00 / Glennallen, Seward, Homer

2:00 – 3:30 / Statewide Offnet

3:30 – 5:00 / Anchorage

5:00 – 6:00 / Kenai, Kodiak, Dillingham

(SENATE) LABOR & COMMERCE Committee

1:30 PM Beltz Room 105 (TSBldg)

SB 75 / Limited Teacher Certificates; Languages

(HOUSE) HSS Committee

3:00 PM Capitol Room 106

HB 151 / DHSS; CINA; Foster Care; Child Protection Testimony <Invitation only>

HB174 / Extend Disaster Emergency: Opioid Epidemic Testimony<Invitation only>

(HOUSE) STATE AFFAIRS Committee

3:00 PM Gruenberg Room 120

An Act / Ratifying an interstate compact to elect the President and Vice-President of the U.S. by national popular vote and making related changes to statutes.

(SENATE) C&RA Committee

3:30 PM Beltz Room 105 (TSBldg)

HB 8 / Enforcement of Foreign Protective Orders

FRIDAY – March 17

(SENATE) FINANCE Committee

9:00 AM S. Finance Room 532

SB 22 / FY18 Operating Budget / SB 24 / FY18 Mental Health Budget

(SENATE) FINANCE Committee

1:30 PM S. Finance Room 532

SB 22 / FY18 Operating Budget / SB 24 / FY18 Mental Health Budget

(SENATE) HSS Committee

1:30 PM Butrovich Room 205

SB 83 / Protect: Vulnerable Adults/Long Term Care <Public testimony>

SATURDAY – March 18

(HOUSE) HSS Committee

3:00 PM Capitol Room 106

HB 159 / Opioids; Prescriptions; Database; Licenses Testimony <Invitation Only>

WEBSITES OF INTEREST

2017 Legislators contact information

<http://akleg.gov/docs/pdf/whoswho.pdf> ~ <http://akleg.gov/docs/pdf/800numbers.pdf>

2017 1st Session Staff contact list http://akleg.gov/docs/pdf/session_phone_list.pdf

2017 House & Senate Committees <http://akleg.gov/docs/pdf/commlist.pdf>

2017 House Finance Sub-committee Members <http://akleg.gov/docs/pdf/HFINSubcmte.pdf>

Legislative Finance Division <http://www.legfin.akleg.gov>

View specifics for the Capital and Operating Budgets.

~ End of Report ~

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