

2020 CAPITOL CURRENTS

31st Alaska State Legislature ~ 2nd Session

11th Edition - Wrap-Up July 8th 2020

~ There's always something~

HIGHLIGHTS

This year COVID-19 and low oil prices turned things upside down. When the dust settled, six hundred and seventy-one pieces of legislation were introduced during the 31st Legislature but 106 passed both bodies and of those only 64 became law.

Click here to see all bills either signed into law or vetoed:

<http://www.akleg.gov/basis/Bill/Passed/31>

On March 29th the legislature recessed the Second Regular Session of the Thirty-First Legislature indefinitely in the face of the COVID-19 pandemic. They did reconvene on May 18th to address the CARES Act funding (see Budget Issues below). The House adjourned sine die on May 19th and the Senate soon followed on May 20th.

HB 309, [CHAPTER 9 SLA 20](#) Confirmation of Appointment, temporarily extends the time the Legislature can meet in joint session to confirm the Governor's cabinet appointments and appointments to state boards and commissions; which is a good thing since the legislature did not hold a joint session for this purpose during the 2nd Session.

HB 309 allows for the confirmations to take place in a special session prior to January 18, 2021 or within 30 days of the expiration of the declaration of a public health disaster emergency issued by the Governor on March 11, 2020.

BUDGET ISSUES

The Governor announced early payment of the PFD on July 1st for many with direct deposit requests. While the legislature passed a budget with funds for \$1,000 PFDs, the amount is slightly lower, \$992.

The Legislature came back from recess on May 18th to take up HB 313, to approve and ratify the actions of the governor and executive branch in expending certain federal receipts (COVID-19) and of the Legislative Budget and Audit Committee in approving the expenditure of certain federal receipts (COVID-19) during fiscal years 2020 and 2021.

Both bodies approved the measure and the Governor signed it into law [CHAPTER 32 SLA 20](#) on May 21st.

NOTE: Initially, the expenditures were addressed through the Legislative Budget and Audit (LB&A) committee. A citizen challenged that process in court arguing the full Legislature has the responsibility to make the appropriations. The Legislature met to avoid delaying the distribution of the funds while the matter was decided in the courts. HB 313 explains the sequence of events

leading to the expenditures being approved by LB&A and then explicitly supports the LB&A decisions.

You can view the CARES Act funding allocations here: [RPLs for May 1 LB&A meeting](#) and here: [RPLs for May 11 LB&A meeting](#) [Additional RPLs for May 11 LB&A meeting](#)
Earlier, the Governor had signed all the budget bills with some items falling prey to vetoes.

The first to be signed on March 16th was the mental health budget [HB 206](#) (refer to Capital Currents #8 to see what's in the budget). Click here to see the vetoes: [Mental Health Budget vetoes](#)

The supplemental bill, [HB 234](#), was signed on April 6th. Click here for the [HB 234 vetoes](#) and here for a link to a summary of the vetoes: [HB 234 veto summary](#)

[HB 205](#) was also signed on April 6th. In the unique times of COVID-19, the legislature took the unusual step of combining the capital budget and operating budget in the same bill. They also rolled some of the items from HB 234 into it to make sure items both majorities agreed to could be funded.

Click here for [HB 205 vetoes and increases](#) and here for the complete list of vetoes: [Veto Summary](#).

BILLS of INTEREST that BECAME LAW

The first bill signed into law this session was SB 101, [CHAPTER 1 SLA 20](#), sponsored by Sen. Olson, recognizing March 12th as Ashley Johnson-Barr Day.

HB 29, [CHAPTER 3 SLA 20](#) , sponsored by Rep. Spohnholz, requires a health care insurer that offers, issues for delivery, or renews in the state a health care insurance plan in the group or individual market to provide coverage for benefits provided through telehealth by a health care provider licensed in this state and may not require that prior in-person contact occur between a health care provider and a patient before payment is made for covered services.

Senior win! HB 96, [CHAPTER 23 SLA 20](#) , sponsored by Rep. Fields, reduces prices for the first four levels and allows the department to set “sufficient” monthly rates for the highest level of care, now \$15,000 per month. Governor next.

HB 142, [CHAPTER 13 SLA 20](#) , sponsored by Rep. Kreiss-Tomkins, repeals AS 47.27.070(c) and thereby clarifies that Central Council Tlingit & Haida Indian Tribes of Alaska can administer family assistance programs in partnership with the State of Alaska.

SB 55, [CHAPTER 17 SLA 20](#) , sponsored by Sen. Wilson, adds a 4th judge to the Court of Appeals.

SB 74, [CHAPTER 5 SLA 20](#) , sponsored by Sen. Hoffman, increases the minimum broadband requirement for schools from 10 megabits per second (Mbps) to a minimum of 25 Mbps and provides funding to help schools reach the 25 Mbps through the School Broadband Assistance Grant (BAG). Districts that qualify for discounted rate for internet services under the Federal Universal Services Program are eligible.

SB 120, [CHAPTER 28 SLA 20](#), sponsored by Sen. Giessel, grants Advanced Practice Registered Nurses and Physician's Assistants the authority to prescribe psychotropic medication, without consent, to court ordered patients during a crisis situation.

Concepts from [HB 290](#) were amended into the bill so it also establishes crisis stabilization centers to address unmet intermediate services during a behavioral or substance abuse emergency. Police officers can take individuals to the center, as an alternative to arrest.

SB 134, [CHAPTER 18 SLA 20](#), Medicaid Coverage of Licensed Professional Counselors, sponsored by Sen. Wilson, adds Professional Counseling services to the list of Medicaid optional services under AS 47.07.030(b); defines Professional Counseling services and licensing under AS 08.29; authorizes Professional Counselor services as eligible to render and bill for Medicaid-funded services as independent practitioners under Alaska Statute 47.07.030 (b).

SB 137, [CHAPTER 19 SLA 20](#), Extend the Board of Parole, sponsored by Sen. Micciche extends the Board through June 30, 2025.

SB 172, [CHAPTER 20 SLA 20](#), Extends the State Medical Board sponsored by Sen. Olson extends the Board through June 30, 2023.

ITEMS OF INTEREST

The First Session of the 32nd Legislature is scheduled to start Tuesday, January 19, 2021.

All Representatives and 11 of the Senators (Senators in Districts B, D, F, H, J, L, M, N, P, R, and T) are up for election this fall. The primary is scheduled for August 18th and the general election will be held on November 3rd. To review a list of candidates click here: [Alaska Primary Candidates](#)

Someone recently asked me about [effective date clauses](#).

Here's a short summary:

The law governing effective date clauses is AS 01.10.070, Time Statutes Become Law and Take Effect

If the bill has an effective date clause, for example, the bill provides for an immediate effective date or a specific date, a two-thirds vote of the full membership is required to pass (27 in the House, 14 in the Senate).

Without an effective date clause, the bill takes effect ninety days after it has been signed by the Governor or permitted to become law without the Governor's signature.

An immediate effective date causes a bill to take effect the day following the Governor's signature or day of enactment without the Governor's signature.

As noted above, a bill may also have a specific effective date, such as July 1, 2019 or January 1, 2020.

~ End of Report ~

Looking forward to working on your behalf next year

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