

# 2021 CAPITOL CURRENTS

32<sup>nd</sup> Alaska State Legislature ~ 1<sup>st</sup> Session

## Twelfth Edition

~ *Much ado about what to do with the Biden Bucks* ~

### HIGHLIGHTS

The Legislature is back in business after Spring break. They continue to work through their punch lists and figure out the puzzles while the clock laughs out loud at the 90 - day statutory deadline - April 19th.

Public testimony in House Finance on the proposed FY22 operating and mental health budgets started Thursday and ended Saturday. The final legislative money dance has begun. It will be in slower motion this year so they can carefully consider the gigantic federal cash infusions.

There have been significant changes to the Governor's budget - e.g., a House subcommittee dumped cost shifts to municipalities for misdemeanor prosecution - but not like the last Legislature when the Governor proposed extensive cuts to pay for a dividend under the statutory formula.

Of course, the dinosaur in the room – PFD amount – is on the back burner but remains front and center in the minds of many.

Tribes are trying to figure out how best to spend more than \$1 billion in federal support. They can take three years to decide with more leeway than under the Cares Act but will have to justify and document spending.

Alaska is looking at election reform but no rush. As we understand, 8 ideas are floating in the Capitol – two from the Governor, three from D's and three from R's. Some think this may be the right time for the conversation. Still, don't expect major action on it until next session.

Mail in ballots, enhancing campaign financial disclosure and addressing the powers of the Division of Elections are central issues. Legislators say there is little connection with reform efforts in other states.

The Senate's primary vehicle for election changes ([SB 39](#)) will be heard **Thursday, the 15<sup>th</sup> at 3:30pm** when SSTA Chair Shower unveils a proposed committee substitute that probably will address at least the biggest complaints about the original version. Should be interesting.

Domestic violence and sexual assault service providers are genuinely concerned about potential large cuts to the federal Victims of Crimes Act (VOCA) funding. This could have catastrophic effects on their ability to maintain shelters and sexual assault services in Alaska. They are counting on the state to make up the difference.

COVID-19 news. Alaska health officials have detected the state's first case of the South Africa mutant coronavirus strain that spreads more easily and may be less affected by the vaccines. But so far they think the options currently available in the US "provide an adequate degree of protection".

There is a growing concern that we can't reach herd immunity until more folks get over vaccine hesitancy. Governor Dunleavy says the coronavirus has been a nightmare, but things are looking up. The Governor and the Legislature are doing their best to mitigate.

For example, the Governor is launching a national ad campaign to sell Alaska to potential visitors; he sent a report to the President describing the economic impacts of another season without large cruise ships, and a letter to CDC urging them to allow cruise ships to sail again; SJR 9 by Senator Kiehl, just signed by the Governor, calls on the federal government to pause for now the laws that prevent the big ships from coming this summer.

The famous Alaska Performance Scholarship is falling short, according to a recent report by the McDowell Group. Payouts are less than half of amounts anticipated; millions of dollars aren't being used each year. Barriers may be SAT/ACT requirements and the instability of the University of Alaska system.

**HEDC** will hear a presentation on the program and receive recommendations from the McKinley Research Group (formerly the McDowell Group) **Monday at 8am** prior to hearing [HB 48](#) AK Performance Scholarship; Eligibility sponsored by Rep. Story.

ISER (UAA's Institute for Social and Economic Research) says the state needs to spend more on building maintenance for our K-12 schools. Professor Bob Loeffler argues that the level of funding is unsustainable, and the facilities will degrade without additional cash.

After oral arguments on Tuesday, the Supreme Court ruled for the Governor on Thursday reversing a Superior Court decision that he was prohibited by law from making recess appointments to boards, commissions and his Cabinet of the same people lawmakers had failed to confirm.

They declared the law unconstitutional, ending the dispute. The 2020 appointees didn't lose their positions. Appointments requiring confirmation remain in effect until the Legislature acts on them in joint session. President Micciche promised this year's appointment votes would happen before they leave.

A busy Supreme Court also ruled the legislature violated the state constitution when it arbitrarily limited some public employees who left state employment and withdrew their retirement contributions from paying them back and returning to the deeply coveted Tier 1 program. 78,000 Alaskans are affected.

Alaska is suing manufacturers of the highly toxic PFAS compounds that have contaminated groundwater all over the state, including DuPont and 3M. This may be in response to a letter from a bipartisan group of 16 legislators asking the Governor to act. Environmentalists said it is long overdue.

Attorneys can now visit their clients in state correctional facilities, according to a judge in a recent opinion. The Department stopped in-person visits in March 2020 due to COVID-19. Defense lawyers argued the ban deprives clients of their right to counsel.

As we understand, policies vary but most Alaska hospitals now allow at least one visitor per patient. Huge for loved ones who have had to deal with intermediaries but now can be physically present

## BUDGET

### **Budget Hearings for the week of April 12<sup>th</sup>**

#### **Mon, April 12<sup>th</sup>**

- 9am** SFIN [HB 76](#), Extending Covid Disaster Emergency
- 1:30pm** HFIN [HB 69](#) Operating Budget and [HB 71](#) Mental Health Budget  
American Rescue Act Plan Act of 2021 presentation by the Council of  
State Governments

#### **Tues, April 13<sup>th</sup>**

- 11:30am** (H)Ways & Means [HB 165](#) Approp; Earnings Reserve to Perm Fund  
[HJR1](#) Const. Amend: Permanent Fund; POMV; Earnings
- 5:15pm** Senate Judiciary Budget Subcommittee-Closeout

#### **Wed, April 14<sup>th</sup>**

- 1:30pm** HFIN [HB 69](#) Operating Budget and [HB 71](#) Mental Health Budget  
Tribal American Rescue Plan Act Funding presentation by Nicole  
Borromeo, Alaska Federation of Natives
- 1:30pm** SJUD [SJR 1](#) Constitutional Amendment: Guarantee Permanent Fund  
Dividend
- 4pm** Senate Public Safety Budget Subcommittee-Closeout

#### **Thurs, April 15<sup>th</sup>**

- 11:30am** (H)Ways & Means Alaska Budget Choices: How would you balance  
the budget? by Cheryl Frasca, Commonwealth North; and Alaska's  
Tax Burden by Jared Walczak, Tax Foundation
- 1:30pm** HFIN [HB 69](#) Operating Budget and [HB 71](#) Mental Health Budget  
Power Cost Equalization
- 5:30pm** Senate LAW Budget Subcommittee-Closeout

#### **Fri, April 16<sup>th</sup>**

- 1:30pm** HFIN [HB 69](#) Operating Budget and [HB 71](#) Mental Health Budget

\* Senate Finance shows "bills previously heard/scheduled" in the daily calendar. Look at the Daily Calendar on the day of the hearing to see which, if any, bills are listed on the day.

## BILLS On the Move

### **Mon, April 12<sup>th</sup>, 9am SEDC**

[SB 111](#) Early Education: Reading Intervention will also be heard on **Wednesday and Friday at 9am**

### **Mon, April 12<sup>th</sup>, 1:30pm SJUD**

[SB 9](#) Alcohol Beverage Control; Alcohol Reg  
[SB 82](#) Elections; Election Investigations

**Mon, April 12<sup>th</sup>, 3:15pm HL&C**

[HB 145](#) Expand Pharmacist Authority sponsored by Rep. Snyder. The bill is also scheduled to be heard **Friday at 8am** when *public testimony will be taken*

**Tues, April 13<sup>th</sup>, 3pm HSTA**

[HB 5](#) Sexual Assault; Def. of Consent sponsored by Rep. Tarr receives its second hearing  
*Public testimony will be taken*

**Thurs, April 15<sup>th</sup>, 1:30pm SHSS**

[SB 78](#) Health Care Services by Telehealth  
[SB 80](#) Public Schools: Mental Health Education

**Thurs, April 15<sup>th</sup>, 3pm HHSS**

[HB 58](#) Contraceptives Coverage; Insure; Med Assistance sponsored by Rep. Claman receives its first hearing. The bill requires health care insurers, including Medicaid services, to provide coverage for prescription contraceptives and medical services necessary for those products or devices. It also requires coverage for the dispensing of 12 months of prescriptive contraceptives at a time. *Public testimony will be taken*

**Thurs, April 15<sup>th</sup>, 3:30pm SSTA**

[SB 39](#) Ballot/Custody; Tampering; Voter Registration; Mail

**Fri, April 16<sup>th</sup>, 1:30pm SJUD**

[SJR 4](#) Constitutional Amendment: Abortion/Funding sponsored by Sen. Hughes moved out of SHSS on March 23<sup>rd</sup> and receives its first hearing in SJUD *Public testimony will be taken*

**Sat, April 17<sup>th</sup>, 3pm HSTA**

[HB 123](#) State Recognition of Tribes sponsored by Rep. Zulkosky moved from Tribal Affairs on April 1<sup>st</sup> and receives its first hearing in HSTA  
[HB 157](#) APOC; Report Referenda/ Recall Contributor

**GOVERNOR'S CORNER**

Governor Dunleavy just appointed Jim Cockrell, former head of both Wildlife and State Troopers, to lead the Alaska Department of Public Safety. Commissioner-elect Cockrell started with the department in 1983 and retired as a Colonel in 2017.

Boomer fact: I worked with Cockrell's father during the Cowper Administration in the mid 1980's, when he served as the Governor's top security officer. He was a respected, high ranking trooper.

The Governor announced two judicial appointees to the superior and district courts in Fairbanks. The judges were selected from a group of individuals nominated by the Alaska Judicial Council.

Maria Pia L. Bahr has been appointed to the Fairbanks District Court. Ms. Bahr has been an Alaska resident for 5 ½ years and has practiced law for 30 years. She is currently the Senior Assistant Attorney General in the Opinions, Appeals & Ethics section in Anchorage.

Trisha Haines has been appointed to the Fairbanks Superior Court. Ms. Haines has been an Alaska resident for 10 years and has practiced law for 9 years. She is currently a staff attorney for the court of appeals in Anchorage and resides in Fairbanks.

## ITEMS OF INTEREST

**H Tribal Affairs** will hear a presentation on REAL ID implementation in Rural Alaska on **Tuesday, the 13<sup>th</sup> at 8am.**

The **Select Committee on Legislative Ethics** will elect committee chairs; review public member appointments; a new internship program and other business on **Tuesday, April 13<sup>th</sup> at 9am.**

**HEDC** will hear a presentation from the Anchorage, Bethel, and Unalaska City School Districts on School District Perspectives & Updates on **Wednesday, April 14<sup>th</sup> at 8am** and from the Fairbanks North Star Borough, Cordova City, & Alaska Gateway School Districts on **Friday, April 16<sup>th</sup> at 8am.**

**H Tribal Affairs** will hear a Rural Public Safety Update on **Thursday, April 15<sup>th</sup> at 8am**

**SCRA** will hear a presentation on the Broadband Gaps in Alaska on **Thursday, April 15<sup>th</sup> at 3:30pm**

### **Confirmation Hearings**

For a list of the Governor's appointees released March 1<sup>st</sup> click here:

[Boards and Commissions Appointments](#)

**Monday, April 12<sup>th</sup>, 1pm**

**HJUD** will consider Joseph White for the Alaska Police Standards Council

**Monday, April 12<sup>th</sup>, 3:15pm**

**HL&C** will consider Justin Ruffridge for the Pharmacy Board

**Wednesday, April 14<sup>th</sup>, 1pm**

**HJUD** will consider Samantha Cherot for the Public Defender's office

**Friday, April 16<sup>th</sup>, 1pm**

**HJUD** will consider Gregory Bringhurst, Anne Helzer, and Robert "Bob" Urata for the Violent Crimes Compensation Board

## WAYS TO FOLLOW HEARINGS

**Website:** Daily Committee Hearings for April 5-10, 2021: [Weekly 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 [Gavel Alaska Schedule - KTOO](#)

**Streaming Video** [alaskalegislaturetv](#)

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**~ End of Report ~**

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