

CONCEPTUAL AMENDMENT #1 # |

OFFERED IN THE SENATE FINANCE COMMITTEE

BY SENATOR von Imhof

TO: SB 242 (31-LS1748\U)

This is a conceptual amendment. Legislative Legal is directed to make any changes or deletions to the suggested language, including technical, conforming, or bill title changes.

1 Delete sections 2, 5, and 6

2

3 Where appropriate, insert a new bill section to read:

4 "FINANCIAL ASSISTANCE TO ADDRESS HOMELESSNESS DURING NOVEL
5 CORONAVIRUS DISEASE OUTBREAK. For the duration of the state emergency and for 30
6 days thereafter, subject to appropriation, the Alaska Housing Finance Corporation under AS
7 18.56.090 shall provide financial assistance on a statewide, regional, or community basis as
8 necessary to address or prevent homelessness caused by the disaster emergency."

AMENDMENT

#2

offered by
von Imhof

OFFERED IN THE SENATE

TO: SB 242

1 Page 4, line 31:

2 Delete "DEFINITION"

3 Insert "DEFINITIONS"

4

5 Page 5, line 1:

6 Delete "1 - 7"

7 Insert "1 - 8"

8

9 Page 5, line 1, following "Act,":

10 Insert "(1) "financial hardship" means that a person's liquid assets from any source,
11 including payments from the state or federal government because of a state emergency or a
12 state or national disaster declaration relating to the novel coronavirus disease outbreak
13 (COVID-19), when combined, would be insufficient to pay the reasonable cost of food,
14 housing, health care, and other goods and services vital to the health and wellness of the
15 person and the person's spouse and dependents; in this paragraph, "dependent" has the
16 meaning given in AS 23.20.350(g);

17 (2)"

AMENDMENT #3

OFFERED IN THE SENATE
TO: SB 242

Sen. von Imhof

- 1 Page 3, line 31, following "Alaska":
- 2 Insert ", except for the
- 3 (1) Alaska Permanent Fund Corporation;
- 4 (2) Alaska Mental Health Trust Authority;
- 5 (3) Alaska Municipal Bond Bank;
- 6 (4) Alaska Retirement Management Board; or
- 7 (5) Department of Revenue, treasury division"

AMENDMENT # 4

*offered by
von Imhof*

OFFERED IN THE SENATE
TO: SB 242

1 Page 1, line 5, following "utilities;":

2 Insert "relating to state access to federal education stabilization funds;"

3

4 Page 4, following line 28:

5 Insert a new bill section to read:

6 "** Sec. 8. The uncoded law of the State of Alaska is amended by adding a new section to
7 read:

8 STATE ACCESS TO FEDERAL EDUCATION STABILIZATION FUNDS. The
9 governor shall apply to the United States Department of Education for any emergency funding
10 available to the state through the Education Stabilization Fund under the requirements
11 outlined in the Coronavirus Aid, Relief, and Economic Security Act, also known as the
12 CARES Act, enacted into law by the Second Session of the 116th Congress. The governor
13 shall make any assurances that are required for the state to receive the maximum federal
14 funding allocations allowable under the education stabilization provisions of the CARES
15 Act."

16

17 Renumber the following bill sections accordingly.

18

19 Page 5, line 1:

20 Delete "1 - 7"

21 Insert "1 - 8"

22

23 Page 5, line 12:

1 Delete "Sections 1 - 8"

2 Insert "Sections 1 - 9"

3

4 Page 5, line 13:

5 Delete "sec. 9"

6 Insert "sec. 10"

7

8 Page 5, line 16:

9 Delete "Sections 2 - 9"

10 Insert "Sections 2 - 10"

AMENDMENT #5

offered by
Wilson

OFFERED IN THE SENATE

TO: SB 242

1 Page 1, line 5, following "utilities;":

2 Insert "relating to purchase of seafood for distribution;"

3

4 Page 4, following line 28:

5 Insert a new bill section to read:

6 "** Sec. 8. The uncoded law of the State of Alaska is amended by adding a new section to
7 read:

8 PURCHASE OF SEAFOOD FOR DISTRIBUTION DURING NOVEL
9 CORONAVIRUS DISEASE OUTBREAK. The Department of Commerce, Community, and
10 Economic Development is encouraged to issue a request for proposal for the purchase of
11 Alaska seafood from the seafood industry for distribution during the state emergency to food
12 banks and soup kitchens in the state, Alaska Native regional corporations, and Alaska Native
13 regional non-profit organizations for distribution throughout the state."

14

15 Renumber the following bill sections accordingly.

16

17 Page 5, line 1:

18 Delete "secs. 1 - 7"

19 Insert "secs. 1 - 8"

20

21 Page 5, line 12:

22 Delete "Sections 1 - 8"

23 Insert "Sections 1 - 9"

1

2 Page 5, line 13:

3 Delete "sec. 9"

4 Insert "sec. 10"

5

6 Page 5, line 16:

7 Delete "Sections 2 - 9"

8 Insert "Sections 2 - 10"

AMENDMENT

#6 offered by
Olson

OFFERED IN THE SENATE

TO: SB 242

- 1 Page 1, line 5, following "utilities";
- 2 Insert "relating to the Alaska temporary assistance program;"
- 3
- 4 Page 4, following line 28:
- 5 Insert a new bill section to read:
- 6 ** Sec. 8. The uncoded law of the State of Alaska is amended by adding a new section to
- 7 read:
- 8 ALASKA TEMPORARY ASSISTANCE PROGRAM. (a) When calculating the 60-
- 9 month time limit for a participant's participation in the program under AS 47.27.015(a) and
- 10 47.27.030(b), the Department of Health and Social Services shall exclude the time period of a
- 11 state emergency;
- 12 (b) During the time period of a state emergency, the Department of Health and Social
- 13 Services shall suspend the work requirements in AS 47.27.035 and may not
- 14 (1) apply a reduction under AS 47.27.025(c); or
- 15 (2) decrease benefits based on a failure of an applicant or participant to
- 16 comply with a self-sufficiency plan under AS 47.27.030."
- 17
- 18 Renumber the following bill sections accordingly.
- 19
- 20 Page 5, line 1:
- 21 Delete "1 - 7"
- 22 Insert "1 - 8"
- 23

1 Page 5, line 12:

2 Delete "1 - 8"

3 Insert "1 - 9"

4

5 Page 5, line 13:

6 Delete "sec. 9"

7 Insert "sec. 10"

8

9 Page 5, line 16:

10 Delete "2 - 9"

11 Insert "2 - 10"

AMENDMENT #7 offered by
Wielechowski

OFFERED IN THE SENATE

TO: SB 242

1 Page 3, line 6, following "(a)":

2 Insert "Notwithstanding AS 43.23.240(a), for the duration of the state emergency and
3 for 30 days thereafter, in determining the eligibility of an individual under a public assistance
4 program administered by the Department of Health and Social Services in which eligibility
5 for assistance is based on financial need, the Department of Health and Social Services may
6 not consider a permanent fund dividend or money paid to the individual by another state or
7 federal program because of the novel coronavirus disease (COVID-19) outbreak as income or
8 resources received by the recipient of public assistance or by a member of the recipient's
9 household unless required to do so by federal law or regulation.

10 (b)"

11

12 Reletter the following subsection accordingly.

13

14 Page 3, following line 21:

15 Insert a new subsection to read:

16 "(d) Notwithstanding AS 43.23.250, for the duration of the state emergency and for
17 30 days thereafter, a program administered by the state or any of its instrumentalities or
18 municipalities, the eligibility for which is based on financial need, may not consider a
19 permanent fund dividend or money paid to the individual by another state or federal program
20 because of the novel coronavirus disease (COVID-19) outbreak as income or resources unless
21 required to do so by federal law or regulation."

AMENDMENT #8

OFFERED IN THE SENATE
TO: SB 242

By Sen. Olson

- 1 Page 3, line 30:
- 2 Delete "agencies or programs"
- 3 Insert "agencies, programs, or public corporations"

AMENDMENT #9 offered by
Wielechowski

OFFERED IN THE SENATE
TO: SB 242

1 Page 1, line 5, following "utilities";

2 Insert "relating to credited service in the Teachers' Retirement System and the
3 Public Employees' Retirement System of Alaska;"

4

5 Page 4, following line 28:

6 Insert a new bill section to read:

7 "** Sec. 8. The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 CREDITED SERVICE ACCRUAL IN DEFINED BENEFIT RETIREMENT PLANS
10 DURING NOVEL CORONAVIRUS OUTBREAK. (a) Notwithstanding AS 14.25.040,
11 14.25.050(d), and AS 39.35.330(b) and (c), and to the extent consistent with 26 U.S.C. 401(a)
12 and 414(d) (Internal Revenue Code), for the duration of the state emergency, an employee
13 who takes more than 10 days of leave of absence without pay in a calendar year because the
14 employee is unable to work as a result of the emergency or conduct made necessary by the
15 emergency may elect to receive credited service under

16 (1) AS 14.25.040 or 14.25.050(d), if the employee is an active member of the
17 defined benefit retirement plan under AS 14.25; or

18 (2) AS 39.35.330(b) or (c), if the employee is an active member of the defined
19 benefit retirement plan under AS 39.35.

20 (b) Conduct under (a) of this section relating to an outbreak of novel coronavirus
21 disease (COVID-19) includes conduct by an employee or employer involving

22 (1) providing care, including medical care, to another person;

23 (2) limiting or preventing the spread of the novel coronavirus disease

1 (COVID-19)."

2

3 Renumber the following bill sections accordingly.

4

5 Page 5, line 1:

6 Delete "secs. 1 - 7"

7 Insert "secs. 1 - 8"

8

9 Page 5, line 12:

10 Delete "Sections 1 - 8"

11 Insert "Sections 1 - 9"

12

13 Page 5, line 13:

14 Delete "sec. 9"

15 Insert "sec. 10"

16

17 Page 5, line 16:

18 Delete "Sections 2 - 9"

19 Insert "Sections 2 - 10"

AMENDMENT #10

OFFERED IN THE SENATE
TO: SB 242

BY SENATOR VON IMHOF

1 Page 1, line 5, following "utilities;":

2 Insert "relating to the teachers' retirement system and the Public Employees'
3 Retirement System of Alaska;"

4

5 Page 4, line 28:

6 Insert a new bill section to read:

7 "** Sec. 8. The uncoded law of the State of Alaska is amended by adding a new section to
8 read:

9 COST OF LIVING ADJUSTMENTS UNDER THE TEACHERS' RETIREMENT
10 SYSTEM AND THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM OF ALASKA. (a)
11 Notwithstanding AS 14.25.142(b) and to the extent consistent with 26 U.S.C. 401(a) and
12 414(d) (Internal Revenue Code), during the state emergency, a person receiving a cost-of-
13 living allowance under AS 14.25.142 who has notified the commissioner of administration or
14 the commissioner's designee that the person expects to be absent from the state for a
15 continuous period that first exceeds 90 days on or after March 11, 2020, remains entitled to
16 receive the allowance after the 90-day period for as long as the person is absent from the state
17 because of protective measures, including a voluntary or compulsory quarantine, related to
18 avoiding or preventing the spread of the novel coronavirus disease (COVID-19).

19 (b) Notwithstanding AS 39.35.480(b) and to the extent consistent with 26 U.S.C.
20 401(a) and 414(d) (Internal Revenue Code), during the state emergency, a person receiving a
21 cost-of-living allowance under AS 39.35.480 who has notified the commissioner of
22 administration or the commissioner's designee that the person expects to be absent from the
23 state for a continuous period that first exceeds 90 days on or after March 11, 2020, remains

1 entitled to receive the allowance after the 90-day period for as long as the person is absent
2 from the state because of protective measures, including a voluntary or compulsory
3 quarantine, related to avoiding or preventing the spread of the novel coronavirus disease
4 (COVID-19)."

5

6 Renumber the following bill sections accordingly.

7

8 Page 5, line 1:

9 Delete "1 - 7"

10 Insert "1 - 8"

11

12 Page 5, line 12:

13 Delete "1 - 8"

14 Insert "1 - 9"

15

16 Page 5, line 13:

17 Delete "sec. 9"

18 Insert "sec. 10"

19

20 Page 5, line 16:

21 Delete "2 - 9"

22 Insert "2 - 10"

AMENDMENT #11 offered by Olson

OFFERED IN THE SENATE

TO: SB 242

1 Page 1, line 4, following "foreclosures,"

2 Insert "certain tax lien foreclosures,"

3

4 Page 4, following line 28:

5 Insert a new bill section to read:

6 "** Sec. 8. The uncodified law of the State of Alaska is amended by adding a new section to
7 read:

8 MORATORIUM ON MUNICIPAL TAX LIEN FORECLOSURE DURING NOVEL
9 CORONAVIRUS DISEASE OUTBREAK. (a) Notwithstanding a contrary provision of law,
10 during the state emergency, and for one year after the end of the state emergency, a
11 municipality may not enforce delinquent real property tax liens through foreclosure on the
12 property of a person experiencing financial hardship.

13 (b) A person seeking protection under (a) of this section shall, during the time period
14 specified under (a) of this section, certify to the municipality seeking foreclosure, in a sworn
15 statement made under penalty of perjury under AS 09.63.020, that the person is experiencing
16 financial hardship."

17

18 Renumber the following bill sections accordingly.

19

20 Page 5, line 1:

21 Delete "1 - 7"

22 Insert "1 - 8"

23

1 Page 5, line 12:

2 Delete "1 - 8"

3 Insert "1 - 9"

4

5 Page 5, line 13:

6 Delete "sec. 9"

7 Insert "sec. 10"

8

9 Page 5, line 16:

10 Delete "2 - 9"

11 Insert "2 - 10"

AMENDMENT #12

offered by
Wielechowski

OFFERED IN THE SENATE

TO: SB 242

1 Page 1, line 5, following "utilities;":

2 Insert "relating to witnessing wills by videoconference;"

3

4 Page 4, following line 28:

5 Insert a new bill section to read:

6 "** Sec. 8. The uncoded law of the State of Alaska is amended by adding a new section to
7 read:

8 WITNESSING OF WILL SIGNING BY VIDEOCONFERENCE DURING NOVEL
9 CORONAVIRUS DISEASE OUTBREAK. (a) Notwithstanding AS 13.12.502, for the
10 duration of the state emergency and for 10 days thereafter, a will may be signed or witnessed
11 by videoconference by one or more of the witnesses required, if the will contains a statement
12 substantially similar to the following:

13 Under penalty of perjury, I assert that I am a member of a group that has been
14 declared by the World Health Organization or the United States Centers for
15 Disease Control and Prevention to be at higher risk for severe illness from
16 novel coronavirus disease (COVID-19), or I have been advised by a health care
17 provider or a state, local, or federal agency that being in the physical presence
18 of others may expose me or others to a health risk related to novel coronavirus
19 disease (COVID-19).

20 (b) Within 60 days after the execution of a will by videoconference under (a) of this
21 section, each person who witnessed the will by videoconference shall sign and attach to the
22 will, or an exact facsimile of the will, a statement substantially similar to the following:

23 Under penalty of perjury, I assert that (1) the testator has informed me that the

1 testator is a member of a group that has been declared by the World Health
 2 Organization or the United States Centers for Disease Control and Prevention
 3 to be at higher risk for severe illness from novel coronavirus disease (COVID-
 4 19), or I have been advised by a health care provider or a state, local, or federal
 5 agency that being in the physical presence of others may expose me or others
 6 to a health risk related to novel coronavirus disease (COVID-19); and (2) I am
 7 satisfied that the will to which this statement is attached is either the original
 8 will signed by the testator or is an exact facsimile of the original will.

9 (c) In this section, "videoconference" means a conference using technology that
 10 enables the testator, notary, or the person making the acknowledgment and the person
 11 executing the document and witnesses to, while in different locations, simultaneously
 12 communicate orally and maintain visual contact."

13
 14 Renumber the following bill sections accordingly.

15
 16 Page 5, line 1:

17 Delete "1 - 7"

18 Insert "1 - 8"

19
 20 Page 5, line 12:

21 Delete "Sections 1 - 8"

22 Insert "Sections 1 - 9"

23
 24 Page 5, line 13:

25 Delete "sec. 9"

26 Insert "sec. 10"

27
 28 Page 5, line 16:

29 Delete "Sections 2 - 9"

30 Insert "Sections 2 - 10"

AMENDMENT #13

OFFERED IN THE SENATE
TO: SB 242

offered by
Wielechowski

- 1 Page 1, line 5, following "utilities";
2 Insert "relating to unfair or deceptive trade practices;"
3
4 Page 4, following line 28:
5 Insert a new bill section to read:
6 "** Sec. 8. The uncoded law of the State of Alaska is amended by adding a new section to
7 read:
8 UNFAIR OR DECEPTIVE TRADE PRACTICES DURING NOVEL
9 CORONAVIRUS DISEASE OUTBREAK. A person that charges more than 10 percent over
10 the price charged in this state in the normal course of business before the state emergency for
11 supplies commits an unfair or deceptive act or practice under AS 45.50.471 - 45.50.561
12 (Alaska Unfair Trade Practices and Consumer Protection Act), unless the charge that exceeds
13 10 percent is caused by an increased cost for the seller to purchase the supplies. This section
14 applies regardless of whether the person was in the business of selling supplies before
15 March 11, 2020. In this section, "supplies" means
16 (1) food;
17 (2) medicine;
18 (3) medical equipment;
19 (4) fuel;
20 (5) sanitation products;
21 (6) hygiene products;
22 (7) essential household supplies;
23 (8) other essential good or services."

1

2 Renumber the following bill sections accordingly.

3

4 Page 5, line 1:

5 Delete "1 - 7"

6 Insert "1 - 8"

7

8 Page 5, line 12:

9 Delete "Sections 1 - 8"

10 Insert "Sections 1 - 9"

11

12 Page 5, line 13:

13 Delete "sec. 9"

14 Insert "sec. 10"

15

16 Page 5, line 16:

17 Delete "Sections 2 - 9"

18 Insert "Sections 2 - 10"

CONCEPTUAL AMENDMENT #14

OFFERED IN THE SENATE FINANCE COMMITTEE

BY SENATOR OLSON

TO: SB 242 [31-LS1748\U]

This is a conceptual amendment. Legislative Legal is directed to make any changes or deletions to the suggested language, including technical, conforming, or bill title changes, in order to accomplish the intent.

INTENT OF AMENDMENT: Enact a moratorium on evicting a person experiencing a financial hardship from a storage unit for personal property during the state emergency. This would have gone in section 6 of the previous bill but that section was repealed by conceptual amendment #1.

AMENDMENT #15

offered by
Wielechowski

OFFERED IN THE SENATE
TO: SB 242

1 Page 1, line 5:

2 Delete "and disconnection of residential utilities"

3 Insert "disconnection of residential utilities, and repossession of vehicles"

4

5 Page 4, following line 28:

6 Insert a new bill section to read:

7 "** Sec. 8. The uncoded law of the State of Alaska is amended by adding a new section to
8 read:

9 MORATORIUM ON REPOSSESSION OF MOTOR VEHICLES DURING NOVEL
10 CORONAVIRUS DISEASE OUTBREAK. (a) Notwithstanding another provision of law to
11 the contrary, for the duration of the state emergency and for 30 days thereafter, a creditor or a
12 person acting on behalf of a creditor may not repossess or otherwise take possession of a
13 motor vehicle, an aircraft, or watercraft, when a debtor is in default under a loan or security
14 agreement or is unable to make a loan or other agreed-to payment because the debtor is
15 experiencing a financial hardship. In this subsection,

16 (1) "aircraft" has the meaning given in AS 02.15.260;

17 (2) "motor vehicle" has the meaning given in AS 28.90.990; and

18 (3) "watercraft" has the meaning given in AS 11.46.360.

19 (b) A person seeking protection under (a) of this section shall, during the period
20 specified in (a) of this section, certify to the creditor, in a sworn statement made under penalty
21 of perjury under AS 09.63.020, that the person is experiencing financial hardship."

22

23 Renumber the following bill sections accordingly.

1

2 Page 5, line 1:

3 Delete "1 - 7"

4 Insert "1 - 8"

5

6 Page 5, line 12:

7 Delete "Sections 1 - 8"

8 Insert "Sections 1 - 9"

9

10 Page 5, line 13:

11 Delete "sec. 9"

12 Insert "sec. 10"

13

14 Page 5, line 16:

15 Delete "Sections 2 - 9"

16 Insert "Sections 2 - 10"

AMENDMENT #16 offered by Olson

OFFERED IN THE SENATE

TO: SB 242

1 Page 1, line 5, following "utilities";

2 Insert "relating to garnishment, collection, or any other remedy for the collection
3 of debt against a permanent fund dividend;"

4

5 Page 4, following line 28:

6 Insert a new bill section to read:

7 "§ Sec. 8. The uncoded law of the State of Alaska is amended by adding a new section to
8 read:

9 MORATORIUM ON GARNISHMENT OR COLLECTION OF PERMANENT
10 FUND DIVIDENDS DURING NOVEL CORONAVIRUS DISEASE OUTBREAK.

11 Notwithstanding AS 43.23.140(b)(2) - (9) and 43.23.150 - 43.23.190, for the duration of a
12 state emergency and for 30 days thereafter, an individual's permanent fund dividend is exempt

13 from levy, execution, garnishment, attachment, or any other remedy for the collection of debt.

14 The exemption under this section does not apply to permanent fund dividends taken to satisfy
15 child support obligations required by court order or decision of the child support services

16 agency under AS 25.27.140 - 25.27.220."

17

18 Renumber the following bill sections accordingly.

19

20 Page 5, line 1:

21 Delete "1 - 7"

22 Insert "1 - 8"

23

1 Page 5, line 12:

2 Delete "1 - 8"

3 Insert "1 - 9"

4

5 Page 5, line 13:

6 Delete "sec. 9"

7 Insert "sec. 10"

8

9 Page 5, line 16:

10 Delete "2 - 9"

11 Insert "2 - 10"