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**From:** Amy Lujan [REDACTED]  
**Sent:** Thursday, March 18, 2021 10:07 AM  
**To:** House Finance  
**Cc:** Darcy Carter; Melody Douglas; Ratliff\_Andrew; Jimmy Love  
**Subject:** HB76 Testimony

Hello,

We strongly encourage legislators to pass an emergency bill such as HB76, to provide maximum flexibility as Alaskans continue to work through the current pandemic.

Please add to this bill a temporary waiver of the fund balance carryover limitation for K-12 school districts as defined in AS 14.17.505, for FY21 year-end. This statute was waived by the Governor for FY20. If an upper limit for fund balance carryover is set, that limit should be no less than 25% for FY21.

\* The pandemic has created conditions in school districts that are wholly outside the bounds of normal operations and were never anticipated when the current fund balance statute was established.

\* The financial impact of the pandemic has varied widely across school districts, due to distinct local health conditions, prior existence of correspondence programs, and the ability of families to support relocation or correspondence, among other factors. While many districts will not have large operating fund carryovers, any statewide limit should be high enough to meet the needs of all districts.

\* School districts are eligible for grants of federal pandemic relief funds. These grants are restricted with regard to allowable uses of funds and the time period over which they can be spent. Districts need flexibility in their operating fund in order to put these federal grant funds to the best possible use for the benefit of students.

\* Flat funding of the Base Student Allocation (BSA) since FY17 has resulted in significant cuts to staff and services funded by the operating fund in school districts across the state. Pandemic relief funds can help fund staff and services in the short term, with the primary objective of enabling students to recover from pandemic learning loss. However, this can only be done efficiently with carryover flexibility.

Thank you,  
Amy Lujan  
Alaska Association of School Business Officials (ALASBO)  
Legislative Liaison

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**From:** Thor Stacey [REDACTED]  
**Sent:** Thursday, March 18, 2021 9:37 PM  
**To:** House Finance  
**Cc:** Rep. DeLena Johnson; Rep. Bart LeBon  
**Subject:** SUPPORT- HB76/AMMENDMENT #6

Honorable Finance Committee Members:

I write on behalf of the National Federation of Independent Business (NFIB) in my capacity as State Director in SUPPORT of Representative LeBon's amendment #6 to HB76.

Alaska's small businesses have been hit especially hard by the COVID-19 pandemic. Our businesses across all sectors have been or are currently complying with a variety of local mandates and may in the future be subject to additional state or federal health mandates. These health mandates designed to contain the effects of COVID-19 have the force of law and must be obeyed. At the same time our liability policies have *force majeure* clauses that go into force in the face of a pandemic or disaster. Small businesses therefore are open and exposed to liability arising from COVID-19 exposures that will likely be litigated at great harm and expense to our members and your neighbors. Small businesses should be immune to liability arising from COVID-19 if they are following government health mandates.

I offer a succinct example to illustrate the terrible circumstances that could result in a catastrophic lawsuit that could deviate a small business.

"An elderly woman's pipes burst in the middle of the winter. She has no place to go and no family living close to her. She calls a plumber to assist with an emergency repair and the plumber responds accordingly to fix her pipes and save her home from a catastrophe. Entering the home the plumber does all that he can to repair the pipes while taking all legal and prudent cautions to protect the elderly woman from COVID-19. The pipes are repaired and her home is heated once again. Sadly she is exposed to COVID-19 and eventually perishes from this awful disease. The elderly woman's family files a wrongful death lawsuit against the plumber, who owns a small family run business.

In this scenario the plumber was compelled to do the right and humane thing by entering the woman's home to fix an immediate problem threatening an elderly person's home. He wore a mask and distanced and took all legal and prudent cautions. Unfortunately the plumber and his family are exposed to liability for doing what is human, what is neighborly and what all of us would do if we had the skills to help. Without protection from his business liability policy he and his family are likely sunk by just the costs of legal defense alone, let alone any court ordered settlement."

**NFIB conducted a statewide survey of Alaskan small business owners leading up to session. Over 80% of respondents called for the legislature to liability offer protections to businesses following government health mandates.**

Passage of amendment #6 will not encourage irresponsible behavior because government health mandates must be followed to qualify for the immunity.

NFIB strongly urges the house finance committee to adopt this important amendment because it will encourage compliance with health mandates and offer protection for responsible businesses exposed to frivolous lawsuits.

Respectfully,

Thor Stacey

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**From:** PeggyAnn McConnochie [REDACTED]  
**Sent:** Friday, March 19, 2021 8:15 AM  
**To:** House Finance  
**Subject:** HB76 Amendment #6 by Rep. LeBon

Good morning Honorable Finance Committee Members,

My name is PeggyAnn McConnochie. My husband and I own two small businesses here in Juneau. Each of these businesses has been dramatically affected by COVID-19.

My business provides real estate education throughout Alaska. Since early 2020 I have had to eliminate all in-person instruction and move to strictly a virtual format. My clients ask that I reinstitute in-person education, and I would love to; however, the liability I could face makes me reluctant to restart in-person training.

My husband owns a bicycle shop that provides (provided, since the cruise ship season has been cut) tours to cruise ship passengers and independent travelers. A bicycle business is considered an essential service. At the advent of COVID-19, he put in strict measures to protect both his customers and the public, all of which work well. However, as the spring and summer season approaches, he worries about his liability exposure.

We know we aren't the only small businesses in Alaska worried about our future and our liability exposure.

We encourage you to pass this bill with Rep. Lebron's amendment #6.

Thank you for your time and consideration.

*PeggyAnn*

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