

**ALASKA STATE LEGISLATURE
HOUSE LABOR AND COMMERCE STANDING COMMITTEE**

April 15, 2014

3:25 p.m.

MEMBERS PRESENT

Representative Kurt Olson, Chair
Representative Mike Chenault
Representative Bob Herron
Representative Dan Saddler
Representative Andy Josephson

MEMBERS ABSENT

Representative Lora Reinbold, Vice Chair
Representative Charisse Millett
Representative Craig Johnson

COMMITTEE CALENDAR

SENATE BILL NO. 156

"An Act relating to direct-entry midwives."

- MOVED SB 156 OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 166(FIN)

"An Act relating to nursing and to the Board of Nursing."

- MOVED CSSB 166(FIN) OUT OF COMMITTEE

SENATE BILL NO. 167

"An Act relating to the maximum amount of uninsured and underinsured coverage payable under multiple motor vehicle insurance policies issued by the same insurer in the same household."

- MOVED SB 167 OUT OF COMMITTEE

SENATE BILL NO. 183

"An Act extending the termination date of the emerging energy technology fund and grant program."

- MOVED SB 183 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 156

SHORT TITLE: DIRECT-ENTRY MIDWIVES

SPONSOR(s): SENATOR(s) KELLY

02/05/14 (S) READ THE FIRST TIME - REFERRALS
02/05/14 (S) L&C
03/11/14 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
03/11/14 (S) -- MEETING CANCELED --
03/13/14 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
03/13/14 (S) Heard & Held
03/13/14 (S) MINUTE(L&C)
03/18/14 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
03/18/14 (S) -- MEETING CANCELED --
03/20/14 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
03/20/14 (S) Moved SB 156 Out of Committee
03/20/14 (S) MINUTE(L&C)
03/21/14 (S) L&C RPT 2DP 1NR
03/21/14 (S) DP: MICCICHE, STEDMAN
03/21/14 (S) NR: OLSON
03/31/14 (S) TRANSMITTED TO (H)
03/31/14 (S) VERSION: SB 156
04/01/14 (H) READ THE FIRST TIME - REFERRALS
04/01/14 (H) L&C
04/15/14 (H) L&C AT 3:15 PM BARNES 124

BILL: SB 166

SHORT TITLE: BOARD OF NURSING; NURSES

SPONSOR(s): SENATOR(s) GIESSEL BY REQUEST

02/07/14 (S) READ THE FIRST TIME - REFERRALS
02/07/14 (S) L&C
03/04/14 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
03/04/14 (S) Heard & Held
03/04/14 (S) MINUTE(L&C)
03/13/14 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
03/13/14 (S) Moved CSSB 166(L&C) Out of Committee
03/13/14 (S) MINUTE(L&C)
03/14/14 (S) L&C RPT CS 2DP 3NR SAME TITLE
03/14/14 (S) DP: DUNLEAVY, MICCICHE
03/14/14 (S) NR: ELLIS, STEDMAN, OLSON
03/14/14 (S) FIN REFERRAL ADDED AFTER L&C
03/27/14 (S) FIN AT 9:00 AM SENATE FINANCE 532
03/27/14 (S) Moved CSSB 166(FIN) Out of Committee
03/27/14 (S) MINUTE(FIN)
03/28/14 (S) FIN RPT CS 4DP 1NR SAME TITLE
03/28/14 (S) DP: KELLY, MEYER, BISHOP, FAIRCLOUGH
03/28/14 (S) NR: OLSON

04/02/14 (S) TRANSMITTED TO (H)
 04/02/14 (S) VERSION: CSSB 166(FIN)
 04/03/14 (H) READ THE FIRST TIME - REFERRALS
 04/03/14 (H) L&C
 04/15/14 (H) L&C AT 3:15 PM BARNES 124

BILL: SB 167

SHORT TITLE: MULTIPLE VEHICLE INSURANCE POLICIES
 SPONSOR(s): SENATOR(s) HUGGINS BY REQUEST

02/10/14 (S) READ THE FIRST TIME - REFERRALS
 02/10/14 (S) L&C
 03/04/14 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
 03/04/14 (S) Heard & Held
 03/04/14 (S) MINUTE(L&C)
 03/13/14 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
 03/13/14 (S) Moved SB 167 Out of Committee
 03/13/14 (S) MINUTE(L&C)
 03/14/14 (S) L&C RPT 3DP 2NR
 03/14/14 (S) DP: DUNLEAVY, STEDMAN, MICCICHE
 03/14/14 (S) NR: ELLIS, OLSON
 03/26/14 (S) TRANSMITTED TO (H)
 03/26/14 (S) VERSION: SB 167
 03/27/14 (H) READ THE FIRST TIME - REFERRALS
 03/27/14 (H) L&C
 04/15/14 (H) L&C AT 3:15 PM BARNES 124

BILL: SB 183

SHORT TITLE: EXTEND EMERGING ENERGY TECHNOLOGY FUND
 SPONSOR(s): SENATOR(s) MCGUIRE

02/19/14 (S) READ THE FIRST TIME - REFERRALS
 02/19/14 (S) L&C
 03/20/14 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
 03/20/14 (S) Heard & Held
 03/20/14 (S) MINUTE(L&C)
 03/27/14 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
 03/27/14 (S) Moved SB 183 Out of Committee
 03/27/14 (S) MINUTE(L&C)
 03/28/14 (S) L&C RPT 2DP 2NR
 03/28/14 (S) DP: DUNLEAVY, ELLIS
 03/28/14 (S) NR: STEDMAN, OLSON
 03/28/14 (S) TRANSMITTED TO (H)
 03/28/14 (S) VERSION: SB 183
 03/31/14 (H) READ THE FIRST TIME - REFERRALS
 03/31/14 (H) L&C
 04/15/14 (H) L&C AT 3:15 PM BARNES 124

WITNESS REGISTER

HEATHER SHATTUCK, Staff
Senator Pete Kelly
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified during the discussion of SB 156.

CHERYL CORRICK, Certified Direct-Entry Midwife (CDM)
Chair, Board of Certified Direct-Entry Midwives (BCDM)
Department of Commerce, Community & Economic Development
Fairbanks, Alaska

POSITION STATEMENT: Testified during the discussion of SB 156.

SUSAN TERWILLIGER, Certified Direct-Entry Midwife and President,
Midwives Association of Alaska (MAA)
Eagle River, Alaska

POSITION STATEMENT: Testified during the discussion of SB 156.

SENATOR CATHY GIESSEL
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified as prime sponsor of SB 166.

NANCY SANDERS, Ph.D., RN;
Executive Administrator, Board of Nursing
Department of Commerce, Community & Economic Development (DCCED)
Anchorage, Alaska

POSITION STATEMENT: Testified during the discussion of SB 166.

JANA SHOCKMAN, Registered Nurse;
President, Alaska Nurses Association
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 166.

BETH FARNSTROM, Registered Nurse
Board of Nursing, Chair
Department of Commerce, Community & Economic Development
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 166.

PATRICIA SENNER, Advanced Nurse Practitioner (ANP)
Alaska Nurses Association (ANA)
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 166.

KAREN PURDUE, President and CEO
Alaska State Hospital Nursing Home Association (ASHNHA)
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 166.

BEVERLY SMITH, Media and Legislative
Christian Science Church
Douglas, Alaska

POSITION STATEMENT: Testified during the discussion of SB 166.

ASHTON COMPTON, Staff
Senator Charlie Huggins
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified on behalf of the prime sponsor,
Senator Huggins, during the discussion of SB 167.

SHELDON E. WINTERS, Attorney
Lessmeier & Winters, LLC
Lobbyist, State Farm Insurance
Juneau, Alaska

POSITION STATEMENT: Testified during the discussion of SB 167.

JESSE LOGAN, Staff
Senator Lesil McGuire
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified during the discussion of SB 183.

EMILY FORD
Public Outreach Liaison
Alaska Energy Authority
Anchorage, Alaska

POSITION STATEMENT: Testified during the discussion of SB 183.

ACTION NARRATIVE

[3:25:32 PM](#)

CHAIR KURT OLSON called the House Labor and Commerce Standing Committee meeting to order at 3:25 p.m. Representatives Chenault, Herron, Josephson, and Olson were present at the call to order. Representative Saddler arrived as the meeting was in progress.

SB 156-DIRECT-ENTRY MIDWIVES

3:26:01 PM

CHAIR OLSON announced that the first order of business would be SENATE BILL NO. 156, "An Act relating to direct-entry midwives."

3:26:06 PM

HEATHER SHATTUCK, Staff, Senator Pete Kelly, Alaska State Legislature, stated the concept for SB 156 was brought to the sponsor by the Midwives Association of Alaska. The statutes pertaining to the practice of midwifery were put into place in 1992 but have not been updated since. Placing specific practices of a profession in statute stymies growth and management of the profession. These initial required practices were placed into statute prior to a functioning board of certified direct-entry midwives

MS. SHATTUCK said the Board of Certified Direct-Entry Midwives (BCDM) has tried to establish and develop a comprehensive regulatory framework through practice regulations and guidelines crafted to ensure public safety and professional discipline. However, the outdated statute cements certain obsolete practice requirements in place and can only be updated by an act of the legislature. This bill will update the statutes and place the certified direct-entry midwives into regulation rather than statute. The proposed changes in the bill will also ensure greater public safety in the field of midwifery. This enables the Board to oversee the profession more effectively and incorporate current nationally-recognized best practices. This type of authority is granted to most professional boards in order to develop and maintain professional practice standards. The public safety provisions are addressed in a few ways. The midwives association requested a higher threshold of training in order for a licensed certified direct-entry midwife (CDM) to act as a supervisor to an apprentice midwife. In addition to the requirement to be licensed and practicing for two years, the bill further requires a licensed CDM to attend 50 or more births as a primary or assistant midwife in order to supervise an apprentice direct-entry midwife. The proposed changes to the threshold will ensure a greater level of expertise prior to providing supervision. The also would help ensure greater public safety in the field of midwifery.

3:28:28 PM

MS. SHATTUCK related that under SB 156 well-baby care will also be covered under the scope of CDM practice for up to four weeks

after birth. This helps to ensure that the delivering midwife can properly follow up with both mother and baby, and it helps ensure the baby will thrive while midwives can maintain an ongoing relationship with the patient. Additionally, some required tests for newborns are performed after the current seven-day set-off in statute. This has put midwives in the situation of providing services without being reimbursed, where applicable, by Medicaid.

MS. SHATTUCK said that SB 156 also repeals the cultural midwives exemption, requiring all CDMs in the state to be licensed and under the disciplinary regulation of the BCDM. Currently, an individual whose cultural traditions have included, for at least two generations, the attendance of midwives at birth, and has assisted in at least 10 births does not fall under regulation of the board. As noted in a letter in members' packets from the Division of Corporations, Business, and Professional Licensing (DCBPL), state licensing exemptions exist for employees of tribal health programs. She discussed the exemption with the Alaska Native Tribal Health Consortium (ANTHC) and the organization agreed with the provision being removed.

[3:29:44 PM](#)

MS. SHATTUCK offered her belief that midwives provide a good option for women with low-risk pregnancy in Alaska. She pointed out that these services represent a lower financial impact on Medicaid eligible patients under Denali Kid Care. She emphasized the sponsor's intent to make the BCDM as effective and efficient as possible in the oversight of this field.

[3:30:14 PM](#)

REPRESENTATIVE JOSEPHSON asked whether the expansion of the practice for the first four weeks after birth is the period in which babies would receive inoculations.

MS. SHATTUCK acknowledged that is her understanding. She referred to last year's bill [SB 87] by Senator Micciche that required newborn testing. Currently, midwives can only receive reimbursement from Medicaid for services provided up to seven days for newborns, but some testing is provided after two weeks. She deferred to midwives available to testify.

[3:31:08 PM](#)

MS. SHATTUCK provided a section-by-section analysis of the bill. Section 1 would provide conforming language to remove an exemption that Section 6 repeals relating to cultural traditions exclusions. Section 2 would clarify the board's authority to adopt regulations necessary for establishing practice requirements and guidelines. Section 3 would add the requirement for a licensed CDM to attend 50 or more births as a primary or assistant midwife in order to supervise an apprentice midwife. Section 4 would update the required practices and directs the board to adopt regulations regarding the practice of direct-entry midwifery. Section 5 would update the definition of the "practice of midwifery" and includes well baby care through the age of four weeks and preventative measures for the infant. Section 6 would repeal the cultural traditions exclusion allowing a person to practice midwifery for compensation without meeting the education and practice requirements for practicing midwifery.

[3:32:18 PM](#)

CHERYL CORRICK, Certified Direct-Entry Midwife and Chair of BCDM, stated that she is a certified direct-entry midwife (CDM) in Alaska and a certified professional midwife with the National Association of Registered Midwives. She has over 20 years of experience in the field of midwifery and has worked at a birth center in a group practice in Fairbanks. Additionally, she currently serves as the chair of the Board of Certified Direct-Entry Midwives (BCDM). She explained that SB 156 would increase the requirements for CDMs by requiring the experience of 50 births as the primary or assisting midwife in addition to the current requirement of two years of experience. This would require preceptors with experience closer to the national standards. This bill would also remove the cultural midwife exemption that allows an individual who meets the definition to practice as a midwife and receive compensation with the only required training to have assisted another cultural midwife with 10 births. This level of training is extremely inadequate and is simply not safe for our mothers and babies. The practices have been in statute for over 20 years during which time health care practices have greatly changed. She said she has served on the BCDM for six years, during which time the board's goal has been to support legislation to remove the required practices from statute and allow the board to update and revise regulations to maintain current state and national standards of care. On February 21, 2014 the BCDM unanimously voted to support SB 156 and the companion bill, HB 311, and sent a letter

of support [in members' packets]. She urged members to support SB 156.

3:34:28 PM

REPRESENTATIVE JOSEPHSON wondered how CDM's would ensure that newborns receive vaccinations if they cannot administer them.

MS. CORRICK responded that the initial vaccine would be for Hepatitis B, which is given at the hospital or by their pediatrician at one month visit. Other vaccines are given at two months, and midwives do not administer the vaccinations; however, they are required by regulation to recommend that parents and newborns see a physician within the first seven days of life.

3:35:48 PM

REPRESENTATIVE JOSEPHSON asked whether any historic problems have arisen since 1992 in terms of the certified direct-midwife practice or if things have gone relatively smoothly in the past 22 years.

MS. CORRICK offered her belief that they have gone relatively smoothly, although midwifery has had occasional problems as all professions experience. She reported that the latest data set from the U.S. Centers for Disease Control and Prevention (CDC) actually shows that Alaska has the highest rate of "out of hospital" births and the lowest rate of [Caesarean sections].

3:36:47 PM

SUSAN TERWILLIGER, Certified Direct-Entry Midwife (CDM); President, Midwives Association of Alaska (MAA), stated she is also a certified professional midwife with the national registry of midwives and the president of Midwives Association of Alaska (MAA). She reported that she has been in practice for 17 years in Texas and for the past 9 years in Alaska with a small home birth practice. She related that the MAA supports SB 156. She urged members to support the bill so the standards for midwives can be updated. Initially, the CDMs did not have a board, but the BCDM has been in place for a number of years, and doctors, CDMs, public members serve on the board.

3:38:39 PM

CHAIR OLSON, after first determining no one else wished to testify, closed public testimony on SB 156.

[3:38:52 PM](#)

REPRESENTATIVE CHENAULT referred to page [4], lines 3-4, Section 5, to the well-baby care of infant and preventative measures. He asked who pays for this.

MS. SHATTUCK answered that infant care up to four weeks is covered by Denali Kid Care. She related her understanding that it would move the scope from the pediatrician to the midwives. Otherwise, private insurance would cover it, she said.

[3:40:53 PM](#)

REPRESENTATIVE CHENAULT asked whether [CDMs] currently provide this service or would it be an increased workload for the midwives.

MS. SHATTUCK suggested that this provision was requested with respect to children covered by Denali Kid Care. She explained that the midwives are currently providing the care but are not eligible for reimbursement.

REPRESENTATIVE CHENAULT related his understanding that this language would allow [CDMs] to be reimbursed. He asked what happens if the child cannot qualify for Denali Kid Care.

[3:41:30 PM](#)

MS. CORRICK answered that Denali Kid Care and Medicare have typically covered midwifery services through six or eight weeks but last year after conducting a massive audit decided not to cover CDMS since the care was not in their scope of practice. The CDMs argued for coverage, which was extended until January 2014; however, currently the Denali Kid Care doesn't cover CDM care beyond seven days [after birth]. Part of the problem results because CDMs are required to provide services by regulation for the [phenylketonuria] PKU screening. The second screening is traditionally done between two and three weeks. Thus, midwives must provide the care per regulation but are not reimbursed. This language would allow the midwives to be reimbursed. In response to an earlier question, she said if Medicaid or Denali Kid Care did not cover the care, it would be covered by the parents through private insurance, just as they receive coverage for their pediatricians.

[3:42:55 PM](#)

REPRESENTATIVE CHENAULT understood this language would extend coverage that has not been allowed since January 2014 for services beyond seven days.

MS. CORRICK answered that is correct. She added that prior to January 2014, midwives did receive reimbursement for providing these services.

REPRESENTATIVE CHENAULT noted a lack of a fiscal note, and although this is not a new charge since Denali Kid Care previously picked up the costs, but he anticipated an increase.

[3:44:04 PM](#)

REPRESENTATIVE HERRON moved to report SB 156 out of committee with individual recommendations and the accompanying fiscal note. There being no objection, SB 156 was reported from the House Labor and Commerce Standing Committee.

[3:44:31 PM](#)

The committee took a brief at-ease from 3:44 p.m. to 3:46 p.m.

SB 166-BOARD OF NURSING; NURSES

[3:46:31 PM](#)

CHAIR OLSON announced that the next order of business would be CS FOR SENATE BILL NO. 166(FIN), "An Act relating to nursing and to the Board of Nursing."

[3:46:35 PM](#)

SENATOR CATHY GIESSEL, Alaska State Legislature, stated that she holds two licenses under the jurisdictions of the Board of Nursing (BON), as a registered nurse (RN) and as an advanced nurse practitioner (ANP). She has served two terms on the BON, serving five years as chair. She said SB 166 is a "clean-up" or "revisor's" bill. The Legislative Legal Services doesn't do revisor's bills for professional boards due to the technical nature.

[3:47:38 PM](#)

SENATOR GIESSEL stated that this bill revises the board member qualifications, requiring that licensed practical nurses have at least two years of clinical practice before being appointed to the BON. The registered nurse or nurse educator on the BON can also be working in a program that provides graduate, bachelor's, or associate degrees, noting that, previously, the requirement was for a minimum of a bachelor's degree. The advanced nurse practitioner must have at a minimum of four years of advanced practice prior to being appointed to the board. Additionally, the bill establishes a retired nurse status and "cleans up" some practical nurse education program criteria. She noted that the qualifications and duties of the executive administrator have been revised. The term has changed from executive secretary to administrator and requires the person to have a minimum education of a Masters' degree in Nursing.

[3:48:55 PM](#)

SENATOR GIESSEL said that this has been raised in other committees so she elaborated that holding an advance degree is rather common, and there are over 900 advanced nurse practitioners (ANPs) in Alaska. She commented that this represents the minimal level of entry for an ANP. She related that for the past 25 years, the executive administrator has had either a masters' degree or a doctorate. In fact, the current administrator holds a Ph.D., she said. She explained the changes made for testing, such that SB 166 removes the requirement for written exams since electronic exams are administered. The bill would repeal language that allows licensing through the Canadian Nurses Association testing examination, which is no longer considered valid for licensure in the U.S. The bill removes an obsolete term, licensed vocational nurse. Under the bill, the board would continue to do background checks and competency requirements to reinstate lapsed licenses. The board allows a physician's assistant to be authorized to supervise a licensed practical nurse and would add a new section that requires an employer to report to the BON when a nurse or nurse aide is fired or suspended. She explained the reporting is no longer required to be done under oath. It would also provide protection for nurses that may refuse to delegate a task if the person delegated to lacks sufficient training. The reporting was deemed important since it may require disciplinary action be taken by the BON.

[3:50:56 PM](#)

SENATOR GIESSEL related the committee hearings raised some issues. One concern related to the criminal background checks, noting that the BON has performed criminal background checks for a number of years. Health care professionals have very intimate contact with their patients and Alaska is an "end of the road" jurisdiction so criminal background checks have been very important to ensure public safety. In fact, the BON's mission is to ensure safety through the regulation of safe nursing practices. In 2009, someone asked the executive director why barrier crimes were being imposed on nurses practicing in their facilities. It turns out that the federal government had placed a restriction on any health care facility receiving federal funds. The BON does not have any barrier crimes to licensure. It has conducted background checks; however, any questionable criminal background is reviewed individually by the BON. She acknowledged that for the most part, the BON continues to license the individual unless the crime is egregious, such as a murder conviction. Since the federal government created barrier crimes and required a second background check, some duplication exists. The BON has contacted the Federal Executive Institute (FEI) on numerous occasions and has been advised that the federal administrative procedure restricts the sharing of a criminal background check by one entity with another.

[3:52:53 PM](#)

SENATOR GIESSEL referred to an audit performed by the Division of Legislative Audit. She pointed out that the BON was in compliance for the authorized use of criminal background checks, but were found out of compliance since the board stores its records for license applications in the Alaska archives. She characterized this as being a "ding" by the FBI, which shows how stringent the agency is in terms of sharing the document. She referred to page 3 of the audit that showed the BON was in compliance in having a reason to request the information. She said these audits are "very real," and the FBI takes its jurisdiction and prevention of sharing background checks seriously. Some health care providers finish their education, seek licensure, and must submit to a criminal background check for the BON for licensure. She related a scenario in which a nurse then applies for work at a hospital in Bethel. The nurse must submit to a second background check. On March 21, 2014, the BON formulated a subcommittee that plans to meet this summer with Alaska State Hospital and Nursing Home Association (ASHNA) and the FBI to discuss and find solutions for the duplicate requirements and associated costs to new employees.

[3:54:56 PM](#)

SENATOR GIESSEL next referred to an issue raised by the Christian Science Committee on Publication for Alaska. She stated that as a religious community, the Christian Science community has religious ministers that the community refers to as "nurses." She explained that these ministers go into homes and provide services such as cooking, bathing, housekeeping, encouragement, and spiritual guidance. These services are all non-medical. She noted that the Christian Science Community has come to the BON on numerous occasions requesting an exemption to use the protected term "nurse" for their church members who are performing these services. The board has repeatedly denied this exemption since "nurse" is a protected term. She referred to a letter [dated September 3, 2013] from the Department of Law that limits the term of "nurse" since AS 08.68.340 (a)(4) identifies a nurse as a medical health care provider and it would be inappropriate to make an exemption. Also, the BON recognizes that the public assigns a certain identity to the term "nurse."

[3:56:17 PM](#)

REPRESENTATIVE JOSEPHSON asked about notice to the board of a termination of a nurse. He asked whether that is done in other professions.

SENATOR GIESSEL answered yes, that the BON provisions are modeled after the state medical profession statutes.

REPRESENTATIVE JOSEPHSON surmised that the BON would make a distinction for personality conflicts and not much more would happen.

SENATOR GIESSEL answered that would raise other questions about fair employment practices. She clarified that these are related to professional conduct and competency.

[3:57:17 PM](#)

REPRESENTATIVE JOSEPHSON referred to the Christian Science Committee on Publication letter in members' packets that read, "Notably, the Alaska Medical Practice Act already has a religious exception in place." He asked whether any analogy exists.

SENATOR GIESSEL said she has reviewed the medical statutes and the statement exists; however, she recalled the next section of

statutes relates to the definitions and it is very clear that the term "physician" and "doctor" are protected terms under the medical statutes. The medial board does not allow other people to use the terms, "physician" or "medical doctor" unless they are scientifically and medically trained physicians.

CHAIR OLSON remarked that the committee has seen naturopath issues that have arisen in terms of the title "doctor."

REPRESENTATIVE JOSEPHSON recalled that naturopaths advertise themselves in that manner.

CHAIR OLSON responded that the naturopaths advertise themselves as being "naturopathic doctors" or "NDs." He asked the sponsor if the BON has had that experience.

SENATOR GIESSEL agreed he is correct.

[3:58:58 PM](#)

REPRESENTATIVE JOSEPHSON asked whether some compromise could be reached in which the Christian Science community could use a term other than "nurse" or term that said "pastoral nurse." He further asked whether that has been discussed.

SENATOR GIESSEL said it has and the Christian Science community wants to use the term "nurse." She explained that the BON does not have any opposition to the services provided by the spiritual guides but the term "nurse" is protected. She offered her belief that Alaska's citizens believe that a "nurse" represents a medically trained individual.

[3:59:59 PM](#)

REPRESENTATIVE SADDLER asked for the reason that the Christian Science community has for using the term "nurse" and if it is motivated by respect, professional standing, or additional billing status.

SENATOR GIESSEL answered that using the term would enable them to advertise and to be reimbursed by insurance for services.

[4:00:38 PM](#)

REPRESENTATIVE SADDLER referred to page 4, line 2, to paragraph (3), to the required education for a practical nurse. He

related his understanding that if a registered nurse fails the exam, the individual could be licensed as a practical nurse.

SENATOR GIESSEL agreed. This is something the board would review before licensure. She deferred to the executive administrator to provide more details.

[4:01:24 PM](#)

CHAIR OLSON suggested that the Christian Science community may wish to seek a separate bill to address their issue since it would raise several other concerns.

REPRESENTATIVE HERRON referred to page 3, paragraph (10) of Section 2. He commended Dr. Nancy Sanders, who was helpful with respect to nurse aide classes in rural Alaska. He said that she helped foster a solution for the Bethel Health Center. He said he was considering an amendment. He asked whether the existing AS 08.68.101 could be amended to allow, but not require, a criminal background check previously ordered by the department.

REPRESENTATIVE HERRON appreciated hearing that the administrator, Dr. Nancy Sanders, will convene a workgroup to work with all the parties with respect to the FBI ruling on criminal background checks. He suggested that this would give the board an opportunity to use the background check working group in anticipation that the legislature could address the law next session. In this way the working group could work on a solution, totally within their purview, but come to the legislature next session.

[4:04:31 PM](#)

SENATOR GIESSEL acknowledged this is the reason the board has convened the subcommittee; however, she expressed concern about inserting permissive language in the event a potential licensee contests the board saying it could have used another criminal background check. [Referring to the 2/11/14 letter from the executive administrator, Nancy Sanders, that under AS 08.68.344] the Board of Nursing may deny a certification or impose a disciplinary sanction. She hoped the FBI will be helpful in finding a solution, although she did find letters dating back to 2007 denying the double use. Thus, she was unsure of the FBI's outcome and how quickly it might act. She offered her belief that it is possible to more quickly address the issue next session based on the interim work. At that point the BON will know if it has permission to use the background check for two

different facilities; however, currently it may just add confusion to the administration of the licensing procedures. She deferred to the executive administrator.

4:06:10 PM

REPRESENTATIVE HERRON asked whether the FBI's initial concern was about a Department of Health and Social Services (DHSS) requested background check.

SENATOR GIESSEL answered yes. She read [from a U.S. Department of Justice] letter dated July 5, 2005, which read, in part, "Criminal history information obtained under this authority may be used solely for the purpose requested and cannot be disseminated outside the receiving departments, related agencies, or other authorized entities."

4:07:18 PM

REPRESENTATIVE HERRON looked forward to the outcome of the working group. He referred to proposed language [in members' packets, not yet offered] that would amend AS 08.68.101 to allow, but not require, use of a background check previously ordered by the department. He asked whether his proposed language would help, in advance of the working group's solution.

NANCY SANDERS, Ph.D., RN; Executive Administrator, Board of Nursing, Department of Commerce, Community & Economic Development answered that she thought it would be premature to do so. She suggested some decisions need to be made. The BON asked for background checks to make a decision about licensing. The DHSS asked for an employment background check, which are two very separate purposes. In terms of putting in proposed language changes, the BON does not currently have a process since the FBI will not allow sharing the criminal background information. She understood the DHSS could not share with the Board of Nursing and hoped more information would be forthcoming via the work group to figure out how to streamline this.

4:10:34 PM

REPRESENTATIVE HERRON asked what talent and skill sets Dr. Sanders will bring to the work group.

DR. SANDERS envisioned a representative from DHSS would serve on the work group. She also hoped she would serve, as well as a member from the Alaska State Hospital and Nursing Home

Association. She suggested that someone from the FBI should provide consultation and added that the full complement of people to serve has not yet been identified.

4:11:30 PM

REPRESENTATIVE HERRON asked whether she would consider adding someone from the Kuskokwim Health Corporation to participate in the work group.

MS. SANDERS answered she would entertain that idea; however, she said that the proposed language would not just affect nurse aides but would affect everyone licensed by the BON, including registered nurses, licensed practical nurses, and certified nurse assistants. She suggested she would like a broad representation, including someone from a rural setting such as the Yukon Kuskokwim Delta.

4:12:43 PM

CHAIR OLSON suggested the language could affect 16,000 people.

DR. SANDERS acknowledged that's the current number, but it also would affect those applying to be licensed or certified as well as those seeking reinstatement. It might be 1,000 to 1,300 more per year, she said.

CHAIR OLSON noted that was a significant number.

REPRESENTATIVE HERRON asked to put on record that he would like the FBI involved in the work group.

SENATOR GIESSEL answered that she believed that was the intent. She also appreciated the suggestion to have a rural facility represented. She acknowledged that the board seeks geographic distribution in its composition, too.

CHAIR OLSON asked whether she would work with Representative Herron on a letter of intent to SB 166.

SENATOR GIESSEL answered that she would be happy to do so

4:14:38 PM

REPRESENTATIVE SADDLER referred to page 2, line 16, which adds retired nurse status. He asked what activities a retired nurse would be allowed.

DR. SANDERS answered that this category of licensure is one the BON is continually asked to issue. This does not allow nurses to continue to work, even in a voluntary capacity. She characterized it as keeping an honorarium since nurses worked hard for their licenses and would like to be recognized as nurses.

[4:15:41 PM](#)

REPRESENTATIVE SADDLER clarified that it doesn't allow them to practice. He asked whether there is any legal status given to retired nurses.

DR. SANDERS answered no; it just provides an honorary title.

REPRESENTATIVE SADDLER related that he is married to a registered nurse.

REPRESENTATIVE SADDLER said the sponsor statement states that this is the first improvement to nursing statutes in 10 years. He asked for any trends in nursing.

DR. SANDERS offered her belief that a bill would likely be introduced next year to introduce the advanced practice registered nurses (APRNs) consensus model for advanced practice nurses. Currently a subgroup, the APRN alliance, has been working on the national movement. She envisioned that if nurse practitioners or certified nurse midwives move out of state that their practice would be similar to their practice in Alaska.

[4:17:37 PM](#)

REPRESENTATIVE SADDLER referred to page 2, line 17, to subparagraph (D), which read, "establishing criteria for approval of practical nurse education programs that are not accredited by a national nursing accrediting body;" He asked whether the programs are educational programs in Alaska.

DR. SANDERS said that many practical nurse programs throughout the U.S. are not nationally accredited nursing programs through the national nursing accreditation. This would allow the board to consider an applicant's transcript to determine whether the applicant has met the same educational standard as programs in the state. She explained that the regulations in Alaska require the practical nurse program "will" achieve national

accreditation, but many programs in the Lower 48 are not nationally accredited.

REPRESENTATIVE SADDLER asked whether the BON expects many applicants to come from non-accredited programs.

[4:18:57 PM](#)

DR. SANDERS said there are a significant number of people who have graduated from these programs that might apply for licensure in Alaska. She was unsure of the percentage, but they may be accredited through a regional accreditation, but not specifically a nursing accreditation. There is one advanced practice nurse program (APN) in Alaska, which is moving towards becoming nationally nursing accredited.

[4:19:40 PM](#)

REPRESENTATIVE SADDLER asked for an assessment of the quality of education for consumers.

DR. SANDERS answered that the BON currently licenses APNs; however, the BON is tightening its regulations about nursing education, regarding the minimum level of education. This would allow the BON to scrutinize their education. Currently, as the administrator, she will go the applicant's home jurisdiction and board site and compare the minimum qualifications for that jurisdiction and compare it to Alaska's requirements to determine equivalency.

[4:21:02 PM](#)

JANA SHOCKMAN, Registered Nurse, President, Alaska Nurses Association, related that the ANA supports the requirement in this bill for the executive administrator to hold a Master's degree in Nursing as a minimum. This position requires broad knowledge of nursing issues that range from the certified nurse assistant (CNA) level to the advanced practice nurse. Historically, this position has been filled for the past two decades with that background. She reported that there are currently more than 1,000 nurses who meet that qualification in Alaska. The ANA believes that any background check amendment is premature. The plans underway for the work group meeting are also supported by the ANA. She stated that the ANA does not support the Christian Science nurses use of the title "nurse" although it recognizes the value of the services they provide. She pointed out that the Christian Science spiritual guides are

not educated as nurses. The use of the title could be confusing to the public. She concluded that the ANA supports SB 166, without any amendments.

[4:23:07 PM](#)

BETH FARNSTROM, Registered Nurse; Chair, Board of Nursing, Department of Commerce, Community & Economic Development, stated that the BON supports SB 166, without any amendments for the various reasons previously stated.

PATRICIA SENNER, Advanced Nurse Practitioner (ANP), asked to speak in support of SB 166 as has been brought to the committee.

[4:24:26 PM](#)

KAREN PURDUE, President & CEO, Alaska State Hospital Nursing Home Association (ASHNHA), stated that the association supports this bill and is interested in having the background issue addressed. She emphasized that the ASHNHA employs numerous nurses and nursing assistants in their facilities. She said that ASHNHA depends on the BON to maintain a qualified work force. She offered support for rigorous licensing, background checks, and the type of work that the board conducts. She clarified that the complexity of the background check has been added to because the legislature passed another bill in 2008. She recalled that Representative Herron referred to the DHSS background check. Part of the issue arises from the FBI, but also part of it is that the state has a duplicate background check system. Basically, each individual who is working in a facility licensed by the DHSS or paid by the department must submit to a background check conducted by the DHSS.

MS. PURDUE offered her belief that this has added thousands of background checks to the process, even though it uses the same seminal information that the licensing board and FBI fingerprinting uses. The ASHNHA questions whether this can be more efficient but not lower the standards or impact the BON's ability to regulate licensees. She further asked if expenses and complexity will be cut. She looked forward to the work group process and to participating vigorously. She closed by saying that the recent focus has been on the CNA, so those individuals have a very short training time and make about \$16 per hour. These jobs provide the backbone of the care industry. She emphasized that she is very focused on jobs being available in rural Alaska. Anything that the ASHNHA can do to ensure that those individuals obtain employment is important, which includes

background checks, taking timely tests, and ensuring that classes are available. She thanked members and assured them that the ASHNHA is ready to participate in the process.

REPRESENTATIVE HERRON noted that she raised a good point that the issue might not rest with the FBI and may rest with [the legislature and the state].

[4:27:36 PM](#)

BEVERLY SMITH, Media and Legislative, Christian Science Church, stated that she has no desire to hold up the bill. She has held discussions with the Chair of the Board of Nursing and is willing to work with the board during the interim. First, the Christian Science Nurses refer to themselves only as "Christian Science Nurses" and would never hold themselves out as a "nurse." She explained that they have been in operation for 106 years and there has never been any confusion anywhere in the world with this term. The "Christian Science Nurses" do not advertise in the yellow pages, but do advertise in a religious publication so someone seeking the services of a "Christian Science Nurse" would know where to look for the service. She thinks it is a little strange that a person could live in Michigan and practice this religious practice and use the services of "Christian Science Nurses" but cannot do so in Alaska and thought that there should be some accommodation. She referred to a letter in members' packets from the Christian Science - Committee on Publication for Alaska [dated 4/15/2014]. She pointed out the first amendment issue for practicing one's religion. She mentioned the model nurse practices act, which has a suggested accommodation for caring for the sick in accordance with tenets and practices related to religious denomination that teaches reliance on spiritual means for healing. She reported that most other states in the U.S. and other countries do permit "Christian Science nurses" to practice in their jurisdiction through regulation, statute, or advisory opinion. Again, the Christian Science church is looking for such an accommodation in Alaska so its citizens who are Christian Scientists can practice their religion fully.

CHAIR OLSON said that working with the BON is a good start.

[4:31:37 PM](#)

REPRESENTATIVE SADDLER asked how many Christian Science practitioners are in Alaska.

MS. SMITH answered that the practitioners are different than the "Christian Science nurses." She estimated that perhaps five or six practitioners are in the state and fewer "Christian Science nurses" since they currently cannot practice in Alaska.

[4:32:06 PM](#)

REPRESENTATIVE SADDLER asked how many practice the faith in Alaska.

MS. SMITH suggested it is a small group, in the hundreds. She related Christian Science nursing facilities exist in the Lower 48, similar to a hospital, and the services are reimbursed by Medicare and other insurance companies. She anticipated that the potential "Christian Science nurse" would provide home care in Alaska.

CHAIR OLSON, after first determining no one else wished to testify, closed public testimony on SB 166.

REPRESENTATIVE JOSEPHSON remarked that this is an interesting issue and is something he taught about the constitution. He said if a law has general application then everyone is subject to it. The other theory is that one has to be sensitive to free exercise issues and accommodate those issues in the least restrictive way possible. He said two strains of jurisprudence exist and he has previously represented nurses [as a lawyer], so he understands the need to keep the "nurse" title as privileged. He also recalled that naturopaths called themselves doctors and sometimes the terms are a little confusing. He acknowledged his comments just represent a discussion point.

[4:34:57 PM](#)

REPRESENTATIVE HERRON moved to report CSSB 166(FIN) out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSSB 166(FIN) was reported from the House Labor and Commerce Standing Committee.

The committee took a brief at-ease.

SB 167-MULTIPLE VEHICLE INSURANCE POLICIES

[4:36:29 PM](#)

CHAIR OLSON announced that the next order of business would be SENATE BILL NO. 167, "An Act relating to the maximum amount of

uninsured and underinsured coverage payable under multiple motor vehicle insurance policies issued by the same insurer in the same household."

[4:36:38 PM](#)

ASHTON COMPTON, Staff, Senator Charlie Huggins, Alaska State Legislature, stated that SB 167 corrects a drafting oversight in Alaska law that creates an unintended loophole harmful to consumers of Uninsured/Underinsured Motorist (U/UIM) insurance. In 1984, when the legislature created U/UIM insurance coverage, it precluded restricting the combining or "stacking" of multiple U/UIM coverage. In 1990, the legislature revised the statutes to provide for expanded coverage in consumer choice. This made it easier for consumers to choose predictable levels of coverage and reaffirm that "stackable" coverage is not permitted. Unfortunately, language adopted in 1990 created an unintended loophole that does not consistently accomplish the stated purpose. Under the language, if the consumer insures the vehicles under separate policies from the same insurer, stacking is precluded only for the "named insured" - ironically allowing all the other coverage to be stacked for all other persons. There is no logical reason for this discrepancy. It needlessly forces the consumer to pay for "stackable" coverage that is not desired and their choices are limited.

MS. COMPTON referred to a graph in members' packets that should help illustrate situations in which "stacking" is mandated and illustrates the additional coverage imposed. She stated that there isn't any legislative history or rationale to treat the named insured differently based on whether the multiple vehicles owned by policyholders are listed in one or multiple policies.

MS. COMPTON explained that with a simple change by removing "named insured" and clarifying that multiple auto insurance policies are to be issued to the same policy holder in the same household, SB 167 will help protect insurance rates, consumer choice, and predictability. It would resolve an inconsistency that unfairly and unnecessarily forces consumers to purchase insurance coverage they don't desire or need and protect insurance rates, consumer choice, and predictability under all policy forms as original intended.

[4:38:47 PM](#)

SHELDON E. WINTERS, Attorney, Lessmeier & Winters, LLC; Lobbyist, State Farm Insurance, stated that he is legal counsel

for State Farm Insurance Companies. He thanked the committee and the sponsor. He offered to address three things: uninsured motorists, the statutory language, and to offer his view on what this bill accomplishes and does not do.

4:39:50 PM

MR. WINTERS pointed out that when mandatory liability insurance was enacted, the legislature received some "push back" from insurance companies. The insurance companies did not want the misperception that with mandatory insurance that everyone would be insured. The reality is that has never been the case. He noted that about 13-15 percent of drivers are uninsured.

CHAIR OLSON recalled that when the bill went into effect, the uninsured motorist rate was about 50 percent.

4:40:42 PM

MR. WINTERS related his understanding that mandatory liability insurance came into place the same time as the uninsured motorist coverage. He recalled the plan was to mandate liability insurance, but the insurance companies believed it wouldn't resolve the whole problem and suggested also enacting uninsured motorist coverage. In 1984, the legislature mandated uninsured/underinsured motorist insurance ("U/UIM") coverage as a means to protect motorists against an accident caused by an uninsured or underinsured driver. The major challenge was to keep it affordable and that still remains the challenge. One of the prime ways of keeping U/UIM insurance coverage affordable is to prohibit "stacking" of insurance coverage. He offered his belief that members understand the term. He referred to a letter in members' packets [dated February 27, 2014 from Lessmeier & Winters] that provides the legislative history. It was clear in 1984 that the legislature intended to limit or preclude "stacking." He read the statute, in part, which read:

If an insured is entitled to uninsured or underinsured motorists coverage under more than one policy of motor vehicle insurance, or under more than one coverage if two or more vehicles are insured under one policy, the maximum amount an insured may recover may not exceed the highest limit of any one policy or coverage.

MR. WINTERS explained that consumers can purchase insurance one of two ways depending on the way the insurance company does it. For example, one model is that the policyholder will buy all

their cars under one single policy. The second model, the one State Farm Insurance uses, is that the policyholder will buy a separate policy for each vehicle. The 1984 statute allowed either, but did not allow "stacking" under either model. In 1990, the legislature expanded uninsured motorist coverage with the stated intent of providing consumers more choice and to make the insurance coverage more predictable. One provision expanded the range available, and insurers were mandated to offer \$50,000 to \$1 million. He recalled the options were \$50,000, \$100,000, \$300,000, \$500,000 or \$1 million. Therefore, there was even more reason not to allow "stacking" since the consumer could select the level of coverage. Unfortunately, the language that was adopted didn't accomplish it entirely. In certain situations the language actually requires "stacking."

MR. WINTERS provided legislative history, such that the bill version that went to the Senate floor precluded "stacking" for multi-vehicle policies, but omitted language that precluded "stacking" for the single vehicle policies. An amendment was offered and a letter explained it. The second important note is that the memo explained the intent of the proposed amendment, which was to make single vehicle policies equivalent to multi-vehicle policies and prevent "stacking." However, that isn't what occurred. He referred to SB 167, AS 28.20.445 (c), noting the first sentence precludes "stacking" for the multi-vehicle policy, but it does not address single-vehicle policies. Thus, the 1990 language read, in part, "If a person is entitled as a named insured" He interpreted the language as meaning that "stacking" is precluded for the named insured, but everyone else is not precluded. He said that is the problem that currently exists, which is explained in the letter in members' packets.

[4:45:50 PM](#)

MR. WINTERS offered his belief that SB 167 will fix this problem and render the statute consistent with the 1984 and 1990 legislative intent. This bill isn't about whether "stacking" should or should not be allowed since the legislature addressed it. This bill makes the language consistent with the legislative intent.

[4:46:18 PM](#)

REPRESENTATIVE HERRON asked whether he was aware of any people who took advantage of this.

MR. WINTERS acknowledged that there were lots of claims that were allowed to "stack" due to the statute, which is part of the problem. The effect is that the claims are put right back into the rates, and insurance companies that are selling policies under this scenario have notably higher rates. He said that eight states allow "stacking" in some fashion and their uninsured motorist rates are about twice that of other states.

[4:47:20 PM](#)

REPRESENTATIVE HERRON asked whether more dollars would be kept in Alaskans' pockets under the bill.

MR. WINTERS cautioned that so many things go into rates; however, he knows that insurance rates in states that allow "stacking" have rates about twice the cost. Second, in State Farm's insurance experience, and it is the largest auto insurer in the state, literally millions have paid out in "stackable" claims that wouldn't be paid out under the bill and those costs are built into the rates. Thus, he offered his belief that it should impact rates, but he was unsure of the amount.

[4:48:19 PM](#)

CHAIR OLSON suggested it could be the lawyers and not the insured that have "stumbled" on to this.

MR. WINTERS argued that "stacking" is not only allowed but is required under the existing law. He suggested the lawyers are representing their clients and the insurance companies are paying them.

CHAIR OLSON acknowledged it was legal.

MR. WINTERS agreed.

[4:48:54 PM](#)

CHAIR OLSON, after first determining no one else wished to testify, closed public testimony on SB 167.

REPRESENTATIVE HERRON moved to report SB 167 out of committee with individual recommendations and the accompanying fiscal note. There being no objection, SB 167 was reported from the House Labor and Commerce Standing Committee.

[4:49:46 PM](#)

The committee took a brief at-ease from 4:49 p.m. to 4:50 p.m.

SB 183-EXTEND EMERGING ENERGY TECHNOLOGY FUND

[4:50:47 PM](#)

CHAIR OLSON announced that the final order of business would be SENATE BILL NO. 183, "An Act extending the termination date of the emerging energy technology fund and grant program."

[4:51:04 PM](#)

JESSE LOGAN, Staff, Senator Lesil McGuire, Alaska State Legislature, stated that SB 183 would extend the sunset date of the Emerging Energy Technology Fund (EETF) from January 1, 2015 to January 1, 2020. The EETF grant program was established in AS 42.45.375 in the Alaska Sustainable Energy Act of 2010. The grants available, including the matching grant from the Denali Commission, totaled \$8.9 million. Round one of the grant awards has commenced and was awarded in 2012 and round two is currently underway. He pointed out that the EETF is not an "angel fund" but is designed specifically for technologies that have a reasonable expectation of being commercially viable within five years. Without the extension of this sunset date, the Alaska Energy Authority will still need to manage these grants but will lack the statutory authority to do so.

[4:52:20 PM](#)

REPRESENTATIVE JOSEPHSON asked for the future of these grants if the Denali Commission is moribund.

MR. LOGAN indicated about \$2 million is available for the second round for projects that must be commercially viable in five years.

[4:52:51 PM](#)

REPRESENTATIVE CHENAULT referred to round one of \$8.9 million but only a small amount has been committed consisting of 10-12 projects. He recalled round two consists of \$2 million. He asked when those projects were due to be awarded.

MR. LOGAN agreed. He indicated that the second round of projects has been selected. He reported that five projects have been selected for the remaining \$2 million in the grant fund.

REPRESENTATIVE CHENAULT asked him to identify the five projects.

MR. LOGAN indicated that he was aware of four projects from the Alaska Energy Authority.

[4:53:41 PM](#)

REPRESENTATIVE SADDLER asked him to also identify the EETF's best successes. He further asked him to identify the projects he was most proud of thus far.

MR. LOGAN cautioned he was not at liberty to say since the projects have not been deployed for the full five-year timeframe. He could say that in the first round the projects included increasing energy efficiency for diesel generators to enhanced wind turbines. Prior to his employment at the legislature, he was a recipient of EETF funds for several projects from the Denali Commission, which this program is modeled after, and he was about to deploy technologies in Alaska that had only been used in the Lower 48.

REPRESENTATIVE SADDLER asked for further clarification on which technologies.

MR. LOGAN answered that he deployed the first solar thermal heating projects above the Arctic Circle in Alaska.

REPRESENTATIVE CHENAULT asked how much was available for loans.

MR. LOGAN responded that a matching grant from the Denali Commission and a total of \$8.9 million was available.

[4:55:18 PM](#)

EMILY FORD, Public Outreach Liaison, Alaska Energy Authority, stated that in round one, \$8.9 million was available for a 50 percent matching grant via the Denali Commission. She reported that \$8,127,568 was awarded to projects, which left approximately \$416,000 carried over to "round two." Last year's capital budget also included a \$2 million appropriation, which was combined with the \$416,000. Additionally, about \$345,000 of the Denali Commission funds were used for data collection, leaving nearly \$11,000 remaining from the Denali Commission funds. These funds were specifically allocated for the "round one" projects, so the AEA has been working with the Denali Commission to reappropriate that funding to new projects.

4:56:25 PM

REPRESENTATIVE CHENAULT said it appears that \$2.4 million is remaining. He asked whether anything is in the current capital budget to use for matching funds.

MS. FORD answered there aren't any funds in the FY 15 capital budget.

REPRESENTATIVE JOSEPHSON said it didn't sound like much money remains.

CHAIR OLSON, after first determining no one wished to testify, closed public testimony on SB 183.

4:57:42 PM

REPRESENTATIVE SADDLER stated he learned a great deal about this program when he previously served on the House Special Committee on Energy. He said he is looking forward to the technologies that the EETF incubates and the wider application of utility for Alaskans, and he supports it.

CHAIR OLSON said he supports the bill since it could be used for some small projects.

REPRESENTATIVE JOSEPHSON said he thinks the projects have been worthy, the sunset date should be extended, and he hoped the legislature could recapitalize the fund.

4:58:41 PM

REPRESENTATIVE HERRON moved to report SB 183 out of committee with individual recommendations and the accompanying fiscal note. There being no objection, SB 183 was reported from the House Labor and Commerce Standing Committee.

4:59:03 PM

ADJOURNMENT

There being no further business before the committee, the House Labor and Commerce Standing Committee meeting was adjourned at 4:59 p.m.