

HOUSE FINANCE COMMITTEE
March 13, 2020
1:34 p.m.

1:34:15 PM

CALL TO ORDER

Co-Chair Johnston called the House Finance Committee meeting to order at 1:34 p.m.

MEMBERS PRESENT

Representative Neal Foster, Co-Chair
Representative Jennifer Johnston, Co-Chair
Representative Dan Ortiz, Vice-Chair
Representative Ben Carpenter
Representative Andy Josephson
Representative Gary Knopp
Representative Bart LeBon
Representative Kelly Merrick
Representative Colleen Sullivan-Leonard
Representative Cathy Tilton
Representative Adam Wool

MEMBERS ABSENT

None

ALSO PRESENT

Matt Gruening, Staff, Representative Louise Stutes;
Representative Jonathan Kreiss-Tompkins, Sponsor; Erin Harrington, Staff, Representative Jonathan Kreiss-Tompkins.

PRESENT VIA TELECONFERENCE

Dale Kelly, Commissioner, Commercial Fisheries Entry Commission; Joanne Olsen, Director, Division of Motor Vehicles; Robert Pearson, Local Government Specialist, Division of Community and Regional Affairs, Department of Commerce, Community, and Economic Development; Laura Bonner, Self, Anchorage.

SUMMARY

HB 24 LIMITED TEACHER CERTIFICATES; LANGUAGES

HB 24 was HEARD and HELD in committee for further consideration.

HB 185 REGISTRATION OF BOATS: EXEMPTION

HB 185 was HEARD and HELD in committee for further consideration.

HJR 15 CONST. AM: VOTES NEEDED FOR VETO OVERRIDE

HJR 15 was HEARD and HELD in committee for further consideration.

Co-Chair Johnston reviewed the agenda for the meeting.

#hb185

HOUSE BILL NO. 185

"An Act relating to the registration of commercial vessels; and providing for an effective date."

[1:35:04 PM](#)

Co-Chair Johnston asked for a brief reintroduction of the bill.

[1:35:26 PM](#)

MATT GRUENING, STAFF, REPRESENTATIVE LOUISE STUTES, explained that the bill exempted currently registered Commercial Fisheries Entry Commission (CFEC) vessels from the 3-year registration requirement created in 2018 under SB 92 [Short Title: Vessels: Registration/Titles; Derelicts] from the requirement to register every 3 years with the Department of Motor Vehicles (DMV). The bill also allowed for the implementation of an annual \$8 fee in lieu of the 3-year, \$24 registration. Commercial fishermen would still pay towards the fund and the Department of Natural Resources (DNR) Boating Safety Program. He explained that after the first year it would be a net loss to the state of zero. There were 2 new fiscal notes in members' packets. He reiterated that the legislation removed the duplicative registration requirement on commercial vessels. They provided the same data regarding vessel ownership required through SB 92 through their CFEC registration.

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Vice-Chair Ortiz MOVED to ADOPT Amendment 1 (copy on file):

Page 2, following line 26:

Insert a new bill section to read:

"* Sec. 4. The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION. The Alaska Commercial Fisheries Entry Commission shall waive the commercial fishing vessel registration fee imposed under sec. 3 of this Act for

(1) calendar year 2021 for a commercial fishing vessel for which registration fees were paid in calendar year 2019 under AS 05.25.096(a)(1);

(1) calendar year 2021 for a commercial fishing vessel for which registration fees were paid in calendar year 2019 under AS 05.25.096(a)(1)."

Renumber the following bill sections accordingly.

Page 2, line 31:

Delete "sec. 5"

Insert "sec. 6"

Co-Chair Johnston OBJECTED for discussion.

Vice-Chair Ortiz explained that Amendment 1 ensured that the CFEC licensed vessels exempt from DMV registration under the bill would not be charged twice as the legislation transitioned into law. He further explained that Section 3 of the bill instituted an annual \$8 fee starting January 1, 2021 for all CFEC licensed vessels in lieu of the current 3-year, \$24 fee with the DMV. However, CFEC licensed vessels that registered with the DMV in 2019 and 2020 had already paid a 3-year registration fee of \$24. Because vessels had already paid, Amendment 1 directed the CFEC to waive the \$8 fee for the calendar year 2021 for the

vessels that paid the \$24 to the DMV in 2019 for the calendar years of 2021 and 2020 and for the vessels that paid the \$24 fee in 2020. Amendment 1 would ensure there would not be a duplication of payments by CFEC licensed vessels.

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Representative Knopp asked if the bill sponsors had weighed in on the amendment and supported it.

Vice-Chair Ortiz was offering the amendment on behalf of the bill sponsor.

[1:38:31 PM](#)

Representative Wool asked about a brand-new commercial fishing boat and wondered if the \$8 fee would be waived.

Vice-Chair Ortiz responded that the amendment did not apply to new vessels. The bill only applied to vessels that had pre-paid in the years of 2019 or 2020.

Co-Chair Johnston WITHDREW her OBJECTION.

There being NO OBJECTION, Amendment 1 was ADOPTED.

Co-Chair Johnston noted there were 2 new fiscal notes. She invited someone from CFEC to review them.

[1:39:51 PM](#)

DALE KELLY, COMMISSIONER, COMMERCIAL FISHERIES ENTRY COMMISISON (via teleconference), relayed that the fiscal note [OMB Component #471] had been amended from the previous version, which was zero, and had no indication of changes in revenue. The commission had been directed as to how to properly convey the information. She reported that the fund would be a pass-through fund similar to the Fishermen's Fund. The commission would collect the funds and move them to another pot of money. The fiscal note reflected what the commission expected to take in for a portion of FY 21 beginning on January 1, 2021 if the bill were to pass. The commission anticipated receiving about \$70,000 per year from the program. She indicated it was difficult to insert a finite number because there was a random number of vessels that licensed each year. She

reported that in the previous year the commission licensed 8,806 vessels. However, the recent 5-year average was about 9,200. An adjustment might have to be made to the fiscal note with the amendment that just passed.

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JOANNE OLSEN, DIRECTOR, DIVISION OF MOTOR VEHICLES (via teleconference), reviewed the fiscal note by the Department of Administration. She reported that the Division would experience a deficit of \$21,500 because the division would no longer be collecting the registration. The division wrote the fiscal note based on a 3-year average of what it collected. However, an annual amount would apply. Annually, the DMV collected \$12,082.67 based on the number the division took in in 2019. For the following 2 years the division would not collect any money.

Co-Chair Johnston intended to move the bill on Monday [March 16, 2021].

HB 185 was HEARD and HELD in committee for further consideration.

#hb24

HOUSE BILL NO. 24

"An Act relating to instruction in a language other than English; and relating to limited teacher certificates."

[1:43:00 PM](#)

REPRESENTATIVE JONATHAN KREISS-TOMPKINS, SPONSOR, provided a brief reintroduction of the bill. The bill would create an immersion language certificate to help address the need and documented problems in school districts around Alaska in terms of getting fluent speakers of languages in classrooms for immersion language programs.

Representative Josephson MOVED to ADOPT Amendment 1 (copy on file):

Page 1, line I 1, following "English":

Insert "and the instruction is provided only to students who are enrolled in a language immersion program"

Representative Wool OBJECTED.

Representative Wool spoke to his objection. He had talked with the bill sponsor, the amendment sponsor, and his local school district. The bill sponsor just mentioned that one of the purposes of the bill was to provide foreign language teachers in immersion programs around Alaska. However, most of the immersion programs were in Anchorage. There were seven immersion programs in Anchorage, one in Wasilla, and one in Bethel. There were no immersion programs in Juneau, Ketchikan, Fairbanks, or Nome. He had talked to his school district in the previous year when he first saw the bill, which was in a different form than it was presently. In discussions in the prior year and recently, school board members supported the bill, as it was difficult to find foreign language teachers. He noted his daughter was currently in middle school which had no foreign language classes. He also noted the difficulty the local high school had in finding and retaining foreign language teachers. He thought the bill provided a good opportunity to expand foreign language beyond the immersion programs that existed mainly in Southcentral Alaska. He opposed the amendment because it was limited to immersion programs. Fairbanks was the second or third largest community in Alaska and did not currently have an immersion program. He did not want to exclude his school district from the legislation.

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Representative Josephson explained the amendment. The bill was essentially about immersion programs. There had been concern expressed by several of the members of the committee about the necessity and intent of the bill. He found, through research and review, the bill was worthy. However, the bill was about limited language immersion programs. His amendment would clarify that holders of the new limited language immersion teachers' certificate could only teach in immersion programs. They would not be allowed, for example, to teach in an immersion program in the morning and teach standard foreign language classes or English as a second language in the afternoon. The amendment reflected the intent of the bill expressed in testimony to the finance committee. His amendment was

intended to be friendly. It was his understanding that the bill sponsor was neutral in his position on the amendment.

Representative Josephson continued that the goal of HB 24 was to address the need to hire native language speakers and foreign citizens or recent immigrants to teach subject matter classes in indigenous or foreign languages within immersion programs. The teachers might have less formal education than required of other classroom teachers but, they were essential to the survival of immersion programs. He accepted that waiving the standard classroom teacher qualifications was necessary as he had described. However, the legislation was not intended to allow regular foreign language classes to be taught by individuals who did not meet requirements for either a Type M limited certificate or what used to be called a Type A certificate (It was currently called something else). His amendment made the distinction clear. He asked members for their support.

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Co-Chair Foster was attracted to the bill because of language revitalization and how it could be applied in rural Alaska. He saw the bill as an avenue for the further expansion of teaching languages. He pondered whether the bill would apply to a community without a language immersion program. He wondered if the amendment would detract from a community's ability to do things.

Representative Kreiss-Tompkins understood the amendment to apply only to world languages. The amendment as it related to indigenous languages would have no effect. However, the representative was correct that presently, the passage of HB 24 would not change the reality of native language opportunities in certain communities. He reported that there were a number of school districts around Alaska that were looking at standing up immersion language programs. He thought Representative Wool's comments were accurate. He was aware of one school district that was about to launch an immersion language program for the Inupiat language. He was also aware of there being a significant amount of interest in Southeast Alaska in immersion language programs by multiple school districts.

Representative Kreiss-Tomkins addressed Representative Foster's question regarding native language revitalization. He remarked that there might be a number of school

districts that would benefit from the passage of the legislation.

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Vice-Chair Ortiz clarified that the amendment would not impact in any way the ability for communities to be able to offer immersion language programs. The amendment only related to foreign languages.

Representative Kreiss-Tompkins and his staff were considering the amendment language with the bill language.

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ERIN HARRINGTON, STAFF, REPRESENTATIVE JONATHAN KREISS-TOMPKINS, believed the amendment would apply to all immersion language programs. Therefore, it would be inclusive of all immersion language programs for Alaska Native languages. She suggested looking to the sponsor of the amendment to provide further clarification.

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AT EASE

[1:53:08 PM](#)

RECONVENED

Representative Josephson explained that the amendment did not change anything with the present system or with a Type M certificate. He reiterated that his amendment spoke to the new class of certificates which could not be used in a regular school.

Representative Wool thought that he heard Representative Josephson state that a Type M instructor could teach in a regular school. However, he thought a Type M certificate was only applicable to Alaska Native languages or some other skill such as welding or military science. He reiterated that in reference to foreign languages, a Type M certificate would only apply to Alaska Native languages in terms of teaching in a non-immersion school. He had asked the bill sponsor if the bill would apply only to immersion schools or whether it would apply to regular schools. The bill sponsor had replied that it was a grey area. The representative wanted to see students not in an immersion school have the opportunity to take foreign language

classes. He did not want to see children denied if they were not in an immersion school. He noted that there were several charter schools in Fairbanks but argued that most kids attended public school. He believed foreign language was an important part of a child's education. He did not want to see anyone excluded from an opportunity. He supported the bill but not the amendment.

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Representative LeBon asserted it became complicated when asking an immersion teacher to work within the regular school structure. He thought there was a distinction.

Representative Wool was not trying to implement immersion programs where they did not currently exist. He was speaking to the fact that there was a shortage of regular foreign language teachers. The school board had been in support of measures that would make it easier to bring in instructors. Instructors would have to be approved by a school district board and have appropriate qualifications.

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Co-Chair Foster sensed that the amendment was narrowing options rather than keeping the scope as broad as possible.

Co-Chair Johnston echoed the Co-Chair's thoughts. She spoke of the Anchorage School District. Some immersion programs had to be built to the level of immersion. She would not support the amendment.

Vice-Chair Ortiz was unclear how the amendment would be further narrowing scope.

Representative Wool referenced the amendment. He argued that the Fairbanks School District did not have a language immersion program but offered foreign language. He thought the amendment would provide a vehicle to hire someone that was qualified.

Vice-Chair Ortiz thought Representative Wool wanted individuals qualified for the certification to be able to use it to instruct foreign language. He thought the Type M certification already applied.

Representative Wool was under the impression that the Type M certification, as it related to foreign language, only applied to Alaska Native languages.

[2:00:58 PM](#)

Representative Josephson noted that the amendment was consistent with the bill which was about limited immersion language certificates. He was offering the amendment to simply keep the bill in line with its original purpose. He did not believe the amendment did offence to the bill.

Co-Chair Johnston indicated there were testifiers online.

[2:02:48 PM](#)

Representative Wool understood Representative Josephson's concern but trusted that school boards would be selective in who they hired and yearly approval would be required. He noted that there were already Type M teachers working in public schools such as welding instructors who did not have a 4-year degree. He provided other examples of exemptions. The goal was to get teachers certified. He argued that there was a shortage of teachers in the school system including foreign language teachers. He suggested the amendment would be more restrictive and indicated he could not support the amendment.

Representative Wool MAINTAINED his objection.

A roll call vote was taken on the motion.

IN FAVOR: Knopp, LeBon, Ortiz, Sullivan-Leonard, Tilton, Josephson

OPPOSED: Wool, Carpenter, Foster, Johnston, Merrick

The MOTION PASSED (6/5). Amendment 1 to HB 24 was ADOPTED.

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AT EASE

[2:05:52 PM](#)

RECONVENED

Co-Chair Johnston invited Mr. Pearson to review the new fiscal note.

ROBERT PEARSON, LOCAL GOVERNMENT SPECIALIST, DIVISION OF COMMUNITY AND REGIONAL AFFAIRS, DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT (via teleconference), relayed that the department changed its fiscal note to zero to reflect the reality that there was currently no travel planned for the fiscal year for the Alaska Native Language Commission. The department anticipated maintaining a zero cost in the future.

HB 24 was HEARD and HELD in committee for further consideration.

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AT EASE

[2:07:04 PM](#)

RECONVENED

#hjr15

HOUSE JOINT RESOLUTION NO. 15

"Proposing an amendment to the Constitution of the State of Alaska relating to actions upon veto."

[2:07:14 PM](#)

REPRESENTATIVE JONATHAN KREISS-TOMPKINS, SPONSOR, provided a brief summary of the bill. He relayed that the joint resolution created a uniform veto override threshold of two-thirds across the board. The appropriation revenue veto override threshold would be changed to mirror the overall policy veto override threshold.

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Co-Chair Johnston OPENED Public Testimony.

[2:08:11 PM](#)

LAURA BONNER, SELF, ANCHORAGE (via teleconference), spoke in support of HJR 15. She thought that the requirement of 75 percent of legislators was too high. She believed that the legislative body was closer to the people. She thought there was language in place for a strong governor. She advocated for a balance of power. She agreed with a legislative veto override of two-thirds percent. She would be supportive of the measure if it made it on the ballot.

[2:09:38 PM](#)

Co-Chair Johnston CLOSED Public Testimony.

Co-Chair Johnston intended to move HJR 15 on Monday. She reviewed the agenda for Monday, March 16, 2020.

HJR 15 was HEARD and HELD in committee for further consideration.

#

ADJOURNMENT

[2:10:31 PM](#)

The meeting was adjourned at 2:10 p.m.