

HOUSE FINANCE COMMITTEE  
March 15, 2021  
1:33 p.m.

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CALL TO ORDER

Co-Chair Merrick called the House Finance Committee meeting to order at 1:33 p.m.

MEMBERS PRESENT

Representative Neal Foster, Co-Chair  
Representative Kelly Merrick, Co-Chair  
Representative Dan Ortiz, Vice-Chair  
Representative Ben Carpenter  
Representative Bryce Edgmon  
Representative Andy Josephson  
Representative Bart LeBon  
Representative Sara Rasmussen  
Representative Steve Thompson  
Representative Adam Wool

MEMBERS ABSENT

Representative DeLena Johnson

PRESENT VIA TELECONFERENCE

Adam Crum, Commissioner, Department of Health and Social Services; Kati Capozzi, President and CEO, Alaska Chamber, Anchorage; Tim Hinterberger, President, Alaska Public Health Association, Anchorage; Ashley Kaso, Owner/Operator, Talkeetna River Guides, Talkeetna; Cara Durr, Food Bank of Alaska, Anchorage; Mike Coons, President, Mat-Su Chapter of AMAC, Palmer; Nils Andreassen, Alaska Municipal League, Juneau; Jared Kosin, President and CEO, Alaska State Hospital and Nursing Home Association, Anchorage; Trevor Storrs, Alaska Children's Trust, Anchorage; Lee Henrickson, Self, Palmer; Herman Morgan, Self, Aniak; Dr. Tom Hennessy, University of Alaska, Anchorage; Eve van Dommelen, Alaska Food Coalition and Alaska Public Health Association, Anchorage; Bill Popp, President and CEO, Anchorage Economic Development Corporation, Anchorage; Kelly Fishler, Self, Juneau; Dean Cannon, Self, Anchorage; Ally Bratlie, Self,

Juneau; Nancy Frederickson Pope, Self, Palmer; Carol Carman, Self, Palmer; Stewart Thompson, Self, Wasilla; Geoffrey Canuth, Self, Kenai; Dr. Sarah Spencer, Self, Homer; April Orth, Self, Kenai; Vikki Jo Kennedy, Self, Juneau; Sherry Eichenlaub, Self, Wasilla; John Zasada, Alaska Primary Care Association, Anchorage; Willy Keppel, Self, Quinhagak; Teea Winger, Self, Kenai.

SUMMARY

HB 76 EXTENDING COVID 19 DISASTER EMERGENCY

HB 76 was HEARD and HELD in committee for further consideration.

Co-Chair Merrick reviewed the meeting agenda.

#hb76

HOUSE BILL NO. 76

"An Act extending the January 15, 2021, governor's declaration of a public health disaster emergency in response to the novel coronavirus disease (COVID-19) pandemic; providing for a financing plan; making temporary changes to state law in response to the COVID-19 outbreak in the following areas: occupational and professional licensing, practice, and billing; telehealth; fingerprinting requirements for health care providers; charitable gaming and online ticket sales; access to federal stabilization funds; wills; unfair or deceptive trade practices; and meetings of shareholders; and providing for an effective date."

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Co-Chair Merrick asked Commissioner Crum if he had an opening statement.

ADAM CRUM, COMMISSIONER, DEPARTMENT OF HEALTH AND SOCIAL SERVICES (via teleconference), replied that he did not.

Representative Wool asked the commissioner if the Department of Health and Social Services (DHSS) was in support of the legislation. He asked if the administration was still trying to pass HB 76 as it had been several weeks earlier.

Commissioner Crum replied that the department had identified authority that would help it continue the response as well as specific language approved by the Food and Nutrition Service (FNS) to receive the EA [emergency allotment] of SNAP [Supplemental Nutrition Assistance Program] benefits. He stated it was up to the legislature to determine the policy.

Representative Wool surmised that the department supported some of the policy in the legislation, but it was ultimately up to the legislature. He recalled that Heidi Hedberg, another representative from the Department of Health and Social Services, had stated she supported an uncodified bill. He stated his understanding that the term referred to regulation and meant a bill would not be necessary. He asked if the administration supported HB 76. Alternatively, he asked if the administration would prefer to see some of the language in a regulatory framework.

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Commissioner Crum replied that some of the authorities the administration had identified to continue the response were included in HB 76. He remarked that if the bill was the vehicle to get there, the department wanted to ensure it had the authority to continue doing so. He confirmed the bill would provide a solution. He noted there were other avenues, but the bill was an option.

Representative Wool asked if the administration still supported mandatory airport testing for a period of time going forward, especially for people traveling to Alaska.

Commissioner Crum answered that the airport testing program had been beneficial to the state's response. He detailed that when the administration lost the authority to continue requiring testing, it had made sure the infrastructure was still in place and contracts were in place until the end of June. He added that the nonresident testing barrier had been removed. The bill would give the state authority to reimplement requirements for travel testing. He explained that if it were to occur, the department would have to talk with the governor and partners around the state to determine whether to enact the requirement. He added that the program had been beneficial.

Representative Wool stated his understanding that the bill included language that would allow mandatory testing and whether it would be required was a conversation that would have to take place with the governor.

Commissioner Crum agreed.

Representative Rasmussen asked what other avenues the department had determined could be possibilities if the legislation failed to pass.

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Commissioner Crum answered that the primary authority needed to continue the current response related to the state's ability to allocate and distribute vaccines and therapeutics, some of the immunity for public health officials and the discharge of their duties, non-congregate sheltering under FEMA [Federal Emergency Management Agency], and some particular items around telehealth to ensure the state was maximizing the flexibility allowed under the federal health public emergency. He shared that when February 14th had come and gone, the administration had worked to identify the narrowest possible way to continue the response to keep Alaska on top. The aforementioned list of items were the things needed.

Representative Rasmussen asked if Commissioner Crum could walk the committee through the sections that would be important for the administration to continue to execute a response going forward.

Commissioner Crum looked at the sectional analysis of the bill. He identified AS 26.23.020(e) as the authority used to allow the unified command, the establishment of alternate care sites, and the use to coordinate logistics, supplies, and therapeutics. He offered to provide the exact language and sections in a document.

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Representative Edgmon stated that a key point of discussion in HB 76 was Section 2, the public health disaster extension. He thought he had heard the commissioner say it was not necessary. He believed the committee would hear a desire to have the language kept in the bill during public testimony. He noted there would also be opposition to the

inclusion of the language. He asked about the downside of keeping the language in the bill. He reasoned that at some point the legislature would not be in session. He considered a scenario where an uptick in COVID cases occurred due to variants or other reasons and the governor needed to declare a public health mandate. He asked why the legislature should not give the administration the necessary tools while in session to give the governor discretion to use or not. He believed the emergency disaster declaration played a compliance roll with federal programs for providers providing service in Alaska. He had yet to hear a compelling reason why the legislature should not provide the administration with the tool just in case it was needed.

Commissioner Crum answered that the administration had pushed for the disaster declaration extension during the beginning of session into early February. He explained that once the declaration had not been extended, the administration had reevaluated and talked to its partners about what was necessary. He elaborated that the administration had worked with federal partners on cleaning up language for some items that did not require a state disaster declaration. He noted the state disaster declaration was the only vehicle the state had to declare a formal public health emergency. The administration had identified the limited authorities it needed. He stated that under a scenario where there was a mass resurgence of the disease due to variants or other, the governor had the discretion to declare a new disaster for the 30-day timeframe in order to access all of the necessary tools. He relayed that the administration had been tasked with continuing the response for the public and identifying what was needed to continue on. He believed it had been accomplished.

Representative Edgmon stated that he was not trying to invite controversy or have an unnecessarily adversarial position; however, he did not know why the administration would not want the legislature to provide a tool the administration could use later on. He stressed the impossibility of knowing what would happen. He highlighted the unknown factors including many nonresidents traveling to the state during the summer and the large influx from the seafood processing sector. He elaborated that many nonresidents would be traveling to the state to enjoy everything it had to offer. Until he heard otherwise, he

would continue advocating to include the language in the bill. He did not know of a compelling reason to leave the language out other than the administration did not think it was necessary at present. He underscored that the legislature was in session and working on the bill. He believed many people in the provider community would ardently argue to include the language in the legislation. He stated that the administration had filed the bill and filed a letter of transmission on January 21, but in the middle of February it had backed away from the legislation stating it was not needed. He stated that he was not connecting all of the dots.

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Commissioner Crum understood the remarks. He agreed that the administration had submitted the bill and had pushed hard to try to move forward. He stated that the administration had been unsure of the support in the legislature for a full disaster declaration; therefore, the administration had changed course to try to continue its responsible ongoing response for Alaskans. He agreed that the tools were included in HB 76 and some of the minimal tools could be identified in other authorities as well. The administration was trying to [inaudible] help Alaskans know it was working toward some solution. He reiterated that the administration was unsure of the level of support on the issue. He thanked the committee for continuing the discussion. He noted the situation was a precarious position.

Vice-Chair Ortiz shared that he had a constituent who was concerned about being able to access telehealth medicine outside the state. He detailed that the constituent's provider had told the patient they could no longer provide the services because Alaska had not extended its disaster declaration. Whether or not the particular provider was interpreting regulations correctly or if the issue was telehealth regulation in the provider's state - he asked if Commissioner Crum could see where the issue may be a problem. He remarked that the state may not be doing the most it could for its constituents, specifically in telehealth services, by not including the emergency declaration.

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Commissioner Crum replied that one of the authorities the department had identified to help remove some confusion was related to telehealth. He explained there were some particular items aimed at removing the ambiguity from providers working to provide the service to Alaskans, particularly those providing a service without first having an in-person visit. The administration agreed it needed clarity.

Vice-Chair Ortiz asked if there would be more clarity if the emergency declaration was part of the bill.

Commissioner Crum answered that he believed so and there was a separate provision in the bill covering the telehealth item. He clarified that the disaster declaration itself did not allow the telehealth flexibilities, but a separate section of the bill did.

Vice-Chair Ortiz returned to his question related to his constituent and particular provider. He asked if it would be necessary for his constituent and their provider to look at the specifics of the bill to determine whether they could provide services. He thought it sounded like the provider thought they could not provide the services because there was no disaster declaration extension. He asked if it would be up to providers around the nation to look into the details of the bill prior to responding to constituents.

Commissioner Crum answered that when HB [SB] 241 [legislation passed in 2020 extending the governor's original disaster declaration in response to COVID-19] had first passed and the governor had issued subsequent disaster declarations, particular items were included in a separate provision outside of the disaster declaration that was tied to the issue. He believed it was Section 6 in HB 76, which allowed for telehealth items. He explained that as with HB [SB] 241 and subsequent disaster declarations, if the provision came out, the administration would communicate the information to ensure providers understood what they could provide to constituents. He elaborated there were various means to get the information out through DHSS and the Department of Commerce, Community and Economic Development (DCCED) via professional licensing boards.

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Representative LeBon referenced Section 6. He provided a scenario where the emergency extension did not occur. He asked if there would be a default back to state law requiring a practitioner to examine their patient in person first and, once they were licensed in Alaska, they could provide full telehealth services. He asked if it was a proper understanding of the situation.

Commissioner Crum believed so. He clarified that while he advocated for the flexibilities of telehealth; however, most of the rules about delivering services in Alaska fell under DCCED.

Representative LeBon thought that at some point in time when considering telehealth and an outside provider caring for an in-state patient, the legislature must have concluded the provider had to give a physical examination first and then be licensed in Alaska. He stated that currently, the state was allowing some providers to avoid the in-person examination and licensing in Alaska. He remarked that if the provision were extended, the state would allow outside providers to treat Alaskan patients without conducting a physical exam or paying a licensing fee to practice medicine in Alaska.

Commissioner Crum answered while health care professional boards and licensing had done significant work on courtesy licenses, he deferred to DCCED for additional detail. He noted the numerous provisions involved, such as whether a provider was licensed in Alaska and in-person visits.

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Representative Rasmussen asked what type of liability the state had if it continued the telehealth visits. She asked if the provider or the state were liable if something went awry with treating a patient. Alternatively, she asked if the state would be held liable if a provider was unlicensed in Alaska.

Commissioner Crum answered that he did not know the specifics regarding liability. He clarified the immunity he had discussed earlier under separate authorities was for healthcare professionals or public health officials discharging their duties for the public health response. He deferred to DCCED in regard to the specific care of individuals.

Representative Rasmussen asked about the number of travel nurses the state brought in during the height of the pandemic. She stated her understanding that Alaska struggled to find travel nurses who wanted to come to the state versus going somewhere like Hawaii. She believed the biggest issue Alaska had faced with hospital capacity was not necessarily about bed space but related to personnel and staffing.

Commissioner Crum responded that the department could follow up with the specific numbers. He confirmed there had been a race for intensive care nurses and respiratory therapists. He detailed that due to a high demand, the individuals had been able to command high dollar prices. He reported it had become an issue for physicians and other nurses coming up. He relayed there were fantastic individuals from Alaska Respond (retired nurses and healthcare professionals) who stepped up to help.

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Representative Rasmussen asked whether the state could mandate testing in airports only in unorganized boroughs where there was no government in place to make the determination. Alternatively, she wondered if the department had heard a preference from stakeholders for one statewide testing policy.

Commissioner Crum replied that the response had been mixed. He detailed that some localities including Nome and Kotzebue had been able to have testing policies. He believed AML [Alaska Municipal League] had spoken about a statewide preference. The administration had used the authority that included language about ingress and egress into disaster areas for its testing requirement.

Representative Rasmussen asked if there were local governments that could still choose their own guidelines to restrict travel or testing if the state issued a travel testing mandate. For example, she asked if Anchorage could exceed the rules put in place by the state if they chose to do so.

Commissioner Crum replied that if the administration had the authority to require testing, one of the policies the governor had throughout [the pandemic] was working with

local governments to set a standard on testing requirements for incoming travelers. He shared his understanding that without the authority from the state to require testing at the airport, the Municipality of Anchorage could require it. He believed the City and Borough of Juneau was currently doing so for travel into the airport.

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Representative Carpenter asked what power the administration was seeking with the disaster declaration that could not be provided legislatively. He referenced the fiscal notes and saw additional telehealth benefits, authority for corporate shareholder meetings to occur electronically, expedited fingerprint processing, continuation of online gaming, and other.

Commissioner Crum answered that the four primary items the administration had identified to continue the response included the ability to allocate and distribute vaccines and therapeutics (scarce resources). The provision was included under the disaster declaration and could also be available under separate legislation. There was an immunity clause about the discharge of duties in a public health capacity. He detailed that the FEMA non-congregate shelter and reimbursement and the telehealth was a separate provision.

Representative Carpenter clarified he was asking which of the items could only be provided with a disaster declaration and not legislative authority.

Commissioner Crum answered it was his understanding that all of the items could be provided via a separate mechanism other than a disaster declaration.

Representative Carpenter read from the language section of the fiscal note:

Extending the public health disaster emergency period to September 30, 2021, or until the commissioner of Health and Social Services certifies there is no longer an outbreak of COVID-19 or an imminent threat of an outbreak in the State of Alaska, whichever is earlier.

Representative Carpenter asked what conditions needed to be present in Alaska for Commissioner Crum to certify there was no longer a persistent outbreak of COVID-19.

Commissioner Crum answered that it was a long and nuanced discussion because every region of the state was looking for something a bit different. The department wanted to ensure vaccines were available for distribution statewide to all interested Alaskans. Another major metric the department was looking at was the population getting sick and hospital capacity. He reported large steps in some areas such as administering the vaccine to adults aged 65 and older. The individuals accounted for 50 percent of hospitalizations and 70 percent of deaths. He reported a decrease in hospitalizations to the 20s and 30s down from 151 in December. The items included some of the primary metrics the department was looking at to ensure it had the available tools. He added it was at the discretion of every Alaskan whether they wanted to access [the vaccine].

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Representative Carpenter asked if in order for there to no longer be an outbreak and for Commissioner Crum to certify to the governor there was no longer the threat of an outbreak it would require there to be vaccines available to all Alaskans and no population getting sick.

Commissioner Crum answered it would not require that no population was getting sick, but the availability of vaccines and testing in hospitals. He stated that the availability of the tools and the education aspect was one of the big metrics the department was looking at to be able to determine it had done its part to help and it would then be up to every individual Alaskan. He relayed there was not a magic number the department was looking to hit; it was about ensuring resources were available.

Representative Carpenter asked if the state currently had sufficient resources to adequately respond to all areas of the state.

Commissioner Crum answered that the state was rapidly approaching the point where resources were readily available. He reported that PPE [personal protective equipment] was available and the state had been able to work with hospitals. He reported that certain areas around

the state that had done a good job keeping the virus out were getting hit with small surges because they had not had to deal with it before. He reported that the state was rapidly approaching having the vaccine distributed around the state as it became more available.

Representative Carpenter was trying to get to a fundamental question about when the situation was going to end. He could understand if the answer was not known. Additionally, he could understand if the answer was "when A, B, and C conditions are met." He did not understand the "squishy" area in between where "we're saying one thing and doing another." He asked what needed to happen before the state was no longer under a disaster. He remarked that the committee was discussing extending a disaster and based on Commissioner Crum's answer, he did not know whether the extension was necessary or not. He surmised that either there were areas that did not have an adequate response and a disaster declaration was necessary to achieve the adequate response or not.

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Commissioner Crum answered that it had been a long year for Alaskans and the goal posts had moved a bit, which was something the governor had been mindful of in conversations with the health team. The governor mindful of trying to take care of Alaskans and give hope in sight. He discussed that the availability of the vaccine was rapidly increasing. He explained that the availability of the vaccine statewide was one of the main metrics for the governor to determine that the state had done its job to protect and educate Alaskans. He clarified that a disaster declaration was not necessary to do the work. He explained that the specific authority the administration had identified for the distribution of vaccines could be done separate from a disaster declaration.

Representative Edgmon looked at Section 2 of the bill and observed that if the disaster declaration portion of the bill were deleted, it would remove the administration's ability issue a proclamation specifying that the end of the pandemic had occurred. He asked for the accuracy of his statement.

Commissioner Crum replied that he was trying to read the section and did not have it memorized.

Representative Edgmon stated it was the way he read Section 2, subsection (c). He asked if there was a connection between the SNAP program and the state's ability to access the benefits without having a disaster declaration in place. He stated his understanding that the program was good until the end of the month. He believed that on April 1, without a disaster declaration in place, the state's abilities to acquire \$8 million per month in benefits would go away.

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Commissioner Crum answered that Representative Edgmon was referencing the emergency allotment of SNAP benefits of \$8 million per month in enhanced benefits to Alaska. He discussed that when February 14th had come and gone [without an extension of the disaster declaration by the legislature] the department had worked with the western FNS regional manager on specific language related to the ongoing response to COVID-19. The language mentioned the federal public health emergency and disaster declaration that occurred at the federal level. The state had been given approval through FNS and the USDA for the monthly benefits if it was included in a preamble of limited authorities. Absent a disaster declaration, the department believed the state would continue to receive its EA benefits under a limited authorities bill that included the language.

Representative Edgmon remarked that the discourse in the Senate Finance Committee seemed to suggest otherwise, and that the emergency disaster declaration was needed. He stated that the declaration would give the state a level of assuredness that would not exist in the absence of the declaration. He explained that the disaster declaration provided a relationship with the federal bureaucracy that had myriad rules and regulations the state had to comply with. He had not heard a clear delineation, which he believed was an argument to include the provision in the bill to ensure something was not being overlooked. He remarked on his desire to hear public testimony on the bill.

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Commissioner Crum responded that earlier in the day during testimony in the other body, a testifier failed to mention the department had approval from FNS when talking about the major disaster declaration and federal public health emergency. He explained that the specific items had to be in place on the federal side to receive the benefits. He reported that the department had email approval specifying that the inclusion of a specific sentence in a preamble of authority or bills related to the COVID response, the state would receive approval on a month-to-month basis for EA SNAP benefits.

Representative LeBon looked at Section 11 of the bill. The latest news he had heard from the administration was that the vaccine would be available to any Alaskan who wanted it. He asked for verification that the vaccine would be available to all Alaskans within the next couple of months.

Commissioner Crum agreed. He relayed that the administration had opened the vaccine to all individuals aged 16 and over the previous week. He detailed that as more and more vaccines came into Alaska - there were numerous doses coming in March and April - all Alaskans who wanted to take the vaccine should have the opportunity to do so.

Representative LeBon asked for verification that the availability and supply was not predicated on extending the disaster emergency.

Commissioner Crum responded affirmatively. He relayed that the vaccine was a federal resource and would continue to come to the state. He detailed that the state could continue to distribute and reallocate the vaccine to areas of greatest need. He noted it was one of the authorities the administration had identified it would need.

Representative LeBon discussed the future when all Alaskans who wanted the vaccine would be able to get it around mid-June. He accounted for individuals who may not get the vaccine due to personal or religious reasons. He reasoned there may still be COVID positive test results in June because some people would not get the vaccine and because the vaccine efficacy rate was not 100 percent. He noted there was risk of getting COVID even for fully vaccinated individuals. He asked if the potential of positive test

results in June was a reason to continue the disaster declaration.

Commissioner Crum answered that once all Alaskans who wanted to get vaccinated had the ability to do so, the administration expected to continue seeing positive COVID cases. He stated that at that point, the administration would have to evaluate the situation. He reported that vaccine availability for all Alaskans was one of the primary goalposts the administration was aiming for.

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Representative Wool asked for verification that Commissioner Crum had stated the administration did not have a target number for percentage of vaccinations.

Commissioner Crum replied affirmatively.

Representative Wool stated he had heard Commissioner Crum say the administration wanted to offer the vaccine to any Alaskans who wanted it. He remarked that the state had recently led the nation in percent vaccinated. He highlighted that Alaska was the first state to lower the vaccination eligibility age to 16. He provided a scenario where a certain percentage of Alaskans had received the vaccine by June, but the number was not near herd immunity. He asked if it would be a point when the state may begin encouraging Alaskans to get the vaccine for the health of the community. He asked if the lack of a target percentage meant the administration did not really care about working toward herd immunity.

Commissioner Crum answered that as with the influenza shot, the state would not require the vaccine. The administration wanted to make the vaccine available and would continue to educate Alaskans on the topic. He stated that the administration would continually encourage Alaskans to get the vaccine. He shared that the administration's strategy for removing barriers to get the vaccine was constantly evolving. The administration was trying to meet Alaskans where they were and was talking with them individually. He stated that once the vaccine was available to all Alaskans, it would be a choice. He noted that some level of hesitancy had changed over time because the vaccine had been distributed for a number of months. The administration expected the number of people getting the vaccine would

continue to grow. He stated that the idea of herd immunity and what percentage it was versus the number of people who had already been infected was an ongoing dialogue amongst public health experts. The administration's goal was to make sure the vaccination was available for all Alaskans. He remarked there were any number of reasons including age, religion, and other why a person may choose not to get the vaccine. The primary goal was to provide vaccines to all Alaskans who wanted them.

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Representative Wool understood that the vaccination program was voluntary. He thought it seemed Alaska had a good supply of vaccines. He speculated that there could end up being a demand problem where not enough people were wanting the vaccine. He thought it would be in the interest of public health to encourage, but not require, people to get the vaccine. He noted there were similar programs being done with other populations around the country and perhaps around the world. He hoped the state would be interested in doing so. He asked if the emergency declaration helped with vaccine distribution in any way. He asked if it would lower barriers to set up distribution centers around the state.

Commissioner Crum responded that the administration would continue to educate on the value of the vaccine and try to address hesitancy where it arose. He stated that HB 76 and the limited authority identified by the administration both addressed vaccine distribution. He stated that the City and Borough of Juneau was a home rule city and could use Centennial Hall in Juneau for vaccine distribution. There was an alternate care site in Fairbanks the state had for use under contract. The state was paying for the use of the space to make sure it was accessible to use as mass vaccination sites were needed. The administration would continue to work to make sure vaccines were available all over. He shared that most pharmacies were tied to the federal program and received direct shipments from the federal government instead of the state.

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Representative Wool surmised that the vaccination center in Fairbanks had been set up with the help of the disaster declaration. He thought Commissioner Crum had stated the administration was trying to figure out ways to keep it

going absent a disaster declaration. He speculated that perhaps it was a political issue, and the administration was afraid that if a disaster declaration were attached to the bill, it may not pass the finish line. He thought if the disaster declaration was left in the bill and codified in law, the state would not have to try to find a workaround for places like the Carlson Center in Fairbanks or for the \$8 million in SNAP funding. He thought a significant amount of time, energy, and capital could be saved. He understood Commissioner Crum had stated the work could be done without the disaster declaration; however, he thought the declaration would make life easier. He asked if the administration believed the bill may not pass if the declaration was included.

Commissioner Crum replied that the alternate care sites like the Alaska Airlines Center and the Carlson Center were not tied to the disaster declaration. The locations were ongoing contracts that DHSS had with the municipality or university. He clarified that it was a large administrative burden and cost to maintain the contracts. He detailed that the administration was consistently weighing the benefits of having the facilities available and evaluating whether the facilities were needed in order to continue the response. He clarified that by the USDA standard, the EA SNAP benefits were a month-to-month program that the department had to apply for monthly. He stated that with the language identified by the administration through a limited authorities bill or HB 76, the administration would still have to apply monthly.

Co-Chair Merrick recognized Representative Mike Cronk in the audience.

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Representative Josephson asked for verification the executive branch had received expedited procurement authority under HB [SB] 241.

Commissioner Crum replied in the affirmative.

Representative Josephson asked for verification that the executive branch no longer had the special procurement authority subject to a separate bill passing on procurement authority.

Commissioner Crum agreed that the department would not have expedited procurement authority. He shared that the department had found the standard state procurement process was a long drawn out process. He corrected his statement in a previous answer and clarified that the expedited process was not specifically under HB [SB] 241; it was emergency procurement allowed under the disaster declaration (AS 26.23). He shared that the standard process took a lengthy amount of time and involved a minimum number of RFPs and a review committee. Comparatively, the expedited process was the disaster declaration emergency procurement that enabled the department to do sole source and identify a need, followed by putting out an RFP. He shared that the department was working with the Department of Administration and had found it had a middle ground process that was faster than the standard process but not as fast as the emergency procurement. The department had found a way to work with the middle ground process over the past four weeks.

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Representative Josephson stated that SB 76 had a scaled down version of the civil liability provision in HB [SB] 241. He highlighted that outside of exercising gross negligence, people who provide imperfect PPE had been expressly covered under HB [SB] 241. He asked for verification that civil liability protection could not be offered to the same degree without a disaster declaration.

Commissioner Crum answered that the topic of civil liability was outside his purview. He clarified that most of the immunity he was discussing related to discharge of public health duties.

Representative Josephson asked for the percentage of Alaskans who had received two vaccine shots.

Commissioner Crum answered that he believed it was above 20 percent. He would follow up with the exact number.

Representative Josephson stated that the CDC director Dr. Anthony Fauci had adjusted his herd immunity number and been criticized for it about a month or so back. He stated that Dr. Fauci believed herd immunity required about 75 percent vaccination or infection. He observed that Alaska was doing well, better than most states, but it had a long

way to go. He asked if having a disaster declaration would close the rather substantial gap.

Commissioner Crum responded that the department had learned throughout the response it was a very nuanced approach on how it could work with Alaskans. He stated that Alaskans being an independent minded people, the department had been most successful in getting individuals to comply with mitigation measures by making resources available, providing the story, and encouraging people to help out their neighbors. He did not believe the disaster declaration itself created a level of compliance. He believed it was a combination of making sure people were identified as knowing where they fell on the risk factor for severe illness of COVID-19 and making sure they understood the efficacy and benefit of having the vaccine. He explained it was the reason much of the department's effort was going into making sure people understood the information. The administration understood the importance of getting the vaccine in people's arms. He elaborated it was the reason the governor had opened up the vaccine to all Alaskans once he had discovered there were appointments going unfilled the previous week.

Commissioner Crum recognized there would be a saturation point where individuals would not want the vaccine. He stated that once that point had been reached, it was difficult to do anything about other than continue the education campaign. The administration was doing all it could to ensure the available vaccine doses were used as quickly as possible.

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Representative Carpenter thought the committee would be provided some insight into the public's perception of the need for an emergency declaration in regard to the ability for the state to accept SNAP or FEMA related federal funds. He remarked that the fiscal notes for the bill did not address the aforementioned federal funds. He asked the bill sponsor to update the fiscal note statements to accurately reflect the two funding questions.

Co-Chair Merrick asked if there was anything in the bill that instituted a mask mandate, occupancy restrictions, or business shutdowns.

Commissioner Crum answered in the negative. He clarified that the bill only provided authorities to the state. He elaborated it was at the discretion of the executive branch to decide how to implement the authorities. He believed the administration did a good job trying to get the maximal effect.

Co-Chair Merrick thanked the commissioner. She OPENED public testimony.

^PUBLIC TESTIMONY

2:32:27 PM

KATI CAPOZZI, PRESIDENT AND CEO, ALASKA CHAMBER, ANCHORAGE (via teleconference), introduced herself and provided information about the Alaska Chamber that was made up of over 700 members representing businesses of all size statewide. She read from a statement:

The Alaska Chamber supports the passage of HB 76. Businesses in Alaska have suffered immensely over the course of the COVID-19 pandemic and one year into this public health and economic crisis, many are struggling to keep their doors open. Despite the twists and turns the business community has endured, we are beginning to see a light at the end of the tunnel and plotting our course for recovery. Economic recovery however, hinges on our continued vigilant response to COVID-19. The true economic impact of the COVID-19 pandemic to Alaska is yet to be determined, especially considering recent policy actions outside of Alaska's control that effectively shut down the largest portion of our tourism industry for at least another season.

What we do have concrete data on are our job losses. According to the Department of Labor there were 44,000 jobs during peak employment months in 2020 than there were in 2019. Virtually every industry in Alaska was negatively impacted, some far more significantly than others. The oil and gas and hospitality industries were hardest hit, each ending 2020 with nearly 30 percent fewer employees in their workforce than the year prior. It's never been clearer that healthy people are the foundation of a healthy economy. Addressing public health concerns contributes to Alaska's ability to recover. While Alaska has had

lower case counts and hospitalizations and we lead the nation in vaccinations per capita, it's more important than ever we keep the tools in place that allow for this positive trend.

The Chamber wants to be clear that from the business community's perspective, providing the state with the appropriate authorities and tools to continue COVID-19 response recovery does not represent more restrictions and burdensome mandates. Quite the opposite. Before the emergency declaration expired in February, the Chamber expressed concerns that any lapse in the state's ability to receive and extend healthcare resources immediately impedes the progress we've made and adds unacceptable uncertainty to our collective recovery, both from a health and economic perspective. Without some of the regulatory flexibility provisions provided in HB 76, operations throughout the state and across many industries, particularly the healthcare industry, are forced to do their best to comply with confusing, unclear guidance. This unnecessarily adds increased uncertainty to the business community.

Ms. Capozzi emphasized the need for action. She reiterated the Alaska Chamber's support for HB 76 or any legislation providing state authority to address ongoing COVID-19 response and recovery efforts. She stressed that the state's economic health was depending on it. She thanked the committee for its time.

[2:35:48 PM](#)

Representative Edgmon asked if the chamber supported the current version of the bill.

Ms. Capozzi replied in the affirmative.

Representative Edgmon asked for verification it included the disaster declaration intact.

Ms. Capozzi answered affirmatively.

Representative Rasmussen asked if the chamber would support the bill if it was amended to cover the four areas the administration needed in order to continue disaster recovery efforts.

Ms. Capozzi replied that the chamber would have to take a look but based on what it had heard and seen thus far, she believed the chamber would be supportive.

Representative LeBon asked if the chamber would support a provision to protect a private sector business from civil liability if it was deemed essential and asked to provide services for the public.

Ms. Capozzi replied that liability was a top concern for the chamber as it pertained to COVID-19. She stated that the chamber would need to review the language, but it was supportive of the concept.

[2:38:06 PM](#)

TIM HINTERBERGER, PRESIDENT, ALASKA PUBLIC HEALTH ASSOCIATION, ANCHORAGE (via teleconference), spoke in support of the legislation. He stated that because of previous emergency orders, the state was able to access federal resources and assistance as well as expedite purchasing, contracting, and hiring. He detailed that it had enabled testing sites in airports, communities, and healthcare facilities. He elaborated that Alaska had been much better able to procure supplies, rent warehouse space and receive, store, and ship supplies than it would have been without the declaration. He furthered that the declaration had expanded telehealth and made emergency hires to meet the increased workload and expedited licensing of the healthcare workforce. He stressed that the state could not afford to jeopardize the advantages that catapulted Alaska to first place nationwide in the fight against the Coronavirus. He strongly urged the committee to pass the bill.

[2:39:28 PM](#)

ASHLEY KASO, OWNER/OPERATOR, TALKEETNA RIVER GUIDES, TALKEETNA (via teleconference), supported the bill. She stated that as a business owner and community member of the Mat-Su Borough, she believed the renewal of the disaster declaration would give the message that the state took public health seriously. She had not had any visitors express dissatisfaction over a mandatory COVID test at the airport. She stated that quite conversely, visitors felt that Alaska was prioritizing the health of residents and visitors. She stated that mandated airport testing or proof

of vaccination allowed Alaska to stay open, businesses to operate safely, and prevent a potential shutdown due to an overwhelmed healthcare system. She remarked that it had been close to happening the past fall and there had been no visitors during that time. She believed safety protocols should continue into the summer with the anticipated influx of visitors. She reasoned that without mandatory airport testing, the state could end up where it had been the past fall. She highlighted that Alaska had been leading the nation during the pandemic and she believed it was shortsighted to stop mitigation efforts when the finish line was within sight.

[2:41:26 PM](#)

CARA DURR, FOOD BANK OF ALASKA, ANCHORAGE (via teleconference), spoke in favor of the bill. She stated that a huge area of concern was the potential loss of the SNAP emergency allotment, which was tied to a state public health emergency or disaster declaration. She stressed that the additional benefits provided critical hunger relief for individuals and the Food Bank network. She reported that hunger during the pandemic had increased dramatically. The Food Bank and its partners had worked incredibly hard to distribute more food than ever before. She remarked that things did not seem to be slowing down and the Food Bank had seen record numbers within multiple programs in the past several months. The Food Bank was deeply concerned about what the loss of SNAP funds would mean for food and security in Alaska and for the additional burden the loss of the funds would place on the charitable food network.

Ms. Durr elaborated that the emergency allotments were 100 percent federal benefits provided to the state at about \$8 million monthly (the equivalent of approximately 2.2 million meals). She provided further detail on food distributed monthly by the Food Bank of Alaska. She underscored that losing the funds would mean an inability to fill the need gap. She noted that while alternative options existed for preserving emergency allotments, they would require legislation. She urged the committee to move forward with the bill given the rapidly approaching April 1 USDA deadline.

Representative Carpenter asked why Ms. Durr believed SNAP funds were tied to the disaster declaration and that the benefits would be lost without the passage of HB 76.

Ms. Durr answered that the information came from the USDA. She detailed that the emergency allotments were a special provision that required federal and state disaster declaration.

Representative Wool stated that the committee had just heard from Commissioner Crum that without the disaster declaration the department could apply for a waiver on a monthly basis to receive the \$8 million in supplemental benefits. He asked if it gave Ms. Durr any comfort. He highlighted her testimony that a state and federal disaster declaration was needed [to receive the benefits].

Ms. Durr responded that what she understood Commissioner Crum to say that as a workaround for the disaster declaration, authority could be granted using language vetted by the USDA, but it would have to be included in legislation. She understood that the state had to apply for the benefits monthly as long as the authorization conditions were in place. She explained that the conditions could either be in the form of the disaster declaration in HB 76 or specific authorities could be granted in legislation. She was concerned there was not enough time to make that happen.

[2:46:10 PM](#)

MIKE COONS, PRESIDENT, MAT-SU CHAPTER OF AMAC, PALMER (via teleconference), testified that the group had initially supported the extension of the disaster declaration; however, the emergency order had expired. He stated that the governor had still gotten the job done, seniors had received vaccines, and the therapeutics and care needs were still being addressed. He supported the work by the other body on getting the non-COVID issues in the emergency order done via legislation. He stated that the governor was showing the cities that were still closing economies by mandating masks and lockdowns in guise of a fabricated emergency were not needed. He believed the government needed to get out of the way. He thought the governor had done an excellent job. He thought the Whitehouse was claiming credit for what Alaska's governor had done almost one month earlier. He elaborated that the absence of a disaster declaration would not hinder the ability to get out vaccines. He stressed there were currently over 135,000 vaccinated Alaskans. He provided statistics about the

vaccination rate in Alaska. He stressed that the state's herd immunity was rising rapidly. He emphasized that Alaska was in a recovery phase. He asked the legislature to avoid stepping in front of the recovery. He opposed the bill because it was no longer needed.

Representative Edgmon remarked that Anchorage had lifted many of its restrictions and asked which communities were shutting down their economies. He did not know of any.

Mr. Coons stated that Anchorage was still in a major lockdown compared to the rest of the state. He specified that Mat-Su had no restrictions and was doing fine.

[2:49:16 PM](#)

NILS ANDREASSEN, ALASKA MUNICIPAL LEAGUE, JUNEAU (via teleconference), supported the bill. He shared that Alaska Municipal League's membership was comprised of Alaska's cities and boroughs. He read from a prepared statement:

Over the last year, Alaska's local governments have diverted a large amount of their attention to disaster response and management to responding to the needs of their residents and businesses and to fill the gap where the state wasn't acting at the local level. Without a state declaration in place or with, if it's extended, local governments remain committed to acting in support of the state's public health, residents' public welfare, and the rebound of Alaska's economy.

The loss of the declaration means that local governments have been scrambling to fill holes created in the absence of the state's declaration. Many have seen declarations expire since they were tied to the state and they've either been renewed or were now fully expired. Many have had to reconsider their own travel quarantine and testing restrictions. Many are in the midst of operating testing or vaccination clinics with questions about available resources, training, and authorities, some are now racing to address spikes in cases. Many are looking at an uncertain future. Ultimately, it's this uncertainty that ends up most challenging.

The Alaska Disaster Act, which within HB 76 is really Sections 2 and 3, allows the state to allocate,

distribute, and manage scarce resources including vaccine and testing supplies, much of this in cooperation with and at the request of local governments; allows it to suspend regulations that may prevent or impede the provision of health services or COVID response, including many that businesses and organizations have depended on to ensure continued operations; allow DMVA and DHSS to work together within the unified command structure, which has met weekly or biweekly with our members; and its allowed to coordinate with FEMA and non-congregate shelters, which is also intersected with municipal interests.

Mr. Andreassen highlighted that FEMA reimbursement was currently being met at 100 percent by the federal government. He added that multiple agencies had submitted zero fiscal notes and additional federal assistance was on its way. He stated that actions taken under the declaration were likely to be covered by federal resources, which may be better leveraged with a declaration in place. The declaration enabled resources to be moved where they were most needed.

Vice-Chair Ortiz referred to Mr. Andreassen's reference to areas with recent outbreaks. He was aware of an outbreak in Petersburg. He asked how many other areas were experiencing recent surges.

Mr. Andreassen replied that other surges may have come from nonresidents in Unalaska and Cordova. He elaborated that the surges had been sporadic but were tied to travel restrictions that had previously been in place.

Representative Josephson asked for a picture of a municipality that relied on the state's disaster declaration and had coopted it or borrowed from it. He asked for details.

Mr. Andreassen responded that local governments had issued their own disaster declarations, which had allowed them to operate more effectively during the pandemic. He elaborated that many had referenced the state's health orders and mandates when they had been in place. Mostly, local government disaster declarations had allowed local governments to act quickly in response to the needs of residents and businesses. He detailed that many had expiration dates tied to the state's and had seen their

declaration expire or had taken up a new date on their own. Since the expiration of the state's disaster declaration, some communities, such as Juneau, had mirrored and mandated the state's optional health orders at the local level (including travel, which had been loosened in recent days). He explained that it was pretty varied. He stated that for every local government it had been in response to needs of the community and recognizing and building off of items in place at the state level.

2:55:27 PM

Representative Wool stated that Fairbanks did not have health powers. He relayed that the community had set up a testing and vaccine program at the Carlson Center. He referenced Commissioner Crum's testimony that the program had been done through the university. He highlighted that earlier on in the pandemic, the Fairbanks mayor had stated he did not have health powers to institute a mask mandate. He recalled that the governor had told the mayor he did have health powers under the disaster declaration. He asked if Fairbanks had used the declaration and associated health powers to set up testing and vaccine abilities.

Mr. Andreassen answered that the disaster declaration did not confer powers upon second class boroughs if they did not already have them. He explained it could only be done via statute or by a vote of the people. He was not aware of any second class boroughs that had been utilizing the disaster declaration as part of their vaccination or testing processes. Some may have emergency management teams trained to support the state, but those were separate from the public health powers under ongoing debate.

Representative Wool recalled the governor's office saying the boroughs had health powers through the declaration, but he understood what Mr. Andreasson was saying.

2:57:25 PM

JARED KOSIN, PRESIDENT and CEO, ALASKA STATE HOSPITAL AND NURSING HOME ASSOCIATION (ASHNHA), ANCHORAGE (via teleconference), spoke in strong support of the bill. He read from prepared remarks:

ASHNHA strongly supports House Bill 76. Alaska's hospitals and nursing homes are extensively on record

at this point as to why this legislation is important. So, I will offer the committee our takeaway. There is no harm or unintended consequences to passing this legislation. In fact, there are only unintended consequences and harm if this legislation is not passed. This legislation is needed to fully deploy airport testing, which continues to be critical, it is needed to secure \$8 million in monthly federal food assistance payments to Alaska. There may be workarounds possible but think about how inefficient that is to just passing this bill. It is needed to expedite specialty care with out-of-state providers through telehealth. Finally, it gives our hospitals and nursing homes the compliance certainty we have been aggressively seeking on our own for a month now. A disaster declaration is a legal mechanism. Alaskans may not see it or experience it in everyday life, but Alaska's healthcare providers do. Please pass House Bill 76. Thank you.

[2:59:03 PM](#)

TREVOR STORRS, ALASKA CHILDREN'S TRUST, ANCHORAGE (via teleconference), testified in full support of the bill. The organization understood the importance of reducing stress on the family, which decreased the possibility of child abuse. He reported that due to COVID, Alaska's children were missing meals. He stated that an average of 13 percent of Alaskan adults living in households with children sometimes or often did not have enough food to eat in the past week. Individuals were also struggling with housing, access to healthcare, and overall stress of COVID. He highlighted the importance of continued access to federal SNAP funds to support food access for families. He discussed that the disaster declaration in the bill outlined the commitment to addressing COVID. The declaration helped lessen stress to families and provided a light at the end of the tunnel. The economic aspects ensured that families were getting necessary supports to gain or maintain employment, which reduced stress on families and decreased the risk to children and the family being part of the child welfare system. He reiterated the organization's support for the legislation, which supported families, children, and all Alaskans.

[3:01:20 PM](#)

LEE HENRICKSON, SELF, PALMER (via teleconference), urged the committee to pass the bill. She shared that she attended the monthly Mat-Su COVID response meetings and the previous week one of the topics had been on the lapse of the disaster declaration. She highlighted that the absence of the disaster declaration involved more work for the school district and making sure schools received accurate information and more work for the EMS department as it had to deal with federal disaster requirements and reporting. She stated it made more work for people already working very hard. She had heard testimony from the Food Bank and had learned that food banks in Alaska were already working at or above capacity. She stressed that if the SNAP program was jeopardized many people would be hungry and food banks may not be able to meet the need. She asked why they were making it harder for people to do good work. She wanted to keep the process simple and keep things working via the passage of the legislation. She added that the COVID curve in the state was no longer decreasing - it was currently in a holding pattern. She agreed with giving the governor the flexibility to respond. She believed current case counts indicated it was a very good idea. She thanked the committee.

[3:03:37 PM](#)

HERMAN MORGAN, SELF, ANIAK (via teleconference), asked where the liability was regarding the vaccine. He stated there had been no long-term testing. He thought the federal government was going to take over. He spoke to businesses that were destroyed. He stated that the restrictions were crimes against humanity. He stated that the legislature was destroying Alaska. He remarked that the state was taking federal money and did not see the consequences. He thought Alaska should be given back to the people. He thought giving a vaccine to people who did not need it meant there was blood on the government's hands. He spoke about false positive test results. He did not think the virus was the problem, but politicians. He stated that God saw everything. He did not believe the legislature listened to the people. He did not think the bill was needed.

[3:06:17 PM](#)

DR. TOM HENNESSY, UNIVERSITY OF ALASKA, ANCHORAGE (via teleconference), supported the bill that would extend the emergency disaster declaration. He shared that he is a

medical doctor and infectious disease epidemiologist for the University of Alaska. He had been disappointed to see the emergency declaration expire. He stated the declaration had provided important tools to help fight the COVID epidemic. He highlighted that after recent gains, the state had reached a plateau in COVID case rates. He reported that cases had increased in Fairbanks, Mat-Su, Anchorage, and the northern Southeast region including Petersburg. He stated that clearly the epidemic in Alaska was not over. He pointed out it had already been seen that the virus was capable of causing illness in the spring and summer. He reported that several important tools had been lost when the declaration expired including elements allowing flexibility and speed such as expedited purchasing, contracting, and ease of setting up alternative care sites.

Mr. Hennessy relayed that other lost tools had diminished the healthcare capacity such as out-of-state medical licensing reciprocity and telehealth options. Additionally, the state had lost required traveler testing at airports. He reported that the current voluntary program had seen much less participation, which increased the risk of introducing cases and new variants into the state. He stated that without the emergency declaration it sent the message incorrectly to Alaskans that all was well. He stressed it was too soon to let down the guard and pack away tools. He supported the bill, as the fastest way to regain the tools. He thanked the committee.

[3:08:44 PM](#)

EVE VAN DOMMELEN, ALASKA FOOD COALITION AND ALASKA PUBLIC HEALTH ASSOCIATION, ANCHORAGE (via teleconference), testified in favor of the bill. She read from prepared remarks:

Thank you for the opportunity to express support for HB 76 and extending the public health disaster declaration. While public health is often viewed through the lens of physical health, the field also focuses much more broadly on the many social determinates of what leads to a long and quality life, including many community factors such as economic wellbeing, housing, education, and food access. While we may be moving away from a health crisis, the economic impacts of the past year are undeniable. As we move towards recovery and begin to address the

economic crisis, it is imperative that we are still able to access vital resources that will allow us to continue to support our communities. For example, the loss of the SNAP emergency allotments means that many households that have been struggling to make ends meet over the past year will face a resource cliff on April 1. Even as individuals go back to work, many have exhausted other savings and resources that have been helping them get by.

Food insecurity has risen by an estimated 32 percent in the past year, more than a quarter of our kids now live in households where access to food is not a given. I hear from Alaska Food Coalition members every week about the huge increases in need they are still seeing. Many seeing their highest client numbers in the last few weeks. These organizations worry about how they will continue to sustain meeting this need as emergency resources begin to ebb. The emergency allotments are 100 percent federal benefits that are equivalent to 2.2 million meals. That's a huge gap that the anti-hunger network in Alaska cannot fill. We urge you to pass HB 76 to reinstate the public health emergency declaration to ensure that frontline organizations do not have to carry the full burden of the recovery phase of this past year and pandemic. Thank you so much.

[3:10:53 PM](#)

BILL POPP, PRESIDENT AND CEO, ANCHORAGE ECONOMIC DEVELOPMENT CORPORATION, ANCHORAGE (via teleconference), supported the bill in its current form. He listed other organizations he was part of related to impacts of COVID on the economy and health. He stated that reopening Anchorage safely would require support for assuring a safe environment for visitors from out-of-state. He stressed that airport testing was a key tool. He reported there would be continued hard work to ensure Anchorage offered a safe place to travel. The corporation was also concerned for the Anchorage workforce. He cited unemployment statistics of just over 11,000 people on first time or long-term unemployment in Anchorage. He emphasized that 71 percent of the 11,000 individuals were making \$30,000 or less prior to losing their jobs. He underscored that the SNAP program was an incredibly important tool in keeping individuals safe and healthy during difficult times. He

stated that maintaining the SNAP benefits quickly via HB 76 would be an incredibly important step as opposed to alternative legislation which would be difficult to pass prior to the end of session. He urged the legislature to pass HB 76.

[3:13:53 PM](#)

KELLY FISHLER, SELF, JUNEAU (via teleconference), spoke against the extension of the bill. She did not believe the disaster extension was necessary. She thought focusing only on the one aspect of health was tunnel vision. She stated that the emotional, mental, social, educational, and economic needs of Alaskans were just as important. She believed extending the declaration further starved the state's economy by keeping businesses at reduced capacities or empty. She referenced testimony in support of a disaster extension because of the benefits food banks received. She stated that no one would refute that food banks were doing everything they could. However, she believed extending the declaration would drive more people to the benefits because they would not have jobs. She stated that when the free market was hindered, social difficulties increased. She thought everyone in favor of the extension wanted the federal money and benefits. She believed if the government stepped away it would enable Alaskans to maintain personal responsibility to steward their own freedom.

[3:16:16 PM](#)

DEAN CANNON, SELF, ANCHORAGE (via teleconference), spoke against the bill. He thought the emergency declaration had become another industry in Alaska. He believed most of the people in favor of the extension were entities that stood to benefit financially. He did not believe the state was in an emergency. He thought COVID was very well understood at the current time. He stressed there was a culture of state dependency forming. He thought the crises were resulting from the emergency declarations and endless edicts by local governments. He opined that people needed to stop depending on the state and start leaning on each other to get through the situation. He thought it was a falsehood that the healthcare system had ever been near to being overrun. He stated that positive cases of COVID did not reflect imminent death and there would continue to be positive cases in perpetuity. He did not support the idea of living

under emergency declarations permanently. He urged the committee to vote against the bill.

[3:18:25 PM](#)

ALLY BRATLIE, SELF, JUNEAU (via teleconference), was opposed to the extension of the disaster declaration. She believed thousands of Juneau residents had suffered under the government's abuse of power. She stated that Alaska's government had assumed residents could not self-govern, which resulted in the closure of businesses and families struggling to care for themselves. She believed the year-long lockdown would have lasting negative impacts. She highlighted the negative social impacts including greater suicidal tendencies and depression in youths. She thought it was time to let Alaskans determine how to move forward. She did not support the state extending emergency powers in the name of COVID-19. She did not think it was the government's job to create greater understanding and access to the vaccine. She believed the virus had a 99 percent survival rate. She asked the legislature to allow Alaskans to operate at their own discretion.

[3:21:08 PM](#)

NANCY FREDERICKSON POPE, SELF, PALMER (via teleconference), did not support the bill. She did not believe Alaska was in a state of emergency. She thought the continued state of emergency was very bad for people's emotional and mental state. She shared a personal story about her father refusing to go to the hospital for high blood pressure because of the current hospital measures in place. She believed the government had overstepped its reach. She thought people in support of the bill would benefit financially from the declaration. She did not believe there was any reason to continue the declaration.

[3:23:23 PM](#)

CAROL CARMAN, SELF, PALMER (via teleconference), was opposed to the bill. She was disappointed to hear substantial testimony from organizations that benefitted from a constant state of emergency. She thought the emergency powers reflected abuse against individual Alaskans. She thought it appeared to be organizations versus the people. She believed Alaskans were ready to get their lives back to normal. She stated that extending the

declaration forced Alaskans into a constant state of emergency that interfered with recovery. She added that discontinuing the disaster declaration made organizations' support less necessary. She highlighted that the governor had withdrawn the disaster declaration and had moved forward without it. She stated that Alaskans did not want to go backwards. She remarked that the Senate was currently working on bills needed to relax ordinances for businesses in the absence of the declaration. She stated a declaration was not needed for federal assistance. She stressed that local governments did not need state emergency declarations to enact their own declarations. She thought some used the declaration to enact oppressive mandates. She asked the committee to vote against the bill.

Co-Chair Merrick noted that there were about 10 more testifiers. They would not accept any more due to time limitations.

[3:26:23 PM](#)

STEWART THOMPSON, SELF, WASILLA (via teleconference), was against the bill. He stated that the Alaska Disaster Act limited an emergency declaration to 30 days without special extension authorized by the legislature. He discussed that law required the governor to submit law making recommendations for the prevention or reduction of the harmful consequences of a disaster. He asked why the legislature had not done its law making job; thereby eliminating the need for any disaster declaration on COVID. He stated that scientific dissent was the lifeblood of scientific advancement. He believed the suppression of scientific dissent in the past year was proof of the lack of confidence of the official directing response to COVID-19. He stated that money handouts encouraged suppression of scientific dissent. He suggested having the university and citizens study economic measures on behalf of the legislature. He did not know how the legislature thought citizens would follow the law when it was demonstrating reluctance to follow the constitution. He asked the legislature to convene a committee of the whole to do its full job related to COVID-19.

[3:28:39 PM](#)

GEOFFREY CANUTH, SELF, KENAI (via teleconference), spoke against the bill. He did not think the bill was needed and

he believed Alaskans needed to get back to work. He believed the bill would harm tourism and could stop people from traveling and spending money in Alaska. He echoed the comments of the past couple of testifiers.

[3:29:56 PM](#)

DR. SARAH SPENCER, SELF, HOMER (via teleconference), testified in support of the bill. She discussed the nationwide opioid epidemic and reported that overdose deaths reached the highest level ever in the past year with over 80,000 deaths. She noted it was the number one cause of death for people under the age of 50. She elaborated that substance abuse had increased during COVID due to isolation and a lack of access to treatment. She relayed the federal and state governments had lifted a restriction and allowed doctors to prescribe a treatment medication through telemedicine in the past year; however, the restrictions were specifically linked to the disaster declaration. She explained it meant doctors had been unable to prescribe the life-saving treatment over telemedicine for the past month. She shared there were still remote villages with travel restrictions in place. She detailed that travel was difficult when trying to maintain privacy regarding substance use treatment. She highlighted the severe shortage of addiction specialists working in Alaska. She reported that out-of-state providers were severely restricting their ability to help due to the lifting of the emergency order. She requested the emergency order to be enacted in order to provide lifesaving addiction treatment via telemedicine.

[3:32:15 PM](#)

APRIL ORTH, SELF, KENAI (via teleconference), opposed the bill. She did not believe COVID was an emergency any longer. She stated that restrictions on communities had caused more harm than good. Her family had suffered from losing employment. She was skeptical about how some of the federal funding was being spent and noted it was not being monitored. She wanted businesses to be allowed to open and people to go back to work. She stated separating families should never have happened. She thought it had given hospitals the perfect opportunity to separate family members. She highlighted children had lost out on a year of education. She stated that COVID was survivable and there were treatments available.

3:35:38 PM

VIKKI JO KENNEDY, SELF, JUNEAU (via teleconference), was in opposition to the bill. She thought the bill was causing more harm than good. She thought the state needed to quit "suckling on the hog in D.C." She thought the money was being squandered. She remarked on the number of businesses closed. She questioned holding the state's feet to the fire over the \$8 million in SNAP funds. She stressed that the Permanent Fund should be used that had been created for times like the present. She did not want any federal mandates. She thought the communities should be allowed to do their own thing.

3:38:08 PM

SHERRY EICHENLAUB, SELF, WASILLA (via teleconference), was against the bill. She thought it was time to let people get back to work and to allow communities to get back on track. She thought the government was out of hand with the mandates. She supported giving the Permanent Fund Dividend to people to allow them to care for themselves. She was against the bill and any more mandates.

3:39:07 PM

JOHN ZASADA, ALASKA PRIMARY CARE ASSOCIATION, ANCHORAGE (via teleconference), testified in support of the bill. He shared that the association and Alaska's federally qualified health centers strongly supported the swift passage of the bill to extend the public health emergency order. He shared that the legislation was vital to continue administrative, regulatory, and statutory flexibilities that had allowed Alaska to successfully respond to COVID-19. He detailed that health centers had relied on the emergency order to swiftly stand up telehealth, engage in testing and contact tracing, and vaccine administration. The centers were scaling up to address vaccine hesitancy and to identify specific communities needing special attention to maximize vaccine acceptance. He reported it was much easier with a coordinated state command made possible by the emergency order. The organization believed there were far too many uncertainties surrounding impacts caused by the lapse of the emergency order to address in piecemeal legislation. He stated that the passage of the bill was the easiest and fastest way to continue access to

SNAP benefits, maintain telehealth waivers, and to allow the Division of Public Health to continue to respond to unforeseen circumstances and continued challenges.

3:41:01 PM

WILLY KEPPEL, SELF, QUINHAGAK (via teleconference), opposed the bill. He shared that the village had reopened its schools. He stated that people in the village had had enough. He highlighted the village's dependence on out of state fishermen in the summer, which it had lost out on the past year. He stated that the village did not believe the numbers coming out of the Yukon Kuskokwim Health Corporation. He reported that the corporation had discovered over 200 positive COVID tests in one week; however, no one in the village knew anyone who was sick. He wanted to see the numbers. He stated villagers were sick and tired of the situation and wanted their lives back. He did not want any more restrictions.

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TEEA WINGER, SELF, KENAI (via teleconference), was against the bill. She had seen the effects of the shutdown and mandates on small business owners and fishermen. She thought Anchorage was a great example of how mandates collapsed an economy. She thought it was time to open the state back up. She remarked that a good portion of the state had been vaccinated and another large portion had been exposed to the virus. She stated that Alaska did not have tens of thousands of people dying. She believed they could not afford to continue to cripple the state. She shared that her daughter should be going into first grade, but she was not prepared by distance learning. She would have to hold her daughter back to ensure she was prepared. There would be long lasting impacts of the mandates. She stated the extension ultimately boiled down to getting money from the federal government. She reiterated her support for opening up the state and avoiding dependence on the federal government. She did not believe the funds were helping the people. She stated future generations were being hurt.

Co-Chair Merrick CLOSED public testimony. Amendments were due to her office by Wednesday at 9:00 a.m.

HB 76 was HEARD and HELD in committee for further consideration.

#  
ADJOURNMENT

[3:48:38 PM](#)

The meeting was adjourned at 3:48 p.m.