

HOUSE FINANCE COMMITTEE
March 28, 2022
1:39 p.m.

[1:39:17 PM](#)

CALL TO ORDER

Co-Chair Merrick called the House Finance Committee meeting to order at 1:39 p.m.

MEMBERS PRESENT

Representative Neal Foster, Co-Chair (via teleconference)
Representative Kelly Merrick, Co-Chair
Representative Dan Ortiz, Vice-Chair
Representative Bryce Edgmon
Representative Andy Josephson
Representative Bart LeBon
Representative Steve Thompson
Representative Adam Wool

MEMBERS ABSENT

Representative Ben Carpenter
Representative DeLena Johnson
Representative Sara Rasmussen

ALSO PRESENT

Kelly Howell, Special Assistant to the Commissioner,
Department of Public Safety

SUMMARY

HB 322 AK MARINE HWY SYSTEM VESSEL REPL. FUND

CSHB 322(TRA) was REPORTED out of committee with four "do pass" recommendations and three "no recommendation" recommendations and with one previously published zero fiscal note: FN1 (Gov/Fund Transfer).

HB 246 ACCESS TO MARIJUANA CONVICTION RECORDS

CSHB 246(FIN) was REPORTED out of committee with three "do pass" recommendations and four "no

recommendation" recommendations and with one previously published zero fiscal note: FN1 (AJS) and one previously published fiscal impact note: FN2 (DPS).

#hb322

HOUSE BILL NO. 322

"An Act relating to the Alaska marine highway system vessel replacement fund; and providing for an effective date."

[1:39:52 PM](#)

Co-Chair Merrick reported that HB 322 was previously heard on March 15, 2022.

Representative LeBon MOVED to ADOPT Amendment 1, 32-LS1501\B.1 (Marx, 3/23/22) (copy on file).

Co-Chair Merrick OBJECTED for discussion.

Representative LeBon explained the amendment. He communicated that the amendment proposed to move the Alaska Higher Education Investment Fund from its current location in the General Fund (GF) to a separate fund in the state treasury. The provision was an attempt to protect the fund from a constitutional sweep under Article 9, Section 17 d of the Alaska Constitution. He furthered that students benefitting from the Alaska Performance Scholarship, state education grants, and the Washington, Wyoming, Alaska, Montana, and Idaho (WWAMI) program "should not be subjected to a political vote on an accounting procedure." He noted that the language aligned with a companion bill in the Senate. He hoped the other body would [Senate] protect the fund. He withdrew his amendment.

Representative LeBon WITHDREW Amendment 1

Vice-Chair Ortiz MOVED to REPORT out of committee with individual recommendations and the accompanying fiscal note(s). There being NO OBJECTION, it was so ordered.

CSHB 322(TRA) was REPORTED out of committee with four "do pass" recommendations and three "no recommendation" recommendations and with one previously published zero fiscal note: FN1 (Gov/Fund Transfer).

[1:42:06 PM](#)

AT EASE

[1:47:13 PM](#)

RECONVENED

#hb246

HOUSE BILL NO. 246

"An Act restricting the release of certain records of convictions; and providing for an effective date."

[1:47:17 PM](#)

Co-Chair Merrick indicated that the bill was previously heard in committee on March 11, 2022, and amendments were considered. She relayed that the committee would discuss one additional amendment that replace the prior Amendment 1.

Representative Wool MOVED to ADOPT Amendment 1 Replacement, 32-LS1300\B.1 (Radford, 3/10/22) (copy on file).

Co-Chair Merrick OBJECTED for discussion.

Co-Chair Merrick recognized that Representative Jonathan Kreiss-Tompkins joined the meeting.

Representative Wool explained the amendment. He reported that during the discussion on the bill the parallel between an alcohol violation of a minor and a marijuana violation of a minor was pointed out. He recalled that after the marijuana legalization initiative passed, the idea was to treat marijuana violations like alcohol violations. He indicated that in 2015, a bill by Senator Micciche [SB 165-Alcohol: Board;Minors;Marijuana Checks, Chapter 32 SLA 16, 07/06/2016] was adopted that decreased minor consuming of alcohol to a violation from a misdemeanor. He delineated that minor marijuana offenses were currently a misdemeanor. The amendment reduced minor possession of marijuana to a violation, for those aged 18 through 20. He elaborated that the offender would receive a ticketed fine, court appearances were not required, and the amendment included a bail schedule of \$100 for the first offense and \$250 for subsequent offenses. He furthered that for minors under the age of 18 the penalties remained the same as in current law.

Co-Chair Merrick withdrew her objection.

There being NO OBJECTION, Amendment 1 Replacement was ADOPTED.

1:50:58 PM

Representative LeBon asked to hear from the Department of Public Safety (DPS).

Representative LeBon recounted from prior testimony regarding access to prior records related to marijuana convictions. He wondered if an employer would have access to previous records for marijuana convictions and how would the information be obtained.

KELLY HOWELL, SPECIAL ASSISTANT TO THE COMMISSIONER, DEPARTMENT OF PUBLIC SAFETY, replied that the types of background checks that would be excluded from releasing marijuana conviction records as provided for in the bill were the "any person background check" that included landlords or certain employers such as a retail business. She elucidated that other background checks like "interested person reports" were authorized under law for teachers, bus drivers, etc. Depending on the type of employer, they may still have access to the information. Representative LeBon asked whether a potential retail employer could access the records. Ms. Howell replied in the negative and added that an any person background check would exclude any convictions as outlined in the bill. Representative LeBon asked whether an employer operating a trucking business would have access to the historical information. Ms. Howell answered in the affirmative.

1:54:28 PM

Representative Josephson referenced Ms. Howell's mention of bus drivers. He stated that the bill changed nothing about the testing of any type of bus driver. Ms. Howell agreed with the statement.

Vice-Chair Ortiz MOVED to REPORT out of committee with individual recommendations and the accompanying fiscal note(s).

There being NO OBJECTION, it was so ordered.

CSHB 246(FIN) was REPORTED out of committee with three "do pass" recommendations and four "no recommendation" recommendations and with one previously published zero fiscal note: FN1 (AJS) and one previously published fiscal impact note: FN2 (DPS).

[1:55:58 PM](#)

AT EASE

[1:59:12 PM](#)

RECONVENED

Co-Chair Merrick reviewed the schedule for the following morning.

#

ADJOURNMENT

[1:59:33 PM](#)

The meeting was adjourned at 1:59 p.m.