

ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE

May 15, 2021
10:04 a.m.

MEMBERS PRESENT

Representative Jonathan Kreiss-Tomkins, Chair
Representative Matt Claman, Vice Chair
Representative Geran Tarr
Representative Andi Story
Representative Sarah Vance
Representative James Kaufman

MEMBERS ABSENT

Representative David Eastman

COMMITTEE CALENDAR

HOUSE BILL NO. 198

"An Act establishing September 10 as Alaska Community Health Aide Appreciation Day."

- MOVED HB 198 OUT OF COMMITTEE

HOUSE BILL NO. 187

"An Act relating to the elimination or modification of state agency publications that are outdated, duplicative, or excessive or that could be improved or consolidated with other publications or exclusively delivered electronically; and providing for an effective date."

- MOVED CSHB 187(STA) OUT OF COMMITTEE

HOUSE BILL NO. 177

"An Act relating to an increase of an appropriation due to additional federal or other program receipts; and providing for an effective date."

- HEARD & HELD

CS FOR SENATE BILL NO. 32(FIN)

"An Act establishing the Alaska middle college program for public school students; relating to the powers of the University of Alaska; and providing for an effective date."

- HEARD & HELD

CS FOR SENATE BILL NO. 71(FIN)

"An Act relating to special request registration plates celebrating the arts; relating to artwork in public buildings and facilities; relating to the management of artwork under the art in public places fund; relating to the powers and duties of the Alaska State Council on the Arts; establishing the Alaska arts and cultural investment fund; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 149

"An Act relating to allowing certain child day care providers to organize for the purpose of collective bargaining."

- BILL HEARING CANCELED

PREVIOUS COMMITTEE ACTION

BILL: HB 198

SHORT TITLE: AK COMMUNITY HEALTH AIDE APPRECIATION DAY

SPONSOR(S): REPRESENTATIVE(S) ZULKOSKY

05/01/21	(H)	READ THE FIRST TIME - REFERRALS
05/01/21	(H)	STA
05/11/21	(H)	STA AT 3:00 PM GRUENBERG 120
05/11/21	(H)	-- MEETING CANCELED --
05/13/21	(H)	STA AT 3:00 PM GRUENBERG 120
05/13/21	(H)	<Bill Hearing Postponed to 5/15/21>
05/15/21	(H)	STA AT 10:00 AM GRUENBERG 120

BILL: HB 187

SHORT TITLE: STATE AGENCY PUBLICATIONS

SPONSOR(S): REPRESENTATIVE(S) KAUFMAN

04/22/21	(H)	READ THE FIRST TIME - REFERRALS
04/22/21	(H)	STA, FIN
04/29/21	(H)	STA AT 3:00 PM GRUENBERG 120
04/29/21	(H)	<Bill Hearing Canceled>
05/06/21	(H)	STA AT 3:00 PM GRUENBERG 120
05/06/21	(H)	Heard & Held
05/06/21	(H)	MINUTE(STA)
05/11/21	(H)	STA AT 3:00 PM GRUENBERG 120
05/11/21	(H)	-- MEETING CANCELED --
05/13/21	(H)	STA AT 3:00 PM GRUENBERG 120

05/13/21 (H) Heard & Held
05/13/21 (H) MINUTE(STA)
05/15/21 (H) STA AT 10:00 AM GRUENBERG 120

BILL: HB 177

SHORT TITLE: REVISED PROGRAM: APPROPRIATIONS

SPONSOR(s): REPRESENTATIVE(s) TUCK

04/16/21 (H) READ THE FIRST TIME - REFERRALS
04/16/21 (H) STA, FIN
05/11/21 (H) STA AT 3:00 PM GRUENBERG 120
05/11/21 (H) -- MEETING CANCELED --
05/13/21 (H) STA AT 3:00 PM GRUENBERG 120
05/13/21 (H) Heard & Held
05/13/21 (H) MINUTE(STA)
05/15/21 (H) STA AT 10:00 AM GRUENBERG 120

BILL: SB 32

SHORT TITLE: COLLEGE CREDIT FOR HIGH SCHOOL STUDENTS

SPONSOR(s): SENATOR(s) STEVENS

01/25/21 (S) PREFILE RELEASED 1/8/21
01/25/21 (S) READ THE FIRST TIME - REFERRALS
01/25/21 (S) EDC, FIN
03/08/21 (S) EDC AT 9:00 AM BUTROVICH 205
03/08/21 (S) Heard & Held
03/08/21 (S) MINUTE(EDC)
03/17/21 (S) EDC AT 9:00 AM BUTROVICH 205
03/17/21 (S) Moved SB 32 Out of Committee
03/17/21 (S) MINUTE(EDC)
03/19/21 (S) EDC RPT 5DP
03/19/21 (S) DP: HOLLAND, HUGHES, STEVENS, MICCICHE,
BEGICH
03/22/21 (S) FIN AT 9:00 AM SENATE FINANCE 532
03/22/21 (S) Heard & Held
03/22/21 (S) MINUTE(FIN)
03/29/21 (S) FIN RPT CS 4DP NEW TITLE
03/29/21 (S) DP: STEDMAN, BISHOP, WILSON,
WIELECHOWSKI
03/29/21 (S) FIN AT 9:00 AM SENATE FINANCE 532
03/29/21 (S) Moved CSSB 32(FIN) Out of Committee
03/29/21 (S) MINUTE(FIN)
04/07/21 (S) TRANSMITTED TO (H)
04/07/21 (S) VERSION: CSSB 32(FIN)
04/09/21 (H) READ THE FIRST TIME - REFERRALS
04/09/21 (H) EDC, STA
04/19/21 (H) EDC AT 8:00 AM DAVIS 106

04/19/21 (H) Heard & Held
04/19/21 (H) MINUTE(EDC)
05/05/21 (H) EDC RPT 2DP 4NR
05/05/21 (H) DP: DRUMMOND, STORY
05/05/21 (H) NR: CRONK, GILLHAM, ZULKOSKY, PRAX
05/05/21 (H) EDC AT 8:00 AM DAVIS 106
05/05/21 (H) Moved CSSB 32(FIN) Out of Committee
05/05/21 (H) MINUTE(EDC)
05/11/21 (H) STA AT 3:00 PM GRUENBERG 120
05/11/21 (H) -- MEETING CANCELED --
05/15/21 (H) STA AT 10:00 AM GRUENBERG 120

BILL: SB 71

SHORT TITLE: COUNCIL ON ARTS: PLATES & MANAGE ART
SPONSOR(s): SENATOR(s) STEVENS

02/05/21 (S) READ THE FIRST TIME - REFERRALS
02/05/21 (S) STA, FIN
03/09/21 (S) STA AT 3:30 PM BUTROVICH 205
03/09/21 (S) Heard & Held
03/09/21 (S) MINUTE(STA)
03/23/21 (S) STA AT 3:30 PM BUTROVICH 205
03/23/21 (S) Moved SB 71 Out of Committee
03/23/21 (S) MINUTE(STA)
03/24/21 (S) STA RPT 1DP 4NR
03/24/21 (S) NR: SHOWER, COSTELLO, KAWASAKI,
REINBOLD
03/24/21 (S) DP: HOLLAND
04/06/21 (S) FIN AT 9:00 AM SENATE FINANCE 532
04/06/21 (S) Heard & Held
04/06/21 (S) MINUTE(FIN)
04/19/21 (S) FIN AT 9:00 AM SENATE FINANCE 532
04/19/21 (S) Heard & Held
04/19/21 (S) MINUTE(FIN)
04/21/21 (S) FIN AT 9:00 AM SENATE FINANCE 532
04/21/21 (S) Moved CSSB 71(FIN) Out of Committee
04/21/21 (S) MINUTE(FIN)
04/23/21 (S) FIN RPT CS 5DP 2NR NEW TITLE
04/23/21 (S) DP: STEDMAN, BISHOP, HOFFMAN,
WIELECHOWSKI, VON IMHOF
04/23/21 (S) NR: WILSON, OLSON
05/05/21 (S) TRANSMITTED TO (H)
05/05/21 (S) VERSION: CSSB 71(FIN)
05/06/21 (H) READ THE FIRST TIME - REFERRALS
05/06/21 (H) STA, FIN
05/13/21 (H) STA AT 3:00 PM GRUENBERG 120
05/13/21 (H) <Bill Hearing Postponed to 5/15/21>

05/15/21

(H)

STA AT 10:00 AM GRUENBERG 120

WITNESS REGISTER

REPRESENTATIVE TIFFANY ZULKOSKY

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: As prime sponsor, introduced HB 198 with a PowerPoint presentation, titled "HB 198 Establishing Alaska Community Health Aide Appreciation Day."

RAHNIA BOYER, Vice President

Village Health and Workforce Development

Yukon Kuskokwim Health Corporation

Bethel, Alaska

POSITION STATEMENT: Provided invited testimony pertaining to HB 198.

VERNE BOERNER, President/CEO

Alaska Native Health Board

Anchorage, Alaska

POSITION STATEMENT: Provided invited testimony pertaining to HB 198.

TARYN HUGHES

Guardian Flight Alaska

Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 198.

CAROLINE SCHULTZ, Policy Analyst

Office of Management & Budget

Office of the Governor

Juneau, Alaska

POSITION STATEMENT: Answered questions pertaining to CSHB 187(STA).

REPRESENTATIVE CHRIS TUCK

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: As prime sponsor, presented during the hearing on HB 177.

SENATOR GARY STEVENS

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Introduced CSSB 32(FIN), as prime sponsor; Introduced CSSB 71(FIN), as prime sponsor.

TIM LAMKIN, Staff
Senator Gary Steven
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented a sectional analysis of CSSB 32(FIN) on behalf of Senator Stevens, prime sponsor; Presented a sectional analysis of CSSB 71(FIN) on behalf of Senator Stevens, prime sponsor.

DEENA BISHOP, Ph.D., Superintendent
Anchorage School District
Anchorage, Alaska

POSITION STATEMENT: Provided invited testimony pertaining to CSSB 32(FIN).

PAUL LAYER, Ph.D., Vice President
Academics, Students, & Research
University of Alaska
Fairbanks, Alaska

POSITION STATEMENT: Provided invited testimony pertaining to CSSB 32(FIN).

BENJAMIN BROWN, Chair
Alaska Council on the Arts
Juneau, Alaska

POSITION STATEMENT: Provided invited testimony pertaining to CSSB 71(FIN).

ACTION NARRATIVE

[10:04:52 AM](#)

CHAIR JONATHAN KREISS-TOMKINS called the House State Affairs Standing Committee meeting to order at 10:04 a.m. Representatives Story, Claman, Vance, Kaufman, and Kreiss-Tomkins were present at the call to order. Representative Tarr arrived as the meeting was in progress.

HB 198-AK COMMUNITY HEALTH AIDE APPRECIATION DAY

[10:06:14 AM](#)

CHAIR KREISS-TOMKINS announced that the first order of business would be HOUSE BILL NO. 198, "An Act establishing September 10 as Alaska Community Health Aide Appreciation Day."

10:06:30 AM

REPRESENTATIVE TIFFANY ZULKOSKY, Alaska State Legislature, prime sponsor, introduced HB 198. She provided a PowerPoint presentation, titled "HB 198 Establishing Alaska Community Health Aide Appreciation Day" [included in the committee packet]. She noted that Alaska consists of extreme size, weather, and geography and that 80 percent of the state does not have a road system. She stated that when hospital care is needed during extreme weather conditions, transportation is not necessarily an option. She stated that the Community Health Aide program was conceived prior to statehood to meet medical needs in isolated communities and had originated because of an outbreak of tuberculosis. She noted that dental health aides and behavioral health aides are included when referring to Health Aides. She explained that the aides in the program undergo a four-part training session and report to existing referring physicians. She summarized the historical information contained on slide 3, which read as follows [original punctuation provided]:

- 1950's: During the tuberculosis epidemic in Alaska, trained local villagers helped ensure that their neighbors received their medications regularly.
- 1956: Dr. Walter Johnson, staff physician at Bethel ANS Hospital proposed training of village medical aides.
- 1968: Alaska Area Native Health Service initiated formal Community Health Aide training efforts. CHA/Ps received formal federal recognition and congressional funding in 1968.
- 1973: On September 10, the first Planning and Advisory Committee meeting for Health Aide Programs in Alaska was held.
- 1976: Twenty additional CHA positions were approved by the U.S. Congress in the ANHS Budget, increasing these from the original 185 positions in 157 villages to 205 positions in 185 villages.
- 1998: Community Health Aide Program Certification Board (CHAPCB) created by the federal government and charged with formalizing the process for maintaining community health aides/practitioners, dental health aides, and behavioral health aides/practitioners training and practice standards and policies.

- 2001: \$3 million in federal funding received to increase dental health and behavioral health aide numbers.
- 2003: Dental Health Aides Certified.
- 2009: Behavioral Health Aides Certified.

REPRESENTATIVE ZULKOSKY noted that there exist approximately 550 health aides throughout over 170 communities, and four community health aide training centers in Anchorage, Nome, Bethel, and Fairbanks. She added that the Alaska Tribal Health System is involved in providing care in remote villages across the state. She drew attention to slide 7 and explained that it illustrated the logistical comparison to the Lower 48. She noted that there exists a regional and a sub-regional "hub and spoke" model for logistical planning. She further noted that during the COVID-19 pandemic, community health aides have worked closely with family and community members including working with limited personal protective equipment, establishing testing centers, ensuring vaccine distribution, and providing in-home care to individuals suffering from COVID-19.

REPRESENTATIVE ZULKOSKY concluded the presentation and encouraged the passage of HB 198 to publicly acknowledge the selfless service provided by community health aides by establishing Alaska Community Health Aide Appreciation Day each September tenth.

[10:16:01 AM](#)

RAHNIA BOYER, Vice President of Village Health and Workforce Development, Yukon Kuskokwim Health Corporation, offered biographical information and expressed her gratitude to the committee for the consideration of HB 198. She stated that the community health aide profession is often referred to as among one of the most difficult yet rewarding jobs. She acknowledged that health aides routinely screen, treat, and save the lives of patients. She shared that there often occur stories of exhaustion and fear and sorrow, and those represent the most difficult aspects of the profession. She stated that health aides attend to patients under difficult circumstances, often during inclement weather that leads to delays of transporting seriously ill or injured patients.

[10:18:27 AM](#)

CHAIR KREISS-TOMKINS added that his own mother had been engaged in the public health system across Southeast Alaska and expressed his high regard for community health aides.

[10:19:02 AM](#)

VERNE BOERNER, President/CEO, Alaska Native Health Board, shared biographical information and expressed her hope to honor her grandmother who had served as a community health aide for over 27 years. She expressed her gratitude to the bill sponsor. She shared her personal experiences of health aides assisting with the removal of fishhooks, providing sutures, and aiding in emergency childbirth. She stated that aides are chosen by their community members and are innately culturally competent. She added that health aides are a crucial part of the medical system. She expressed her appreciation for all health aides and urged the passage of HB 198.

[10:21:51 AM](#)

CHAIR KREISS-TOMKINS opened public testimony on HB 198.

[10:22:13 AM](#)

TARYN HUGHES, Guardian Flight Alaska, testified in support of HB 198. She shared some of her experiences as an employee of Guardian Fight of Alaska and characterized her experience with health aides as a very emotional one. She shared that one health aide had performed cardiopulmonary resuscitation (CPR) for over four hours on a patient, who was the aide's uncle, while awaiting the arrival of a medivac plane that had been delayed due to weather. She echoed the sentiments expressed by the previous testifier. She explained that there occurred Nurses Week and Emergency Medical Services (EMS) Week on the national level and that Alaska would lead the nation by honoring health aides should HB 198 pass.

[10:25:01 AM](#)

CHAIR KREISS-TOMKINS ascertained that there was no one else who wished to testify and closed public testimony.

REPRESENTATIVE STORY asked whether the bill sponsor considered adding language to the bill that would include listing dental and behavioral health aides.

REPRESENTATIVE ZULKOSKY answered that the term "community health aide" was chosen as the language to include medical, dental, and behavioral health aides broadly.

[10:27:16 AM](#)

REPRESENTATIVE CLAMAN expressed his support for HB 198.

REPRESENTATIVE CLAMAN moved to report HB 198 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 198 was reported out of the House State Affairs Standing Committee.

HB 187-STATE AGENCY PUBLICATIONS

[10:27:56 AM](#)

CHAIR KREISS-TOMKINS announced that the next order of business would be HOUSE BILL NO. 187, "An Act relating to the elimination or modification of state agency publications that are outdated, duplicative, or excessive or that could be improved or consolidated with other publications or exclusively delivered electronically; and providing for an effective date." [Before the committee, adopted as a working document on 5/6/21, was the proposed committee substitute (CS) for HB 187, Version 32-LS0779\G, Wallace, 5/5/21 ("Version G").]

[10:28:20 AM](#)

CHAIR KREISS-TOMKINS opened public testimony on HB 187. After ascertaining there was no one who wished to testify, he closed public testimony.

[10:29:10 AM](#)

CHAIR KREISS-TOMKINS moved to adopt Amendment 1 to HB 187, Version G, labeled 32-LS0779\G.1, Wallace, 5/14/21, which read as follows:

Page 1, line 14:
Delete "(a)"

Page 2, line 8:
Delete "; and"
Insert "."

Page 2, lines 9 - 18:

Delete all material.

REPRESENTATIVE KAUFMAN, prime sponsor, objected for the purpose of discussion.

[10:29:27 AM](#)

CHAIR KREISS-TOMKINS explained that Amendment 1 addresses language in Section 2, to eliminate duplicative reports every even-numbered year by the governor. He noted that statute books had been determined to be [obsolete] and a statute had been passed for their destruction, and a report of that action could be redundant.

REPRESENTATIVE KAUFMAN stated that lines 9-18 would initiate the new process and directs the submission of a list and characterizes that requirement as being based on available information and not redundant. He suggested that the list would provide transparency for which [publications] to be deleted and would summarize a list for lawmakers to consider which reports may already be in existence.

CHAIR KREISS-TOMKINS allowed that the language in Amendment 1 may be overly inclusive and directed attention to lines 14-18 and referenced the report due each October 31, which he characterized as not redundant. He questioned the additional process of requiring a percentage report equal to 100 percent of the publications that would be requested to be deleted by the governor's office by means of legislation.

[10:34:11 AM](#)

REPRESENTATIVE KAUFMAN answered that the proposed system is not a static one. He explained that the committee substitute prescribes a two-year cycle which would align with legislative sessions. He offered that the intent of the bill was to manage publications under changing legislative priorities and other government functions in a sustainable manner.

CHAIR KREISS-TOMKINS asked what could negatively affect the process should it occur every two years.

REPRESENTATIVE KAUFMAN answered that the bill would begin a continuous improvement culture.

CHAIR KREISS-TOMKINS restated his question regarding the two-year cycle and referred to subsections 2 and 3.

REPRESENTATIVE KAUFMAN stated that the cycle had been set to encourage goal setting and welcomed the committee's feedback.

CHAIR KREISS-TOMKINS offered that the process was not an entirely executive function and, should the executive branch offer a list of publications to be deleted subject to legislative approval, he questioned a two-year caveat on the process.

[10:38:25 AM](#)

REPRESENTATIVE VANCE referred to page 1, line 7, and asked whether the legislature could require a governor to submit legislation rather than a report.

REPRESENTATIVE KAUFMAN stated his understanding after consulting the legal department that it could and expressed his hope that if it were not permissible, the legal team would have raised an issue with the proposed language.

CHAIR KREISS-TOMKINS postulated that the administration may be "on board" with the proposed legislation and having such a requirement might not be controversial.

REPRESENTATIVE CLAMAN, in response to Representative Vance, noted that the legislature compels the executive branch to perform many functions including reports. He rhetorically asked what the consequence would be should an executive not fulfil any legislative mandate, up to and including a lawsuit. He postulated that each administration is concerned with cost savings.

CHAIR KREISS-TOMKINS offered that he perceived a sentiment of support for the proposed process.

REPRESENTATIVE VANCE asked who the legislature would compel to produce the proposed reports and stated that she would find value in the proposed process.

CHAIR KREISS-TOMKINS offered that it was the legislature's role to compel the executive branch by way of statute.

REPRESENTATIVE KAUFMAN added that there would occur more discussions regarding waste reduction and process evaluation. He acknowledged that there exists some tension regarding the

[House] Finance Committee's review of the bill and offered that it would compel compromise on process improvement.

CHAIR KREISS-TOMKINS invited a representative from the Office of Management & Budget (OMB) to offer remarks.

[10:45:54 AM](#)

CAROLINE SCHULTZ, Policy Analyst, Office of Management & Budget, Office of the Governor, shared that OMB staff had participated in discussions with the bill sponsor to determine how the proposed legislation could be integrated into the state's budget process, and she offered the position that the bill would result in reduction of waste. She posed the same question as to whether the legislature could compel the executive office to submit a bill and stated that the requirement had strengthened the bill.

[10:47:28 AM](#)

REPRESENTATIVE CLAMAN questioned the validity of the fiscal note being zero and asked whether OMB agreed that there would be zero fiscal impact, should HB 187 pass.

MS. SCHULTZ related that OMB currently collects immense amounts of information from state agencies during the annual budget process. She said that adding this requirement would result in only a marginally small cost. She qualified her answer that there could occur some initial cost to transition to include the new requirement, but that a review of publications would likely result in cost savings overall.

REPRESENTATIVE KAUFMAN shared his background as a career quality manager and stated that his most rewarding experience was improved happiness in the workplace by means of process improvement. He suggested that workers would be willing to nominate areas in which the potential for waste reduction exist. He suggested that the proposed bill would codify such process improvement.

[10:51:54 AM](#)

CHAIR KREISS-TOMKINS moved to adopt Conceptual Amendment 1 to Amendment 1, such that line 8 deletes line 9, and substitutes line 14 [in its place] and lines 14-18 would be deleted in the underlying bill rather than lines 9-18.

REPRESENTATIVE CLAMAN objected for discussion and recommended further modification such that lines 4-6 of the amendment should be deleted and explained that the word "and" should remain so that the following paragraph would remain.

CHAIR KREISS-TOMKINS [moved to withdraw] Conceptual Amendment 1 to Amendment 1 to HB 187, Version G. [There being no objection, it was so ordered.]

CHAIR KREISS-TOMKINS moved to adopt Conceptual Amendment 2 to Amendment 1 to HB 187, Version G, such that lines 4-6 be deleted and line 8; delete "lines 9-18" and replace with "lines 14-18." There being no objection, Conceptual Amendment 2 to Amendment 1 was adopted.

[10:54:46 AM](#)

REPRESENTATIVE KAUFMAN removed his objection to Amendment 1, as amended. There being no further objection, Amendment 1, as amended, was adopted.

[10:55:06 AM](#)

REPRESENTATIVE KAUFMAN moved to adopt Amendment 2 to HB 187, Version G, as amended, labeled 32-LS0779\G.2, Wallace, 5/14/21, which read as follows:

Page 2, following line 18:

Insert a new subsection to read:

"(c) In this section, "state agency" means a department, institution, board, commission, division, authority, public corporation, or other administrative unit of the executive branch, including the University of Alaska and the Alaska Railroad Corporation."

CHAIR KREISS-TOMKINS objected.

[10:55:13 AM](#)

REPRESENTATIVE KAUFMAN explained that the amendment would designate the correct body of publications which exists within the executive branch only.

CHAIR KREISS-TOMKINS asked whether the University of Alaska or Alaska Railroad would be some of the instrumentalities of the state as referenced.

MS. SCHULTZ answered that all the instrumentalities listed with the exception of the Alaska Railroad were involved in the annual budget process and suggested removing the Alaska Railroad.

REPRESENTATIVE CLAMAN asked the rationale for not also removing the university.

MS. SCHULTZ answered that the university is included in the executive budget act process and allowed that the determination would be one of policy.

[10:57:42 AM](#)

CHAIR KREISS-TOMKINS moved to adopt Conceptual Amendment 1 to Amendment 2, such that it would delete "and the Alaska Railroad Corporation" among lines 5-6 and add "and" and "including" on line 5 to conform the language. He added that Legislative Legal Services would be authorized to make any technical or conforming changes. There being no objection, Conceptual Amendment 1 to Amendment 2 was adopted.

CHAIR KREISS-TOMKINS removed his objection to Amendment 2, as amended. There being no further objection, Amendment 2, as amended, was adopted.

REPRESENTATIVE KAUFMAN complimented the committee's work and expressed that he had been pleased to advance a process improvement bill.

CHAIR KREISS-TOMKINS stated his intent to offer to co-sponsor HB 187, Version G, as amended.

[10:59:44 AM](#)

REPRESENTATIVE CLAMAN moved to report CSHB 187, Version 32-LS0779\G, Wallace, 5/5/21, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 187(STA) was reported out of the House State Affairs Standing Committee.

HB 177-REVISED PROGRAM: APPROPRIATIONS

[11:00:12 AM](#)

CHAIR KREISS-TOMKINS announced that the next order of business would be HOUSE BILL NO. 177, "An Act relating to an increase of

an appropriation due to additional federal or other program receipts; and providing for an effective date."

CHAIR KREISS-TOMKINS opened public testimony on HB 177. After ascertaining that there was no one who wished to testify, he closed public testimony.

11:00:53 AM

REPRESENTATIVE CHRIS TUCK, Alaska State Legislature, as prime sponsor, explained that an amendment to HB 177 would be offered to ensure the legality of the bill. He offered that the Legislative Budget and Audit Committee should be prohibited from acting on behalf of the entire legislature "carte blanche." He stated that the amendment would provide increments of funding for which the Legislative Budget and Audit Committee may act without the entire legislature. He stated that currently, should the Legislative Budget and Audit Committee choose not to act on a Revised Program - Legislative (RPL), then the governor is permitted to act after 45 days have passed. He added that the 45-day limit would exist for any RPL request in the amount of \$20 million or less; a 90-day limit would exist for amounts of more than \$20 million and up to \$50 million; a 180-day limit would exist for amounts of more than \$50 million and \$100 million; and amounts more than \$100 million would have a nine-month limit to ensure that the whole legislature may convene.

11:02:57 AM

CHAIR KREISS-TOMKINS moved to adopt Amendment 1 to HB 177, labeled 32-LS0369\A.1, Marx, 2/12/21, which read as follows:

Page 1, line 12, through page 2, line 8:

Delete all material and insert:

"(2) [45 DAYS SHALL ELAPSE BEFORE COMMENCEMENT OF EXPENDITURES UNDER THE REVISED PROGRAM] unless the Legislative Budget and Audit Committee earlier recommends that the state take part in the federally or otherwise funded activity, the governor may not expend the receipts under the revised program until the following periods have elapsed:

(A) 45 days for expenditures not exceeding \$20,000,000;

(B) 90 days for expenditures greater than \$20,000,000 but not exceeding \$50,000,000;

(C) 180 days for expenditures greater than \$50,000,000 but not exceeding \$100,000,000;

(D) 270 days for expenditures greater than \$100,000,000;

(3) should the Legislative Budget and Audit Committee recommend within the applicable period described in (2) of this subsection [45-DAY PERIOD] that the state not initiate the additional activity, the governor shall again review the revised program and if the governor determines to authorize the expenditure, the governor shall provide the Legislative Budget and Audit Committee with a statement of the governor's reasons before commencement of expenditures under the revised program."

REPRESENTATIVE KAUFMAN objected.

[11:03:07 AM](#)

REPRESENTATIVE VANCE asked for an explanation of the number of days and dollar amounts proposed in the amendment.

REPRESENTATIVE TUCK answered that \$1.6 billion had been proposed via RPLs to the Legislative Budget and Audit Committee and had exceeded all parties' intent of applying the legislative process to such [large] amounts. He stated that litigation had occurred and had resulted in an injunction but had left the matter unresolved. He stated that the legislature is the appropriating body, and the governor administers what the legislature appropriates for him/her to use. He stated that the dollar amounts had been based somewhat arbitrarily on historically typical amounts presented to the committee by means of the RPL process to address larger amounts.

[11:05:39 AM](#)

REPRESENTATIVE KAUFMAN asked whether it had been considered to add language to adjust for future inflation.

REPRESENTATIVE TUCK answered that it had been considered, but that there exist difficulties in arriving at a consensus for inflation-proofing language.

CHAIR KREISS-TOMKINS acknowledged that such difficulties exist and expressed his frustration that the need to revisit the language would emerge.

REPRESENTATIVE CLAMAN offered that some work had been conducted to include inflation-proofing in criminal statutes and that

there had been difficulties in arriving at a consensus regarding complex language. He echoed the frustration expressed by Chair Kreiss-Tomkins.

CHAIR KREISS-TOMKINS expressed his willingness to attempt to include inflation-proofing language.

REPRESENTATIVE CLAMAN referred to subparagraph (d) in the proposed amendment and asked whether, if the governor received \$125 million in additional federal funds, he/she would submit an RPL; further, if the Legislative Budget and Audit Committee took no action within the proposed 270 days, then the governor would be permitted to spend the money.

REPRESENTATIVE TUCK confirmed Representative Claman's hypothetical rhetorical question as correct and added that it would be likely that the legislature will have been in session during the 270 days and could appropriate the money.

REPRESENTATIVE CLAMAN suggested that a scenario may exist in which the governor could receive funds 130 days after the legislature convenes and would allow a short amount of time for the governor to spend the money.

REPRESENTATIVE TUCK explained that should the money be received 130 days [following the convening of the legislature], there would be an additional 270 days, for a total of 400 days. He stated that this is more than a year, and the legislature would reconvene.

REPRESENTATIVE STORY reflected on concerns that had been expressed to her office requesting inflation-proofing to be included in many types of legislation.

[11:08:50 AM](#)

REPRESENTATIVE VANCE expressed her understanding that the proposed bill would slow the process and ensure that the legislature retains its appropriation authority in cooperation with the executive branch and asked Representative Tuck to reflect on the public's expressed wish that the process be as expedient as possible.

REPRESENTATIVE TUCK answered that there had been \$300 million of funds received for small business relief that had not been taken up [by the Legislative Budget and Audit Committee]. He added that an additional \$10 million had been set aside for Alaska

Housing Finance Corporation (AHFC) to use for rent relief. He said that the \$10 million was the only legal and clean RPL [associated with CARES Act funds] since the program was in existence. He stated that the \$300 million had been issued to members of the public even in the absence of the RPL process and suggested that the proposed bill would enable additional dialogue between the governor and the legislature and would allow the governor to submit RPLs for smaller amounts.

[11:11:29 AM](#)

The committee took an at-ease from 11:11 a.m. to 11:15 a.m.

[11:15:56 AM](#)

REPRESENTATIVE VANCE asked whether the dollar amounts represented individual expenditures or total dollar amounts.

REPRESENTATIVE TUCK answered that the amounts would be associated with the RPL. He offered an example that the governor may request an RPL for a smaller amount so that the total could be considered by the legislature and the program evaluated for effectiveness.

REPRESENTATIVE CLAMAN noted that COVID relief was represented in the supporting documents in fiscal years 2021 (FY 21) and FY 20 and asked for an explanation of the purpose of a \$5 million RPL listed under FY 18.

REPRESENTATIVE TUCK answered that a \$500 million RPL had been for Medicaid expansion.

REPRESENTATIVE CLAMAN complimented the structure as explained that would encourage smaller dollar amount and more specific requests.

CHAIR KREISS-TOMKINS expressed his agreement with the comment made by Representative Claman.

[11:19:14 AM](#)

REPRESENTATIVE KAUFMAN removed his objection. There being no further objection, Amendment 1 was adopted.

REPRESENTATIVE CLAMAN expressed his satisfaction with the bill as amended and declined the offer made by Chair Kreiss-Tomkins to further hold the bill in committee.

REPRESENTATIVE KAUFMAN expressed his wish to hold the bill in committee for further review if it was the will of the committee.

[11:21:01 AM](#)

CHAIR KREISS-TOMKINS announced HB 177, as amended, was held over.

SB 32-COLLEGE CREDIT FOR HIGH SCHOOL STUDENTS

[11:21:13 AM](#)

CHAIR KREISS-TOMKINS announced that the next order of business would be CS FOR SENATE BILL NO. 32(FIN), "An Act establishing the Alaska middle college program for public school students; relating to the powers of the University of Alaska; and providing for an effective date."

[11:21:50 AM](#)

The committee took an at-ease from 11:21 a.m. to 11:23 a.m.

[11:24:01 AM](#)

SENATOR GARY STEVENS, Alaska State Legislature, prime sponsor, introduced CSSB 32(FIN). He stated that the bill would pertain to "dual credits" among middle colleges and larger school districts to help prepare high school students for post-graduation and would provide some cost savings. He suggested that it could further reduce college dropout rates by increasing student preparedness. He added that the classes would be university academic level classes.

[11:27:25 AM](#)

TIM LAMKIN, Staff, Senator Gary Steven, Alaska State Legislature, on behalf of Senator Stevens, prime sponsor of CSSB 32(FIN), added that the University of Alaska and many school districts had provided guidance in the development of the bill. He encouraged the committee to reference letters of support [included in the committee packet.]

MR. LAMKIN presented a sectional analysis of CSSB 32(FIN) [included in the committee packet], which read as follows [original punctuation provided]:

Sec. 1: AS 14.07.168 Regarding an annual report submitted to the Legislature by the state Board of Education and Early Development, amended to include in that report a current summary of middle college activity and outcomes in the state.

Sec. 2: AS 14.30 is amended to add a new Article 15, relating to the Alaska Middle College Program. AS 14.30.780

(a) Establishes a Middle College program for eligible students in high school to enroll in courses at the University of Alaska, and to earn credit toward a college degree as well as credit toward high school graduation.

(b) UA shall enter into an agreement with each school district that elects to participate in the AMC, giving access to any eligible student to participate in the program.

(c) Eligibility: Establishes baseline student eligibility requirements to include being enrolled in a public school, be in high school (grades 9-12), to not have already received a high school diploma, and demonstrate to the satisfaction of both the school district and the UA as being academically competent to complete college level coursework.

(d) Awareness: School districts electing to participate to establish and maintain awareness of AMC course offerings and eligibility requirements to students and parents, including the academic and social responsibilities of participating in the AMC.

(e) Financing: UA and school districts shall include in their respective MOU a manner of sharing costs associated with providing the AMC program locally, including tuition waivers, scholarships, and other means of reducing program costs and finding efficiencies.

(f) Course Quality: specifies that courses offered by the AMC must meet quality and content standards, including quality instruction, and regular course and instructor review.

(g) Credit Cap: Under the AMC program, students may not enroll in more than 15 credit hours per semester, nor earn more than a total of 60 credits.

(h) ADM: Holds harmless a school district's Average Daily Membership (ADM) calculation. Students participating in the AMC program are to still be counted toward the respective school district's ADM.

(i) Transcripts: Allows the UA and school districts to exchange student transcript information for purposes of determining program eligibility or for graduation requirements.

(j) Definitions: Provides definitions for use of the term "program" in this section as being the AMC program, and for "school district" as consistent with other uses of that term in statute, as defined on AS 14.30.350.

Sec. 3:AS 14.40.040(c), relating to the general powers and duties of the UA, requiring the University to implement the AMC and regularly review the AMC course content and quality of instruction to meet national standards for dual credit, enter into MOUs with participating school districts, and award student credit for course completion of AMC courses, which will be fully transferable within the UA system.

[11:32:25 AM](#)

REPRESENTATIVE VANCE inquired about similarities between the Jumpstart program and the proposed legislation.

MR. LAMKIN answered that they have similarities, and that invited testimony would provide additional information.

[11:33:08 AM](#)

DEENA BISHOP, Ph.D., Superintendent, Anchorage School District, stated that the program would occur on site, including virtual courses, and would provide concurrent [university and high school] credit. She stated that middle college provides an opportunity for students to engage in a more rigorous academic program. She stated that the Anchorage School District has approximately 280 students participating in the program, of which 160 students have 12 credits or more at the University of Alaska. She stated that the proposed legislation could aid in college preparedness. She stated that the bill would benefit both high school students and the University of Alaska and would be available to multiple school districts in Alaska and expressed her commitment to ensure that all Alaska students be provided with the opportunities.

[11:37:58 AM](#)

REPRESENTATIVE CLAMAN referenced page 2 of the committee packet item entitled, "SB 32 Additional Info_MOA_AMCS 2018-2020.pdf," referencing tuition and fees and asked what the cost to the district is and how it would be paid considering that costs paid would make funds unavailable for other use.

DR. BISHOP answered that Alaska Middle College had been established as a school, and the students enrolled in the school generate the funds. She explained that the fees are calculated on a separate basis.

REPRESENTATIVE CLAMAN asked from where the tuition money is allocated.

DR. BISHOP answered that the money comes from the base student allocation (BSA) within the school district, and from block grants.

REPRESENTATIVE CLAMAN offered his interpretation of Dr. Bishop's answer that the BSA is partially budgeted for the middle college program and other funds [supplement] the BSA.

DR. BISHOP noted that the Anchorage School District has a lower BSA compared with that of the Lower Yukon-Kuskokwim [School District.]

REPRESENTATIVE CLAMAN asked whether students from the Lower Yukon-Kuskokwim School District enrolled in the program are attending the vocational-technical programs and college classes.

DR. BISHOP confirmed this as correct and added that other students are invited to participate. To a follow-up question, she answered that there are a total of 282 students enrolled in the program. She said she would provide a copy of Annex A, the middle college fees and payment schedule, to which Dr. Bishop agreed.

[11:44:56 AM](#)

REPRESENTATIVE STORY stated that the program was an example of best practices in education. She asked whether the middle college is perceived to be a separate school and is of determinate size for the calculation of the BSA.

DR. BISHOP answered that within the Anchorage School District, the middle college would be comparable to an alternative school.

REPRESENTATIVE STORY encouraged the use of federal scholarship funds to expand the program to additional students and asked whether there exist students in need of scholarships.

DR. BISHOP answered that there may exist districts other than Anchorage with students in need of scholarships and expressed her support for the idea of expanding access to those students. She added that the Alaska Performance Scholarship could supplement the program to enable students to become teachers in the third and fourth years of college.

CHAIR KREISS-TOMKINS asked for additional information regarding the third- and fourth-year educational track.

DR. BISHOP explained that there exists a new program that would employ the middle college for the general education requirements and the next two years the student would be enrolled in college. She added that memorandums of understanding (MOUs) are in place to cover full tuition with a target to underrepresented students such as Alaska Natives and other demographics.

CHAIR KREISS-TOMKINS asked whether the two-year program was associated with the University of Alaska educational program or an undergraduate program.

DR. BISHOP answered that the University of Alaska Anchorage School of Education does not have accreditation and would be the school at which students meet the general education requirements, and that the education certificate would be earned from a different university in Alaska, which is yet to be identified. She added that students in the program would return to locations to teach in Alaska for two years.

CHAIR KREISS-TOMKINS asked whether the two potential Alaska Schools were the University of Alaska Fairbanks School of Education and the Alaska School of Education at University of Alaska Southeast.

DR. BISHOP confirmed this as correct and added that the University of Alaska Anchorage offered courses in special education in grades kindergarten through eighth.

CHAIR KREISS-TOMKINS asked how many agreements and how many students exist other than those from the Anchorage School District and the Lower Yukon-Kuskokwim School District.

MR. LAMKIN answered that the program had grown to include enrollment of students from Kodiak and the Matanuska-Susitna area in addition to those from Anchorage and the Lower Yukon-Kuskokwim districts. He noted that the bill before the committee would expand the program to all Alaska school districts.

CHAIR KREISS-TOMKINS asked the total number of students from districts other than Anchorage and Lower Yukon-Kuskokwim.

MR. LAMKIN offered to provide the number of students in follow up to the committee.

[11:52:46 AM](#)

REPRESENTATIVE KAUFMAN asked whether the proposed system is subject to market demand for career paths other than education.

DR. BISHOP answered that other career paths exist within the middle college and the program had been conceived to provide general education with an emphasis on college preparation. She noted that discussions have been taking place with the College of Public Policy and Governance with the University of Alaska to develop programs in conjunction with the middle college.

REPRESENTATIVE KAUFMAN asked whether there is an inherent focus in academia rather than in other programs.

DR. BISHOP answered no, and the College of Career and Technical Education at the University of Alaska Anchorage had been the first participant in the program. She added that the most difficult courses were those general academic classes such as math and focus had been made in the program to ensure that credits for those classes were transferable to other institutions.

REPRESENTATIVE KAUFMAN described a traditional educational structure as consisting of kindergarten through twelfth grade, community college, and the higher university level institutions and asked Dr. Bishop for a comparison of the respective benefits and shortcomings between the traditional structure and the proposed structure that offers a middle college.

DR. BISHOP emphasized that the systems should cater to the targeted students and should be "nimble" to address needs such as that of the workforce. She added that there exist over 100 certificates available in the University of Alaska system and

that those should be driven by the needs identified in the workforce.

MR. LAMKIN added that this program includes Career and Technical Education programs such as welding, automotive, and carpentry programs for high school students to begin training.

11:59:05 AM

PAUL LAYER, Ph.D., Vice President, Academics, Students, & Research, University of Alaska, echoed previous testimony that characterized the program as win-win-win for students, the university, and school districts for high school students into university-level programs gaining both high school graduation credits as well as the potential to earn an associate's degree. He added that many students in the program had entered the university system for a variety of courses of study. He stated that in addition to the Anchorage and Matanuska-Susitna middle college programs, there were also the Fairbanks North Star Borough School District, the Kodiak School District middle college program, and the Kenai Peninsula College Jumpstart program. He stated that there exist different levels of engagement between the school districts and the programs in the different locations. He noted that there is also the University of Alaska Fairbanks' and the University of Alaska Southeast's Alaska Advantage Program which is among other programs that offer virtual educational opportunities for students from any district across the state who may not have access to a local campus. He stated that the virtual middle college program has over 300 participants from more than 30 school districts. He added that the classes result in college credit for students. He estimated the total number of enrollees across all programs and platform to be over 700 students.

12:05:30 PM

REPRESENTATIVE VANCE asked what the course completion success rate had been for enrollees.

DR. LAYER estimated the pass rates at equal to or higher than students in traditional programs.

MR. LAMKIN stated that based on national data, students enrolled in middle college programs have substantially higher graduation rates and increased likelihood of entering a higher education program. He noted that the proposed bill contains a reporting requirement that would reveal the requested data.

REPRESENTATIVE VANCE referred to page 2, on line 25 and asked whether students enrolled in homeschool programs would be eligible to participate in the program.

MR. LAMKIN answered that they would.

REPRESENTATIVE VANCE expressed her support for the bill and explained that she had a child who had successfully participated in the program and had earned college credit prior to high school graduation.

CHAIR KREISS-TOMKINS expressed his support for the bill.

[12:09:56 PM](#)

CHAIR KREISS-TOMKINS referred to Section 2(f) of the bill and asked whether other institutions of higher education had been considered for participation in the program, including the Alaska Pacific University.

MR. LAMKIN said subsection (f) addressed accreditation [requirements] including accreditation of virtual institutions.

DR. LAYER added that the bill would also allow for high school teachers to obtain certification to teach dual-credit classes. He added that no agreement exists with the Alaska Pacific University but that one could be sought.

CHAIR KREISS-TOMKINS asked for an example of district accrediting of a teacher.

DR. LAYER answered that certification of teachers had occurred often and had been the basis for the dual-credit program from its inception.

CHAIR KREISS-TOMKINS asked for anecdotal observations of matriculation of students from high school entering the university system.

DR. BISHOP answered that 70-78 percent of students enrolled in the middle college program remain enrolled in the university system.

[12:15:39 PM](#)

REPRESENTATIVE KAUFMAN asked the sponsor and other participants to follow up with the committee as to whether the annual reporting requirements contain metrics to drive [improving] performance of the program.

[12:16:27 PM](#)

CHAIR KREISS-TOMKINS announced that CSSB 32(FIN) was held over.

SB 71-COUNCIL ON ARTS: PLATES & MANAGE ART

[12:16:40 PM](#)

CHAIR KREISS-TOMKINS announced that the final order of business would be CS FOR SENATE BILL NO. 71(FIN), "An Act relating to special request registration plates celebrating the arts; relating to artwork in public buildings and facilities; relating to the management of artwork under the art in public places fund; relating to the powers and duties of the Alaska State Council on the Arts; establishing the Alaska arts and cultural investment fund; and providing for an effective date."

[12:16:49 PM](#)

SENATOR STEVENS, Alaska State Legislature, as prime sponsor, introduced CSSB 71(FIN). He stated that the bill had been drafted at the request of the Alaska State Council on the Arts resulting from budget complications in its 2019 cycle. He stated that the proposed bill would curtail the council's reliance on the general fund by allowing private fundraising activities. He added that existing license plate project is mandatory, and the bill would make the program optional and would permit the council to modestly compensate the winning artist.

[12:18:33 PM](#)

TIM LAMKIN, Staff, Senator Gary Stevens, Alaska State Legislature, on behalf of Senator Stevens, prime sponsor, presented a sectional analysis of CSSB 71(FIN) [included in the committee packet], which read as follows [original punctuation provided]:

Sec. 1: AS 28.10.421(a), relating to fees paid to the Division of Motor Vehicles (DMV) for vehicle license plates, allows for an additional fee, set by Alaska State Council on the Arts (ASCA) regulation, and not

to exceed \$50, when a person chooses a new or replacement ASCA artistic plate.

The subsection also provides that these additional fees will be accounted for separately and that the total amount that exceeds the costs of the Artistic License Plate Program may be appropriated to fund the ASCA.

Sec. 2: AS 35.27.020(h), relating to the Art Works in Public Buildings and Facilities program, adds a new subsection to specify ASCA's management responsibility for public artwork created under the program, to include the management of the relocation, disposition, or exchange of such artwork.

Sec. 3: AS 44.27.050(7), relating to the duties of the ASCA, is a cross reference to the prior section, specifying ASCA's management responsibility for public artwork created through its programs, to include the management of the relocation, disposition, or exchange of such artwork.

Sec. 4: AS 44.27.053(a), establishes the Attorney General being legal counsel for ASCA, similar to other state agencies, and allows the ASCA to retain additional legal counsel as needed, subject to the approval of the Attorney General.

Sec. 5: AS 44.27.055(d), relating to the ASCA managing its affairs, exempts from the purview of the Executive Budget Act those funds received by ASCA from private non-profit foundation partners.

Sec. 6: AS 44.27.080(a), relating to an ASCA-sponsored competition for artistic plates design, from being mandatory to being optional, every four years, at the discretion of ASCA.

Sec. 7: AS 44.27.080(c), relating to the artistic plate design competition, restores authority for the ASCA to award the artist of the winning design a monetary amount set in regulation, from the funds generated by the artistic plates. This provision was repealed in 2018.

Sec. 8: Provides an effective date of July 1, 2021.

MR. LAMKIN added that the creation of a new fund under Section 6 would itemize the privately raised funds to protect those funds from veto separate from its state funds.

[12:21:59 PM](#)

BENJAMIN BROWN, Chair, Alaska Council on the Arts, testified that the most important aspect of the bill is the license plate monetization section because it would permit collection of revenue to support the programs to aid in meeting federal fund matching requirements. He recalled that Senate Bill 154 had created that Alaska artistic license plate program. He added that the council's board of trustees had coordinated with the bill sponsor to improve the statutes governing the program.

REPRESENTATIVE VANCE stated that there exist many questions that she hoped to ask during future committee hearings, including specific questions regarding the artwork resides that is in the custody of the council.

[CSSB 71(FIN) was held over.]

[12:25:21 PM](#)

The committee took an at-ease from 12:25 p.m. to 12:27 p.m.

[12:28:03 PM](#)

ADJOURNMENT

CHAIR KREISS-TOMKINS announced that the House State Affairs Standing Committee meeting was recess to 9:00 a.m. Monday, May 17, 2021. [The meeting never reconvened; the May 17, 2021, meeting was canceled.]