

ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE

March 29, 2022

3:08 p.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
Representative David Eastman

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 142

"An Act relating to eligibility for the permanent fund dividend."

- HEARD & HELD

HOUSE BILL NO. 271

"An Act relating to the Alaska Industrial Development and Export Authority; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 251

"An Act relating to the Board of Trustees of the Alaska Permanent Fund Corporation; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 203

"An Act establishing the offense of misconduct involving weapons in the sixth degree."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 142

SHORT TITLE: PFD ELIGIBILITY

SPONSOR(S): REPRESENTATIVE(S) MCCARTY

03/20/21 (H) READ THE FIRST TIME - REFERRALS
03/20/21 (H) STA, JUD, FIN
04/09/21 (H) STA REFERRAL MOVED TO AFTER JUD
04/09/21 (H) BILL REPRINTED
04/21/21 (H) JUD AT 1:00 PM GRUENBERG 120
04/21/21 (H) Heard & Held
04/21/21 (H) MINUTE(JUD)
04/26/21 (H) JUD AT 1:00 PM GRUENBERG 120
04/26/21 (H) Moved CSHB 142(JUD) Out of Committee
04/26/21 (H) MINUTE(JUD)
04/28/21 (H) JUD RPT CS(JUD) NEW TITLE 3DP 2NR 1AM
04/28/21 (H) DP: SNYDER, KREISS-TOMKINS, CLAMAN
04/28/21 (H) NR: EASTMAN, DRUMMOND
04/28/21 (H) AM: VANCE
04/29/21 (H) STA AT 3:00 PM GRUENBERG 120
04/29/21 (H) Heard & Held
04/29/21 (H) MINUTE(STA)
05/04/21 (H) STA AT 3:00 PM GRUENBERG 120
05/04/21 (H) Heard & Held
05/04/21 (H) MINUTE(STA)
05/19/21 (H) FIN AT 9:00 AM ADAMS 519
05/19/21 (H) -- MEETING CANCELED --
02/08/22 (H) STA AT 3:00 PM GRUENBERG 120
02/08/22 (H) Heard & Held
02/08/22 (H) MINUTE(STA)
03/22/22 (H) STA AT 3:00 PM GRUENBERG 120
03/22/22 (H) Scheduled but Not Heard
03/29/22 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HB 271

SHORT TITLE: AIDEA: MEMBERSHIP; RESPONSIBILITIES

SPONSOR(S): REPRESENTATIVE(S) JOSEPHSON

01/18/22 (H) PREFILE RELEASED 1/14/22
01/18/22 (H) READ THE FIRST TIME - REFERRALS
01/18/22 (H) STA, FIN
03/17/22 (H) STA AT 3:00 PM GRUENBERG 120
03/17/22 (H) Heard & Held
03/17/22 (H) MINUTE(STA)
03/29/22 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HB 251

SHORT TITLE: BD OF TRUSTEES OF THE AK PERM. FUND CORP.
SPONSOR(s): REPRESENTATIVE(s) JOSEPHSON

01/18/22	(H)	PREFILE RELEASED 1/7/22
01/18/22	(H)	READ THE FIRST TIME - REFERRALS
01/18/22	(H)	STA, FIN
02/03/22	(H)	STA AT 3:00 PM GRUENBERG 120
02/03/22	(H)	Heard & Held
02/03/22	(H)	MINUTE(STA)
02/10/22	(H)	STA AT 3:00 PM GRUENBERG 120
02/10/22	(H)	Scheduled but Not Heard
03/29/22	(H)	STA AT 3:00 PM GRUENBERG 120

BILL: HB 203

SHORT TITLE: MISCONDUCT INVOLVING WEAPONS
SPONSOR(s): REPRESENTATIVE(s) WOOL

05/05/21	(H)	READ THE FIRST TIME - REFERRALS
05/05/21	(H)	STA, JUD
03/29/22	(H)	STA AT 3:00 PM GRUENBERG 120

WITNESS REGISTER

JEFF STEPP, Staff
Representative Jonathan Kreiss-Tomkins
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided an explanation of changes in the proposed CS for HB 142, Version W, on behalf of Representative Kreiss-Tomkins.

ANNA MACKINNON, Director
Permanent Fund Dividend Division
Department of Revenue
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 142.

REPRESENTATIVE KEN MCCARTY
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 142, as the prime sponsor.

REPRESENTATIVE ANDY JOSEPHSON
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided introductory remarks on HB 271, as the prime sponsor.

DAN CANNON
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 271.

JOHN SONIN
Juneau, Alaska

POSITION STATEMENT: Testified during the hearing on HB 271.

GABRIEL KITTER
Wasilla, Alaska

POSITION STATEMENT: Testified in support of HB 271.

ARLEIGH HITCHCOCK
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 271.

ANNA GODDUHN
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 271.

MARGI DASHEVSKY
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 271.

MARGARET STERN
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 271.

LOIS EPSTEIN, President
LNE Engineering and Policy
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 271.

ELISE SORUM-BIRK, Staff
Representative Andy Josephson
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 271, on behalf of Representative Josephson, prime sponsor.

REPRESENTATIVE ANDY JOSEPHSON
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided introductory remarks on HB 251, as the prime sponsor.

REPRESENTATIVE ADAM WOOL
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Introduced HB 203, as the prime sponsor.

ASHLEY CARRICK, Staff
Representative Adam Wool
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided a PowerPoint presentation, titled "HB 203; secure storage of firearms," on behalf of Representative Wool, prime sponsor.

SARA SUMADI, Associate Director of State Affairs
Everytown For Gun Safety
New York, New York

POSITION STATEMENT: Provided invited testimony during the hearing on HB 203.

MICHAEL DOUGHERTY, District Attorney
District Attorney's Office
Boulder, Colorado

POSITION STATEMENT: Answered questions during the hearing on HB 203.

ACTION NARRATIVE

[3:08:02 PM](#)

CHAIR JONATHAN KREISS-TOMKINS called the House State Affairs Standing Committee meeting to order at 3:08 p.m. Representatives Vance, Kaufman, Story, Claman, Eastman, and Kreiss-Tomkins were present at the call to order. Representative Tarr arrived as the meeting was in progress.

HB 142-PFD ELIGIBILITY

[3:10:03 PM](#)

CHAIR KREISS-TOMKINS announced that the first order of business would be HOUSE BILL NO. 142, "An Act relating to eligibility for the permanent fund dividend." [Before the committee was CSHB 142(JUD).]

[3:10:46 PM](#)

REPRESENTATIVE CLAMAN moved to adopt the proposed committee substitute (CS) for HB 142, labeled 32-LS0491\W, Nauman, 3/28/22, as the working document.

REPRESENTATIVE EASTMAN objected.

[3:11:20 PM](#)

JEFF STEPP, Staff, Representative Jonathan Kreiss-Tomkins, Alaska State Legislature, provided an explanation of changes in the proposed CS, ("Version W"), on behalf of Representative Kreiss-Tomkins. He explained that Version W included three major changes: Firstly, the 72-hour rule was changed to a 168-hour rule; Secondly, Version W deleted language to allow active-duty members of the armed service who were otherwise eligible and deployed or traveling on a temporary duty assignment (TDY) to remain eligible for a Permanent Fund Dividend (PFD) if they were not physically residing in Alaska immediately before the absence

[3:14:00 PM](#)

REPRESENTATIVE EASTMAN interjected to ask what section Mr. Stepp was referring to.

MR. STEPP clarified that the deleted language in reference was on page 2, lines 10-22.

[3:14:21 PM](#)

MR. STEPP continued to highlight the changes in Version W. He indicated that the third substantive change was the elimination of repeal language on page 3, line 26 [of Version G]. He stated that the following sections would remain in statute: AS 43.23.005(a)(4), AS 43.23.005(f), AS 43.23.008(e).

CHAIR KREISS-TOMKINS offered broader commentary pertaining to the elimination of the repealers, indicating that the general intent was to provide a "cleaner" version, which would be helpful for the amendment process. Further, he commented on the change to from 72 hours to 168 hours, suggesting that it was in alignment with the bill sponsor's intent.

[3:17:10 PM](#)

REPRESENTATIVE EASTMAN asked why 168 hours was favorable to 72 hours.

CHAIR KREISS-TOMKINS explained that there was an eligibility exemption that could be claimed if an individual were to return to Alaska for 72 hours (three days) once in a two-year period. He said the idea was to lengthen that requirement to ensure that PFD-eligible individuals had a true connection to Alaska.

[3:18:48 PM](#)

REPRESENTATIVE EASTMAN suggested changing the 168-hour requirement to one month or keeping it at 72 hours. He asked why one week (168 hours) was significant.

CHAIR KREISS-TOMKINS conveyed that those claiming eligible exemptions were attesting under threat of perjury that they maintained a connection to Alaska and intended to remain in Alaska. He believed that people who truly had a connection to Alaska were returning to the state for at least a week in a two-year period rather than a three-day weekend. He suggested that increasing the threshold by a small amount created more of a burden for those who were qualifying for the exemption under less than good faith.

REPRESENTATIVE EASTMAN urged the committee to take a closer look at the exemptions in statute to better capture the legislature's intent.

[3:24:41 PM](#)

REPRESENTATIVE CLAMAN sought to confirm that there were no repealers in Version W.

CHAIR KREISS-TOMKINS confirmed.

REPRESENTATIVE CLAMAN in response to Representative Eastman, opined that it may be difficult for college students to achieve a consecutive 168-hour visit to Alaska. Additionally, he pointed out that if PFDs were in the \$3,000-\$4,000 range, there would be an economic benefit to booking a trip to Alaska for a three-day weekend to claim the eligibility requirement; however, a PFD of \$2,000 would make that scenario less appealing. He indicated that he had some "misgivings" about the 168-hour requirement.

CHAIR KREISS-TOMKINS said he would be happy to reexamine that threshold. In response to Representative Claman's concern about college students' ability to return home, he shared his understanding that dependents could also qualify for the PFD if their head of household qualified as a PFD-eligible person.

[3:27:43 PM](#)

REPRESENTATIVE VANCE wondered whether the division had an "impact" on eligibility with the changes reflected in Version W.

[3:27:56 PM](#)

ANNA MACKINNON, Director, Permanent Fund Dividend Division, Department of Revenue (DOR), stated that the allowable absence exemption would be a policy call. In response to Chair Kreiss-Tomkins statement, she clarified that children would need to return to the state to qualify for a dividend even if their parent returned.

CHAIR KREISS-TOMKINS acknowledged that he was mistaken.

[3:28:48 PM](#)

REPRESENTATIVE VANCE inquired about how the change from 72 hours to 168 hours would affect the number of eligible PFD recipients.

MS. MACKINNON shared her belief that it would reduce the number of eligible Alaskans.

REPRESENTATIVE VANCE asked what reasons applicants provided for the 72-hour return to Alaska.

MS. MACKINNON asked Representative Vance to define "reason."

REPRESENTATIVE VANCE said she was trying to understand the justification that people gave for claiming the allowable absence.

MS. MACKINNON stated that military families stationed out of state were the largest group to claim that exemption; the second largest was students attending apprenticeship programs or colleges.

[3:31:43 PM](#)

REPRESENTATIVE VANCE asked whether the exemption that allowed military members who were deployed or traveling on a TDY to maintain their eligibility would "solve the problem."

MS. MACKINNON indicated that the language on page 2, line 21-27, would decrease the availability of a military family to qualify for a dividend because the allowable absence would require the serving member to be on TDY versus a permanent assignment in another location. She further noted that according to the language on page 2, lines 25-27, a spouse may not travel with a military member who was traveling on TDY.

[3:34:54 PM](#)

REPRESENTATIVE MCCARTY, Alaska State Legislature, prime sponsor of HB 142, in response to a question from Representative Eastman, stated that a person must gain initial PFD eligibility by living in Alaska for one year. He stated that after claiming eligibility, a person would be able to maintain that eligibility by claiming the exemptions outlined on page 2. He deferred to Ms. Mackinnon.

[3:36:41 PM](#)

MS. MACKINNON asked Representative McCarty to restate the question.

[3:38:43 PM](#)

REPRESENTATIVE EASTMAN clarified that he was concerned about the eligibility of someone who was deployed out of state for six or seven months, which would not qualify as TDY.

REPRESENTATIVE MCCARTY reiterated that an individual must live in Alaska for one year before qualifying for eligibility. He deferred to Ms. Mackinnon.

MS. MACKINNON said the current provision allowed military personnel to be deployed out of state for a period of up to 5 years with the following intent: the intent to return, the 72-hour rule, and the 5-year rule. She added that Version W would shorten that allowance.

[3:41:50 PM](#)

REPRESENTATIVE EASTMAN asked which provision in the bill pertained to the one-year eligibility requirement that Representative McCarty had referenced.

REPRESENTATIVE MCCARTY said it was an existing requirement that was not included in the bill, as there was no need to change the existing statute. He asked Ms. Mackinnon whether he was correct in that an individual who was in Alaska on a permanent change of station (PCS) would have to live in the state for one year to become eligible for the PFD.

MS. MACKINNON confirmed that to initially qualify for a dividend, an individual must be present in Alaska for one year.

[3:43:33 PM](#)

REPRESENTATIVE EASTMAN maintained his objection.

[3:44:04 PM](#)

A roll call vote was taken. Representatives Tarr, Story, Claman, Vance, Kaufman, and Kreiss-Tomkins voted in favor of the adoption of the proposed CS for HB 142, labeled 32-LS0491\W, Nauman, 3/28/22. Representative Eastman voted against it. Therefore, Version W was adopted as the working document by a vote of 6-1.

[3:45:06 PM](#)

CHAIR KREISS-TOMKINS announced that the bill would be held over.

HB 271-AIDEA: MEMBERSHIP; RESPONSIBILITIES

[3:46:31 PM](#)

CHAIR KREISS-TOMKINS announced that the next order of business would be HOUSE BILL NO. 271, "An Act relating to the Alaska Industrial Development and Export Authority; and providing for an effective date."

[3:47:18 PM](#)

REPRESENTATIVE ANDY JOSEPHSON, Alaska State Legislature, prime sponsor of HB 271, clarified an incorrect statement he had made in error during the last bill hearing. He said he had erroneously believed that there were lawsuits pending from former Alaska Industrial Development and Export Authority

(AIDEA) employees. He reported that although there was no pending litigation, there was an investigation involving alleged procurement decisions, verbal abuse, harassment, preferential loans, loan forgiveness, etcetera. He claimed that if the report he was referencing was correct, there were 18 people who had left AIDEA in the last 22 months under less than favorable circumstances.

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CHAIR KREISS-TOMKINS opened public testimony on HB 271.

[3:50:35 PM](#)

DAN CANNON stated his support for HB 271. He opined that AIDEA was an institution that had not evolved with the times. Further he characterized the immense economic power held by AIDEA as troubling, as there was little oversight or public accountability. He believed that the bill proposed necessary initial steps to help build transparency and accountability.

[3:51:50 PM](#)

JOHN SONIN provided testimony unrelated to HB 271.

[3:54:41 PM](#)

GABRIEL KITTER, said he had been closely watching AIDEA's involvement in the West Susitna Access Project, as he was a property owner and avid user of the area. He believed that AIDEA was unaffected by the shareholders' overwhelming opposition to the project, adding that overall, the institution's lack of public awareness and transparency to their projects was frightening. He commented on the lack of public outreach and characterized AIDEA as giving off a "mob-like feeling." He believed that AIDEA had grown into a political arm to overpower and overreach without public input for political and financial gain. He opined that reform was long overdue.

[3:57:30 PM](#)

ARLEIGH HITCHCOCK opined that AIDEA was in desperate need of reform, as the board was allowed to make decisions to spend millions on projects that were bad for Alaskan communities and strongly opposed by the members of those communities. They commented on the lack of legislative oversight and sufficient public input, as well as inaccessible meetings that were subject

to change at the last minute. They provided several examples. They characterized AIDEA's outreach to Tribes and communities as "horrible and disrespectful at best, and illegal at worst."

[4:00:27 PM](#)

ANNA GODDUHN stated her support for HB 271. She believed that AIDEA needed public accountability to set priorities that were in the best interest of Alaskans instead of mega projects that served to enrich the few over the many.

[4:01:26 PM](#)

MARGI DASHEVSKY expressed her support for HB 271 and encouraged the committee to strengthen the bill by adding amendments that addressed the board's illegal use of executive session. She highlighted AIDEA's record of violating the Open Meetings Act; further, she pointed out that the recent changes made by the institution in response to increased public scrutiny, such as posting meeting times on the website, were superficial. She shared several examples of AIDEA's misuse of executive session and argued that that the average of 2-5 days of public notice was not adequate for the public decisions of the magnitude in political nature that they continued to make. She opined that HB 271 was necessary to ensure that going forward, AIDEA played to the historical strengths of the lender and focused on issuing loans and bonds to small, locally owned businesses.

[4:04:01 PM](#)

REPRESENTATIVE TARR requested that the previous testifiers follow up with written testimony that detailed their personal experiences with ADIEA.

[4:04:35 PM](#)

MARGARET STERN stated her support for HB 271. She said she had been closely watching AIDEA and the West Susitna Access Project and was upset by how the institution had conducted itself. She suggested that AIDEA had wasted state money, failed to reach out to stakeholders, and disregarded public comment. She highlighted her concerns specific to the West Susitna Access Project. She reiterated her support for the bill to hold AIDEA accountable to the Alaskan public.

[4:06:02 PM](#)

LOIS EPSTEIN, President, LNE Engineering and Policy, opined that the same concerns the legislature had about the Alaska Permanent Fund Corporation (APFC) Board of Trustees applied to the AIDEA board, as board members were appointed by the governor and not subject to legislative confirmation. She stated her "unconditional" support for HB 271, specifically the provision that increased analysis in legislative approval required for AIDEA investments of over \$10 million. She believed that the provision would ensure that AIDEA was making financially sound, rather than politically driven, investments.

[4:08:40 PM](#)

CHAIR KREISS-TOMKINS closed public testimony. He invited questions from committee members.

[4:09:18 PM](#)

REPRESENTATIVE TARR asked whether the bill sponsor had considered how to address the issues regarding public notice and sporadic meeting time changes.

REPRESENTATIVE JOSEPHSON applauded her interest in that subject. He noted that the bill would require AIDEA to conduct its business through resolution rather than motion; further, the bill would expand the notice requirement for amendment adoption and regulation repeal to 30 days and considerably expanded the opportunity for public testimony [on page 3 of HB 271].

REPRESENTATIVE TARR asked whether the bill clarified the timeline for issuing public notice. She pointed out that people take time out of their day to participate in public hearings, which becomes difficult if the meeting times change sporadically. She said she felt a responsibility to make the process easier.

CHAIR KREISS-TOMKINS aligned himself with Representative Tarr's comments.

[4:12:13 PM](#)

REPRESENTATIVE KAUFMAN directed attention to a supporting document, titled "Additional Information - Letter of Clarification AIDEA" [included in the committee packet]. He characterized the letter as a categorical rebuttal and asked whether it could be addressed by the bill sponsor.

REPRESENTATIVE JOSEPHSON reviewed the letter from AIDEA.

REPRESENTATIVE KAUFMAN inquired about item 4 on page 2 of the document, which addressed AIDEA's attention to local interests.

REPRESENTATIVE JOSEPHSON argued that the existing personnel guidelines were insufficient. He believed that there should be a provision in AIDEA's bylaws and state statute that outlined personnel policy and the hiring of the executive director.

[4:15:36 PM](#)

REPRESENTATIVE KAUFMAN pointed out that item 5 on page 2 of the letter contended that AIDEA was a political subdivision of the Department of Commerce, Community & Economic Development (DCCED) and had official personnel guidelines that followed the policy established by the Department of Administration (DOA). He asked whether the bill sponsor was asserting that there should be additional personnel guidelines.

REPRESENTATIVE JOSEPHSON answered yes. He recalled receiving feedback regarding the ongoing investigation, which suggested that the standard for termination was arbitrary. He opined that the existing statute was inadequate and less robust than other agencies' [personnel policies].

REPRESENTATIVE KAUFMAN sought to confirm that Representative Josephson believed that DCCED's [personnel policy] standards were inadequate.

REPRESENTATIVE JOSEPHSON said he would have to delve into the issue in more detail. He maintained that the turnover of 18 individuals based on a feeling of workplace harassment was indicative of an agency that operated differently from other agencies.

CHAIR KREISS-TOMKINS sought to confirm that AIDEA had 80 employees.

REPRESENTATIVE JOSEPHSON said approximately. He shared his understanding that AIDEA was composed of 25-30 direct employees with the addition of "other arms," such as the Alaska Energy Authority (AEA).

CHAIR KREISS-TOMKINS asked, "If 18 is the numerator, what is the denominator?"

REPRESENTATIVE JOSEPHSON answered 82.

REPRESENTATIVE KAUFMAN expressed his interest in hearing from an AIDEA representative at the next bill hearing.

[4:19:24 PM](#)

REPRESENTATIVE EASTMAN directed attention to Section 9 of the bill and asked why the threshold for oversight was set at \$10 million. He opined that the \$10 million figure seemed high.

REPRESENTATIVE JOSEPHSON said the intent was to avoid tying the hands of the agency. He believed that the threshold of \$10 million was adequate for functions such as lending; however, it became problematic when AIDEA intervened in projects that were opposed by many Alaskans. He conveyed that there was a sense of "a lack of fair play" in terms of the way in which AIDEA operated, which the bill aimed to reform.

REPRESENTATIVE EASTMAN turned to Section 10 of the bill, which directed AIDEA to prioritize projects that furthered arctic policy and energy policy. He asked which portion of the authority's projects captured those two categories.

REPRESENTATIVE JOSEPHSON deferred to Ms. Sorum-Birk.

[4:23:21 PM](#)

ELISE SORUM-BIRK, Staff, Representative Andy Josephson, Alaska State Legislature, on behalf of Representative Josephson, prime sponsor, shared her understanding that AIDEA invested quite a bit in the development of renewable and non-renewable energy resources. She commented on areas in which AIDEA could improve upon, such as positive investments in [indisc.] climates for strategic infrastructure and safe and secure maritime transport.

REPRESENTATIVE EASTMAN asked what would happen to outstanding projects that weren't prioritized under Section 10 and therefore, didn't receive funding.

MS. SORUM-BIRK contended that AIDEA already used broad discretion in choosing which projects to fund. She said section 10 was simply asking them to consider certain attributes when funding projects overall.

CHAIR KREISS-TOMKINS announced that HB 271 was held over.

HB 251-BD OF TRUSTEES OF THE AK PERM. FUND CORP.

[4:27:39 PM](#)

CHAIR KREISS-TOMKINS announced that the next order of business would be HOUSE BILL NO. 251, "An Act relating to the Board of Trustees of the Alaska Permanent Fund Corporation; and providing for an effective date."

CHAIR KREISS-TOMKINS opened public testimony on HB 251. After ascertaining that no one wished to testify, he closed public testimony on HB 251.

[4:28:20 PM](#)

REPRESENTATIVE ANDY JOSEPHSON, Alaska State Legislature, prime sponsor of HB 251, provided introductory remarks. He emphasized that the bill was not intended to prevent the firing of APFC's former CEO, Angela Rodell. He clarified that the purpose of HB 251 was to prevent the appearance and actuality of political interference in APFC. He pointed out that if HB 251 had been operative, the result of Ms. Rodell's firing would have been the same, as 5 of 6 votes would still result in a termination. However, he argued that it would not have been possible for the Legislative Budget & Audit Committee (LB&A) to be investigating her termination, as it would be "almost inconceivable" that the act would have been politically motivated. He explained the process by which the proposed legislation would depoliticize the appointment to the Board of Trustees.

[4:32:59 PM](#)

REPRESENTATIVE KAUFMAN inquired about the definition of a socially responsible investor.

REPRESENTATIVE JOSEPHSON defined a socially responsible investor as an individual with a sensitivity to matters, such as climate and autocracies invading sovereign nations.

[4:34:38 PM](#)

REPRESENTATIVE EASTMAN referred to Section 8 of the bill and sought to confirm that the board could remove the executive director without cause with the support of 5 members.

REPRESENTATIVE JOSEPHSON answered yes, 5 out of 7 members.

[4:35:33 PM](#)

REPRESENTATIVE TARR pointed out that there were certificate programs for socially responsible investors. She suggested making the completion of that program an eligibility requirement for the socially responsible investor on the board, to ensure that the desired skillset was clearly defined.

REPRESENTATIVE JOSEPHSON expressed his support for that idea.

[4:36:15 PM](#)

CHAIR KREISS-TOMKINS announced that HB 251 would be held over.

HB 203-MISCONDUCT INVOLVING WEAPONS

[4:36:23 PM](#)

CHAIR KREISS-TOMKINS announced that the final order of business would be HOUSE BILL NO. 203, "An Act establishing the offense of misconduct involving weapons in the sixth degree."

[4:36:49 PM](#)

The committee took a brief at-ease.

[4:37:49 PM](#)

REPRESENTATIVE ADAM WOOL, Alaska State Legislature, prime sponsor, introduced HB 203. He paraphrased the sponsor statement [included in the committee packet], which read as follows [original punctuation provided]:

Firearms hold significant social and cultural importance to Alaskans. Across the state, 64.5% of residents report owning guns, ranking Alaska third among all states in per capita firearm ownership. Whether for personal protection, subsistence, or recreational hunting, the value that Alaskans place on keeping and utilizing firearms is substantial. Furthermore, most gun owners across the country report putting a high value on responsible ownership. For example, 95% of gun owners say it is essential to talk to their children about gun safety, and 66% of gun owners believe it is essential for their firearms to be kept in a locked place when there are minors in the home. HB 203 promotes secure storage of firearms in

order to protect children and teens while preserving a lifestyle held dear by many Alaskans.

Despite a large percentage of Alaskans reporting gun ownership and declaring a desire for gun safety, our state has notably high rates of firearm-related injury and death. Alaska's firearm death rate is the second highest in the nation and nearly double the national average (23 per 100,000 compared to 12 in the U.S generally). Guns are also the leading cause of death for children and teens in Alaska. An average of 22 children per year are killed due to firearm-related mortality, and 59% of these deaths are gun suicides. In 2019, nearly half of high school students (48.9%) reported that they could easily access a loaded gun, and a further one-fourth of high school students across the state (25.3%) reported seriously considering suicide within the past year. Overall, firearm suicide in Alaska is more than double the national average, with 68% of Alaska's gun deaths caused by suicide. Securely storing firearms has been shown to combat these startling figures, and to reduce both self-inflicted and unintentional firearm morbidity and mortality. Additionally, secure storage is affordable and easily implemented, while still offering firearm owners with quick and easy access to guns for their personal and property protection needs.

HB 203 will incentivize secure storage of firearms by creating a violation for improperly storing firearms so they cannot be accessed by anyone not authorized to use them, including children. This bill adds weight to the responsibility that should be paramount to gun owners to keep kids safe. HB 203 does not impose invasive measures on the public. Practically speaking, this bill implements a retroactive fine in the event that guns are not securely stored by an adult firearm owner and lead to improper use by anyone prohibited from owning a firearm. If a minor child or prohibited person accesses a firearm because it wasn't securely stored and causes injury, the firearm owner can face a criminal penalty and a fine.

Please join me in supporting House Bill 203 to promote responsible and safe gun ownership through secure storage of firearms in Alaska.

ASHLEY CARRICK, Staff, Representative Adam Wool, Alaska State Legislature, on behalf of Representative Wool, prime sponsor, provided a PowerPoint presentation, titled "HB 203; secure storage of firearms" [hard copy included in the committee packet]. She provided a brief overview of the presentation on slide 2. Slide 3 featured newspaper articles that illustrated the impacts of gun violence, highlighting youth accidents and suicide deaths in particular.

[4:47:21 PM](#)

MS. CARRICK continued to slide 4, which read as follows [original punctuation provided]:

THE NATURE OF THE PROBLEM: GUN VIOLENCE PREVALENCE

Nationally, suicide constitutes most of the firearm deaths in the U.S., even though just 5% of self-harm episodes, including both non-suicidal self-injury and attempted suicide, involve firearms.

Firearms are known for their high lethality, with an 82.5-92% lethality for suicide attempts using firearms.

As many as 80% of people considering suicide give notice of their intentions beforehand, making intervention possible in many cases.

[4:48:02 PM](#)

MS. CARRICK continued to slide 5, which read as follows [original punctuation provided]:

THE NATURE OF THE PROBLEM: GUN VIOLENCE IN ALASKA

Firearms are the leading cause of death for children and teens in Alaska.

Alaska has the second-highest rate of gun death in the U.S. Alaska's gun suicide rate is more than double the national rate. 68% of Alaska's gun deaths are firearm suicides.

Suicides make up two-thirds of all firearm deaths in Alaska, and three in five suicides in Alaska are committed using a firearm.

In 2019, there were 117 firearm suicide deaths in Alaska, including 17 children and teens (ages 0-19).

12,380 children live with unlocked, loaded firearms in Alaska.

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MS. CARRICK proceeded to slide 6, which read as follows [original punctuation provided]:

THE NATURE OF THE PROBLEM: YOUTH MENTAL HEALTH

An average of 22 children and teens die from to accidental or intentional shootings each year.

25% of Alaskan high school students have considered suicide in the past year and a further 19.7% reported an attempted suicide.

Among high school students in Alaska, 37.5% reported that they could access a loaded gun in less than an hour.

59% of youth gun deaths are suicides and an additional 26% are homicides.

Other health disparities exist in gun violence and youth suicide attempts.

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MS. CARRICK advanced to slide 7, which read as follows [original punctuation provided]:

PRIORITIZING RESPONSIBLE GUN OWNERSHIP: OPINIONS OF GUN OWNERS

Gun owners do NOT want to see these tragic incidents occur.

Across the state, 64.5% of residents report owning guns, ranking Alaska third among all states in per capita firearm ownership.

Most gun owners across the country report putting a high value on responsible ownership. For example:95% of gun owners say it is essential to talk to their children about gun safety

66% of gun owners believe it is essential for their firearms to be kept in a locked place when there are minors in the home.

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MS. CARRICK turned to slide 8, which read as follows [original punctuation provided]:

PRIORITIZING RESPONSIBLE GUN OWNERSHIP: SAFE STORAGE OPTIONS

Secure storage or safety devices include:

Devices that are designed to prevent the firearm from being operated without first deactivating the device. Examples: Cable locks that block a firearm cartridge from being fired or trigger locks that allow loading, but which prevent the trigger from being pulled.

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Devices that are incorporated into the design of the firearm to prevent operation of the firearm by anyone without access to the device. Example: Personalized "smart guns" that only allow an authorized user to access the gun.

Examples: Personalized "smart guns" that only allow an authorized user to access the gun

A safe, gun safe, gun case, lock box, or other device that is designed to be unlocked only by means of a key, combination, or other similar means.

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MS. CARRICK continued to slide 9, which read as follows [original punctuation provided]:

EFFICACY OF SECURE STORAGE: STATE BY STATE COMPARISONS

Currently, 33 states have some type of secure storage law.

Compared to states with no child-access laws, states with the strongest secure storage laws saw a 44 percent reduction in children hospitalized for firearm injuries related to unintentional shootings.

A 2020 study found a 59 percent reduction in unintentional firearm deaths among children ages 0 to 14 in the states with the most stringent child access prevention laws.

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MS. CARRICK proceeded to slide 10, which read as follows [original punctuation provided]:

EFFICACY OF SECURE STORAGE: REDUCING YOUTH MORTALITY

One study found that young children who go through a weeklong gun safety training program are just as likely as children with no training to approach or play with a handgun when they find one.

It is impossible to predict the behavior of every child who may be invited into your home, and difficult to be assured of your child's safety in another person's home when there are unsecured firearms present.

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MS. CARRICK advanced to slide 11, which read as follows [original punctuation provided]:

WHAT HB 203 DOES:MISCONDUCT CHARGES

Misconduct involving weapons in the sixth degree:

Keeping a firearm in your home that is not under the direct control of an authorized person. See: Section 3 (a) (1)

Keeping a firearm that the owner or authorized person knows or reasonably should know is accessible by a prohibited person. See: Section 3 (a) (2)

Misconduct involving weapons in the fourth degree:

If section 3 is violated and a prohibited person has used a firearm to commit a crime or to injure themselves or another. See: Section 2

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MS. CARRICK turned to slide 12, which read as follows [original punctuation provided]:

WHAT HB 203 DOES: KEY TERMS

Direct control is where the owner or possessor of the firearm is:

Close enough to prevent another person who is not an authorized person from obtaining the firearm OR

The firearm is in the person's own residence, either alone or with only authorized persons who also live in the residence and who are not minors, and the residence is secure.

Authorized Person: A person authorized by the owner or possessor of a firearm to temporarily carry or control the firearm.

Prohibited Person: Minors, convicted felons, or those with other Federal or State restrictions on gun ownership.

MS. CARRICK concluded on slide 13, which provided a list of stakeholders that submitted letters of support for HB 203.

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SARA SUMADI, Associate Director of State Affairs, Everytown for Gun Safety, expressed her support for HB 203. She reported that Alaska was a national outlier in terms of firearm deaths among children, which could largely be prevented. Firearms were the first leading cause of death among children and teens in the state; further, Alaska had the highest rate of gun suicide deaths among young people in the country and the second highest rate of injuries and deaths caused by a child accidentally shooting themselves or someone else. She acknowledged that there was a tradition of responsible gun ownership in Alaska and that many gun owners stored their firearms securely; however, she cited a national survey that showed that an average of over 50 percent of gun owners did not practice safe storage practices; further, the survey estimated that 1 in 5 gun owning households with children in the home stored at least one gun loaded and unlocked. She emphasized that unintentional shootings by children could be prevented by following secure storage practices. She urged the passage of HB 203.

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REPRESENTATIVE EASTMAN inquired about the statistics in the sponsor statement and requested the citations.

MS. CARRICK said the youth-related statistics came from the Youth Risk Behavioral Survey (YRBS) conducted by the Department of Health and Social Services (DHSS) on a biannual basis. Additional statistics came from the Centers for Disease Control

and Prevention (CDC) and other state and national resources. She offered to follow up with the specific citations.

REPRESENTATIVE EASTMAN inquired about the difference between a crime that's preventative versus a crime that's punishing.

REPRESENTATIVE WOOL acknowledged that violation of the law would be penalized; however, he said the intent was to normalize safe behavior. He explained that the penalty would be a monetary fine capped at \$500 for the first violation. He reiterated that the goal was to modify behavior rather than incarcerate people.

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REPRESENTATIVE STORY inquired about effective practices in other states.

REPRESENTATIVE WOOL deferred to Mr. Dougherty, a district attorney in Colorado where a secure storage law was recently passed.

[5:05:35 PM](#)

MICHAEL DOUGHERTY, District Attorney, District Attorney's Office, confirmed that the Colorado General Assembly had enacted House Bill 1106 in July 2021, which addressed the safe storage of firearms; however, it was too early to deem the program a success. Nonetheless, he stated that the legislation had raised awareness about the importance of safely securing firearms, in part due to the public awareness campaign that was carried out prior to the passage of the bill.

REPRESENTATIVE STORY asked whether there were challenges to the safe storage law.

MR. DOUGHERTY said there had not been any challenges.

REPRESENTATIVE STORY asked whether Colorado enacted the same misdemeanor penalties that were proposed in HB 203.

MR. DOUGHERTY conveyed that in Colorado, unlawful storage was assigned a Class 2 Misdemeanor, which could result in jail time, fines of up to \$1,000, or both; however, incarceration was extremely unlikely, he said.

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REPRESENTATIVE CLAMAN asked whether Colorado had considered treating the unlawful storage violation with a civil fine.

MR. DOUGHERTY said there were no conversation about making it a civil violation. He shared his belief that because the goal of reducing teen suicides and unintentional shootings was a serious one, the consequences should be serious too; therefore, he opined that criminal law, as opposed to civil law, was appropriate

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REPRESENTATIVE TARR expressed her interest in the inclusion of a public service announcement and educational campaign and inquired about the funding component that advanced those efforts in Colorado.

MR. DOUGHERTY offered to follow up with the requested information.

[5:13:18 PM](#)

CHAIR KREISS-TOMKINS announced that HB 203 was held over.

[5:14:13 PM](#)

REPRESENTATIVE CLAMAN moved to authorize Representative Kreiss-Tomkins, Chair of the House State Affairs Standing Committee, to introduce as a committee bill an Act relating to the confirmation of appointees to the Board of Trustees to the Alaska Permanent Fund Corporation, relating to the appointment of public members to the Alaska Industrial Development and Export Authority, and providing for an effective date.

CHAIR KREISS-TOMKINS objected for the purpose of discussion; seeing none, he withdrew his objection. There being no further objection, the motion passed.

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ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 5:15 p.m.