

ALASKA STATE LEGISLATURE
HOUSE COMMUNITY AND REGIONAL AFFAIRS STANDING COMMITTEE

May 7, 2024

9:03 a.m.

MEMBERS PRESENT

Representative CJ McCormick, Chair
Representative Kevin McCabe, Vice Chair
Representative Tom McKay
Representative Thomas Baker
Representative Justin Ruffridge
Representative Rebecca Himschoot
Representative Donna Mears

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 398

"An Act relating to controlled substances."

- MOVED CSHB 398 (CRA) OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 174 (CRA)

"An Act relating to the Honor and Remember Flag and the Honor and Sacrifice Flag."

- BILL HEARING CANCELED

PREVIOUS COMMITTEE ACTION

BILL: HB 398

SHORT TITLE: CONTROLLED SUBS: DAY CARE/SHELTER/REHAB

SPONSOR(s): RULES

04/22/24	(H)	READ THE FIRST TIME - REFERRALS
04/22/24	(H)	CRA
04/30/24	(H)	CRA AT 8:00 AM BARNES 124
04/30/24	(H)	Heard & Held
04/30/24	(H)	MINUTE (CRA)
05/07/24	(H)	CRA AT 8:00 AM BARNES 124

WITNESS REGISTER

REPRESENTATIVE CRAIG JOHNSON
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Offered introductory remarks on HB 398, on behalf the House Rules Standing Committee, sponsor by request.

ISSAC SCHLOSSER, Staff
Representative Craig Johnson
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions related to Amendments associated with HB 398.

ACTION NARRATIVE

[9:03:11 AM](#)

CHAIR MCCORMICK called the House Community and Regional Affairs Standing Committee meeting to order at 9:03 a.m. Representatives McKay, Baker, Himschoot, Mears, McCabe, and McCormick were present at the call to order. Representative Ruffridge arrived as the meeting was in progress.

HB 398-CONTROLLED SUBS: DAY CARE/SHELTER/REHAB

[9:04:15 AM](#)

CHAIR MCCORMICK announced that the only order of business would be HOUSE BILL NO. 398, "An Act relating to controlled substances."

[9:04:51 AM](#)

REPRESENTATIVE CRAIG JOHNSON, Alaska State Legislature, on behalf of the House Rules Standing Committee, sponsor by request, explained that HB 398 would extend the distance for drug-free zones surrounding certain public areas.

[9:05:47 AM](#)

ISSAC SCHLOSSER, Staff, Representative Craig Johnson, Alaska State Legislature, answered questions related to Amendments associated with HB 398

[9:06:25 AM](#)

REPRESENTATIVE MCCABE said he would not be offering Amendment 1. He moved to adopt Amendment 2 to HB 398, labeled 33-LS1553\A.2, C. Radford, 4/28/24, which read:

Page 1, line 15, following the second occurrence of "a":

Insert "drug or alcohol"

Page 2, line 16, following "or":

Insert "drug or alcohol"

Page 3, line 7, following the second occurrence of "a":

Insert "drug or alcohol"

Page 4, line 5, following "or":

Insert "drug or alcohol"

Page 4, line 23, following "each":

Insert "drug or alcohol"

CHAIR MCCORMICK objected.

[9:06:45 AM](#)

MR. SCHLOSSER explained Amendment 2. He said that Amendment 2 would specify in statute the difference between a "plan" treatment center and a drug/alcohol treatment center.

CHAIR MCCORMICK removed his objection. There being no further objection, Amendment 1 was adopted.

[9:07:17 AM](#)

REPRESENTATIVE MCCABE moved to adopt Amendment 3 to HB 398, labeled 33-LS1553\A.3, C. Radford, 5/3/24, which read:

Page 4, following line 7:

Insert a new bill section to read:

"* **Sec. 5.** AS 11.71.900 is amended by adding a new paragraph to read:

(33) "shelter for the homeless" does not include a shelter that primarily offers services to victims of domestic violence."

Renumber the following bill sections accordingly.

Page 4, line 22, following "zone";":

Insert "in this paragraph, "shelter for the homeless" does not include a shelter that primarily offers services to victims of domestic violence;"

CHAIR MCCORMICK objected.

[9:07:27 AM](#)

MR. SCHLOSSER explained Amendment 3. He said that Amendment 3 would clarify in the bill that domestic violence shelters are not included in the statutory definition for homeless shelters.

CHAIR MCCORMICK removed his objection. There being no further objection, Amendment 3 was adopted.

[9:08:14 AM](#)

REPRESENTATIVE HIMSCHOOT moved to adopt Conceptual Amendment 4 to HB 398, labeled 33-LS1553\A.4, C. Radford, 5/6/24, which read:

Page 4, line 13:

Delete the second occurrence of "school"

Insert "[SCHOOL]"

Page 4, line 17:

Delete "recreation and youth center"

Insert "[RECREATION AND YOUTH CENTER]"

Page 4, line 20:

Delete "day care"

Page 4, line 22:

Delete "homeless shelter"

Page 4, line 24:

Delete "treatment and rehabilitation center"

Page 4, line 28, following "APPLICABILITY.":

Insert "(a)"

Page 4, following line 31:

Insert a new subsection to read:

"(b) AS 28.01.010(d), as amended by sec. 5 of this Act, applies to signs erected on or after the effective date of this Act."

CHAIR MCCORMICK objected.

[9:08:21 AM](#)

REPRESENTATIVE HIMSCHOOT explained that the proposed conceptual amendment would change the specifications on the signage for drug-free zones to ensure that one standard sign could be used. She added that the proposed conceptual amendment would allow existing signs to remain.

[9:10:17 AM](#)

REPRESENTATIVE MEARS commented that Conceptual Amendment 4 would absolve some of her concerns surrounding cost and logistics.

REPRESENTATIVE C. JOHNSON added that Conceptual Amendment 4 was a friendly amendment.

[9:10:52 AM](#)

CHAIR MCCORMICK removed his objection. There being no further objection, Conceptual Amendment 4 to Amendment was adopted.

[9:11:01 AM](#)

REPRESENTATIVE HIMSCHOOT moved to adopt Conceptual Amendment 5 to HB 398, labeled 33-LS1553\A.5, C. Radford, 5/6/24, which read:

Page 4, following line 25:

Insert a new bill section to read:

"* **Sec. 6.** AS 28.01.010 is amended by adding a new subsection to read:

(k) At the request of a municipality, the Department of Transportation and Public Facilities shall provide the municipality with a sign required under (d) of this section. The Department of Transportation and Public Facilities may not require a municipality to pay for a sign provided under this subsection."

Renumber the following bill section accordingly.

CHAIR MCCORMICK objected for the purpose of discussion.

[9:11:06 AM](#)

REPRESENTATIVE HIMSCHOOT explained that Conceptual Amendment 5 would allow municipalities and boroughs to go to the Alaska Department of Transportation and Public Facilities (DOT&PF) for signage needs.

[9:11:40 AM](#)

REPRESENTATIVE C. JOHNSON said the amendment would add a fiscal cost to the bill and encouraged a "no" vote from committee members.

REPRESENTATIVE MCCABE asked whether Conceptual Amendment 4 would mitigate any cost raised by Conceptual Amendment 5.

REPRESENTATIVE HIMSCHOOT explained that she did not know whether Conceptual Amendment 4 would lower any cost associated with Conceptual Amendment 5 and said she hoped that it would not generate a fiscal note.

[9:13:19 AM](#)

REPRESENTATIVE MCCABE asked about the potential fiscal impact of Conceptual Amendment 5.

REPRESENTATIVE C. JOHNSON explained that the first drug-free zone sign would be the most expensive and each subsequent sign would be less and less expensive. He emphasized the overall cost of the signs by pointing out that it could cost more to ship the signs in the first place than to expedite the fabrication of signs.

REPRESENTATIVE MCCABE asked who originally paid for the signs.

REPRESENTATIVE C. JOHNSON shared his understanding that the associated municipality would have paid for them.

[9:15:30 AM](#)

REPRESENTATIVE MEARS suggested that the state could create an unfunded mandate if no one was to pay for the signs and expressed her concern that more signs would create one more barrier of entry to places for people in crisis or people in need.

REPRESENTATIVE C. JOHNSON added that the hope is for a cost of less than \$10,000.

[9:16:52 AM](#)

REPRESENTATIVE MCCABE asked whether a daycare center could pay for a sign on municipal property.

REPRESENTATIVE C. JOHNSON said it would be the responsibility of the municipality to pay for any signs on its own property.

REPRESENTATIVE HIMSCHOOT said she was trying to put the responsibility of the initial cost of the sign on DOT&PF as a means to take any burden off of the associated the municipality.

CHAIR MCCORMICK maintained his objection.

[9:18:58 AM](#)

A roll call vote was taken. Representatives Himschoot and Mears voted in favor of Amendment 5. Representatives McKay, Baker, Ruffridge, McCabe, and McCormick voted against it. Therefore, Amendment 5 failed by a vote of 2-5.

[9:19:59 AM](#)

CHAIR MCCORMICK opened public testimony. After ascertaining that no one wished to testify, he closed public testimony.

[9:20:35 AM](#)

REPRESENTATIVE MCCABE asked whether businesses or service providers associated with drug-free zones would be allowed to apply for grants to pay for signs on their property.

REPRESENTATIVE C. JOHNSON gave his understanding that the signs would likely be too cheap to pay for with a grant.

REPRESENTATIVE MCCABE commented that he was envisioning a community-driven initiative to acquire signage for businesses and service providers across the state.

[9:22:20 AM](#)

REPRESENTATIVE HIMSCHOOT asked whether HB 398's definition of daycare centers would include home daycares.

MR. SCHLOSSER said there is no definition of daycare in statute so what a daycare center is defined as would be up to interpretation.

[9:23:13 AM](#)

REPRESENTATIVE MCCABE moved to report HB 398, as amended out of committee with individual recommendations and the accompanying fiscal notes. There being no objection. CSHB 398(CRA) was reported from the House Community and Regional Affairs Standing Committee.

[9:23:48 AM](#)

The committee took an at-ease from 9:23 a.m. to 9:26 a.m.

[9:26:23 AM](#)

CHAIR MCCORMICK gave wrap up comments and thanked the committee members for their work during session. He acknowledged that this was the final committee meeting of the House Community and Regional Affairs Standing Committee for the 33rd Alaska State Legislature and said it had been an honor to serve. He thanked the public for the opportunity to represent them.

[9:27:25 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Community and Regional Affairs Standing Committee meeting was adjourned at 9:27 a.m.