

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

April 24, 2023

1:04 p.m.

MEMBERS PRESENT

Representative Sarah Vance, Chair
Representative Jamie Allard, Vice Chair
Representative Ben Carpenter
Representative Craig Johnson
Representative David Eastman
Representative Andrew Gray
Representative Cliff Groh

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 68

"An Act relating to sex trafficking; establishing the crime of patron of a victim of sex trafficking; relating to the crime of human trafficking; relating to prostitution; relating to sentencing for sex trafficking, patron of a victim of sex trafficking, and human trafficking; establishing the process for vacating judgments for certain convictions of prostitution and misconduct involving a controlled substance; relating to the Council on Domestic Violence and Sexual Assault; relating to permanent fund dividends for certain individuals whose convictions are vacated; and providing for an effective date."

- MOVED CSHB 68(JUD) OUT OF COMMITTEE

HOUSE BILL NO. 82

"An Act relating to the selection, retention, and rejection of judicial officers for the court of appeals and the district court and of magistrates; relating to the duties of the judicial council; and relating to the duties of the Commission on Judicial Conduct."

- BILL HEARING CANCELED

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 11

"An Act establishing the crime of assault in the presence of a child."

- BILL HEARING CANCELED

PREVIOUS COMMITTEE ACTION

BILL: HB 68

SHORT TITLE: CRIME OF SEX/HUMAN TRAFFICKING

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

02/08/23	(H)	READ THE FIRST TIME - REFERRALS
02/08/23	(H)	JUD, FIN
03/10/23	(H)	JUD AT 1:00 PM GRUENBERG 120
03/10/23	(H)	Heard & Held
03/10/23	(H)	MINUTE(JUD)
03/20/23	(H)	JUD AT 1:00 PM GRUENBERG 120
03/20/23	(H)	Heard & Held
03/20/23	(H)	MINUTE(JUD)
03/22/23	(H)	JUD AT 1:00 PM GRUENBERG 120
03/22/23	(H)	-- MEETING CANCELED --
03/24/23	(H)	JUD AT 1:00 PM GRUENBERG 120
03/24/23	(H)	Heard & Held
03/24/23	(H)	MINUTE(JUD)
03/27/23	(H)	JUD AT 1:00 PM GRUENBERG 120
03/27/23	(H)	Scheduled but Not Heard
03/31/23	(H)	JUD AT 1:00 PM GRUENBERG 120
03/31/23	(H)	Scheduled but Not Heard
04/03/23	(H)	JUD AT 1:00 PM GRUENBERG 120
04/03/23	(H)	-- MEETING CANCELED --
04/12/23	(H)	JUD AT 1:00 PM GRUENBERG 120
04/12/23	(H)	Heard & Held
04/12/23	(H)	MINUTE(JUD)
04/17/23	(H)	JUD AT 1:00 PM GRUENBERG 120
04/17/23	(H)	-- MEETING CANCELED --
04/19/23	(H)	JUD AT 1:00 PM GRUENBERG 120
04/19/23	(H)	Heard & Held
04/19/23	(H)	MINUTE(JUD)
04/21/23	(H)	JUD AT 1:00 PM GRUENBERG 120
04/21/23	(H)	Heard & Held
04/21/23	(H)	MINUTE(JUD)
04/24/23	(H)	JUD AT 1:00 PM GRUENBERG 120

WITNESS REGISTER

JAKE ALMEIDA, Staff
Representative Sarah Vance
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Offered information on amendments to the proposed CS for HB 68, Version S, as amended, on behalf of Representative Vance.

CLAIRE RADFORD, Attorney
Legislative Legal Services
Legislative Affairs Agency
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on the proposed CS for HB 68, Version S, as amended.

KELLY MANNING, Deputy Director
Innovation and Education Excellence
Department of Education and Early Development
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on the proposed CS for HB 68, Version S, as amended.

GLENN SAVIERS, Deputy Director
Division of Corporations Business and Professional Licensing
Department of Commerce, Community & Economic Development
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on the proposed CS for HB 68, Version S, as amended.

KACI SCHROEDER, Assistant Attorney General
Criminal Division
Department of Law
Juneau, Alaska

POSITION STATEMENT: Offered final comment on the proposed CS for HB 68, Version S, as amended, on behalf of the House Rules Standing Committee, sponsor by request of the governor.

ACTION NARRATIVE

[1:04:25 PM](#)

CHAIR SARAH VANCE called the House Judiciary Standing Committee meeting to order at 1:04 p.m. Representatives Carpenter, C. Johnson, Eastman, Gray, Groh, and Vance were present at the call to order. Representative Allard arrived as the meeting was in progress.

HB 68-CRIME OF SEX/HUMAN TRAFFICKING

[1:04:55 PM](#)

CHAIR VANCE announced that the only order of business would be HOUSE BILL NO. 68, "An Act relating to sex trafficking; establishing the crime of patron of a victim of sex trafficking; relating to the crime of human trafficking; relating to prostitution; relating to sentencing for sex trafficking, patron of a victim of sex trafficking, and human trafficking; establishing the process for vacating judgments for certain convictions of prostitution and misconduct involving a controlled substance; relating to the Council on Domestic Violence and Sexual Assault; relating to permanent fund dividends for certain individuals whose convictions are vacated; and providing for an effective date." [Before the committee, adopted as the work draft on 04/12/23 and amended on 4/19/23, was the proposed committee substitute (CS) for HB 68, Version 33-GH1029\S, Radford, 4/11/23, "Version S."]

[1:05:23 PM](#)

REPRESENTATIVE CARPENTER moved to adopt Amendment 5 to Version S, labeled 33-GH1029\S.10, Radford, 4/20/23, which read:

Page 1, line 6, following "certificate;":

Insert "relating to sex trafficking, human trafficking, sexual abuse, and sexual assault awareness and prevention education;"

Page 25, following line 4:

Insert new bill sections to read:

*** Sec. 36.** AS 14.03.016(d)(2) is amended to read:

(2) "human reproduction or sexual matters" does not include curricula or materials for

(A) sex trafficking, human trafficking, sexual abuse, and sexual assault awareness and prevention training required under AS 14.30.355; or

(B) dating violence and abuse awareness and prevention training required under AS 14.30.356;

*** Sec. 37.** AS 14.20.020(k) is amended to read:

(k) Except as provided in AS 14.20.015, a person is not eligible for a teacher certificate unless the person has completed training regarding alcohol and drug related disabilities required under AS 14.20.680, training regarding sex trafficking, human trafficking, sexual abuse, and sexual assault awareness and prevention required under AS 14.30.355, training regarding dating violence and abuse awareness and prevention required under AS 14.30.356, and training

related to suicide prevention required under AS 14.30.362."

Renumber the following bill sections accordingly.

Page 25, following line 11:

Insert new bill sections to read:

*** Sec. 39.** AS 14.30.355(a) is amended to read:

(a) The governing body of each school district shall adopt and implement a policy, establish a training program for employees and students, and provide [PARENT] notices relating to sex trafficking, human trafficking, sexual abuse, and sexual assault awareness and prevention for students enrolled in grades kindergarten through 12.

*** Sec. 40.** AS 14.30.355(b) is amended to read:

(b) The policy and [,] training [, AND NOTICES] adopted under this section must include

(1) an age-appropriate and trauma-informed approach [INFORMATION];

(2) warning signs of sexual abuse of a child, grooming, attempted sex trafficking, and attempted human trafficking;

(3) referral and resource information;

(4) available student counseling and educational support;

(5) information related to safe online practices and warning signs of grooming and attempted sex trafficking and human trafficking through electronic means [METHODS FOR INCREASING TEACHER, STUDENT, AND PARENT AWARENESS OF ISSUES REGARDING SEXUAL ABUSE OF CHILDREN];

(6) actions that a child may take to prevent and report sex trafficking, human trafficking, sexual abuse or sexual assault; [AND]

(7) a scalable, repeatable program; and

(8) use of evidence-based best practices [A PROCEDURE ALLOWING A STUDENT TO BE EXCUSED FROM PARTICIPATING IN TRAINING OR FROM RECEIVING NOTICES UNDER THIS SECTION AT THE WRITTEN REQUEST OF A PARENT OR GUARDIAN OF THE STUDENT, OR OF THE STUDENT IF THE STUDENT IS EMANCIPATED OR 18 YEARS OF AGE OR OLDER].

*** Sec. 41.** AS 14.30.355(d) is amended by adding new paragraphs to read:

(3) "human trafficking" means a violation of AS 11.41.360 - 11.41.366;

(4) "sex trafficking" means a violation of AS 11.41.340 - 11.41.350.

* **Sec. 42.** AS 14.30.355 is amended by adding a new subsection to read:

(e) A notice adopted under this section must notify parents or guardians of a student, or a student who is emancipated or 18 years of age or older, of

(1) a procedure allowing the student to be excused from participating in the training or from receiving subsequent notices of the training at the written request of the parent or guardian of the student, or, if the student is emancipated or 18 years of age or older, at the request of the student; and

(2) an option to receive a summary of the materials and information provided in the training if the parent, guardian, or student requested that the student be excused from participation or from receiving notices of the training under (1) of this subsection.

* **Sec. 43.** AS 14.30.361(d) is amended to read:

(d) The requirements under (a) of this section do not apply to

(1) sex trafficking, human trafficking, sexual abuse, and sexual assault awareness and prevention training required under AS 14.30.355; or

(2) dating violence and abuse awareness and prevention training required under AS 14.30.356."

Renumber the following bill sections accordingly.

Page 33, line 20:

Delete "sec. 36"

Insert "sec. 38"

Page 34, line 5:

Delete "sec. 47"

Insert "sec. 54"

Page 34, line 6:

Delete "47"

Insert "54"

Page 34, line 19:

Delete "sec. 38"

Insert "sec. 45"

Page 34, line 20:

Delete "sec. 40"
Insert "sec. 47"

Page 34, line 21:
Delete "sec. 41"
Insert "sec. 48"

Page 34, line 22:
Delete "sec. 42"
Insert "sec. 49"

Page 34, line 23:
Delete "sec. 43"
Insert "sec. 50"

Page 34, line 30:
Delete "47"
Insert "54"

Page 34, following line 30:
Insert a new bill section to read:
"*** Sec. 68.** Sections 36, 37, and 39 - 43 of this
Act take effect July 1, 2024."

Renumber the following bill section accordingly.

Page 34, line 31:
Delete "sec. 60"
Insert "secs. 67 and 68"

REPRESENTATIVE GRAY objected.

[1:05:42 PM](#)

JAKE ALMEIDA, Staff, Representative Sarah Vance, Alaska State Legislature, on behalf of Representative Vance, explained that Amendment 5 pertained to AS 14.33.355, which concerned policy and training on sexual abuse and sexual assault awareness in the K-12 education system. The proposed amendment would add the concepts of sex and human trafficking to the statute and enhance the substance of the curriculum, he said.

[1:06:59 PM](#)

REPRESENTATIVE EASTMAN asked where the phrase "human reproduction or sexual matters" was found in statute.

[1:07:38 PM](#)

CLAIRE RADFORD, Attorney, Legislative Legal Services, Legislative Affairs Agency (LAA), cited AS 14.03.016 related to the parental rights to direct the education of the parents' child. The definition stated that "human reproduction or sexual matters" did not include curricula or materials for subparagraph (A) and (B). She added that there was a notice in statute related to human reproduction or sexual matters that was required to go out to parents of children.

REPRESENTATIVE EASTMAN asked whether parents would have the same ability to opt-out from receiving the sex and human trafficking instruction if Amendment 5 were to pass.

MS. RADFORD indicated that the proposed amendment would allow students to be excused from participating in this training and provide an option for parents to receive a summary of the material provided.

REPRESENTATIVE EASTMAN sought to clarify whether the parental notice would provide the summary of instruction material.

MS. RADFORD said the option to receive a summary of material would be separate from the notice regarding training that a parent or guardian could opt-out his/her child from.

[1:10:47 PM](#)

REPRESENTATIVE GRAY inquired about the typical process of adding or changing K-12 curricula for the state.

[1:11:07 PM](#)

KELLY MANNING, Deputy Director, Innovation and Education Excellence, Department of Education and Early Development (DEED), said the typical process for adding a course or curriculum requirement involved convening a work group of educators and subject matter experts to develop content or perform a rubric or evaluation process for existing content to determine whether it aligned with state standards. The work group would then create the course or curriculum based off that process, she said. For e-learning education, she added, [the work group] would work with an e-learning vendor to create a course with the necessary content and delivery standards for interactivity.

REPRESENTATIVE GRAY asked whether that process would begin immediately if Amendment 5 were to pass.

CHAIR VANCE answered yes; however, she clarified that Amendment 5 was expanding the current requirements on sexual assault and dating violence to include this conversation, as opposed to creating an additional curriculum or adding more class time.

[1:13:31 PM](#)

REPRESENTATIVE GRAY asked whether there was a different process for expanding the current curriculum.

MS. MANNING responded that the process would be similar; however, it would be abbreviated for the scope and length of the content.

REPRESENTATIVE GRAY asked whether the one-year effective date allowed for enough time to complete that process.

MS. MANNING answered yes, one year was enough time to update the content and post it on the department's website.

[1:15:55 PM](#)

REPRESENTATIVE EASTMAN asked how many districts would be required to change existing curricula if Amendment 5 were to pass. He asked whether any districts were currently [teaching this type of material].

MS. MANNING said she could not speak to classroom instruction at the district level, as the department was not required to collect that information.

REPRESENTATIVE EASTMAN asked whether the inclusion of these topics was a natural extension of the original dating violence curriculum or whether it would require a substantial rewrite.

MS. MANNING said incorporating this specific content area would require adjustments and revisions and the addition of a module.

[1:18:25 PM](#)

REPRESENTATIVE GRAY asked whether any districts offered feedback on the proposed curriculum expansion.

CHAIR VANCE pointed out that there had been little time for school districts to reflect on Amendment 5. She said it was a policy decision for the legislature.

REPRESENTATIVE GRAY asked whether it was common practice for districts to weigh in on expansions to the curriculum.

CHAIR VANCE remarked, "There are times that definitely, it is, and there are times where we make policy decisions. I think it goes both ways."

REPRESENTATIVE GRAY shared his belief that there was value in stakeholder input.

[1:20:10 PM](#)

REPRESENTATIVE ALLARD asked whether Representative Gray was concerned that the curriculum expansion was an additional burden and too much for the schools to take on.

REPRESENTATIVE GRAY opined that it was not too much for the schools to take on and reiterated his support for Amendment 5. Nonetheless, he restated his question, asking whether it was common practice for the House Judiciary Standing Committee (HJUD) to pass an amendment that would expand the K-12 curriculum without input from stakeholders.

REPRESENTATIVE ALLARD shared her belief that this was a policy issue. She opined that [the committee] had done its due diligence, adding that the school districts' opinion on the proposal had little relevance. She shared her belief that Eagle River was supportive [of Amendment 5], stating "they just better get on board and implement it."

REPRESENTATIVE GRAY asked whether it would be appropriate for the House Education Standing Committee (HEDC) to hear this type of amendment.

REPRESENTATIVE ALLARD shared her understanding that the committees of referral had already been decided for HB 68 and HEDC was not one of them. Additionally, she pointed out that parents had the option to opt-out of the curriculum should the bill pass.

REPRESENTATIVE GRAY asked why a bill that changed the K-12 curriculum in any way would not be referred to HEDC.

REPRESENTATIVE EASTMAN suggested that the question from Representative Gray would be best directed to the speaker's office, as the speaker of the House was responsible for assigning the committees of referral.

[1:24:25 PM](#)

REPRESENTATIVE GRAY removed his objection to Amendment 5. There being no further objection, Amendment 5 was adopted.

[1:24:40 PM](#)

REPRESENTATIVE CARPENTER moved to adopt Amendment 6 to Version S, labeled 33-GH1029\S.8, Radford, 4/20/23, which read:

Page 25, lines 12 - 17:
Delete all material.

Renumber the following bill sections accordingly.

Page 34, line 5:
Delete "sec. 47"
Insert "sec. 46"

Page 34, line 6:
Delete "47"
Insert "46"

Page 34, line 19:
Delete "sec. 38"
Insert "sec. 37"

Page 34, line 20:
Delete "sec. 40"
Insert "sec. 39"

Page 34, line 21:
Delete "sec. 41"
Insert "sec. 40"

Page 34, line 22:
Delete "sec. 42"
Insert "sec. 41"

Page 34, line 23:
Delete "sec. 43"
Insert "sec. 42"

Page 34, line 30:

Delete "47"

Insert "46"

Page 34, line 31:

Delete "sec. 60"

Insert "sec. 59"

REPRESENTATIVE GRAY objected for the purpose of discussion.

MR. ALMEIDA explained that Amendment 6 would delete a provision related to qualifications for grants and contracts, which was a policy decision by the chair.

CHAIR VANCE explained that assigning grant authority to the Council on Domestic Violence and Sexual Assault (CDVSA) would require additional statutory authority. She emphasized her desire for a long-term solution, adding that the goal was to provide the Governor's Council on Human and Sex Trafficking with the proper statutory authority and allow the CDVSA to continue its work on sexual abuse. For that reason, she said she felt it appropriate to remove the provision in question, as it was incomplete.

REPRESENTATIVE GRAY removed his objection. There being no further objection, Amendment 6 was adopted.

[1:27:20 PM](#)

REPRESENTATIVE CARPENTER moved to adopt Amendment 7 to Version S, labeled 33-GH1029\S.9, Radford, 4/21/23, which read:

Page 1, line 1, following "**trafficking**":

Insert "**relating to notifications of convictions for athletic trainers, private professional conservators and guardians, licensed professional counselors, massage therapists, marital and family therapists, physicians, direct-entry midwives, nurses, pharmacists, psychologists and psychological associates, and clinical social workers;**"

Page 2, following line 11:

Insert new bill sections to read:

"* **Sec. 2.** AS 08.07 is amended by adding a new section to read:

Sec. 08.07.035. Notification of conviction. An athletic trainer shall notify the department if the athletic trainer has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a felony or misdemeanor crime.

* **Sec. 3.** AS 08.26.130 is amended by adding a new subsection to read:

(b) A licensee shall notify the department if the licensee has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a felony or other crime that may result in grounds for disciplinary action under (a)(6) of this section.

* **Sec. 4.** AS 08.29.400 is amended by adding a new subsection to read:

(d) A person licensed under this chapter shall notify the board if the person has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a felony that may result in grounds for disciplinary sanctions under (a)(2) of this section.

* **Sec. 5.** AS 08.61.060 is amended by adding a new subsection to read:

(b) A person licensed under this chapter shall notify the board if the person has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a felony or other crime that may result in grounds for disciplinary sanctions under (a)(4) of this section.

* **Sec. 6.** AS 08.63.210 is amended by adding a new subsection to read:

(e) A person licensed under this chapter shall notify the board if the person has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a felony or other crime that may result in grounds for disciplinary sanctions under (a)(4) of this section.

* **Sec. 7.** AS 08.64.326 is amended by adding a new subsection to read:

(c) A licensee shall notify the board if the licensee has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a felony or other crime that may result in grounds for disciplinary sanctions under (a)(4) or (5) of this section.

* **Sec. 8.** AS 08.65.110 is amended by adding a new subsection to read:

(b) A person holding a certificate or permit under this chapter shall notify the board if the person has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a felony or other crime that may result in grounds for disciplinary sanctions under (a)(4) of this section.

* **Sec. 9.** AS 08.68.270 is amended by adding a new subsection to read:

(b) A person licensed under this chapter shall notify the board if the person has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a felony or other crime that may result in grounds for disciplinary sanctions under (a)(2) or (12) of this section.

* **Sec. 10.** AS 08.80.261 is amended by adding a new subsection to read:

(c) A licensee or an applicant shall notify the board if the licensee or applicant has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a felony or other crime that may result in grounds for disciplinary sanctions under (a)(4) or (10) of this section.

* **Sec. 11.** AS 08.86.204 is amended by adding a new subsection to read:

(e) A person licensed under this chapter shall notify the board if the licensee has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a felony or other crime that may result in grounds for disciplinary sanctions under (a)(4) of this section.

* **Sec. 12.** AS 08.95.050 is amended by adding a new subsection to read:

(d) A licensee shall notify the board if the licensee has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a felony or other crime that may result in grounds for disciplinary sanctions under (a)(7) of this section."

Renumber the following bill sections accordingly.

Page 33, line 3, following "(a)":

Insert "The following sections apply to notifications of convictions for offenses committed on or after the effective date of those sections:

(1) AS 08.07.035, enacted by sec. 2 of this Act;

(2) AS 08.26.130(b), enacted by sec. 3 of
this Act;
(3) AS 08.29.400(d), enacted by sec. 4 of
this Act;
(4) AS 08.61.060(b), enacted by sec. 5 of
this Act;
(5) AS 08.63.210(e), enacted by sec. 6 of
this Act;
(6) AS 08.64.326(c), enacted by sec. 7 of
this Act;
(7) AS 08.65.110(b), enacted by sec. 8 of
this Act;
(8) AS 08.68.270(b), enacted by sec. 9 of
this Act;
(9) AS 08.80.261(c), enacted by sec. 10 of
this Act;
(10) AS 08.86.204(e), enacted by sec. 11 of
this Act;
(11) AS 08.95.050(d), enacted by sec. 12 of
this Act."

Reletter the following subsections accordingly.

Page 33, line 5:

Delete "sec. 4"

Insert "sec. 15"

Page 33, line 6:

Delete "sec. 5"

Insert "sec. 16"

Page 33, line 7:

Delete "sec. 6"

Insert "sec. 17"

Page 33, line 8:

Delete "sec. 7"

Insert "sec. 18"

Page 33, line 9:

Delete "sec. 8"

Insert "sec. 19"

Page 33, line 10:

Delete "sec. 9"

Insert "sec. 20"

Page 33, line 11:
Delete "sec. 10"
Insert "sec. 21"

Page 33, line 12:
Delete "sec. 11"
Insert "sec. 22"

Page 33, line 13:
Delete "sec. 12"
Insert "sec. 23"

Page 33, line 14:
Delete "sec. 13"
Insert "sec. 24"

Page 33, line 15:
Delete "sec. 14"
Insert "sec. 25"

Page 33, line 16:
Delete "sec. 15"
Insert "sec. 26"

Page 33, line 17:
Delete "sec. 16"
Insert "sec. 27"

Page 33, line 18:
Delete "sec. 17"
Insert "sec. 28"

Page 33, line 19:
Delete "sec. 18"
Insert "sec. 29"

Page 33, line 20:
Delete "sec. 36"
Insert "sec. 47"

Page 33, line 23:
Delete "sec. 20"
Insert "sec. 31"

Page 33, line 24:
Delete "sec. 21"
Insert "sec. 32"

Page 33, line 25:
Delete "sec. 22"
Insert "sec. 33"

Page 33, line 26:
Delete "sec. 23"
Insert "sec. 34"

Page 33, line 27:
Delete "sec. 24"
Insert "sec. 35"

Page 33, line 28:
Delete "sec. 25"
Insert "sec. 36"

Page 33, line 29:
Delete "sec. 26"
Insert "sec. 37"

Page 33, line 30:
Delete "sec. 27"
Insert "sec. 38"

Page 33, line 31:
Delete "sec. 28"
Insert "sec. 39"

Page 34, line 1:
Delete "sec. 33"
Insert "sec. 44"

Page 34, line 2:
Delete "sec. 34"
Insert "sec. 45"

Page 34, line 3:
Delete "sec. 34"
Insert "sec. 45"

Page 34, line 4:
Delete "sec. 35"
Insert "sec. 46"

Page 34, line 5:
Delete "sec. 47"

Insert "sec. 58"
Delete "sec. 35"
Insert "sec. 46"

Page 34, line 6:
Delete "secs. 35 and 47"
Insert "secs. 46 and 58"

Page 34, line 8:
Delete "sec. 35"
Insert "sec. 46"

Page 34, line 9:
Delete "sec. 35"
Insert "sec. 46"

Page 34, line 13:
Delete "sec. 2"
Insert "sec. 13"

Page 34, line 14:
Delete "sec. 19"
Insert "sec. 30"

Page 34, line 15:
Delete "sec. 29"
Insert "sec. 40"

Page 34, line 16:
Delete "sec. 30"
Insert "sec. 41"

Page 34, line 17:
Delete "sec. 31"
Insert "sec. 42"

Page 34, line 18:
Delete "sec. 32"
Insert "sec. 43"

Page 34, line 19:
Delete "sec. 38"
Insert "sec. 49"

Page 34, line 20:
Delete "sec. 40"
Insert "sec. 51"

Page 34, line 21:
Delete "sec. 41"
Insert "sec. 52"

Page 34, line 22:
Delete "sec. 42"
Insert "sec. 53"

Page 34, line 23:
Delete "sec. 43"
Insert "sec. 54"

Page 34, line 27:
Delete "sec. 35"
Insert "sec. 46"

Page 34, line 28:
Delete "sec. 35"
Insert "sec. 46"

Page 34, line 30:
Delete "Sections 35 and 47"
Insert "Sections 46 and 58"

Page 34, line 31:
Delete "sec. 60"
Insert "sec. 71"

REPRESENTATIVE ALLARD objected for the purpose of discussion.

[1:27:42 PM](#)

MR. ALMEIDA explained Amendment 7, which would require any person with one of the following professional licenses to convey any sex trafficking convictions to their licensing board: athletic trainers, private professional conservators and guardians, licensed professional counselors, massage therapists, marital and family therapists, physicians, direct-entry midwives, nurses, pharmacists, psychological associates, and clinical social workers.

REPRESENTATIVE ALLARD questioned why daycare workers and teachers weren't included in Amendment 7.

CHAIR VANCE noted that the revocation of teacher's licenses was already included in Version S. She reiterated that Amendment 7

specifically required notification of a sex trafficking conviction to the licensing board, as that was not an existing requirement for all boards.

The committee took an at-ease from 1:31 p.m. to 1:34 p.m.

[1:34:23 PM](#)

REPRESENTATIVE ALLARD asked whether daycare and nursery workers were included in Amendment 7.

[1:34:47 PM](#)

MS. RADFORD clarified that childcare facilities were not included in the proposed amendment. She explained that a separate amendment would be needed to impose restrictions on employees of childcare facilities with prior convictions, which would likely fall under AS 47.32 rather than Title 8.

[1:35:37 PM](#)

The committee took a brief at-ease.

[1:39:00 PM](#)

REPRESENTATIVE ALLARD moved to adopt Conceptual Amendment 1 to Amendment 7, which would insert "daycare providers" after "psychological associates." She said she wished to encompass nurse schools in the language as well.

CHAIR VANCE asked whether "childcare providers" would capture Representative Allard's intent.

REPRESENTATIVE ALLARD indicated that she was unsure without input from Legislative Legal Services. She stated her desire to include home daycares in the language as well.

[1:40:30 PM](#)

REPRESENTATIVE CARPENTER objected for the purpose of discussion.

REPRESENTATIVE GRAY pointed out that Amendment 7 concerned notification. He said he wanted to make sure that there was a governing body for nurseries and daycare facilities to be notified.

REPRESENTATIVE ALLARD responded, "licensing and certification board, like they would everybody else." She asked whether all daycares, both private and public, would be captured by Conceptual Amendment 1 to Amendment 7.

[1:41:34 PM](#)

GLENN SAVIERS, Deputy Director, Division of Corporations Business and Professional Licensing, Department of Commerce, Community & Economic Development (DCCED), said she was unable to answer the question with certainty, as the Division of Corporations Business and Professional Licensing did not license childcare. She referred the committee to the Department of Health.

REPRESENTATIVE ALLARD withdrew Conceptual Amendment 1 to Amendment 7.

[1:42:18 PM](#)

REPRESENTATIVE EASTMAN shared his understanding that if Amendment 7 were to pass, any misdemeanor in any country, state, or territory, including those unrelated to the professional licenses listed in the proposed amendment, would fall under the notification requirement.

MS. RADFORD clarified that the proposed amendment was limited to crimes that may result in disciplinary sanctions for each license type.

REPRESENTATIVE EASTMAN questioned how the potential for sanctions would be determined.

MS. RADFORD suggested speaking to the board to determine which crimes would result in disciplinary sanctions. She deferred the question to the various licensing boards.

REPRESENTATIVE EASTMAN sought to verify that a massage therapist, for example, would be required to notify the board [of a conviction]. The board would then determine whether that conviction was relevant to sanctions and follow up with disciplinary action. He asked whether that was accurate.

MS. RADFORD deferred to a licensing expert. She said she was unsure whether boards maintained a list of convictions that may result in grounds for disciplinary sanctions or whether the licensees would have to make that determination on their own.

[1:46:23 PM](#)

MS. SAVIERS responded that it depends on the program, as each licensing program has its own set of statutes and regulations. She provided an example. Generally, she said, when a licensee applies for a first-time license or to renews his/her license, the application asks whether the individual has been convicted of a misdemeanor or felony. If the answer is yes, the licensee must explain the conviction and provide court documents. If the board has no authority to take disciplinary action related to the conviction, the license will be issued. Otherwise, the board will decide whether the conviction warrants action against the licensee, she explained. If the statute specifically calls for revocation of a license, the board will take appropriate action.

[1:48:22 PM](#)

REPRESENTATIVE GRAY questioned why physician assistants were not included in Amendment 7.

CHAIR VANCE was unsure which licensing program physician assistants fell under.

REPRESENTATIVE GRAY asked whether physician assistants were covered under "physicians."

MS. SAVIERS stated that physicians were covered under AS 08.64, which was addressed in Sections 14 and 15. Upon her reading of the bill, she shared her understanding that physician assistants would be covered. She offered to follow up with the committee if her interpretation was incorrect.

REPRESENTATIVE GRAY asked whether there were any legal concerns about Amendment 7.

MS. RADFORD said Amendment 7 was a policy amendment, adding that there were no constitutional or legal concerns.

[1:50:32 PM](#)

REPRESENTATIVE EASTMAN suggested that physician assistants should be included in the title change if it was the will of the committee. He asked how much time a convicted licensee was granted to complete the required notification to the licensing program.

MS. RADOFORD said there was no time limit imposed for disclosing a conviction under these sections. She further noted that, per page 3, Amendment 7 would only apply to convictions for offenses committed on or after the effective date of the sections.

[1:53:02 PM](#)

REPRESENTATIVE CARPENTER removed his objection. There being no further objection, Amendment 7 was adopted.

[1:53:25 PM](#)

REPRESENTATIVE EASTMAN objected for the purpose of further discussion.

REPRESENTATIVE ALLARD remarked "I'm having problems with both of these amendments. I'm worried that we're passing them out and I don't know if they're going to be addressed, madam chair, in another committee."

REPRESENTATIVE EASTMAN inquired about the impact of passing Amendment 7 on the expectation of a lifetime revocation.

CHAIR VANCE said [the issue of lifetime revocation] was a separate amendment.

[1:54:57 PM](#)

REPRESENTATIVE EASTMAN withdrew his objection. There being no further objection, Amendment 7 was adopted.

[1:55:13 PM](#)

REPRESENTATIVE CARPENTER moved to adopt Amendment 8 to Version S, labeled 33-GH1029\S.11, Radford, 4/21/23, which read:

Page 1, line 1, following "**trafficking;**":

Insert "**relating to athletic trainers, private professional conservators and guardians, licensed professional counselors, massage therapists, marital and family therapists, physicians, direct-entry midwives, nurses, pharmacists, psychologists and psychological associates, and clinical social workers;**"

Page 2, following line 11:

Insert new bill sections to read:

*** Sec. 2.** AS 08.07.020(a) is amended to read:

(a) The department shall issue an athletic trainer license to an individual who

(1) applies to the department on a form provided by the department;

(2) meets the requirements established in regulation by the department;

(3) pays the fees established by the department; [AND]

(4) provides proof of certification by the Board of Certification, Inc., or another nationally recognized professional association approved by the department; **and**

(5) has not been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

*** Sec. 3.** AS 08.07 is amended by adding a new section to read:

Sec. 08.07.025. Revocation or refusal of a license. The department shall revoke for life an athletic trainer license or refuse to issue or renew an athletic trainer license if the department determines that the individual has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

*** Sec. 4.** AS 08.26.020(a) is amended to read:

(a) The department shall issue a private professional full guardian license to an individual

(1) who is at least 21 years of age;

(2) who has two or more years of professional client casework experience or at least an associate degree in human services, social work, psychology, sociology, gerontology, special education, or a closely related field;

(3) who is certified as a guardian by a nationally recognized organization in the field of guardianships;

(4) whose criminal history record checks under AS 08.26.070 show that the individual has not been convicted of **a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460, or of** a felony or [OF A] misdemeanor offense in the state or in any other jurisdiction involving fraud, misrepresentation, material omission, misappropriation, theft,

conversion, or any other crime the department determines would affect the individual's ability to provide the services of a guardian competently and safely for the protected person within 10 years before the application;

(5) who satisfies the application requirements of AS 08.26.060; and

(6) who satisfies the requirements for obtaining a private professional conservator license under AS 08.26.030.

* **Sec. 5.** AS 08.26.030 is amended to read:

Sec. 08.26.030. Requirements for private professional conservator license. The department shall issue a private professional conservator license to an individual

(1) who is at least 21 years of age;

(2) who has obtained a high school diploma, or a general education development diploma or its equivalent;

(3) who has six months' employment experience in a position involving financial management, or has at least an associate degree in accounting or a closely related field;

(4) who is certified as a guardian by a nationally recognized organization in the field of guardianships;

(5) whose criminal history record checks under AS 08.26.070 show that the individual has not been convicted of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460, or of a felony or [OF A] misdemeanor offense in the state or in any other jurisdiction involving fraud, misrepresentation, material omission, misappropriation, theft, conversion, or any other crime that the department determines would affect the individual's ability to provide the services of a conservator competently and safely for the protected person within 10 years before the application; and

(6) who satisfies the application requirements of AS 08.26.060.

* **Sec. 6.** AS 08.26.130 is amended by adding a new subsection to read:

(b) The department shall revoke for life a license or refuse to issue or renew a license if the department determines that the individual has been convicted, including a conviction based on a guilty

plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

*** Sec. 7.** AS 08.29.110(a) is amended to read:

(a) The board shall issue a professional counselor license to a person who applies for the license, submits the required fee, submits two letters of recommendation from professional counselors who are familiar with the applicant's practice of professional counseling, and presents evidence satisfactory to the board that the person

(1) is at least 18 years of age;

(2) is not under investigation in this or another jurisdiction for an act that would constitute a violation of this chapter;

(3) has not had a license related to the practice of counseling, psychology, marital and family therapy, or social work in this or another jurisdiction suspended, revoked, or surrendered in lieu of discipline unless the license has been fully reinstated in that jurisdiction;

(4) has passed a written examination as required by the board; the board may provide that passing a nationally recognized examination for professional counselors is sufficient to meet the examination requirement of this paragraph;

(5) has successfully completed either

(A) an earned doctoral degree in counseling or a related professional field from a regionally or nationally accredited institution of higher education approved by the board; or

(B) an earned master's degree in counseling or a related professional field, from a regionally or nationally accredited institution of higher education approved by the board, and at least 60 graduate semester hours in counseling during or after earning the master's degree; [AND]

(6) has, after earning the degree required under either (5) (A) or (B) of this subsection, had at least 3,000 hours of supervised experience in the practice of professional counseling performed over a period of at least two years under the supervision of a supervisor approved under AS 08.29.210, with at least 1,000 hours of direct counseling with individuals, couples, families, or groups and at least 100 hours of face-to-face supervision by a supervisor approved under AS 08.29.210 unless, under regulations of the board, the board allows the supervision to be

by telephonic or electronic means because of the remote location of the counselor; and

(7) has not been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 8.** AS 08.29.400 is amended by adding a new subsection to read:

(d) The board shall revoke for life a license or refuse to issue or renew a license if the board determines that the person has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 9.** AS 08.61.030 is amended to read:

Sec. 08.61.030. Qualifications for license. The board shall issue a license to practice massage therapy to a person who

(1) applies on a form provided by the department;

(2) pays the fees established under AS 08.61.090;

(3) furnishes evidence satisfactory to the board that the person has completed a

(A) course of study of at least 625 hours of in-class supervised instruction and clinical work from an approved massage school; or

(B) board-approved apprenticeship program;

(4) is 18 years of age or older;

(5) has been fingerprinted and has provided the fees required by the Department of Public Safety under AS 12.62.160 for criminal justice information and a national criminal history record check; the fingerprints and fees shall be forwarded to the Department of Public Safety to obtain a report of criminal justice information under AS 12.62 and a national criminal history record check under AS 12.62.400;

(6) has a current cardiopulmonary resuscitation certification;

(7) has received at least two hours of safety education covering bloodborne pathogens and universal precautions in the two years preceding the application for the license; in this paragraph, "bloodborne pathogens" has the meaning given in AS 18.15.450;

(8) has successfully completed a nationally recognized competency examination approved by the board; and

(9) has not been convicted of, or pled guilty or no contest to, a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460, or a crime involving moral turpitude, or who has been convicted of, or pled guilty or no contest to, a crime involving moral turpitude if the board finds that the conviction does not affect the person's ability to practice competently and safely.

* **Sec. 10.** AS 08.61.040 is amended to read:

Sec. 08.61.040. Licensure by credentials. The board shall issue a license to practice massage therapy to a person who

(1) is 18 years of age or older;

(2) applies on a form provided by the department;

(3) pays the fees established under AS 08.61.090;

(4) has submitted the person's fingerprints and the fees required by the Department of Public Safety under AS 12.62.160 for criminal justice information and a national criminal history record check; the fingerprints and fees shall be forwarded to the Department of Public Safety to obtain a report of criminal justice information under AS 12.62 and a national criminal history record check under AS 12.62.400;

(5) is not the subject of an unresolved complaint or disciplinary action before a regulatory authority in this state or another jurisdiction;

(6) has not had a certificate or license to practice massage therapy revoked, suspended, or voluntarily surrendered in this state or another jurisdiction;

(7) has not been convicted of, or pled guilty or no contest to, a law or ordinance of this or another jurisdiction with elements similar to a crime listed under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460, or a crime involving moral turpitude, or has been convicted of, or pled guilty or no contest to, a crime involving moral turpitude if the board finds that the conviction does not affect the person's ability to practice competently and safely;

(8) has a current cardiopulmonary resuscitation certification; and

(9) is currently
(A) licensed to practice massage therapy in another state or country that has licensing requirements that are substantially equal to or greater than the requirements of this state; or
(B) certified by a certification entity approved by the board.

* **Sec. 11.** AS 08.61.060 is amended by adding a new subsection to read:

(b) The board shall revoke for life a license or refuse to issue or renew a license if the board determines that the person has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 12.** AS 08.63.100(a) is amended to read:

(a) The board shall issue a license to practice marital and family therapy to a person who

(1) applies on a form provided by the board;

(2) pays the fee established under AS 08.01.065;

(3) furnishes evidence satisfactory to the board that the person

(A) has not engaged in conduct that is a ground for imposing disciplinary sanctions under AS 08.63.210;

(B) holds a master's degree or doctorate in marital and family therapy or allied mental health field from a regionally accredited educational institution approved by the board for which the person completed a course of study that included instruction substantially equivalent to the following:

(i) three courses or nine semester or 12 quarter hours of course work in marital and family therapy;

(ii) three courses or nine semester or 12 quarter hours of course work in marital and family studies;

(iii) three courses or nine semester or 12 quarter hours of course work in human development;

(iv) one course or three semester or four quarter hours of course work in professional studies or professional ethics and law;

(v) one course or three semester or four quarter hours of course work in research; and

(vi) one year of supervised clinical practice in marital and family therapy;

(C) after receiving a degree described in (B) of this paragraph, has practiced supervised marital and family therapy, including 1,700 hours of clinical contact with couples, individuals, and families; the 1,700 hours of clinical contact must include at least 100 hours of individual supervision and 100 hours of group supervision approved by the board; the 100 hours of individual supervision and 100 hours of group supervision may be conducted by one or more supervisors;

(D) has received training related to domestic violence; [AND]

(E) has passed a written or oral examination administered by the board; and

(F) has not been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 13.** AS 08.63.210 is amended by adding a new subsection to read:

(e) The board shall revoke for life a license issued under this chapter or refuse to issue or renew a license under this chapter if the board determines that the individual has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 14.** AS 08.64.240(a) is amended to read:

(a) The board may not grant a license if

(1) the applicant fails or cheats during the examination;

(2) the applicant has surrendered a license in another jurisdiction while under investigation and the license has not been reinstated in that jurisdiction;

(3) the board determines that the applicant is professionally unfit to practice medicine or osteopathy in the state; [OR]

(4) the applicant fails to comply with a requirement of this chapter; or

(5) the applicant has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 15.** AS 08.64.326 is amended by adding a new subsection to read:

(c) The board shall revoke for life a license issued under this chapter or refuse to issue or renew a license under this chapter if the board determines that the person has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 16.** AS 08.65.050 is amended to read:

Sec. 08.65.050. Qualifications for license. The board shall issue a certificate to practice direct-entry midwifery to a person who

(1) applies on a form provided by the board;

(2) pays the fees required under AS 08.65.100;

(3) furnishes evidence satisfactory to the board that the person has not engaged in conduct that is a ground for imposing disciplinary sanctions under AS 08.65.110 and has not been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460;

(4) furnishes evidence satisfactory to the board that the person has completed a course of study and supervised clinical experience; the study and experience must be of at least one year's duration;

(5) successfully completes the examination required by the board.

* **Sec. 17.** AS 08.65.110 is amended by adding a new subsection to read:

(b) The board shall revoke for life a certificate or permit or refuse to issue or renew a certificate or permit if the board determines that the individual has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 18.** AS 08.68.170(c) is amended to read:

(c) An applicant for a license to practice advanced practice registered nursing shall submit to the board, on forms and in the manner prescribed by the board, written evidence, verified by oath, that the applicant

(1) is licensed as a registered nurse in the state; [AND]

(2) has successfully completed an advanced practice registered nurse education program that meets the criteria established by the board under AS 08.68.100; and

(3) has not been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 19.** AS 08.68.270 is amended by adding a new subsection to read:

(b) The board shall revoke for life a license or refuse to issue or renew a license if the board determines that the person has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 20.** AS 08.80.110 is amended to read:

Sec. 08.80.110. Qualifications for licensure by examination. An applicant for licensure as a pharmacist shall

(1) be fluent in the reading, writing, and speaking of the English language;

(2) furnish the board with at least two affidavits from reputable citizens that the applicant has known for at least one year attesting to the applicant's good moral character;

(3) be a graduate of a college in a degree program approved by the board;

(4) pass an examination or examinations given by the board or acceptable to the board under the score transfer process administered by the National Association of Boards of Pharmacy;

(5) have completed internship training or another program that has been approved by the board or demonstrated to the board's satisfaction that the applicant has experience in the practice of pharmacy that meets or exceeds the minimum internship requirements of the board;

(6) affirm that the applicant has not been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 21.** AS 08.80.145 is amended to read:

Sec. 08.80.145. Reciprocity; license transfer. If another jurisdiction allows licensure in that jurisdiction of a pharmacist licensed in this state under conditions similar to those in this section, the

board may license as a pharmacist in this state a person licensed as a pharmacist in the other jurisdiction if the person

(1) submits a written application to the board on a form required by the board;

(2) is at least 18 years of age;

(3) is of good moral character;

(4) possesses at the time of the request for licensure as a pharmacist in this state the qualifications necessary to be eligible for licensure in this state;

(5) has engaged in the practice of pharmacy for at least one year or has met the internship requirements of this state within the one-year period immediately before applying for a license under this section;

(6) presents proof satisfactory to the board that the person is currently licensed as a pharmacist in the other jurisdiction and does not currently have a pharmacist license suspended, revoked, or otherwise restricted except for failure to apply for renewal or failure to obtain the required continuing education credits;

(7) has passed an examination approved by the board that tests the person's knowledge of Alaska laws relating to pharmacies and pharmacists and the regulations adopted under those laws; [AND]

(8) pays all required fees; and

(9) has not been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a law or ordinance of this or another jurisdiction with elements similar to a crime listed under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 22.** AS 08.80.261 is amended by adding a new subsection to read:

(c) The board shall revoke for life a license or refuse to issue or renew a license if the board determines that the applicant or licensee has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 23.** AS 08.86.130(a) is amended to read:

(a) The board shall issue a psychologist license to a person who

(1) holds an earned doctorate degree, from an academic institution whose program of graduate

study for a doctorate degree in psychology meets the criteria established by the board by regulation, in

(A) clinical psychology;
(B) counseling psychology; or
(C) education in a field of specialization considered equivalent by the board;

(2) has not engaged in dishonorable conduct related to the practice of counseling or psychometry;

(3) has one year of post doctoral supervised experience approved by the board; [AND]

(4) takes and passes the objective examination developed or approved by the board; and

(5) has not been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* Sec. 24. AS 08.86.160(a) is amended to read:

(a) The board shall issue a psychological associate license to a person who

(1) holds an earned master's degree from an academic institution whose program of graduate study for a master's degree in psychology meets the criteria established by the board by regulation in

(A) clinical psychology;
(B) counseling psychology; or
(C) education in a field of specialization considered equivalent by the board;

(2) has not engaged in dishonorable conduct related to the practice of counseling or psychometry;

(3) has two years of post master's supervised experience approved by the board; [AND]

(4) takes and passes the objective examination developed or approved by the board for psychological associates; and

(5) has not been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* Sec. 25. AS 08.86.204 is amended by adding a new subsection to read:

(e) The board shall revoke for life a license or refuse to issue or renew a license if the board determines that the person has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 26.** AS 08.95.050 is amended by adding a new subsection to read:

(d) The board shall revoke for life a license or refuse to issue or renew a license if the board determines that the person has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 27.** AS 08.95.110(a) is amended to read:

(a) The board shall issue a license to practice clinical social work to a person who

(1) has received a master's degree or a doctoral degree in social work from a college or university approved by the board;

(2) has completed, within the 10 years before application for licensure and under the supervision of a licensed clinical social worker, licensed psychologist, or licensed psychiatrist either

(A) a minimum of two years of continuous full-time employment in postgraduate clinical social work; or

(B) a minimum of 3,000 hours of less than full-time employment in a period of not less than two years in postgraduate clinical social work;

(3) is of good moral character;

(4) is in good professional standing and is fit to practice social work as determined by the board;

(5) has provided three professional references that are acceptable to the board, including, if the applicant

(A) was previously employed to practice social work, one reference from a person who was the applicant's employer while practicing social work unless the applicant demonstrates to the satisfaction of the board that the applicant is unable to satisfy the requirement of this subparagraph through no fault of the applicant; and

(B) is currently employed to practice social work, a reference from the applicant's current employer;

(6) has satisfactorily completed the examination given by the board for clinical social worker licensing; [AND]

(7) has paid required fees; and

(8) has not been convicted, including a conviction based on a guilty plea or plea of nolo

contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* Sec. 28. AS 08.95.120(a) is amended to read:

(a) The board shall issue a license to practice clinical social work if the applicant

(1) holds a current license to practice clinical social work in another jurisdiction that, at the time of original issuance of the license, had requirements for licensure equal to or more stringent than those of this state;

(2) is not the subject of an unresolved complaint or disciplinary action before a regulatory authority or a professional social work association;

(3) has provided three professional references that are acceptable to the board, including, if the applicant

(A) was previously employed to practice social work, one reference from a person who was the applicant's employer while practicing social work unless the applicant demonstrates to the satisfaction of the board that the applicant is unable to satisfy the requirement of this subparagraph through no fault of the applicant; and

(B) is currently employed to practice social work, a reference from the applicant's current employer;

(4) has not had a license to practice clinical social work revoked, suspended, or surrendered in lieu of disciplinary action in this state or another jurisdiction;

(5) has submitted proof of continued competency satisfactory to the board; [AND]

(6) has paid required fees; and

(7) has not been convicted of a law or ordinance of this or another jurisdiction with elements substantially similar to a crime listed under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460."

Renumber the following bill sections accordingly.

Page 33, line 3, following "(a)":

Insert "The following sections apply to revocations, denials, or refusals to issue or renew licenses, permits, or certificates for offenses committed on or after the effective date of those sections:

(1) AS 08.07.025, enacted by sec. 3 of this Act;
(2) AS 08.26.130(b), enacted by sec. 6 of this Act;
(3) AS 08.29.400(d), enacted by sec. 8 of this Act;
(4) AS 08.61.060(b), enacted by sec. 11 of this Act;
(5) AS 08.63.210(e), enacted by sec. 13 of this Act;
(6) AS 08.64.326(c), enacted by sec. 15 of this Act;
(7) AS 08.65.110(b), enacted by sec. 17 of this Act;
(8) AS 08.68.270(b), enacted by sec. 19 of this Act;
(9) AS 08.80.261(c), enacted by sec. 22 of this Act;
(10) AS 08.86.204(e), enacted by sec. 25 of this Act;
(11) AS 08.95.050(d), enacted by sec. 26 of this Act."

Reletter the following subsections accordingly.

Page 33, line 5:
Delete "sec. 4"
Insert "sec. 31"

Page 33, line 6:
Delete "sec. 5"
Insert "sec. 32"

Page 33, line 7:
Delete "sec. 6"
Insert "sec. 33"

Page 33, line 8:
Delete "sec. 7"
Insert "sec. 34"

Page 33, line 9:
Delete "sec. 8"
Insert "sec. 35"

Page 33, line 10:
Delete "sec. 9"

Insert "sec. 36"

Page 33, line 11:
Delete "sec. 10"
Insert "sec. 37"

Page 33, line 12:
Delete "sec. 11"
Insert "sec. 38"

Page 33, line 13:
Delete "sec. 12"
Insert "sec. 39"

Page 33, line 14:
Delete "sec. 13"
Insert "sec. 40"

Page 33, line 15:
Delete "sec. 14"
Insert "sec. 41"

Page 33, line 16:
Delete "sec. 15"
Insert "sec. 42"

Page 33, line 17:
Delete "sec. 16"
Insert "sec. 43"

Page 33, line 18:
Delete "sec. 17"
Insert "sec. 44"

Page 33, line 19:
Delete "sec. 18"
Insert "sec. 45"

Page 33, line 20:
Delete "sec. 36"
Insert "sec. 63"

Page 33, line 23:
Delete "sec. 20"
Insert "sec. 47"

Page 33, line 24:

Delete "sec. 21"
Insert "sec. 48"

Page 33, line 25:
Delete "sec. 22"
Insert "sec. 49"

Page 33, line 26:
Delete "sec. 23"
Insert "sec. 50"

Page 33, line 27:
Delete "sec. 24"
Insert "sec. 51"

Page 33, line 28:
Delete "sec. 25"
Insert "sec. 52"

Page 33, line 29:
Delete "sec. 26"
Insert "sec. 53"

Page 33, line 30:
Delete "sec. 27"
Insert "sec. 54"

Page 33, line 31:
Delete "sec. 28"
Insert "sec. 55"

Page 34, line 1:
Delete "sec. 33"
Insert "sec. 60"

Page 34, line 2:
Delete "sec. 34"
Insert "sec. 61"

Page 34, line 3:
Delete "sec. 34"
Insert "sec. 61"

Page 34, line 4:
Delete "sec. 35"
Insert "sec. 62"

Page 34, line 5:
Delete "sec. 47"
Insert "sec. 74"
Delete "sec. 35"
Insert "sec. 62"

Page 34, line 6:
Delete "secs. 35 and 47"
Insert "secs. 62 and 74"

Page 34, line 8:
Delete "sec. 35"
Insert "sec. 62"

Page 34, line 9:
Delete "sec. 35"
Insert "sec. 62"

Page 34, line 13:
Delete "sec. 2"
Insert "sec. 29"

Page 34, line 14:
Delete "sec. 19"
Insert "sec. 46"

Page 34, line 15:
Delete "sec. 29"
Insert "sec. 56"

Page 34, line 16:
Delete "sec. 30"
Insert "sec. 57"

Page 34, line 17:
Delete "sec. 31"
Insert "sec. 58"

Page 34, line 18:
Delete "sec. 32"
Insert "sec. 59"

Page 34, line 19:
Delete "sec. 38"
Insert "sec. 65"

Page 34, line 20:

Delete "sec. 40"
Insert "sec. 67"

Page 34, line 21:
Delete "sec. 41"
Insert "sec. 68"

Page 34, line 22:
Delete "sec. 42"
Insert "sec. 69"

Page 34, line 23:
Delete "sec. 43"
Insert "sec. 70"

Page 34, line 27:
Delete "sec. 35"
Insert "sec. 62"

Page 34, line 28:
Delete "sec. 35"
Insert "sec. 62"

Page 34, line 30:
Delete "Sections 35 and 47"
Insert "Sections 62 and 74"

Page 34, line 31:
Delete "sec. 60"
Insert "sec. 87"

REPRESENTATIVE GRAY objected.

[1:55:29 PM](#)

MR. ALMEIDA explained that Amendment 8 would require new licensees to check a box on the department's application indicating that they had not been convicted of a sex trafficking or sex offense crime listed under AS 11.41.340 -11.41.355 or AS 11.41.410 - 11.41.460.

[1:56:30 PM](#)

REPRESENTATIVE GRAY moved to adopt Amendment 1 to Amendment 8, labeled 33-GH1029\S.12, Radford, 4/23/23, which read as follows [original punctuation provided]:

Page 1, following line 5 of the amendment:

Insert new material to read:

"Page 1, line 6, following **"certificate;"**:

Insert **"relating to disqualifying convictions for religious and private school teachers;"**"

Page 14, following line 23 of the amendment:

Insert new material to read:

"Page 25, following line 11:

Insert a new bill section to read:

"* Sec. 64. AS 14.45 is amended by adding a new section to read:

Sec. 14.45.115. Disqualifying convictions for teachers. An individual may not be employed or volunteer as a teacher in a religious or other private school if the individual has been convicted of a crime, or an attempt, solicitation, or conspiracy to commit a crime, under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460, or a law or ordinance in another jurisdiction with elements similar to a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460."

Renumber the following bill sections accordingly."

Page 17, following line 12 of the amendment:

Insert "Following "Act":

Insert ";

(17) AS 14.45.160, enacted by sec. 64 of this Act"

Page 19, line 6 of the amendment:

Delete "sec. 74"

Insert "sec. 75"

Page 19, line 12 of the amendment:

Delete "74"

Insert "75"

Page 20, line 17 of the amendment:

Delete "sec. 65"

Insert "sec. 66"

Page 20, line 21 of the amendment:

Delete "sec. 67"

Insert "sec. 68"

Page 20, line 25 of the amendment:
Delete "sec. 68"
Insert "sec. 69"

Page 20, line 29 of the amendment:
Delete "sec. 69"
Insert "sec. 70"

Page 21, line 2 of the amendment:
Delete "sec. 70"
Insert "sec. 71"

Page 21, line 14 of the amendment:
Delete "74"
Insert "75"

Page 21, line 18 of the amendment:
Delete "sec. 87"
Insert "sec. 88"

[1:56:38 PM](#)

The committee took an at-ease from 1:56 p.m. to 2:00 p.m.

[2:00:23 PM](#)

REPRESENTATIVE ALLARD objected to the motion to adopt Amendment 1 to Amendment 8 for the purpose of discussion.

[2:00:36 PM](#)

REPRESENTATIVE GRAY informed the committee that in Alaska, existing law prohibited board certified teachers from holding a certificate upon conviction of sexual assault. Amendment 1 to Amendment 8 would extend the prohibition to cover private and religious educators as well. He defined private and religious schools, adding that the intent was to ensure that all educators were teaching without sexual assault or, or sex or human trafficking, convictions.

REPRESENTATIVE ALLARD asked whether substitute teachers were captured by the proposed amendment. She pointed out that substitute teachers were not required to be licensed or certified in Alaska.

REPRESENTATIVE GRAY asked whether substitute teachers [could continue to teach] with a sexual assault conviction on their record.

REPRESENTATIVE ALLARD answered no.

MS. MANNING offered to follow up with the requested information.

REPRESENTATIVE GRAY considered adding "substitute schoolteachers" to Amendment 1 to Amendment 8.

CHAIR VANCE questioned Representative Gray's intent.

REPRESENTATIVE GRAY said the intent was to pass the proposed amendment in its current form; however, he said he was open to adding "substitute teachers" if it was the will of the committee.

REPRESENTATIVE ALLARD expressed her hesitancy to supporting Amendment 8, as substitute teachers could "come onboard" for some time before a background check was conducted.

CHAIR VANCE expressed concern about making this change without fully understanding the implications.

[2:06:58 PM](#)

REPRESENTATIVE EASTMAN questioned the scope of the term "volunteers" and how broad of a category it encompassed. Additionally, he pointed out that indecent exposure in the second degree was included under AS 11.41.460, which was referenced in Amendment 1 to Amendment 8.

REPRESENTATIVE GRAY said he wanted Amendment 1 to Amendment 8 to be as broad as possible, adding that individuals convicted of sexual assault, human trafficking, or sex trafficking should not have ready access to children. He reiterated that the intention of adding the word "volunteer" was to make the language as broad as possible to include volunteers that had been convicted of sex trafficking.

[2:10:33 PM](#)

The committee took a brief at-ease.

[2:12:36 PM](#)

REPRESENTATIVE ALLARD removed her objection.

REPRESENTATIVE EASTMAN objected.

[2:12:49 PM](#)

A roll call vote was taken. Representatives Carpenter, Gray, Groh, and Allard voted in favor of Amendment 1 to Amendment 8. Representatives C. Johnson, Eastman, and Vance voted against it. Therefore, Amendment 1 to Amendment 8 passed by a vote of 4-3.

CHAIR VANCE sought further comments on Amendment 8, as amended.

[2:13:46 PM](#)

REPRESENTATIVE EASTMAN pointed out that "the department" was mentioned in Section 6 of Amendment 8. He asked which department was being referred to. Additionally, he reiterated his observation that crimes, such as indecent exposure in the second degree, were included in AS 11.41.460.

MS. RADFORD stated that the reference to "department" in Title 8 referred to DCCED.

REPRESENTATIVE EASTMAN expounded on his opposition to Amendment 8, as amended, opining that too broad a net was being cast. He shared his belief that banning a person for life from engaging in various careers for a conviction of indecent exposure seemed unrelated to the specific offense in question.

REPRESENTATIVE ALLARD stated her support for Amendment 8, as amended, sharing her belief that past behaviors would continue, especially if the individual had not been through counseling or other avenues [of treatment].

[2:16:23 PM](#)

A roll call vote was taken. Representatives Allard, Carpenter, C. Johnson, Gray, Groh, and Vance voted in favor of Amendment 8, as amended. Representative Eastman voted against it. Therefore, Amendment 8, as amended, was adopted by a vote of 6-1.

[2:16:57 PM](#)

REPRESENTATIVE CARPENTER moved to adopt Amendment 9 to Version S, labeled 33-GH1029\S.6, Radford, 4/19/23, which read:

Page 1, line 1, following "trafficking;":

Insert "relating to lifetime license revocation or denial for athletic trainers, private professional conservators and guardians, licensed professional counselors, massage therapists, marital and family therapists, physicians, direct-entry midwives, nurses, pharmacists, psychologists and psychological associates, and clinical social workers;"

Page 2, following line 11:

Insert new bill sections to read:

"* **Sec. 2.** AS 08.07 is amended by adding a new section to read:

Sec. 08.07.025. Revocation or refusal of a license. The department shall revoke for life an athletic trainer license or refuse to issue or renew an athletic trainer license if the department determines that the individual has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 3.** AS 08.26.020(a) is amended to read:

(a) The department shall issue a private professional full guardian license to an individual

(1) who is at least 21 years of age;

(2) who has two or more years of professional client casework experience or at least an associate degree in human services, social work, psychology, sociology, gerontology, special education, or a closely related field;

(3) who is certified as a guardian by a nationally recognized organization in the field of guardianships;

(4) whose criminal history record checks under AS 08.26.070 show that the individual has not been convicted of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460, or of a felony or [OF A] misdemeanor offense in the state or in any other jurisdiction involving fraud, misrepresentation, material omission, misappropriation, theft, conversion, or any other crime the department determines would affect the individual's ability to provide the services of a guardian competently and safely for the protected person within 10 years before the application;

(5) who satisfies the application requirements of AS 08.26.060; and

(6) who satisfies the requirements for obtaining a private professional conservator license under AS 08.26.030.

* **Sec. 4.** AS 08.26.030 is amended to read:

Sec. 08.26.030. Requirements for private professional conservator license. The department shall issue a private professional conservator license to an individual

(1) who is at least 21 years of age;

(2) who has obtained a high school diploma, or a general education development diploma or its equivalent;

(3) who has six months' employment experience in a position involving financial management, or has at least an associate degree in accounting or a closely related field;

(4) who is certified as a guardian by a nationally recognized organization in the field of guardianships;

(5) whose criminal history record checks under AS 08.26.070 show that the individual has not been convicted of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460, or of a felony or [OF A] misdemeanor offense in the state or in any other jurisdiction involving fraud, misrepresentation, material omission, misappropriation, theft, conversion, or any other crime that the department determines would affect the individual's ability to provide the services of a conservator competently and safely for the protected person within 10 years before the application; and

(6) who satisfies the application requirements of AS 08.26.060.

* **Sec. 5.** AS 08.26.130 is amended by adding a new subsection to read:

(b) The department shall revoke for life a license or refuse to issue or renew a license if the department determines that the individual has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 6.** AS 08.29.400 is amended by adding a new subsection to read:

(d) The board shall revoke for life a license or refuse to issue or renew a license if the board

determines that the person has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 7.** AS 08.61.060 is amended by adding a new subsection to read:

(b) The board shall revoke for life a license or refuse to issue or renew a license if the board determines that the person has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 8.** AS 08.63.210 is amended by adding a new subsection to read:

(e) The board shall revoke for life a license issued under this chapter or refuse to issue or renew a license under this chapter if the board determines that the individual has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 9.** AS 08.64.240(a) is amended to read:

(a) The board may not grant a license if

(1) the applicant fails or cheats during the examination;

(2) the applicant has surrendered a license in another jurisdiction while under investigation and the license has not been reinstated in that jurisdiction;

(3) the board determines that the applicant is professionally unfit to practice medicine or osteopathy in the state; [OR]

(4) the applicant fails to comply with a requirement of this chapter; or

(5) the applicant has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 10.** AS 08.64.326 is amended by adding a new subsection to read:

(c) The board shall revoke for life a license issued under this chapter or refuse to issue or renew a license under this chapter if the board determines that the person has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 11.** AS 08.65.110 is amended by adding a new subsection to read:

(b) The board shall revoke for life a certificate or permit or refuse to issue or renew a certificate or permit if the board determines that the individual has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 12.** AS 08.68.270 is amended by adding a new subsection to read:

(b) The board shall revoke for life a license or refuse to issue or renew a license if the board determines that the person has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 13.** AS 08.80.261 is amended by adding a new subsection to read:

(c) The board shall revoke for life a license or refuse to issue or renew a license if the board determines that the applicant or licensee has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 14.** AS 08.86.204 is amended by adding a new subsection to read:

(e) The board shall revoke for life a license or refuse to issue or renew a license if the board determines that the person has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460.

* **Sec. 15.** AS 08.95.050 is amended by adding a new subsection to read:

(d) The board shall revoke for life a license or refuse to issue or renew a license if the board determines that the person has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of a crime under AS 11.41.340 - 11.41.355 or 11.41.410 - 11.41.460."

Re-number the following bill sections accordingly.

Page 33, line 3, following "(a)":

Insert "The following sections apply to revocations, denials, or refusals to renew licenses,

permits, or certificates for offenses committed on or after the effective date of those sections:

- (1) AS 08.07.025, enacted by sec. 2 of this Act;
- (2) AS 08.26.020(a), as amended by sec. 3 of this Act;
- (3) AS 08.26.030, as amended by sec. 4 of this Act;
- (4) AS 08.26.130(b), enacted by sec. 5 of this Act;
- (5) AS 08.29.400(d), enacted by sec. 6 of this Act;
- (6) AS 08.61.060(b), enacted by sec. 7 of this Act;
- (7) AS 08.63.210(e), enacted by sec. 8 of this Act;
- (8) AS 08.64.240(a), as amended by sec. 9 of this Act;
- (9) AS 08.64.326(c), enacted by sec. 10 of this Act;
- (10) AS 08.65.110(b), enacted by sec. 11 of this Act;
- (11) AS 08.68.270(a), as amended by sec. 12 of this Act;
- (12) AS 08.80.261(c), enacted by sec. 13 of this Act;
- (13) AS 08.86.204(e), enacted by sec. 14 of this Act;
- (14) AS 08.95.050(d), enacted by sec. 15 of this Act."

Reletter the following subsections accordingly.

Page 33, line 5:

Delete "sec. 4"

Insert "sec. 18"

Page 33, line 6:

Delete "sec. 5"

Insert "sec. 19"

Page 33, line 7:

Delete "sec. 6"

Insert "sec. 20"

Page 33, line 8:

Delete "sec. 7"

Insert "sec. 21"

Page 33, line 9:
Delete "sec. 8"
Insert "sec. 22"

Page 33, line 10:
Delete "sec. 9"
Insert "sec. 23"

Page 33, line 11:
Delete "sec. 10"
Insert "sec. 24"

Page 33, line 12:
Delete "sec. 11"
Insert "sec. 25"

Page 33, line 13:
Delete "sec. 12"
Insert "sec. 26"

Page 33, line 14:
Delete "sec. 13"
Insert "sec. 27"

Page 33, line 15:
Delete "sec. 14"
Insert "sec. 28"

Page 33, line 16:
Delete "sec. 15"
Insert "sec. 29"

Page 33, line 17:
Delete "sec. 16"
Insert "sec. 30"

Page 33, line 18:
Delete "sec. 17"
Insert "sec. 31"

Page 33, line 19:
Delete "sec. 18"
Insert "sec. 32"

Page 33, line 20:

Delete "sec. 36"
Insert "sec. 50"

Page 33, line 23:
Delete "sec. 20"
Insert "sec. 34"

Page 33, line 24:
Delete "sec. 21"
Insert "sec. 35"

Page 33, line 25:
Delete "sec. 22"
Insert "sec. 36"

Page 33, line 26:
Delete "sec. 23"
Insert "sec. 37"

Page 33, line 27:
Delete "sec. 24"
Insert "sec. 38"

Page 33, line 28:
Delete "sec. 25"
Insert "sec. 39"

Page 33, line 29:
Delete "sec. 26"
Insert "sec. 40"

Page 33, line 30:
Delete "sec. 27"
Insert "sec. 41"

Page 33, line 31:
Delete "sec. 28"
Insert "sec. 42"

Page 34, line 1:
Delete "sec. 33"
Insert "sec. 47"

Page 34, line 2:
Delete "sec. 34"
Insert "sec. 48"

Page 34, line 3:
Delete "sec. 34"
Insert "sec. 48"

Page 34, line 4:
Delete "sec. 35"
Insert "sec. 49"

Page 34, line 5:
Delete "sec. 47"
Insert "sec. 61"
Delete "sec. 35"
Insert "sec. 49"

Page 34, line 6:
Delete "secs. 35 and 47"
Insert "secs. 49 and 61"

Page 34, line 8:
Delete "sec. 35"
Insert "sec. 49"

Page 34, line 9:
Delete "sec. 35"
Insert "sec. 49"

Page 34, line 13:
Delete "sec. 2"
Insert "sec. 16"

Page 34, line 14:
Delete "sec. 19"
Insert "sec. 33"

Page 34, line 15:
Delete "sec. 29"
Insert "sec. 43"

Page 34, line 16:
Delete "sec. 30"
Insert "sec. 44"

Page 34, line 17:
Delete "sec. 31"
Insert "sec. 45"

Page 34, line 18:

Delete "sec. 32"
Insert "sec. 46"

Page 34, line 19:
Delete "sec. 38"
Insert "sec. 52"

Page 34, line 20:
Delete "sec. 40"
Insert "sec. 54"

Page 34, line 21:
Delete "sec. 41"
Insert "sec. 55"

Page 34, line 22:
Delete "sec. 42"
Insert "sec. 56"

Page 34, line 23:
Delete "sec. 43"
Insert "sec. 57"

Page 34, line 27:
Delete "sec. 35"
Insert "sec. 49"

Page 34, line 28:
Delete "sec. 35"
Insert "sec. 49"

Page 34, line 30:
Delete "Sections 35 and 47"
Insert "Sections 49 and 61"

Page 34, line 31:
Delete "sec. 60"
Insert "sec. 74"

REPRESENTATIVE EASTMAN objected.

[2:17:12 PM](#)

MR. ALMEIDA explained that Amendment 9 would invoke a revocation or refusal of a license for all listed licenses.

[2:17:55 PM](#)

REPRESENTATIVE GROH requested an elaboration on the relationship between Amendment 8 and Amendment 9. More specifically, he asked why they were not combined into one amendment.

MR. ALMEIDA said Amendment 8 ensured that applicants were disclosing a sex trafficking conviction on the application for a professional license whereas Amendment 9 would ensure that specific professional licensees were revoked or refused upon the conviction of a sex trafficking crime.

[2:19:14 PM](#)

REPRESENTATIVE EASTMAN considered the example of a teenager who was convicted of running naked through a college campus. He asked how that related to the individual's ability to be a pharmacist 20 years later.

CHAIR VANCE clarified that revocation or refusal of a license only applied to sex trafficking convictions.

REPRESENTATIVE EASTMAN inquired about the effect of page 1, line 5, which explicitly listed pharmacists.

MS. RADFORD asked Representative Eastman to repeat the question.

REPRESENTATIVE EASTMAN directed attention to page 1, lines 2-6 of Amendment 9, which listed a variety of careers and occupations. He asked how the proposed amendment would impact a person who was currently a pharmacist or applying to be a pharmacist.

MS. RADFORD explained that should Amendment 9 pass, the board could refuse to issue or renew a license if the licensee was convicted of a crime under AS 11.41.340 - 11.41.355 or AS 11.41.410 - 11-41-460.

REPRESENTATIVE ALLARD suggested that a pharmacist's ability access to drugs could be used against intended victims. For that reason, she opined that the inclusion of pharmacists was appropriate.

[2:22:40 PM](#)

REPRESENTATIVE EASTMAN inquired about the connection between streaking, or indecent exposure, and the ability to access drugs as a licensed pharmacist.

REPRESENTATIVE ALLARD remarked, "I think it's relevant that someone who has indecent exposure obviously has some issues, and like I said earlier, unless they have counseling or they have not committed a crime, access to drugs is alarming to me."

REPRESENTATIVE GRAY pointed out that clinical pharmacists meet with patients one-on-one.

[2:24:16 PM](#)

REPRESENTATIVE C. JOHNSON remarked, "Going back to Amendment 7, which we ... athletic trainers convicted of a felony or a misdemeanor crime. Is that true of all of these professions - felony or misdemeanor? ... I want to make sure that we're consistent."

MS. RADFORD explained that Amendment 7 related to the notification of conviction provision. Regarding athletic trainers, per Section 2 of Amendment 7, she said, any felony or misdemeanor crime was included. Alternatively, Amendment 9 proposed the lifetime revocation or refusal to renew a license for crimes related to sex trafficking or sex offenses.

REPRESENTATIVE C. JOHNSON asked whether all notifications of conviction included the felony or misdemeanor language.

[2:27:00 PM](#)

The committee took a brief at-ease.

[2:30:40 PM](#)

CHAIR VANCE conveyed that after further clarification, a previously adopted amendment had accomplished the lifetime licensure revocation; therefore, Amendment 9 was unnecessary.

[2:31:04 PM](#)

REPRESENTATIVE CARPENTER withdrew Amendment 9.

CHAIR VANCE redirected the conversation to Version S, as amended.

[2:31:26 PM](#)

The committee took an at-ease from 2:31 p.m. to 3:36 p.m.

[2:36:13 PM](#)

CHAIR VANCE asked whether the legislative intent of Amendment 9 was captured in Section 6 of Amendment 8.

MS. RADFORD confirmed that Section 6 of Amendment 8 contained the language in Section 5 of Amendment 9. She added that the language relating to licensure revocation or refusal for the listed professions was the same in both amendments.

CHAIR VANCE asked whether Amendment 9 was needed to cover the revocation of licenses.

MS. RADFORD clarified that Amendment 9 was not needed, as the language accomplishing the intent had already been adopted in Amendment 8.

CHAIR VANCE returned attention to Version S, as amended, and invited questions from members of the committee.

[2:38:55 PM](#)

REPRESENTATIVE EASTMAN shared his understanding that should the bill pass, a person who received a penalty for even attempting to commit one of these crimes would be banned from simply volunteering under certain circumstances. He opined that Version S was "more than what [he] thought the bill was originally intended to be." For that reason, he said he would be objecting to the bill, as drafted.

[2:40:28 PM](#)

The committee took an at-ease from 2:40 p.m. to 2:54 p.m.

[2:54:10 PM](#)

REPRESENTATIVE CARPENTER moved to rescind action on Amendment 8, as amended.

REPRESENTATIVE GROH objected for the purpose of discussion.

[2:54:35 PM](#)

REPRESENTATIVE CARPENTER explained that in an effort to resolve members' concerns regarding AS 11.41.410 - 11.41.460, the intent was to rescind action on Amendment 8 for the purpose of amending

it further. The conceptual amendment following recension, he said, would remove those statutes from Amendment 8.

REPRESENTATIVE GROH removed his objection. There being no further objection, Amendment 8, as amended, was rescinded.

REPRESENTATIVE GRAY sought to confirm that Amendment 1 to Amendment 8 was not being amended.

REPRESENTATIVE CARPENTER confirmed.

[2:55:52 PM](#)

REPRESENTATIVE EASTMAN pointed out that AS 11.41.460 was included in Amendment 1 to Amendment 8. Therefore, he suggested that if the intent was to remove the statutory reference from Amendment 8, it should be removed from Amendment 1 to Amendment 8 as well.

REPRESENTATIVE VANCE asked Representative Carpenter to clarify the purpose of the rescinding action.

REPRESENTATIVE CARPENTER reiterated that the intent was to remove from Amendment 8 all reference to statutes AS 11.41.410 - 11.41.460, which would require the passage of a conceptual amendment that stated such.

REPRESENTATIVE C. JOHNSON pointed out that the committee was debating something that was not before the committee.

[2:57:52 PM](#)

REPRESENTATIVE CARPENTER moved to adopt Amendment 8.

REPRESENTATIVE GROH objected for the purpose of discussion.

[2:58:28 PM](#)

The committee took an at-ease from 2:58 p.m. to 3:01 p.m.

[3:01:01 PM](#)

REPRESENTATIVE CARPENTER moved to amend [the previously adopted] Amendment 1 to Amendment 8, such that all references to statutes AS 11.41.410 - 11.41.460 would be deleted.

REPRESENTATIVE GRAY objected. He said he understood the will of the committee to make the bill narrowly focused on sex trafficking; however, because the amendment pertained to the prevention of certain licenses from access to the public, he believed it was prudent to people who had sexually abused minors. He recalled that the primary objection was in regard to streaking; consequently, he suggested removing the [indecent exposure] statute specifically.

REPRESENTATIVE EASTMAN clarified that he had specifically highlighted streaking for the purpose of illustrating how far [in scope] the bill had expanded. He indicated that his vote would be in favor of staying in the more well-defined arena of sex and human trafficking.

REPRESENTATIVE ALLARD shared her belief that, although she agreed with Representative Gray, the focus should remain on sex trafficking. She suggested that the committee could "circle back around" and bring something else forward that focused on sexual assault.

[The committee treated the objection as if it was maintained.]

[3:04:52 PM](#)

A roll call vote was taken. Representatives Groh, Allard, Carpenter, C. Johnson, Eastman, and Vance voted in favor of conceptually amending Amendment 1 to Amendment 8. Representative Gray voted against it. Therefore, Conceptual Amendment 1 to Amendment 8 was adopted by a vote of 6-1.

CHAIR VANCE requested a roll call vote on the motion to adopt Amendment 8, as conceptually amended.

[3:05:35 PM](#)

A roll call vote was taken. Representatives Gray, Groh, Allard, Carpenter, C. Johnson, and Vance voted in favor of Amendment 8, as conceptually amended. Representative Eastman voted against it. Therefore, Amendment 8, as conceptually amended, was adopted by a vote of 6-1.

CHAIR VANCE invited final comment from Ms. Schroeder on Version S, as amended.

[3:06:29 PM](#)

KACI SCHROEDER, Assistant Attorney General, Criminal Division, Department of Law (DOL), on behalf of the House Rules Standing Committee, sponsor by request of the governor, acknowledged the length of the bill and its many moving parts, in addition to the difficult subject matter. She thanked the committee for its work, opining that "some good changes [had] been made."

REPRESENTATIVE ALLARD said she was proud to be a part of passing the legislation out of committee.

REPRESENTATIVE EASTMAN pointed out that due to the length of the bill, it would be difficult for one committee to address the legislation in its entirety. Based on the testimony provided to the committee, he suggested that Alaska was open for business in a less than favorable way, characterizing the state as the recruitment grounds for sex trafficking and other related crimes. He expressed his hope that such an identity could be changed; however, he believed it would be difficult. He expressed his hope that [sex and human trafficking crimes] could be prevented by targeting criminal behavior "at the beginning" through this and other bills.

REPRESENTATIVE GROH thanked the committee for its work on the bill and commended the chair for her passion and creativity. Nonetheless, he expressed concern about some of the procedural aspects in regard to the amendment process and the majority of the committee leaving the room during at-eases.

REPRESENTATIVE GRAY opined that the bill had undergone major structural changes for the better, adding that additional changes could be made.

[3:11:06 PM](#)

CHAIR VANCE thanked the committee for the exhaustive process on Version S, as amended. She acknowledged that the process was "bumpy" at times, explaining that the at-eases were used to seek clarification and advice on procedural matters and the implication of amendments. She confirmed that more work was needed on the proposed legislation in addition to human trafficking laws. She expressed her gratitude and described the bill as "a step forward in what Alaska can do to end human trafficking in Alaska."

[3:12:20 PM](#)

REPRESENTATIVE ALLARD moved to report CSHB 68, Version 33-GH1029\S, Radford, 4/11/23, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 68(JUD), was reported from the House Judiciary Standing Committee.

[3:13:05 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 3:13 p.m.