

**ALASKA STATE LEGISLATURE**  
**HOUSE LABOR AND COMMERCE STANDING COMMITTEE**

March 29, 2023

3:16 p.m.

**MEMBERS PRESENT**

Representative Jesse Sumner, Chair  
Representative Justin Ruffridge, Vice Chair  
Representative Mike Prax  
Representative Dan Saddler  
Representative Stanley Wright  
Representative Ashley Carrick  
Representative Zack Fields

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

CONFIRMATION HEARING(S)

BOARD OF PHARMACY

SARA RASMUSSEN - Anchorage

- CONFORMATION(S) ADVANCED

MARIJUANA CONTROL BOARD

CHRIS JAIME - SOLDOTNA

- CONFORMATION(S) ADVANCED

ALCOHOLIC BEVERAGE CONTROL BOARD

DAVID KOCH - ANCHORAGE

- CONFORMATION(S) ADVANCED

HOUSE BILL NO. 88

"An Act relating to work quotas for employees at warehouse distribution centers; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 126

"An Act relating to the Board of Professional Counselors; and relating to licensing of associate counselors."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 88

SHORT TITLE: WAREHOUSE WORK QUOTA INFORMATION

SPONSOR(S): REPRESENTATIVE(S) RAUSCHER

02/27/23	(H)	READ THE FIRST TIME - REFERRALS
02/27/23	(H)	L&C, JUD
03/29/23	(H)	L&C AT 3:15 PM BARNES 124

BILL: HB 126

SHORT TITLE: ASSOCIATE AND PROFESSIONAL COUNSELORS

SPONSOR(S): REPRESENTATIVE(S) WRIGHT

03/22/23	(H)	READ THE FIRST TIME - REFERRALS
03/22/23	(H)	L&C
03/29/23	(H)	L&C AT 3:15 PM BARNES 124

**WITNESS REGISTER**

REPRESENTATIVE GEORGE RAUSCHER

Alaska State Legislature

Juneau, Alaska

**POSITION STATEMENT:** As the prime sponsor, presented HB 88.

RYAN MCKEE, Staff

Representative George Rauscher

Alaska State Legislature

Juneau, Alaska

**POSITION STATEMENT:** On behalf of Representative Rauscher, prime sponsor, provided the sectional analysis of HB 88.

PATRICK FITZGERALD, Political Coordinator

Alaska Teamsters Local 959

Anchorage, Alaska

**POSITION STATEMENT:** Provided invited testimony on HB 88.

RACHAEL GUNN, Staff

Representative Stanley Wright

Alaska State Legislature

Juneau, Alaska

**POSITION STATEMENT:** On behalf of Representative Wright, prime sponsor, further explained HB 126.

RACHEL BUDDIN-YOUNG, LPC, Member  
Board of Professional Counselors  
Anchorage, Alaska

**POSITION STATEMENT:** Provided invited testimony on HB 126.

**ACTION NARRATIVE**

[3:16:09 PM](#)

**CHAIR JESSE SUMNER** called the House Labor and Commerce Standing Committee meeting to order at 3:16 p.m. Representatives Ruffridge, Saddler, Prax, Wright, and Sumner were present at the call to order. Representatives Fields and Carrick arrived as the meeting was in progress.

**CONFIRMATION HEARING(S)**

**Board of Pharmacy**

**Marijuana Control Board**

**Alcoholic Beverage Control Board**

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CHAIR SUMNER announced that the first order of business would be the confirmation hearings on the governor's appointees to the Board of Pharmacy, Marijuana Control Board, and the Alcoholic Beverage Control Board.

CHAIR SUMNER stated that in the previous hearing on these confirmations, the committee had heard from Sara Rasmussen, appointee to the Board of Pharmacy, David Koch, appointee to the Alcoholic Beverage Control Board, and Chris Jaime, appointee to the Marijuana Control Board.

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CHAIR SUMNER opened public testimony on the confirmation hearings. After ascertaining that there was no one who wished to testify, he closed public testimony.

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REPRESENTATIVE RUFFRIDGE reminded the committee that signing the report regarding appointments to the boards and commissions is in accordance with AS 39.05.080 and in no way reflects individual members' approval or disapproval of the appointees, and the nominations are merely forwarded to the full legislature for confirmation or rejection. [The names advanced to the full legislature were: Sara Rasmussen, appointee to the Board of Pharmacy; Chris Jaime appointee to the Marijuana Control Board; and David Koch, appointee to the Alcoholic Beverage Control Board.]

**HB 88-WAREHOUSE WORK QUOTA INFORMATION**

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CHAIR SUMNER announced that the next order of business would be HOUSE BILL NO. 88, "An Act relating to work quotas for employees at warehouse distribution centers; and providing for an effective date."

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REPRESENTATIVE GEORGE RAUSCHER, Alaska State Legislature, as prime sponsor, presented HB 88. He paraphrased the sponsor statement [copy included in the committee packet], which read as follows [original punctuation provided]:

House Bill 88 Warehouse Worker Protection Act is designed to provide transparency for warehouse and logistic workers when they agree to a pay scale based on a quota or production goal. HB 88 is also designed to provide protections for workers against counterproductive methods employers miss the mark on, to speed up production and save on costs.

Alaska is one of the most bountiful states in the country with its salmon runs, wild game, and natural resources. The abundance of the state is a blessing but there is still a need for supplies and goods to be imported, stored, and delivered. The workers who manage the logistics of these imports are the unsung heroes of Alaskan food security and supply chain. With over 90% of food coming from outside Alaska, these workers are the lifeline to keep the state operational. Warehouse and logistic workers face many challenges in the workplace, HB 88 will allow workers to focus on delivering goods and maintaining a healthy

supply chain while also ensuring they are able to work in a safe environment where employers don't encourage speed over safety.

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RYAN MCKEE, Staff, Representative George Rauscher, Alaska State Legislature, on behalf of Representative Rauscher, prime sponsor, paraphrased the sectional analysis on HB 88 [copy included in the committee packet] which read as follows [original punctuation provided]:

**Sec 1.** - Amends AS 23.10 by adding new sections

**Article 9. Work Quotas at Warehouse Distribution centers.**

**Section 23.10.700.** - Specifies what types of employers the newly added sections AS 23.10.700-23.10.725 apply to. Specifically, 100 or more employees at a single warehouse distribution center, or 1,000 or more employees at one or more warehouse distribution centers in the state.

**Section 23.10.705.** - Specifies when an employer that is subject to AS 23.10.700 - 23.10.725 needs to provide a written description of each quota that applies to the employee. It further describes what needs to be included in that written quota description.

**Section 23.10.710.** - States what specifically an employer is not allowed to require in order for employees to meet quota expectations.

**Section 23.10.715.** - States that a current or former employee may request, orally or in writing a request for a quota description. And specifies what needs to be included in the request as well as a timeline for when an employee will receive the requested description.

**Section 23.10.720.** - States that an employee may seek an injunction in the superior court to enjoining an employer violating AS 23.10.700-23.10.715.

**Section 23.10.725.** - Provides definitions for terms listed in the above language.

**Sec 2.** - Sets an effective date of January 1st, 2025.

MR. MCKEE added that the proposed legislation has a zero fiscal note.

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PATRICK FITZGERALD, Political Coordinator, Alaska Teamsters Local 959, gave invited testimony in support of HB 88. He thanked the bill sponsor, staff, and the committee. He stated that the proposed legislation would create two protections for warehouse and logistics workers against predatory practices. He stated the first protection would be transparency for quota-based paid positions in warehouses. This would ensure notification of quota rates at the beginning of employment, and any changes thereafter. It would also create a mechanism for employees to request their work-speed data used to track progress. He stated that the bill would also add protections to reduce workplace accidents in quota-based jobs, such as allowing time for breaks and defining reasonable workloads. He stated that the proposed bill would protect those who work in the warehouses that store 95 percent of the food coming into the state. It would also conduct logistics for the materials needed to build and maintain these warehouses, ensuring rural Alaska is connected to a strong systematic supply of food, medicine, and other goods. He urged the committee to support the proposed legislation.

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REPRESENTATIVE SADDLER pointed to the definition of "quota" in the proposed bill. He questioned the line between a quota and an employer's expectation of productivity.

REPRESENTATIVE RAUSCHER answered that he had worked in a warehouse and expressed the understanding that quota means a certain amount of duties would be performed in a certain amount of time.

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REPRESENTATIVE PRAX requested examples of problems the proposed legislation would address.

REPRESENTATIVE RAUSCHER explained his personal experience working in a warehouse which made roofing shingles. He pointed out that there was a quota for moving packages onto a pallet in preparation for it to be loaded onto a truck which had a certain departure time. He described a situation where the temperature was extremely hot, but the workers were still required to meet the quota. He deferred to Mr. Fitzgerald for further examples.

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MR. FITZGERALD responded that the legislation would provide transparency, and in relation to this he gave the example that as a young man he had no problems working in a warehouse which supplied snacks to service stations; however, another older individual, who had worked in warehouses before, had never been informed of quotas, and because of this, the individual missed the quotas daily. He stated that the proposed legislation would ensure against this.

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REPRESENTATIVE RUFFRIDGE requested examples of warehouse distribution centers in Alaska with 100 or more employees.

MR. FITZGERALD responded that Safeway, U.S. Foods, and the Odom Corporation each have over 100 workers in their warehouses. He stated that he could follow up with more information after the meeting.

REPRESENTATIVE RUFFRIDGE questioned the reasoning for having a 100-employee limit, as the proposed legislation seems reasonable for a warehouse of any size.

REPRESENTATIVE RAUSCHER responded that having a sizable number of workers would create a different scenario than a warehouse with one or two workers. He surmised that with larger quotas with larger employees, the numbers become more important than the people.

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REPRESENTATIVE SADDLER questioned whether quotas would be negotiated in a contract.

MR. FITZGERALD answered that this would depend on the contract and the bargaining unit. He pointed out that longshoremen would have this in order to allow the ships to leave the port at a

scheduled time. He expressed the opinion that every contract could have this.

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CHAIR SUMNER announced that HB 88 was held over.

**HB 126-ASSOCIATE AND PROFESSIONAL COUNSELORS**

[3:33:26 PM](#)

CHAIR SUMNER announced that the final order of business would be HOUSE BILL NO. 126, "An Act relating to the Board of Professional Counselors; and relating to licensing of associate counselors."

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REPRESENTATIVE WRIGHT, as prime sponsor, introduced HB 126. He stated that HB 126 would create a tiered licensure system for professional counselors. This would create a clear path in the state for qualified candidates to become licensed as an associate counselor before becoming professional counselors. He stated that currently there is no structure of support for post-graduate behavioral counselors. He pointed out that creating a tiered system would align Alaska with national standards, ensure ethical and effective services, increase public confidence in the counseling profession, and improve access to mental health services. He stated that a tiered system would encourage career advancement and professional development. He added that it would also help attract qualified candidates to the state.

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RACHAEL GUNN, Staff, Representative Stanley Wright, Alaska State Legislature, on behalf of Representative Wright, prime sponsor, further discussed HB 126. She pointed out that the proposed legislation would create a dual tiered system for counseling licensure. She stated that the issue was brought forward by the Board of Counselors because currently there is limited guidance and support for individuals who have graduate degrees but have not yet obtained the requirements to be licensed as a counselor. She explained that establishing a designated associate counselor's license would ensure these individuals are set up for success. She explained that the nationwide requirement is for a candidate to complete 3,000 hours of counseling with supervision. She advised that this could take up to six years

and often supervisors become unavailable during this time for various reasons, and the proof of the candidate's hours disappear. She suggested that in these situations candidates may never be able to obtain licensure. She stated that the proposed legislation would allow the board to adopt standards of reporting so individuals could continue with the accrued hours. She added that the supervisors in the state exist "in limbo" and issuing them a license with the board would allow professional development. She continued that this would help promote retention of counselors and address the lack of counselors for mental health issues in the state.

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RACHEL BUDDIN-YOUNG, LPC, Member, Board of Professional Counselors, provided invited testimony on HB 126. She expressed the opinion that the proposed legislation would make an improvement in the state.

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REPRESENTATIVE RUFFRIDGE questioned how long the board has been aware of the issue.

MS. BUDDIN-YOUNG responded that the proposed legislation would help align the state with national standards, and the board has been working on this for the last six to eight months.

REPRESENTATIVE RUFFRIDGE, in regard to becoming an associate counselor, questioned the number of individuals that this would help.

MS. BUDDIN-YOUNG responded that there is no way to know the number of individuals who have obtained master's degrees until they apply for licensure. She stated that the bill would help provide the board with the number of up-and-coming candidates, and this would allow these candidates to be supported in more effective ways.

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REPRESENTATIVE SADDLER questioned the difference between the requirements for a licensed counselor and an associate counselor.

MS. BUDDIN-YOUNG responded that to be a fully licensed professional counselor (LPC) there is a requirement for 3000

hours of supervision. She continued that to have an associate license the individual would need to have a master's degree, and this is the in-between time of acquiring the supervision needed to become a licensed professional counselor.

REPRESENTATIVE SADDLER, with a follow up question, expressed the understanding that an associate would need a master's degree to be licensed in route to becoming a licensed professional counselor. He questioned the educational requirements to become a full LPC.

MS. BUDDIN-YOUNG responded that along with the master's degree and the 3000 hours, the candidate would have to pay the required fees, have a background check, and have letters of recommendation. To make sure the candidate has a qualifying degree, she said, there would need to be specific hours in specific courses. She added that the 3,000 hours would need to be under a supervisor who has been approved by the Board of Professional Counselors in the state, and these supervisors would have to have the appropriate continuing education hours, if applicable.

REPRESENTATIVE SADDLER clarified that to be an associate and an LPC, the individual would need a master's degree.

MS. BUDDIN-YOUNG responded in the affirmative. She reiterated that individuals cannot counsel until they have a master's degree. From the time of obtaining the master's degree, the individual must accrue the 3,000 hours of practice under supervision to obtain a license; however, currently there is nothing governing the individuals working on the 3,000 hours of practice. She reiterated that this is what the proposed legislation would do.

REPRESENTATIVE SADDLER questioned the services that a licensed professional counselor would provide that an associate could not provide.

MS. BUDDIN-YOUNG responded that the primary difference is LPCs can bill insurance but associates, or those not fully licensed, cannot. She added that associates are required to be under supervision. In response to a follow up question, she stated that the main difference is the experience level.

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CHAIR SUMNER announced that HB 126 was held over.

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**ADJOURNMENT**

There being no further business before the committee, the House Labor and Commerce Standing Committee meeting was adjourned at 3:44 p.m.