

**ALASKA STATE LEGISLATURE  
HOUSE STATE AFFAIRS STANDING COMMITTEE**

March 7, 2024

3:03 p.m.

**MEMBERS PRESENT**

Representative Laddie Shaw, Chair  
Representative Stanley Wright, Vice Chair  
Representative Ben Carpenter  
Representative Craig Johnson  
Representative Jamie Allard  
Representative Ashley Carrick  
Representative Andi Story

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

SENATE SPECIAL CONCURRENT RESOLUTION NO. 5  
Disapproving Executive Order No. 128.

- CONSIDERED

CS FOR SENATE BILL NO. 12(JUD)

"An Act relating to the duties of the Department of Administration; creating an address confidentiality program; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 245

"An Act relating to depositing permanent fund dividends into investment accounts; and providing for an effective date."

- MOVED CSHB 245(STA) OUT OF COMMITTEE

SENATE BILL NO. 103

"An Act relating to peer support counseling programs for law enforcement agencies, emergency service providers, and the Department of Corrections."

- HEARD & HELD

SENATE SPECIAL CONCURRENT RESOLUTION NO. 5

Disapproving Executive Order No. 128.

- CONSIDERED

HOUSE JOINT RESOLUTION NO. 13

Requesting the United States Congress to call a convention of the states to propose an amendment to the Constitution of the United States to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and as a member of the United States Senate; and urging the legislatures of the other 49 states to request the United States Congress to call a convention of the states.

- MOVED CSHJR 13(STA) OUT OF COMMITTEE

CS FOR SENATE BILL NO. 12(JUD)

"An Act relating to the duties of the Department of Administration; creating an address confidentiality program; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 245

"An Act relating to depositing permanent fund dividends into investment accounts; and providing for an effective date."

- MOVED CSHB 245(STA) OUT OF COMMITTEE

SENATE BILL NO. 103

"An Act relating to peer support counseling programs for law enforcement agencies, emergency service providers, and the Department of Corrections."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: SSCR 5

SHORT TITLE: DISAPPROVE EO 128

SPONSOR(s): RULES

02/12/24	(S)	READ THE FIRST TIME - REFERRALS
02/12/24	(S)	STA
02/13/24	(S)	STA AT 3:30 PM BELTZ 105 (TSBldg)
02/13/24	(S)	Moved SSCR 5 Out of Committee
02/13/24	(S)	MINUTE(STA)
02/14/24	(S)	STA RPT 4DP 1NR

02/14/24 (S) DP: KAWASAKI, WIELECHOWSKI, CLAMAN,  
 BJORKMAN  
 02/14/24 (S) NR: MERRICK  
 02/14/24 (S) TRANSMITTED TO (H)  
 02/14/24 (S) VERSION: SSCR 5  
 02/19/24 (H) READ THE FIRST TIME - REFERRALS  
 02/19/24 (H) STA  
 03/07/24 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HJR 13

SHORT TITLE: CALL FED. CONSTITUTIONAL CONV:TERM LIMITS  
 SPONSOR(s): MCKAY

03/31/23 (H) READ THE FIRST TIME - REFERRALS  
 03/31/23 (H) STA, JUD  
 01/25/24 (H) STA AT 3:00 PM GRUENBERG 120  
 01/25/24 (H) -- MEETING CANCELED --  
 02/01/24 (H) STA AT 3:00 PM GRUENBERG 120  
 02/01/24 (H) Heard & Held  
 02/01/24 (H) MINUTE(STA)  
 03/07/24 (H) STA AT 3:00 PM GRUENBERG 120

BILL: SB 12

SHORT TITLE: ADDRESS CONFIDENTIALITY PROGRAM  
 SPONSOR(s): KIEHL

01/18/23 (S) PREFILE RELEASED 1/9/23  
 01/18/23 (S) READ THE FIRST TIME - REFERRALS  
 01/18/23 (S) STA, JUD, FIN  
 02/02/23 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)  
 02/02/23 (S) Heard & Held  
 02/02/23 (S) MINUTE(STA)  
 02/28/23 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)  
 02/28/23 (S) Moved CSSB 12(STA) Out of Committee  
 02/28/23 (S) MINUTE(STA)  
 03/01/23 (S) STA RPT CS 1DP 3NR NEW TITLE  
 03/01/23 (S) DP: KAWASAKI  
 03/01/23 (S) NR: WIELECHOWSKI, BJORKMAN, MERRICK  
 03/08/23 (S) JUD AT 1:30 PM BUTROVICH 205  
 03/08/23 (S) Heard & Held  
 03/08/23 (S) MINUTE(JUD)  
 03/15/23 (S) JUD AT 1:30 PM BUTROVICH 205  
 03/15/23 (S) Moved CSSB 12(JUD) Out of Committee  
 03/15/23 (S) MINUTE(JUD)  
 03/17/23 (S) JUD RPT CS 3DP 1AM NEW TITLE  
 03/17/23 (S) DP: CLAMAN, TOBIN, KIEHL  
 03/17/23 (S) AM: KAUFMAN

03/28/23 (S) FIN AT 9:00 AM SENATE FINANCE 532  
 03/28/23 (S) Heard & Held  
 03/28/23 (S) MINUTE(FIN)  
 04/03/23 (S) FIN RPT CS(JUD) 3DP 3NR 1AM  
 04/03/23 (S) DP: OLSON, HOFFMAN, KIEHL  
 04/03/23 (S) NR: STEDMAN, MERRICK, BISHOP  
 04/03/23 (S) AM: WILSON  
 04/03/23 (S) FIN AT 9:00 AM SENATE FINANCE 532  
 04/03/23 (S) Moved CSSB 12(JUD) Out of Committee  
 04/03/23 (S) MINUTE(FIN)  
 04/24/23 (S) TRANSMITTED TO (H)  
 04/24/23 (S) VERSION: CSSB 12(JUD)  
 04/26/23 (H) READ THE FIRST TIME - REFERRALS  
 04/26/23 (H) STA, JUD, FIN  
 05/04/23 (H) STA AT 3:00 PM GRUENBERG 120  
 05/04/23 (H) Heard & Held  
 05/04/23 (H) MINUTE(STA)  
 03/05/24 (H) STA AT 3:00 PM GRUENBERG 120  
 03/05/24 (H) Heard & Held  
 03/05/24 (H) MINUTE(STA)  
 03/07/24 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HB 245

SHORT TITLE: DIR DEPOSIT PFD IN INVESTMENT ACCT  
 SPONSOR(s): SADDLER

01/16/24 (H) PREFILE RELEASED 1/8/24  
 01/16/24 (H) READ THE FIRST TIME - REFERRALS  
 01/16/24 (H) STA, FIN  
 02/22/24 (H) STA AT 3:00 PM GRUENBERG 120  
 02/22/24 (H) -- MEETING CANCELED --  
 02/29/24 (H) STA AT 3:00 PM GRUENBERG 120  
 02/29/24 (H) Heard & Held  
 02/29/24 (H) MINUTE(STA)  
 03/07/24 (H) STA AT 3:00 PM GRUENBERG 120

BILL: SB 103

SHORT TITLE: PEER SUPPORT COUNSELING PROGRAM  
 SPONSOR(s): DUNBAR

03/15/23 (S) READ THE FIRST TIME - REFERRALS  
 03/15/23 (S) CRA  
 03/28/23 (S) CRA AT 1:30 PM BELTZ 105 (TSBldg)  
 03/28/23 (S) Heard & Held  
 03/28/23 (S) MINUTE(CRA)  
 04/04/23 (S) CRA AT 1:30 PM BELTZ 105 (TSBldg)  
 04/04/23 (S) Moved SB 103 Out of Committee

04/04/23	(S)	MINUTE (CRA)
04/05/23	(S)	CRA RPT 3DP
04/05/23	(S)	DP: DUNBAR, GRAY-JACKSON, GIESSEL
04/24/23	(S)	TRANSMITTED TO (H)
04/24/23	(S)	VERSION: SB 103
04/26/23	(H)	READ THE FIRST TIME - REFERRALS
04/26/23	(H)	STA
02/22/24	(H)	STA AT 3:00 PM GRUENBERG 120
02/22/24	(H)	-- MEETING CANCELED --
02/29/24	(H)	STA AT 3:00 PM GRUENBERG 120
02/29/24	(H)	Heard & Held
02/29/24	(H)	MINUTE (STA)
03/07/24	(H)	STA AT 3:00 PM GRUENBERG 120

**WITNESS REGISTER**

TREVOR JEPSEN, Staff  
 Representative Tom McKay  
 Alaska State Legislature  
 Juneau, Alaska

**POSITION STATEMENT:** Provided wrap-up comments for HJR 13.

AZABEL ORDAZ, Staff  
 Representative McKay  
 Alaska State Legislature  
 Juneau, Alaska

**POSITION STATEMENT:** Answered questions about HJR 13 on behalf of Representative Tom McKay.

BUDDY WHITT, Staff  
 Representative Laddie Shaw  
 Alaska State Legislature  
 Juneau, Alaska

**POSITION STATEMENT:** Provided an explanation for the committee substitute to SB 12, on behalf of Representative Tom McKay.

SENATOR JESSE KIEHL  
 Alaska State Legislature  
 Juneau, Alaska

**POSITION STATEMENT:** Provided comments during the hearing on SB 12, as prime sponsor.

REPRESENTATIVE DAN SADDLER  
 Alaska State Legislature  
 Juneau, Alaska

**POSITION STATEMENT:** Provided comments during the hearing on HB 245, as prime sponsor.

GENEVIEVE WOJTUSIK, Director  
Central Office  
Permanent Fund Dividend Division  
Department of Revenue  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on HB 245.

JAMES HOLZENBERG, Staff  
Senator Forrest Dunbar  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided comments during the hearing on SB 103 on behalf of Senator Dunbar, bill sponsor.

BRIAN WEBB, representing self  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of SB 103.

DEIN BRUCE, Senior Captain  
Anchorage Fire Department  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of SB 103.

ANGELINA SALVATO, representing self  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of SB 103.

#### **ACTION NARRATIVE**

[3:03:09 PM](#)

**CHAIR LADDIE SHAW** called the House State Affairs Standing Committee meeting to order at [3:03] p.m. Representatives Story, Carpenter, Johnson, Wright, Carrick, and Shaw were present at the call to order. Representative Allard arrived as the meeting was in progress.

#### **SSCR 5-DISAPPROVE EO 128**

[3:04:37 PM](#)

CHAIR SHAW announced that the first order of business would be SENATE SPECIAL CONCURRENT RESOLUTION NO. 5, Disapproving Executive Order No. 128.

CHAIR SHAW stated that Special Concurrent Resolution 5 deals specifically with EO 128, separating the membership of the board of directors of the Alaska Energy Authority and the Alaska Industrial Development and Export Authority. He asked for a motion.

[3:05:33 PM](#)

REPRESENTATIVE WRIGHT moved to report SSCR 5 from committee with individual recommendations and the accompanying fiscal notes.

[3:05:58 PM](#)

REPRESENTATIVE CARPENTER objected and, after ascertaining that a discussion was not necessary, removed his objection. There being no further objection, SSCR 5 was reported from the House State Affairs Standing Committee.

[3:06:15 PM](#)

The committee took an at-ease from 3:06 p.m. to 3:08 p.m.

**HJR 13-CALL FED. CONSTITUTIONAL CONV:TERM LIMITS**

[3:08:13 PM](#)

CHAIR SHAW announced that the next order of business would be HOUSE JOINT RESOLUTION NO. 13, Requesting the United States Congress to call a convention of the states to propose an amendment to the Constitution of the United States to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and as a member of the United States Senate; and urging the legislatures of the other 49 states to request the United States Congress to call a convention of the states. [Before the committee, adopted as a working document on 3/1/24, was the proposed committee substitute (CS) for HJR 13, labeled 33-LS0690\B, Wallace, 1/22/24 ("Version B").]

[3:08:46 PM](#)

TREVOR JEPSEN, Staff, Representative Tom McKay, Alaska State Legislature, provided wrap up comments for HJR 13, on behalf of Representative McKay, prime sponsor. He explained that HJR 13 would encourage the U.S. Congress to enact term limits on itself. There are currently no term limit requirements. If HJR 13 were to pass, Alaska would be one of seven states to pass

similar legislation, which may prevent Congress from needing to call a convention.

[3:09:29 PM](#)

REPRESENTATIVE STORY expressed her concern about HJR 13, [Version B]. She made note that Alaskans voted not to open the constitution.

[3:10:24 PM](#)

MR. JEPSEN commented about the legal gray area around constitutional conventions. He admitted that if there were a convention, there may be legal implications. He said the goal of the resolution is for enough states to enact it and encourage Congress to impose term limits.

[3:11:08 PM](#)

REPRESENTATIVE C. JOHNSON noted that states that have passed this type of resolution have limited their delegates under penalty of law to prevent the constitution from being opened beyond the scope of setting term limits.

[3:12:05 PM](#)

REPRESENTATIVE STORY asked if the current resolution is limited to only allowing delegates to act on the narrow topic of term limits.

[3:12:21 PM](#)

AZABEL ORDAZ, Staff, Representative Tom McKay, Alaska State Legislature, on behalf of Representative McKay, prime sponsor, answered, "No, the resolution does not limit..."

[3:12:29 PM](#)

REPRESENTATIVE C. JOHNSON responded to Representative Story and said that limits to delegates would occur through the legislature after a constitutional convention is called and delegates are nominated.

[3:13:14 PM](#)

REPRESENTATIVE WRIGHT moved to report CSHJR 13, Version 33-LS0690\B, Wallace, 1/22/24, out of committee with individual recommendations and the accompanying fiscal notes.

[3:13:37 PM](#)

REPRESENTATIVE C. JOHNSON objected.

A roll call vote was taken. Representatives Wright, Carpenter, C. Johnson, Allard, and Shaw voted in favor of reporting CSHJR 13, Version 33-LS0690\B, Wallace, 1/22/24 out of committee. Representatives Story and Carrick voted against it. Therefore, CSHJR 13(STA) was reported out of the House State Affairs Standing Committee by a vote of 5-2.

[3:14:32 PM](#)

The committee took an at-ease from 3:14 p.m. to 3:17 p.m.

**SB 12-ADDRESS CONFIDENTIALITY PROGRAM**

[3:17:38 PM](#)

CHAIR SHAW announced that the next order of business would be CS FOR SENATE BILL NO. 12(JUD), "An Act relating to the duties of the Department of Administration; creating an address confidentiality program; and providing for an effective date."

[3:17:56 PM](#)

REPRESENTATIVE WRIGHT moved to adopt the proposed House Committee Substitute (HCS) for CSSB 12(JUD), Version 33-LS0162\H, C. Radford, 3/6/24 ("Version H"), as the working document.

[3:18:13 PM](#)

CHAIR SHAW objected for the purpose of discussion.

[3:18:26 PM](#)

BUDDY WHITT, Staff, Representative Laddie Shaw, Alaska State Legislature, described an unintended issue brought up by the bill sponsor. He explained that if the bill were to pass as currently written, registered sex offenders and child kidnappers may apply for the address confidentiality program. He noted that the Department of Public Safety said the applications by

sex offenders and child kidnappers would be accepted and their process would not change. He said that a court case could occur as a result.

MR. WHITT explained that the proposed CS would make one substantive change on page 2, line 27 through page 3, line 8, adding language that specifies that individuals who are required to register as sex offenders or child kidnappers would not be eligible for the address confidentiality program. The other change would be to move the effective date to January 1, 2025. Amendments can be discussed and debated at the next meeting to decide whether to include protection for sex offenders are also victims of domestic violence and may need access to the address confidentiality program.

[3:22:28 PM](#)

SENATOR JESSE KIEHL, Alaska State Legislature, as prime sponsor of CSSB 12(JUD), thanked the chair and his staff for addressing the unintended loophole that the Department of Public Safety brought to his attention.

[3:23:12 PM](#)

REPRESENTATIVE CARRICK asked why the effective date was moved out an extra year.

[3:23:26 PM](#)

SENATOR KIEHL stated that the old effective date was January 1, 2024.

[3:23:44 PM](#)

REPRESENTATIVE CARRICK asked why the effective date is not immediate.

SENATOR KIEHL explained the department may need time to implement the program.

[3:24:16 PM](#)

REPRESENTATIVE CARPENTER asked how the address confidentiality program is different from a mail forwarding service already available.

SENATOR KIEHL explained that cost is a factor for people who are experiencing violence and mail forwarding is expensive. The address confidentiality program through the bill would incur no cost to the victim. The bill would provide full confidentiality for physical addresses.

[3:25:43 PM](#)

CHAIR SHAW removed his objection. There being no further objection, Version H was before the committee as a working document.

CHAIR SHAW announced that CSSB 12(JUD) was held over.

**HB 245-DIR DEPOSIT PFD IN INVESTMENT ACCT**

[3:26:16 PM](#)

CHAIR SHAW announced that the next order of business would be HOUSE BILL NO. 245, "An Act relating to depositing permanent fund dividends into investment accounts; and providing for an effective date."

[3:26:31 PM](#)

REPRESENTATIVE CARRICK moved to adopt Amendment 1 to HB 245, labeled 33-LS1136\A.1, Nauman, 3/1/24, which read:

Page 1, line 13, following "section.":

Insert "The application form must notify the applicant that the applicant assumes the risk of investments made under this section."

[3:26:33 PM](#)

REPRESENTATIVE WRIGHT objected for the purpose of discussion.

[3:26:37 PM](#)

REPRESENTATIVE CARRICK explained that Amendment 1 attempts to preserve the state from liability or risk if permanent fund dividend (PFD) applicants choose bad investments. The amendment includes a disclosure that the applicant assumes the responsibility of the investment selections they make.

[3:28:44 PM](#)

REPRESENTATIVE WRIGHT asked to hear from the bill sponsor.

[3:28:52 PM](#)

REPRESENTATIVE DAN SADDLER, Alaska State Legislature, as prime sponsor of HB 245, stated his support of Amendment 1 as a "friendly" amendment. He explained that anyone with an investment account needs to understand that investing carries some risk. By making abundantly clear through a disclosure that the recipients of PFDs who elect to deposit PFD money into a personal investment account assume responsibility for the risk, the state is not responsible for any lost money. This amendment would not incur any additional expense.

[3:30:12 PM](#)

REPRESENTATIVE ALLARD asked if Amendment 1 to HB 245 would have any unintended consequences.

GENEVIEVE WOJTUSIK, Director, Central Office, Permanent Fund Dividend Division, Department of Revenue, answered that the division is neutral on the amendment. It would not create any fiscal impact. The amendment would create a pop-up box that informs the applicant that risk is assumed by the applicant if they choose to invest their PFD.

[3:31:09 PM](#)

REPRESENTATIVE STORY asked about tax and deferred compensation and asked if an amendment to the amendment would be necessary to include information about how investment accounts are taxed.

[3:31:44 PM](#)

REPRESENTATIVE SADDLER stated it is not his intent to interpose the state into an individual's tax obligations.

MS. WOJTUSIK added that the division is mandated by statute to provide a 1099 by January 31 of each year for PFD tax implications.

[3:32:56 PM](#)

REPRESENTATIVE C. JOHNSON asked about failing to provide a social security number resulting in taxes being withheld from an applicant's PFD.

MS. WOJTUSIK informed the committee that there is a 24 percent withholding fee for incorrect social security numbers inputted in the PFD application. The division sends warning letters to applicants about the fee. The fee is withdrawn when the correct social security number is provided up to the payout date. After the payout date, if the applicant wishes to amend their social security number on their application, the Internal Revenue Service (IRS) must be consulted.

REPRESENTATIVE C. JOHNSON asked, if an applicant chose to deposit their PFD into a tax-free entity such as a municipal bond, when the tax would be withheld and if there may be a possibility of double-taxing.

MS. WOJTUSIK responded that Representative C. Johnson's question should be asked to the IRS or a tax professional. She clarified that the bill only creates an additional box for an applicant to select for an investment account. The applicant can work with their own tax professional.

REPRESENTATIVE C. JOHNSON commented that he didn't want Alaskans to pay a double tax. He sought clarification about tax situations.

[3:35:06 PM](#)

REPRESENTATIVE SADDLER stated it is not his intention to expose Alaskans to double taxation on the PFD.

[3:35:24 PM](#)

REPRESENTATIVE WRIGHT removed his objection. There being no further objection, Amendment 1 to HB 245 was adopted.

[3:35:36 PM](#)

CHAIR SHAW opened public testimony on HB 245, as amended. After ascertaining that no one wished to testify, he closed public testimony.

[3:35:53 PM](#)

REPRESENTATIVE SADDLER provided wrap-up comments and requested a conceptual amendment. He explained that the current program system the department utilizes for PFDs would require an additional \$100,000 to divide an applicant's PFD between accounts, and he suggested language to omit the possibility of

partial PFD deposits into different accounts, thus resulting in the preferred zero fiscal note.

[3:37:33 PM](#)

The committee took an at-ease from 3:37 p.m. to 3:41 p.m.

[3:41:12 PM](#)

REPRESENTATIVE CARPENTER moved to adopt Conceptual Amendment 1 to HB 245 on page 1, line 7, to delete "all or part of the amount of". He authorized Legislative Legal Affairs to make any conforming changes necessary. There being no objection, Conceptual Amendment 1 to HB 245 was adopted.

[3:41:59 PM](#)

The committee took a brief at-ease.

[3:42:28 PM](#)

CHAIR SHAW again ascertained that no one wished to testify on HB 245, as amended.

[3:42:39 PM](#)

REPRESENTATIVE SADDLER thanked the committee for adopting the amendments, which will improve the bill.

[3:42:43 PM](#)

REPRESENTATIVE WRIGHT moved to report HB 245, as amended, out of committee with individual recommendations and attached zero fiscal notes. There being no objection, CSHB 245 (STA) was reported out of the House State Affairs Standing Committee.

[3:43:10 PM](#)

The committee took an at-ease from 3:43 p.m. to 3:46 p.m.

**SB 103-PEER SUPPORT COUNSELING PROGRAM**

[3:46:53 PM](#)

CHAIR SHAW announced that the final order of business would be SENATE BILL NO. 103, "An Act relating to peer support counseling

programs for law enforcement agencies, emergency service providers, and the Department of Corrections."

[3:47:09 PM](#)

REPRESENTATIVE STORY moved to adopt Amendment 1 to SB 103, labeled 33-LS0565\A.2, C. Radford, 3/4/24 to SB 103, which read:

Page 1, line 7, following the second occurrence of "and":

Insert "peer support"

Page 1, line 13, following "in":

Insert "peer support"

Page 2, line 3, following "or":

Insert "peer support"

Page 2, line 4, following "between":

Insert "peer support"

Page 2, line 5, following "participant,":

Insert "peer support"

Page 2, line 7, following "between":

Insert "peer support"

Page 2, line 23, following the second occurrence of "the":

Insert "peer support"

Page 4, line 1, following "provide":

Insert "peer support"

[3:47:13 PM](#)

REPRESENTATIVE WRIGHT objected for the purpose of discussion.

REPRESENTATIVE STORY explained that Amendment 1 was drafted based on bill discussion from the previous meeting. The amendment utilizes the term "peer support counselor" throughout the bill in place of the term "counselor". This will clarify that SB 103 is a peer support counseling program that does not utilize professional counselors or therapists.

[3:47:53 PM](#)

REPRESENTATIVE ALLARD mentioned that the term "peer support" counselor is used in the title and in other places in the bill. She said she would not support the amendment.

[3:48:25 PM](#)

REPRESENTATIVE CARRICK added that her office also prepared this amendment. She said that the term counselor is referred to elsewhere in statute and refers to licensed professional counselors. This amendment helps to provide clarity in statute. She noted the incredible value of peer support counselors.

[3:49:30 PM](#)

REPRESENTATIVE STORY asked to hear from the bill sponsor about Amendment 1.

[3:49:42 PM](#)

JAMES HOLZENBERG, Staff, Senator Forrest Dunbar, Alaska State Legislature, on behalf of Senator Dunbar, prime sponsor of SB 103, said that Senator Dunbar views the amendment as "friendly" because it helps to clarify the intent of the bill and prevents confusion about licensed professional counselors.

[3:50:14 PM](#)

REPRESENTATIVE WRIGHT asked if Representative Story spoke to professional counselors and whether they would support the amendment.

REPRESENTATIVE STORY said she did not speak with professional counselors. She said she read through definitions to ensure clarity so that people impacted by SB 103 would not think they were being served by a counselor who had full credentials.

[3:50:45 PM](#)

REPRESENTATIVE WRIGHT maintained his objection.

[3:50:54 PM](#)

A roll call vote was taken. Representatives C. Johnson, Carrick, Story, Carpenter, and Shaw voted in favor of Amendment 1 to SB 103. Representatives Allard and Wright voted against it. Therefore, Amendment 1 was adopted by a vote of 5-2.

[3:51:49 PM](#)

CHAIR SHAW opened public testimony on SB 103, as amended. After ascertaining that no one wished to testify, he closed public testimony.

[3:52:03 PM](#)

The committee took a brief at-ease.

[3:52:45 PM](#)

CHAIR SHAW reopened public testimony on SB 103, as amended.

[3:52:58 PM](#)

BRIAN WEBB, representing self, informed the committee that he has been a peer support counselor since 1989. He testified in support of SB 103 and emphasized the importance of confidentiality. He said he has seen problems with confidentiality throughout his career. He noted promotions that were denied because of information leaked through peer counseling. He said in the last two years, Alaska has lost two emergency medical services (EMS) clinicians to suicides, including his former partner. He emphasized that the mental anguish of career loss is difficult and a barrier to healing because of the stigma around seeking help and the fear of confidentiality being broken.

[3:55:09 PM](#)

DEIN BRUCE, Senior Captain, Anchorage Fire Department, said he has been the department peer support coordinator for six years. He discussed the cost-savings of peer support counselors. Peer support has helped members return to full duty and reach post-traumatic growth. Without a peer support program, he surmised, many members would leave his department due to mental health issues or substance abuse. Personnel replacement takes time, wages, and training. He discussed cost-savings from reduced turnover. He explained that preventing the replacement of experienced personnel generated \$412,000 per year over six years in savings to the Anchorage Fire Department. The confidentiality piece of SB 103 would encourage members to come forward to get the aid needed to return to duty, he said.

[3:57:19 PM](#)

REPRESENTATIVE C. JOHNSON asked Mr. Bruce if he is a mandatory reporter.

MR. BRUCE said that all first responders are mandatory reporters. Mandatory reporting requires a break in confidentiality under certain set circumstances.

REPRESENTATIVE C. JOHNSON asked if SB 103, as amended, would relieve first responders from mandatory reporting.

MR. BRUCE responded no, first responders are mandatory reporters.

[3:58:03 PM](#)

ANGELINA SALVATO, representing self, testified in support of SB 103. She described her experience working for the Anchorage Police Department where she was involved in an officer-involved shooting and was made a criminal suspect. She mentioned that she was not permitted to discuss the case for two years. She explained that the peer-counselor program makes it possible for first responders to maintain wellness.

[3:59:53 PM](#)

REPRESENTATIVE C. JOHNSON asked to hear from the bill sponsor about mandatory reporting.

[4:00:20 PM](#)

MR. HOLZENBERG answered that the bill has exceptions to confidentiality including when threats of harm are made to oneself or others; if there are admissions of criminal conduct; if information is given about abuse of vulnerable adults or children; or if any information is disclosed that is established by mandatory reporting laws.

[4:01:16 PM](#)

MS. SALVATO, in response to a question about mandatory reporting, discussed that the bill's language is similar to bills in Washington and Oregon. The bill exempts peer-counselors from confidentiality in specific situations. She asked if this bill goes far enough for confidentiality. Confidentiality does not allow counselors to withhold information to protect the first responder if something is

revealed and is listed under the mandatory reporting requirements.

[4:02:39 PM](#)

REPRESENTATIVE C. JOHNSON sought to clarify the difference between withholding and reporting.

[4:03:10 PM](#)

MS. SAVALTO clarified that mandatory reporters are not exempt from reporting under specific situations mentioned earlier.

[4:03:42 PM](#)

REPRESENTATIVE C. JOHNSON expressed his concerns and sought the Department of Law to answer his question.

[4:04:11 PM](#)

The committee took an at-ease from 4:04 p.m. to 4:09 p.m.

[4:09:55 PM](#)

REPRESENTATIVE CARPENTER referred to page 2, subsection (b), concerning oral or written information and asked if SB 103, as amended, includes grand jury proceedings. He explained that he asked the question on the record and would await follow-up from the Department of Law to answer the question later.

CHAIR SHAW announced that SB 103, as amended, was held over.

[4:11:17 PM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 4:11 p.m.