

ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE

April 16, 2024

3:01 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

CS FOR SENATE BILL NO. 68(RES) AM

"An Act relating to public notice for certain state actions and public hearings; and providing for an effective date."

- MOVED HCS CSSB 68(STA) OUT OF COMMITTEE

HOUSE BILL NO. 190

"An Act establishing a violation for hindering the Alaska Sunset Commission; relating to the duties of the legislature; establishing the Alaska Sunset Commission to review and make recommendations on discontinuation of or changes to state entities; relating to the powers and duties of the Alaska Sunset Commission; and providing for an effective date."

- MOVED CSHB 190(STA) OUT OF COMMITTEE

HOUSE BILL NO. 330

"An Act relating to the use and possession of electronic devices by prisoners."

- MOVED HB 330 OUT OF COMMITTEE

HOUSE BILL NO. 173

"An Act relating to public construction contracts; and providing for an effective date."

- MOVED HB 173 OUT OF COMMITTEE

HOUSE BILL NO. 362

"An Act relating to the reimbursement rate for prisoner medical care."

- HEARD & HELD

SENATE BILL NO. 256

"An Act establishing May as Amyotrophic Lateral Sclerosis Awareness Month; and providing for an effective date."

- BILL HEARING CANCELED

PREVIOUS COMMITTEE ACTION

BILL: SB 68

SHORT TITLE: PUBLIC NOTICE FOR STATE ACTIONS/HEARINGS

SPONSOR(S): RESOURCES

02/10/23	(S)	READ THE FIRST TIME - REFERRALS
02/10/23	(S)	RES
03/15/23	(S)	RES AT 3:30 PM BUTROVICH 205
03/15/23	(S)	Heard & Held
03/15/23	(S)	MINUTE(RES)
03/24/23	(S)	RES AT 3:30 PM BUTROVICH 205
03/24/23	(S)	<Bill Hearing Canceled>
04/19/23	(S)	RES AT 3:30 PM BUTROVICH 205
04/19/23	(S)	Heard & Held
04/19/23	(S)	MINUTE(RES)
04/21/23	(S)	RES AT 3:30 PM BUTROVICH 205
04/21/23	(S)	Heard & Held
04/21/23	(S)	MINUTE(RES)
04/26/23	(S)	RES AT 3:30 PM BUTROVICH 205
04/26/23	(S)	-- MEETING CANCELED --
05/01/23	(S)	RES AT 3:30 PM BUTROVICH 205
05/01/23	(S)	Scheduled but Not Heard
05/05/23	(S)	RES AT 3:30 PM BUTROVICH 205
05/05/23	(S)	Moved CSSB 68(RES) Out of Committee
05/05/23	(S)	MINUTE(RES)
05/08/23	(S)	RES RPT CS 3DP 3NR NEW TITLE
05/08/23	(S)	DP: BISHOP, GIESSEL, KAUFMAN
05/08/23	(S)	NR: KAWASAKI, CLAMAN, WIELECHOWSKI
03/07/24	(S)	PRIME SPONSOR CHANGED - SENATE RESOURCES COMMITTEE REPLACED GIESSEL
03/11/24	(S)	TRANSMITTED TO (H)
03/11/24	(S)	VERSION: CSSB 68(RES) AM

03/13/24 (H) READ THE FIRST TIME - REFERRALS
 03/13/24 (H) STA
 04/04/24 (H) STA AT 3:00 PM GRUENBERG 120
 04/04/24 (H) Heard & Held
 04/04/24 (H) MINUTE(STA)
 04/09/24 (H) STA AT 3:00 PM GRUENBERG 120
 04/09/24 (H) -- Rescheduled to 04/11/24 --
 04/11/24 (H) STA AT 3:00 PM GRUENBERG 120
 04/11/24 (H) -- MEETING CANCELED --
 04/16/24 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HB 190

SHORT TITLE: ALASKA SUNSET COMMISSION

SPONSOR(s): WAYS & MEANS

05/03/23 (H) READ THE FIRST TIME - REFERRALS
 05/03/23 (H) W&M, STA, FIN
 05/08/23 (H) W&M AT 6:00 PM DAVIS 106
 05/08/23 (H) <Bill Hearing Canceled>
 05/09/23 (H) W&M AT 6:00 PM DAVIS 106
 05/09/23 (H) Heard & Held
 05/09/23 (H) MINUTE(W&M)
 01/24/24 (H) W&M AT 6:00 PM DAVIS 106
 01/24/24 (H) Heard & Held
 01/24/24 (H) MINUTE(W&M)
 01/31/24 (H) W&M AT 6:00 PM DAVIS 106
 01/31/24 (H) Heard & Held
 01/31/24 (H) MINUTE(W&M)
 02/14/24 (H) W&M AT 6:00 PM DAVIS 106
 02/14/24 (H) Moved CSHB 190(W&M) Out of Committee
 02/14/24 (H) MINUTE(W&M)
 02/19/24 (H) W&M RPT CS(W&M) NEW TITLE 4DP 2NR
 02/19/24 (H) DP: MCKAY, MCCABE, TILTON, CARPENTER
 02/19/24 (H) NR: GRAY, GROH
 03/12/24 (H) STA AT 3:00 PM GRUENBERG 120
 03/12/24 (H) Heard & Held
 03/12/24 (H) MINUTE(STA)
 03/26/24 (H) STA AT 3:00 PM GRUENBERG 120
 03/26/24 (H) -- MEETING CANCELED --
 04/02/24 (H) STA AT 3:00 PM GRUENBERG 120
 04/02/24 (H) Heard & Held
 04/02/24 (H) MINUTE(STA)
 04/09/24 (H) STA AT 3:00 PM GRUENBERG 120
 04/09/24 (H) -- Rescheduled to 04/11/24 --
 04/11/24 (H) STA AT 3:00 PM GRUENBERG 120
 04/11/24 (H) -- MEETING CANCELED --
 04/16/24 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HB 330

SHORT TITLE: RESTRICT PRISONER ACCESS DIGITAL DEVICES

SPONSOR(s): VANCE

02/15/24 (H) READ THE FIRST TIME - REFERRALS
02/15/24 (H) STA
03/26/24 (H) STA AT 3:00 PM GRUENBERG 120
03/26/24 (H) -- MEETING CANCELED --
04/02/24 (H) STA AT 3:00 PM GRUENBERG 120
04/02/24 (H) Heard & Held
04/02/24 (H) MINUTE(STA)
04/16/24 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HB 173

SHORT TITLE: PUBLIC CONSTRUCTION CONTRACTS WAGE RATES

SPONSOR(s): MCCABE

04/24/23 (H) READ THE FIRST TIME - REFERRALS
04/24/23 (H) STA, FIN
03/05/24 (H) STA AT 3:00 PM GRUENBERG 120
03/05/24 (H) Heard & Held
03/05/24 (H) MINUTE(STA)
03/26/24 (H) STA AT 3:00 PM GRUENBERG 120
03/26/24 (H) -- MEETING CANCELED --
04/16/24 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HB 362

SHORT TITLE: PRISONER MED CARE MEDICAID REIMBURSEMENT

SPONSOR(s): PRAX

02/20/24 (H) READ THE FIRST TIME - REFERRALS
02/20/24 (H) STA
04/09/24 (H) STA AT 3:00 PM GRUENBERG 120
04/09/24 (H) -- Rescheduled to 04/11/24 --
04/11/24 (H) STA AT 3:00 PM GRUENBERG 120
04/11/24 (H) -- MEETING CANCELED --
04/16/24 (H) STA AT 3:00 PM GRUENBERG 120

WITNESS REGISTER

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

POSITION STATEMENT: Answered committee questions related to
CSSB 68(RES) am.

DONNA ARDUIN, Staff
Representative Ben Carpenter
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Explained proposed amendments to CSHB 190 (W&M) on behalf of the bill sponsor, the House Special Committee on Ways and Means, on which Representative Carpenter serves as chair.

MEGAN WALLACE, Chief Counsel
Legislative Legal Services
Legislative Affairs Agency
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 190.

REPRESENTATIVE SARAH VANCE
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, answered questions during the hearing on HB 330.

APRIL WILKERSON, Deputy Commissioner
Department of Corrections
Anchorage, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 330

DON HABEGAR, Community Coordinator
Juneau Reentry Coalition
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 330.

MARSHA OSS, Reentry Coordinator
Fairbanks Reentry Coalition
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 330.

CHRIS DIMOND
Western States Carpenters Union
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 330.

REPRESENTATIVE KEVIN MCCABE
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, presented HB 173.

DON ETHRIDGE, Lobbyist
Alaska AFL-CIO
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to HB 173.

CHRIS DIMOND
Western States Carpenters Union
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 173.

SCOTT DAVIS, representing self
Palmer, Alaska

POSITION STATEMENT: Testified in opposition to HB 173.

RUSTIN KRAFFT, Purchasing Director
Matanuska-Susitna Borough
Palmer, Alaska

POSITION STATEMENT: Testified in support of HB 173.

REPRESENTATIVE MIKE PRAX
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, presented HB 362.

TERI WEST, Director
Administrative Services
Department of Corrections
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 362.

ACTION NARRATIVE

[3:01:55 PM](#)

CHAIR LADDIE SHAW called the House State Affairs Standing Committee meeting to order at 3:01 p.m. Representatives Wright, Allard, Story, and Shaw were present at the call to order. Representatives Carpenter, C. Johnson, and Carrick arrived as the meeting was in progress.

SB 68-PUBLIC NOTICE FOR STATE ACTIONS/HEARINGS

[3:03:10 PM](#)

CHAIR SHAW announced that the first order of business would be CS FOR SENATE BILL NO. 68(RES) AM, "An Act relating to public notice for certain state actions and public hearings; and providing for an effective date."

[3:03:33 PM](#)

CHAIR SHAW moved to adopt Amendment 1 to CSSB 68(RES) AM, labeled 33-LS0412\D.A.1, Bullard, 3/16/24, which read:

Page 1, line 1, following "notice":
Insert "**requirements for museums and**"

Page 1, following line 3:
Insert a new bill section to read:

"* **Section 1.** AS 14.57.210(b) is amended to read:

(b) To acquire title under (a) of this section, the museum shall publish a notice for at least four consecutive weeks on a dedicated Internet webpage maintained by the museum responsible for the undocumented property and at least once a week for four consecutive weeks either in a newspaper of general circulation in the judicial district where the museum is located or on a social media account maintained by the museum. The notice must include

(1) a brief and general description of the property;

(2) the date or approximate date, if known, of the acquisition of the property by the museum;

(3) the name, address, electronic mail address, and telephone number of the museum representative to contact for more information or to make a claim of ownership;

(4) the initial date of publication on the Internet webpage [DATE OF THE LAST PUBLICATION OF THE NOTICE UNDER THIS SUBSECTION]; and

(5) a statement that the museum will acquire title to the property if a valid claim of an owner to the property is not received by the museum within 45 days from the date of the last publication of the notice under this subsection."

Page 1, line 4:
Delete "**Section 1**"
Insert "**Sec. 2**"

Renumber the following bill sections accordingly.

REPRESENTATIVE WRIGHT objected.

[3:03:46 PM](#)

The committee took an at-ease from 3:03 p.m. to 3:07 p.m.

[3:07:46 PM](#)

BUDDY WHITT, Staff, Representative Laddie Shaw, answered committee questions related to CSSB 68(RES) am. He suggested Chair Shaw table Amendment 1 and await further information related to the proposed amendment.

[3:08:34 PM](#)

CHAIR SHAW announced that the committee would [table Amendment 1]. There being no objection, Amendment 1, with pending objection, was tabled.

[3:08:38 PM](#)

CHAIR SHAW [moved to adopt] Amendment 2 to CSSB 68(RES) AM, labeled 33-LS0412\D.A.2, Bullard, 4/6/24, which read as follows:

Page 7, line 21, following "circulation":

Insert ", and in other appropriate information media,"

Page 7, lines 22 - 23:

Delete "The department"

Page 7, lines 24 - 26:

Delete "]" may also publish the notice [BE PUBLISHED] in other appropriate information media."

Insert "MAY ALSO BE PUBLISHED IN OTHER APPROPRIATE INFORMATION MEDIA.]"

REPRESENTATIVE WRIGHT objected for the purpose of discussion.

[3:08:51 PM](#)

The committee took an at-ease from 3:08 p.m. to 3:09 p.m.

[3:09:14 PM](#)

MR. WHITT, on behalf of Chair Shaw, explained that Amendment 2 would clean up language in Section 10, on page 7. He said that the proposed amendment is a clarifying amendment to straighten out unclear language currently in CSSB 68(RES) AM.

[3:11:22 PM](#)

REPRESENTATIVE WRIGHT removed his objection to the motion to adopt Amendment 2. There being no further objection, Amendment 2 was adopted.

[3:11:32 PM](#)

The committee took an at-ease from 3:11 p.m. to 3:15 p.m.

[3:15:59 PM](#)

CHAIR SHAW announced that the committee would [take Amendment 1 off the table].

[3:16:20 PM](#)

REPRESENTATIVE CARRICK, [who had not been present when Chair Shaw moved to adopt Amendment 1] made a second motion to adopt Amendment 1 [text previously provided].

REPRESENTATIVE WRIGHT made a second objection for the purpose of discussion.

REPRESENTATIVE CARRICK, as the original sponsor of Amendment 1, explained how the proposed amendment would affect CSSB 68(RES) AM. She said that Amendment 1 aims to change Alaska Statute (AS) 14.57.210 to make online postings of museum collections more practical and noticeable to people living in rural areas of Alaska.

[3:18:44 PM](#)

CHAIR SHAW asked Representative Wright if he maintained his objection.

REPRESENTATIVE WRIGHT said, "I do."

[3:18:51 PM](#)

The committee took an at-ease from 3:18 p.m. to 3:20 p.m.

[3:20:30 PM](#)

REPRESENTATIVE WRIGHT withdrew his objection to the motion to adopt Amendment 1 to CS FOR SENATE BILL NO. 68(RES) AM. There being no further objection, Amendment 1 was adopted.

[3:21:06 PM](#)

REPRESENTATIVE WRIGHT moved to report CSSB 68(RES) am, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HCS CSSB 68(STA) was reported out of the House State Affairs Standing Committee.

HB 190-ALASKA SUNSET COMMISSION

[3:21:37 PM](#)

CHAIR SHAW announced that the next order of business would be HOUSE BILL NO. 190, "An Act establishing a violation for hindering the Alaska Sunset Commission; relating to the duties of the legislature; establishing the Alaska Sunset Commission to review and make recommendations on discontinuation of or changes to state entities; relating to the powers and duties of the Alaska Sunset Commission; and providing for an effective date." [Before the committee was CSHB 190(W&M).]

[3:21:52 PM](#)

The committee took two back to back at-eases from 3:21 p.m. to 3:25 p.m.

[3:25:16 PM](#)

CHAIR SHAW stated that CSHB 190(W&M) was in its third hearing and the committee was to hear two proposed amendments from Representative Carpenter and Representative Story.

[3:25:40 PM](#)

The committee took an at-ease from 3:25 p.m. to 3:34 p.m.

[3:34:14 PM](#)

REPRESENTATIVE CARPENTER moved to adopt Amendment 1 to CSHB 190(W&M), labeled 33-LS0685\S.8, Wallace, 4/16/24, which read:

Page 5, lines 6 - 10:

Delete "records, documents, and files of any entity of the state, including any record, document, or file that is

- (1) attorney work product;
- (2) an attorney-client communication; or
- (3) made privileged or confidential by law"

Insert "books, accounts, reports, or other records, whether confidential or not, of any entity of the state"

Page 5, following line 10:

Insert a new subsection to read:

"(d) The commission has the power to hold public hearings, administer oaths, issue subpoenas, compel the attendance of witnesses and production of papers, books, accounts, documents, and testimony, and have the deposition of witnesses taken in a manner prescribed by court rule or law for taking depositions in civil actions."

Page 5, line 27:

Delete "For purposes of this subsection, a communication"

Insert "In this subsection, "communication""

Page 7, line 9, following "appropriate.":

Insert "Unless confidentiality is expressly waived by the entity of the state, the report may not contain any confidential information obtained by the commission under AS 44.99.710(c)."

REPRESENTATIVE WRIGHT objected for the purpose of discussion.

[3:34:41 PM](#)

DONNA ARDUIN, Staff, Representative Ben Carpenter, explained proposed amendments to CSHB 190 (W&M) on behalf of the bill sponsor, the House Special Committee on Ways and Means. She detailed the goals of CSHB 190 (W&M) and said the proposed amendment would allow for subpoena power to come from legislative audits and rewrite certain statutes relating to the Alaska Sunset Commission (ASC).

[3:36:09 PM](#)

REPRESENTATIVE STORY commented that she was grateful for Representative Carpenter's decision to remove language regarding the ASC's power to disregard legal rulings. She added that she has not had a chance to review the language being changed by the proposed amendment and asked to hear legal counsel from Megan Wallace of Legislative Legal Services.

[3:37:13 PM](#)

REPRESENTATIVE STORY asked for Ms. Wallace's opinion on the legality of the proposed ability for the ASC to issue a subpoena.

MEGAN WALLACE, Chief Counsel, Legislative Legal Services, Legislative Affairs Agency, answered that the ASC's proposed subpoena power is similar to the subpoena power granted to the Legislative Counsel or the Legislative Audit Division and explained that the difference between the aforementioned examples and the ASC is that the commission is established in the Office of the Lieutenant Governor, which would leave the duty of oversight of the subpoenas being issued to a presiding officer of the commission, not the commissioners themselves.

REPRESENTATIVE STORY asked Ms. Wallace if she thought Amendment 1 would give the state legal protections and further questioned if the proposed amendment would "give the state something to be cautious of."

MS. WALLACE explained that Legislative Legal Services did not identify any specific legal problems with the proposed amendment but advised that there is a legal risk in allowing the ASC to issue subpoenas.

[3:43:57 PM](#)

REPRESENTATIVE STORY asked Representative Carpenter if the Texas Sunset Commission has the ability to issue subpoenas as he is proposing the ASC should be allowed to do.

[3:44:11 PM](#)

REPRESENTATIVE CARPENTER answered that he would have to follow up with information later and clarified that the aim of the proposed legislation is to be able compel the executive branch to participate in the process of reviewing a given organization under audit.

[3:45:46 PM](#)

MS. ARDUIN added her understanding that there would be a risk to not having the proposed subpoena language in Amendment 1 because there would be no way to get state departments to cooperate with the ASC.

[3:46:21 PM](#)

REPRESENTATIVE WRIGHT removed his objection to the motion to adopt Amendment 1. There being no further objection, Amendment 1 was adopted.

[3:46:36 PM](#)

REPRESENTATIVE CARPENTER moved to adopt Amendment 6 to CSHB 190(W&M), as amended, labeled 33-LS0685\S.6, Wallace, 4/15/24.

Page 7, line 28:

Following "unit":

Insert "in the executive branch"

Following "Alaska":

Insert ", but does not include an agency in the judicial or legislative branch of state government"

REPRESENTATIVE WRIGHT objected for the purpose of discussion.

REPRESENTATIVE CARPENTER explained that Amendment 6 would maintain a separation of powers between the branches of the Alaska State Government by keeping the ASC limited to the executive branch.

[3:47:35 PM](#)

The committee took a brief at-ease at 3:47 p.m.

[3:48:20 PM](#)

REPRESENTATIVE STORY said she would not be offering her amendment because her concerns were addressed by previously adopted Amendments.

[3:48:41 PM](#)

REPRESENTATIVE CARPENTER noted that [Amendment 6] was still before the committee.

[3:49:06 PM](#)

REPRESENTATIVE WRIGHT withdrew his objection to the motion to adopt Amendment 6. There being no further objection, Amendment 6 was adopted.

[3:49:26 PM](#)

The committee took an at-ease from 3:49 p.m. to 3:50 p.m.

[3:50:46 PM](#)

CHAIR SHAW clarified that Amendment 6 had been adopted.

[3:51:33 PM](#)

REPRESENTATIVE STORY reiterated that she would not be offering her amendment.

[3:51:43 PM](#)

REPRESENTATIVE WRIGHT moved to report CSHB 190(W&M), as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 190(STA) was reported out of the House State Affairs Standing Committee.

[3:52:02 PM](#)

The committee took an at-ease from 3:52 p.m. to 3:55 p.m.

HB 330-RESTRICT PRISONER ACCESS DIGITAL DEVICES

[3:55:50 PM](#)

CHAIR SHAW announced the next order of business would be HOUSE BILL NO. 330, "An Act relating to the use and possession of electronic devices by prisoners."

[3:56:17 PM](#)

REPRESENTATIVE STORY moved to adopt Amendment 1 to HB 330, labeled 33-LS0761\H.2, C. Radford, 4/8/24, which read:

Page 3, line 16, following "purpose":
Insert "**or as a substitution for in-person visitation, receiving mail, or other in-person communication**"

REPRESENTATIVE WRIGHT objected for the purpose of discussion.

REPRESENTATIVE STORY explained that Amendment 1 would ensure that prisoners rights are protected by allowing them to have the option of receiving in-person visitation or mail and that an electronic device would not replace any sort of physical correspondence.

REPRESENTATIVE WRIGHT asked to hear from the bill sponsor.

[3:57:44 PM](#)

REPRESENTATIVE SARAH VANCE, Alaska State Legislature, as prime sponsor of HB 330, expressed apprehension to the wording of the proposed amendment and said it could inadvertently restrict any sort of visitation if electronic visitation is the only available form of correspondence.

REPRESENTATIVE STORY explained that the word "or" in Amendment 1 leaves the use of different types of visitation as options.

REPRESENTATIVE VANCE responded that the Department of Corrections (DOC) had concerns about physical mail being transmitted from prisons and said it could be problematic to put these rights into statute if they already pose a consternation to DOC.

REPRESENTATIVE STORY said she took great concern with DOC wanting to restrict physical mail correspondence.

[4:01:26 PM](#)

APRIL WILKERSON, Deputy Commissioner, Department of Corrections, explained that DOC currently has contraband issues that come through the mail; however, it was not the intent to replace 100 percent by utilizing the tablets for mail services. She described it as an enhancement that would be one option of many.

REPRESENTATIVE STORY stated her intention was that the amendment would strengthen in statute that it could still be allowed.

MS. WILKERSON replied that DOC did not intend to eliminate current processes by utilizing the tablets. She reiterated that the intention was to enhance current operations by using the tablet for video visitations or streaming mail. She clarified

that there would still be mail that would need to be copied and delivered.

REPRESENTATIVE STORY stressed that she did not want tablets used as a substitute for receiving an in-person visitation or mail and other communications.

[4:03:49 PM](#)

REPRESENTATIVE ALLARD stated that she was "not a fan" of HB 330. She asked what level offenders would qualify to use tablets.

MS. WILKERSON explained that there would be a limited aspect of the tablets. They are on a dedicated network and do not connect to the Internet, and in no way able to send e-mails and the like.

REPRESENTATIVE ALLARD restated that she sought to know at what level offenders have access to a tablet.

MS. WILKERSON said the intent was to get tablets in the hands of any offender and it is not based on conviction levels. She assured that security is being looked into currently and the tablet would not allow the offender to utilize it for criminal enterprise or connect inappropriately with victims.

REPRESENTATIVE ALLARD emphasized her concern over offenders having tablets and the possible ramifications.

MS. WILKERSON replied that solid infrastructures are being followed to ensure the security of the system, and she offered to share information from the vendor about their security network. She added that everything that would come through the tablet would be tracked, monitored, and recorded.

REPRESENTATIVE ALLARD asked whether the tablet would be safer than paper mail.

MS. WILKERSON clarified that on a tablet, mail generates a different picture than a manual process.

[4:08:21 PM](#)

REPRESENTATIVE WRIGHT maintained his objection.

[4:08:30 PM](#)

A roll call vote was taken. Representative Story voted in favor of Amendment 1 to HB 330. Representatives Carpenter, C. Johnson, Allard, Wright, and Shaw voted against it. Therefore, Amendment 1 failed by a vote of 1-5.

[4:09:14 PM](#)

REPRESENTATIVE STORY moved to adopt Amendment 2 to HB 330, labeled 33-LS0761\H.3, C. Radford, 4/8/24, which read:

Page 3, line 17, following "kind":

Insert "i

(4) allow a state correctional facility operated by the state to charge a fee for electronic mail or electronic visitation services"

Page 3, following line 17:

Insert a new bill section to read:

"* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to read: APPLICABILITY. AS 33.30.015(a)(4), enacted by sec. 1 of this Act, applies to services used by a prisoner on or after the effective date of this Act."

REPRESENTATIVE WRIGHT requested to hear from the bill sponsor.

[4:10:28 PM](#)

REPRESENTATIVE VANCE stated she agreed that she does not want exorbitant fees imposed on the offenders; it is a matter of what is fair and balanced. She offered her belief that if Amendment 2 were adopted, it would limit flexibility as the department works through the pilot program.

REPRESENTATIVE STORY expressed concern about families on limited budgets with loved ones who are incarcerated.

REPRESENTATIVE VANCE referred to a video that was played during the introduction of HB 330 and recapped that there were companies that work in partnership with the vendors of the tablet who would fund educational opportunities at no expense to the inmate. She noted there are a variety of options available for different services.

[4:13:03 PM](#)

REPRESENTATIVE CARPENTER commented that he did not want to see inmates or family members getting charged large fees, but there was value in having a convenience user fee to participate in the system that would otherwise be free if they were local. He opined that more family interactions with prisoners could occur with the tablet. He stated opposition to Amendment 2.

[4:14:22 PM](#)

REPRESENTATIVE ALLARD opined that criminals should not be rewarded in prison and should continue to pay their debts to society. When they are released is something different, she said. She restated that she did not support Amendment 2.

[4:14:52 PM](#)

REPRESENTATIVE STORY requested to hear from Ms. Wilkerson regarding those who do not have funds to provide services but are charge fees.

MS. WILKERSON expounded on the inmate telephone system and how it is written into a contract. She further noted that there are a number of free calls per week.

[4:16:45 PM](#)

A roll call vote was taken. Representatives Story voted in favor of Amendment 2 to HB 330. Representatives Wright, Carpenter, C. Johnson, Allard, and Shaw voted against it. Therefore, Amendment 2 failed to be adopted by a vote of 1-5.

[4:17:20 PM](#)

CHAIR SHAW opened public testimony on HB 330.

[4:17:41 PM](#)

DON HABEGAR, Community Coordinator, Juneau Reentry Coalition, testified in support HB 330 on behalf of himself and the coalition and opined that it is a much-needed piece of legislation. He noted the need for access for the community to a facility and certain things prevent this. The reentry process must have necessary community support, he said. He acknowledged concerns about security, but advanced technology better safeguards the community, and he encouraged the passage of HB 330.

[4:20:15 PM](#)

MARSHA OSS, Reentry Coordinator, Fairbanks Reentry Coalition, said she supported the previous testifier's statements. She added that HB 330 would allow DOC increased access to technology inside Alaska's prisons and allow the department to provide services to more individuals, which would help address DOC's staffing challenges. She thanked Representative Vance for introducing the bill.

[4:22:16 PM](#)

CHRIS DIMOND, Western States Carpenters Union, testified in support of HB 330. He said the type of curriculum would give inmates who are about to be released a pathway to an actual career that could help them. The end goal is to get someone to stay out of prison when they are released, and these tools and technology should continue to be looked into, he opined.

[4:23:23 PM](#)

CHAIR SHAW, after ascertaining no one else wished to testify, closed public testimony on HB 330.

[4:23:37 PM](#)

REPRESENTATIVE VANCE gave closing comments. She recognized many of the concerns surrounding the proposed legislation but said she added tighter restrictions. She noted the difficulties prisoners endure, such as separation from family, and that there must be better reentry processes. She pointed out that page 3 in the bill addressed many concerns. She said there is a responsibility from the state to help rehabilitate prisoners so they are not a burden to communities and to trust that the legislature would make the best decisions moving forward.

[4:26:54 PM](#)

REPRESENTATIVE WRIGHT moved to report HB 330 out of committee with individual recommendations and the accompanying fiscal notes.

[4:27:11 PM](#)

REPRESENTATIVE ALLARD objected.

[4:27:42 PM](#)

A roll call vote was taken. Representatives Story, Wright, Carpenter, C. Johnson, and Shaw voted in favor of moving HB 330 out of committee with individual recommendations and the accompanying fiscal notes. Representative Allard voted against it. Therefore, HB 330 was reported out of the House State Affairs Standing Committee by a vote of 5-1.

[4:28:21 PM](#)

The committee took an at-ease from 4:28 p.m. to 4:30 p.m.

HB 173-PUBLIC CONSTRUCTION CONTRACTS WAGE RATES

[4:30:52 PM](#)

CHAIR SHAW announced that the next order of business would be HOUSE BILL NO. 173, "An Act relating to public construction contracts; and providing for an effective date."

[4:31:12 PM](#)

REPRESENTATIVE KEVIN MCCABE, Alaska State Legislature, as prime sponsor, presented HB 173. He paraphrased the sponsor statement [included in the committee packet], which read as follows [original punctuation provided]:

House Bill 173 seeks to modernize an outdated statute to better address the specific challenges of construction in Alaska. Specifically, it updates the Little Davis Bacon Act (LDBA) public construction contract thresholds in our state. The current threshold of \$25,000 is deemed inefficient due to various Alaska-specific factors and inflationary pressures over the past 11 years. Many states have either eliminated thresholds altogether or raised them to \$1 million.

This bill proposes raising the threshold to \$150,000 to better reflect inflation and current industry costs. This adjustment would streamline processes, reduce administrative burdens, and enhance efficiency in public construction projects statewide. Moreover, it would encourage smaller contractors to bid on contracts and help address the labor shortage in the construction industry in Alaska.

Furthermore, the increased threshold would address unique challenges faced in Alaska, such as high transportation costs in rural areas. Currently, even minor projects, like repairing 20 potholes, may necessitate compliance with LDBA regulations due to exceeding the threshold.

Support for House Bill 173 is crucial for adapting regulations, ensuring equitable participation for local contractors, and fostering economic development in the face of inflation and workforce shortages. Let's modernize our approach to public construction contracts and propel Alaska forward.

Thank you for your attention to this important matter.

[4:33:51 PM](#)

CHAIR SHAW opened public testimony on HB 176.

[4:34:36 PM](#)

DON ETHRIDGE, Lobbyist, Alaska AFL-CIO, testified in opposition to HB 173 on behalf of himself and his organization. He stated his main concern was that the employees would "pay the price," not the contractor. He noted abuse of projects to "bid them out."

[4:35:53 PM](#)

CHRIS DIMOND, Western States Carpenters Union, testified in opposition to HB 173. He said that he agreed with the previous testifier and added that increasing the threshold would do nothing to save the state money but would [negatively] impact Alaska construction workers.

[4:37:23 PM](#)

SCOTT DAVIS, representing self, provided a brief professional background and testified in opposition to HB 173. He said the threshold gets abused and it is a "race to the bottom" for the workers and unfair to responsible contractors who pay prevailing wages. He opined that it could make it more difficult to attract workers and would guarantee lower wages for the workers. He said it is not the time for this type of bill and Alaska families deserve better.

[4:39:17 PM](#)

RUSTIN KRAFFT, Purchasing Director, Matanuska-Susitna Borough, noted the current labor shortage in Alaska, and that small companies could be more competitive without the additional administrative costs and filing fees associated with the Little Davis-Bacon Act while still paying competitive market rates for jobs. The fees, he said, are passed directly to the taxpayers, not taken out of the pockets of the workers. He thanked the committee for the opportunity to testify.

[4:40:40 PM](#)

CHAIR SHAW, after ascertaining no one else wished to testify, closed public testimony on HB 173.

[4:40:53 PM](#)

REPRESENTATIVE WRIGHT moved to report HB 173 out of committee with individual recommendations and the accompanying fiscal notes.

REPRESENTATIVE STORY objected.

[4:41:06 PM](#)

A roll call vote was taken. Representatives Wright, Carpenter, C. Johnson, Allard, and Shaw voted in favor of moving HB 173 out of committee with individual recommendations and the accompanying fiscal notes. Representatives Story voted against it. Therefore, HB 173 was reported out of the House State Affairs Standing Committee by a vote of 5-1.

[4:41:44 PM](#)

The committee took an at-ease from 4:41 p.m. to 4:43 p.m.

HB 362-PRISONER MED CARE MEDICAID REIMBURSEMENT

[4:43:59 PM](#)

CHAIR SHAW announced that the final order of business would be HOUSE BILL NO. 362, "An Act relating to the reimbursement rate for prisoner medical care."

[4:44:19 PM](#)

REPRESENTATIVE MIKE PRAX, Alaska State Legislature, as prime sponsor, presented HB 362 and read from the sponsor statement [included in the committee packet], which read as follows [original punctuation provided]:

HB362 proposes to cap the reimbursement rate for prisoner medical care costs in Alaska at the rate established under federal law, 42 U.S.C 1396-1396w-7 (Title XIX, Social Act), thus presenting a strategic approach to address the ever-growing costs of healthcare in our prisons.

Capping the reimbursement rates with those established under Title XIX of the Social Act, we can expect cost savings. This alignment ensures cost-effectiveness and brings predictability to the budgeting processes. In addition, the provision allowing the commissioner to negotiate contracts for higher rates allows flexibility when needed.

HB362 presents a balanced and strategic approach to managing healthcare costs in prisons while ensuring the provision of necessary care. It is a step towards a more sustainable and effective healthcare system within our prisons.

[4:46:05 PM](#)

CHAIR SHAW opened public testimony on HB 362. After ascertaining there was no one who wished to testify, he closed public testimony.

[4:46:28 PM](#)

REPRESENTATIVE STORY questioned whether medical professionals provide care for individuals who are incarcerated with the low reimbursement rate.

REPRESENTATIVE PRAX said the Department of Corrections (DOC) could start negotiations at the Medicaid rates.

REPRESENTATIVE STORY asked Representatives Prax whether he talked with the department regarding the ability to lower rates with the proposed legislation.

REPRESENTATIVE PRAX deferred the question to DOC staff.

[4:47:47 PM](#)

TERI WEST, Director, Administrative Services, Department of Corrections, stated that she believed the services could be provided at lower rates and that currently, several providers provide fees for services and some have a letter of agreement (LOA) for discounted rates. She said DOC believed that this would continue should the bill pass.

[4:49:24 PM](#)

REPRESENTATIVE CARPENTER inquired about negotiated contracts at higher rates and how it worked.

MS. WEST replied that she did not fully understand the question but stated that DOC had both higher and reduced contract rates, and some allow for 10- to 30-percent discounts.

[4:50:51 PM](#)

REPRESENTATIVE PRAX corrected his opening statement by saying the bill would allow the department to negotiate a base rate starting with Medicaid rates, it does not necessarily cap the rate.

[4:52:18 PM](#)

REPRESENTATIVE STORY asked whether there were established statistics so that the legislature could determine after passage of the bill that there was improvement.

MS. WEST answered that if the bill passed, the department could see where the cost savings would be.

REPRESENTATIVE STORY questioned how it would be documented.

MS. WEST stated she could get back to the committee with an answer at a later date.

[4:53:55 PM](#)

CHAIR SHAW announced HB 362 was held over.

[4:54:09 PM](#)

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 4:54 p.m.