

2017 CAPITOL CURRENTS

30th Alaska State Legislature ~ 1st Session

17th Edition – 5/8-5/13

~ Senator Kelly wants to extend regular session an extra 10 days ~

HIGHLIGHTS

One step closer: Operating and Mental Health Budgets Conference Committee appointed. Members are Senators MacKinnon, Hoffman and Olson and Representatives Seaton, Foster and Pruitt. The budget conference committee will hold its organizational meeting this Monday at 1:00pm.

The legislature is now officially under the 24-hour rule. Notice for bill hearings can be given the day before a committee meeting.

The Capitol budget passed the Senate on the 12th and received its first hearing in House Finance on Saturday. It's next hearing is scheduled for Monday afternoon.

While joint session for confirmation hearing hasn't been rescheduled, I'm hearing that it will happen—we'll see if it happens before the 121st day!

Two steps back: The Senate voted down the income tax proposed by the House in HB 115—the education tax—one of the pillars of the House's budget plan.

The Department of Revenue has estimated that if fully implemented, HB 115 would have generated \$687 million per year for state services.

The proposed income tax, spending from the permanent fund's investment earnings, cuts to the state subsidy for oil and gas drilling, and budget cuts, would have balanced the budget by 2020.

After long debate, a motion to censure Representative Eastman passed the House by a 25-14 vote (Chenault absence was excused). Three minority members—Representatives Knopp, Johnson and Thompson joined with the majority in the censure.

Representative Spohnholz called for the censure in response to Eastman's initial remarks regarding rural women using abortion as an excuse to get "free" transportation to Anchorage and Seattle, and his refusal to apologize for those remarks. Censure is a formal condemnation but doesn't carry other repercussions.

BUDGET ISSUES

This is the time to let conferees know about your priorities. Reference last week's Capitol Currents to see items of interest. Email: [Rep. Pruitt](#) , [Sen. Hoffman](#) , [Sen. MacKinnon](#)

The conference committee on [SB 26](#) (appropriation limit; permanent fund dividends and earnings) met on May 9th. Compromise was not reached. A new meeting has not been scheduled.

HEALTH & SOCIAL SERVICES ISSUES

[HB 159](#), the Governor's Opioid bill, moved from HFIN on the 11th, its companion [SB 79](#) was heard and held in SFIN. HB 159 is now in RLS.

The need for more foster care homes and adequate state staffing has been a thread woven through Health and Social Services budget hearings and through comments by Rep. Gara on the House Floor. See the 38th Annual Telly Award Winner 2017-- [Foster Care public service announcement](#)

EDUCATION ISSUES

The State Board of Education and Early Development will hold a work session on May 24th at 2 p.m. The public is invited to listen to the audio conference, which is expected to last one hour, by calling 1-800-315-6338 and using access code 16107.

The purpose of the meeting is to hold a work session to receive an update from Commissioner Dr. Michael Johnson on department activity. The board's meeting packet is available at http://education.alaska.gov/State_Board/ by clicking on the meeting date.

The Alaska Department of Education and Early Development (DEED) is seeking public comment on the first draft of the state plan to implement the "Every Student Succeeds Act" (ESSA), the new federal education law. Alaska's first draft was shaped by over 4,000 stakeholder comments from nearly 1,000 Alaskans at 40-plus meetings conducted across the state over the last year.

DEED now is seeking additional public comment to strengthen the first draft, ensuring that the plan takes full advantage of expanded state and local options and addresses the state's unique educational needs and priorities.

DEED will gather public comment on this first draft through 8:00 p.m. on May 21, 2017.

For the public's convenience, DEED has created eight feedback forms that address the plan's various sections. Members of the public may comment on the entire plan or only on the sections that interest them. DEED encourages the public to read the plan's section(s) before commenting on them. The plan and all eight feedback forms are available at <https://education.alaska.gov/akessa/#c3gtabs-stateplan>
The entire first draft is here: [Alaska ESSA Draft Plan](#)

PUBLIC SAFETY ISSUES

National Police Memorial Day is recognized on May 15 every year. Memorial services in Alaska are held on different days so families of the fallen officers can attend their local service as well as the National Memorial, if they choose.

Alaska's Police Memorial Week began with an event in Anchorage on Friday May 5th. May 10th at noon saw a wreath-laying event at the Evergreen Cemetery in Juneau.

The Fairbanks event will be held on May 19th. This year the name of fallen Sergeant Allen Brandt of Fairbanks Police Department to the memorial will be added to the service. The event starts at 11am and is located at the Fairbanks Police Department.

BILLS ON THE MOVE

~ Below are pertinent bills that had hearings or other action this past week ~

HOUSE COMMITTEE OR FLOOR ACTION

[CSHB 25 \(HSS\)](#) /Insurance Coverage for Contraceptives

Moved from FIN on 5/11--waiting for its next committee of referral-RLS

Requires insurers that cover prescription drugs to provide coverage of FDA-approved prescription

contraceptive drugs and devices; requires coverage for voluntary sterilization procedures; and requires coverage for consultations, exams, procedures and medical services necessary to prescribe, dispense, insert, deliver, distribute, administer, or remove the drugs, devices, and other products or services covered; allows exemptions for certain religious organizations and requires the Department of Health and Social Services to amend the state's Medicaid plan to include the enumerated coverage.

CS HB 74(FIN) AM / Driver's License and ID Cards and Real ID Act

Passed House on 5/13-notice of reconsideration given.

Companion is SB 34. Allows DMV to issue both REAL ID federal compliant and noncompliant identification cards and driver licenses as a citizen of Alaska requests. This in turn will allow our residents to access military facilities, other federal facilities, and pass through TSA checkpoints at airports with these proper compliant cards. Otherwise, a U.S. passport, other recognized passport, and other federally issued identification documents will be necessary to fly to the lower-48 or gain access to a federal building.

HB 159 / Opioids; Prescriptions; Database; Licenses

Moved from FIN on 5/12-sitting in RLS.

Companion is SB 79. Provides an option for patients to execute a "Voluntary Nonopioid Directive" that would allow a person not to be administered an opioid. The bill would also require health care licensing boards, such as nurses, physicians, and osteopaths to adopt regulations for licensure, renewal, and certification by regulation to make certain requirements of licensee's continued demonstration in pain management. It would also implement provisions to limit an initial prescription for an opioid to not more than a seven-day supply.

For pharmacists, the bill would require registration with the controlled substance prescription database regardless of whether the pharmacist has a federal drug enforcement administration registration number. Further, it would allow a person to request a pharmacist to dispense less than the prescribed amount of a schedule II or schedule III controlled substance. Among other items, it also would require that the controlled substance prescription database be updated daily rather than the current weekly update beginning

HB 240, Pharmacy Benefit Managers, sponsored by Rep. Guttenberg, was introduced on 4/28th and referred to L&C, FIN. It is a companion to **SB 38**

Scheduled for a hearing in L&C, May 17th at 3:15pm

Prohibits audits the first seven calendar days of each month, unless the pharmacy and auditor agree otherwise; designed to prevent the targeting of minor clerical or administrative errors where no true fraud, patient harm, or financial loss has occurred; establishes submission of data/medical record standards to allow for clarification where discrepancies are identified; establishes a reasonable time frame for the announcement of an audit to allow proper retrieval of records under review; establishes an audit appeals process for pharmacies; establishes guidelines for PBM's (Pharmacy Benefit Managers) to follow regarding patient confidentiality; prohibits extrapolation in assessing fees/penalties.

H RLS Workdraft SB 55 / Omnibus Crime and Corrections

Amended in and moved from RLS on 5/13

Clarifies and amends the following sections to the criminal justice codes--Marijuana penalties, victim notification, probation term lengths, administrative license revocations, referral for minor consuming, removing inflation adjustments, data reporting, and other minor and technical changes. The RLS CS adds elements from HB 8 clarifying enforcement of foreign protective orders to bring state statutes into compliance with the federal Violence Against Women's Act and elements from HB 31 to require an inventory and report on untested sexual assault examination kits. The inventory must be completed by September 1, 2017, with a report and plan to address the untested kit backlog transmitted to the legislature by November 1, 2017.

COMMITTEE HEARINGS

Check the [Daily Schedule](#) after 5pm for the next day's hearings.

~ End of Report ~

Contact: Caren Robinson (carenr@gci.net)