



Strengthening Alaska Municipalities Through Advocacy & Education

Legislative Bulletin # 30-14

February 2, 2018

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Legislative Information

The purpose of this newsletter is to help each and every one of you keep up with the legislation that could potentially have a positive or negative impact on your municipality. If you have any questions about any bills, please call us at the AML office. If you hear about legislation that we have missed, please let us know. Sometimes, with the huge flurry of issues, we might miss something.

Legislative Committee Meeting Schedule

The following list of committee meetings address issues and bills important to Municipalities for the upcoming week. For a complete list of bills visit the [BASIS](#) website. Most of the meetings are teleconferenced. It is best to go through your local LIO office to testify:

Monday, February 5, 2018

TBA - [SB 63](#) REGULATION OF SMOKING (H) Rules - Capitol 106

Tuesday, February 6, 2018

1:30pm – [HB 273](#) EXTEND: MARIJUANA CONTROL BOARD (H) Finance 519

Wednesday, February 7, 2018

None

Thursday, February 8, 2018

8:00am – [HB 267](#) RELEASE HUNTING/FISHING RECORDS TO MUNI (H) Community & Regional Affairs - Barnes 124

Friday, February 9, 2018

None

In order to testify at any of the above hearings, please either go to an LIO, if you have one close to you, or call the nearest LIO OR the LIO in Juneau (907) 465-4648. If you have trouble getting through, please let us know. We will continue to push on this issue until we are confident that all Alaskans are able to take part in the Legislative process.

Bills of Interest

SB 63 – An Act prohibiting smoking in certain places, relating to education on the smoking prohibition; and providing for an effective date.

This bill continues to have a hard time getting out of different committees due to a few legislators who seem adamantly opposed to this bill. AML has also been conflicted by this bill. Many seem to think that this is a health issue solution of which we can be a part. Many see this as a local control issue. Due to these conflicts, AML has not taken part in the hearings on this bill. The bill was heard this week a number of times in House Judiciary. The issues that took up most of the discussion centered around the fact that the fiscal note listed \$0. Questions were asked how enforcement could take place with no money being spent. The other issue was enforcement, itself. This bill was heard on 01/22/18 and 01/24/18 in House Judiciary where it was then passed out. This is the last committee of referral, so the bill will go to the floor if allowed by the House Rules Committee chairman who is opposed to this bill. Companion bill is HB 271.

SB 130 – An Act relating to a vote of the people before a broad-based individual income tax or statewide sales tax takes effect.

This bill seems to be a way for Legislators to avoid implementing a tax requested by the Governor and push it off to the public. I don't believe this bill will go anywhere, as the majority of the Senate probably don't intend to even consider a tax anyway.

SB 131 – An Act relating to a separate appropriation bill for operating expenses for public education and establishing a date by which the bill must be passed by the Legislature and transmitted to the Governor each year; relating to the budget responsibilities of the Governor; and providing for an effective date.

This bill provides for a separate appropriation bill for the succeeding fiscal year relative to education. This bill intends to do away with the issue facing school districts of having to pink slip teachers due to uncertainty about their upcoming budgets. It seems fairly obvious that this would be a good business practice, doesn't it? However, this issue has been used as a "leverage point" with the minority (no matter which party is in the minority). This bill will have a hard time passing (my opinion), but as boroughs and First Class cities help pay for education, those municipalities should be able to plan on the amounts of funds that will be provided by the State. This bill is currently in Senate Finance. Public testimony was held on 01/25/18. The bill was passed out and will now go to Senate Finance.

HJR 29 – A resolution urging the United States Congress to reauthorize the Secure Rural Schools and Communities Self-Determination Act of 2000.

This resolution is FINALLY an acknowledgement from someone in the Legislature that Alaska's municipalities have not only seen a decrease in Revenue Sharing and an increase in costs, but many communities have also lost the federal funding previously supplied from the Secure Rural Schools Act (Timber Receipts). The loss of these funds has been a heavy hit on many municipalities. I have requested, many times, that the state should help us lobby/advocate with the federal government for reinstatement of this program, but it has historically fallen on deaf ears. Well, hallelujah, someone paid attention. We often discuss these at AML meetings, so hopefully all of you within the Tongass or Chugach Forests remember that the Secure Rural Schools Act expired in 2015 and it has still not been reauthorized. I really don't think it will ever come back in the form it once took. The Legislature is probably a bit behind the curve on where this discussion is going on the federal level. However, at least they sat up and took notice. I will attempt to bring them up to speed. This bill was heard in House State Affairs on 01/30/18 and 02/01/18 when it was passed out to House Judiciary.

HB 13 – An Act prohibiting the expenditure of state or municipal assets to create a registry based on race or religion.

The purpose of this bill is to prevent state agencies or municipalities from spending public funds on a registry of persons based on their race, religion, ethnicity or national origin. Previously, the State government has passed legislation against assisting the federal government from violating the rights of Alaskans. This legislation takes this principle a step further and specifically prevents state and municipal implementation of a federal registry based on the protected classes of race, religion, ethnicity or national origin. This bill passed through House State Affairs back in April, 2017. This bill was heard and held in House Judiciary on 01/26/18. There are no further hearings scheduled at this time.

HB 176 – An Act relating to medical assistance reimbursement for ground emergency medical transportation services; and providing for an effective date.

This bill was initially requested by the Alaska Fire Chief's Association. This bill would help to direct medical assistance funds (Medicaid funds) to emergency medical transportation service providers (mostly fire departments who operate ambulance services and/or those who operate water and/or air ambulance services, other than private providers) for reimbursement of their costs. Again, this reimbursement would only be provided to ambulance providers that are owned or operated by the state, a political subdivision of the state or a federally recognized tribe or tribal organization. This money would pass through the State Department of Health, who would be allowed to retain an administrative fee. Since last week, you might "recall" that Rep. Fansler is in a bit of a "pickle." He had agreed to sponsor this bill for the Alaska Fire Chief's Association. For now, Fansler is gone and until another sponsor is found, HB 176 is dormant. This is a great example of how far-reaching the actions of some of the people we elect to office can be. Rep. Fansler did not only disappoint and dis-engage the

people of Bethel, but also people around the State who had put their trust and confidence in him.

HB 267 – An Act requiring the release of certain records relating to big game hunters, guided hunts, and guided sport fishing activities to municipalities for verification of taxes payable; and providing for an effective date.

This bill's intent is to make hunt records, from hunting guide logs, available to municipalities that levy a tax on hunting guides. This would also allow for records or reports of guided sport fishing activities filed by a guide to a municipality that levies a tax on those activities, if the municipality requests the records for the purpose of verifying taxes payable. This bill is currently being held in House Community & Regional Affairs Committee after being heard on 01/25/18. There are no scheduled hearings at this time.

HB 271 – An Act prohibiting smoking in certain places; relating to education on the smoking prohibition; relating to municipal regulation of smoking in certain places; relating to established villages and local option elections to allow smoking in public places; and providing for an effective date.

This bill is modeled after SB63 EXCEPT it allows for a vote in municipalities and communities that have opted to permit smoking in certain places. There are financial fines listed in the legislation of both HB 271 and SB 63. However, during testimony, the Department said enforcement in small communities would be done by a letter to the smoker?

HB 273 – An Act extending the termination date of the Marijuana Control Board; and providing for an effective date.

This bill will hopefully pass, as due to the latest "word" coming from the federal government, they are no longer willing to "look the other way" when it comes to states that have legalized marijuana. There will be many decisions to make if and when the federal government begins to press this ideology.

HB 286 – An Act making appropriations for the operating and loan program expenses of state government and for certain programs; capitalizing funds; amending appropriations; making supplemental appropriations; making appropriations under Art. IX, sec. 17 (c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date.

This is the Governor's Operating Budget. This bill will generate much discussion in House and Senate Finance over the next couple of weeks. There are a few lines in this budget that are important to all municipalities; to include: the funding for Alaska Land Mobile Radio to the tune of \$4,263,100. Without this funding, there is always the outside chance that the Legislature will require this operational amount from municipalities. This years' funding is higher than last years' funding; Village Public Safety Officer Program to the tune of \$13,458,700. This is also higher than last years' funding. Without these VPSO funds, many rural communities will have NO law enforcement. Remember, however, that the funding listed in this years' budget is what is printed BEFORE the Legislature deals with this budget. What comes out in the end is

more like the figures from last years' budget which are much lower than we see in this new budget. The amount transferred from the PCE funding into Community Assistance is \$30 million. This leaves Community Assistance \$8 million short of last years' funding. Further, there is no backfilling into that fund, therefore leaving the potential of next years' Community Assistance funding of amounting to only \$20 million. Therefore, AML will be working hard to capture an additional \$8 million for this year and a \$30 million backfill for next year. This bill is being held in House Finance. There are no scheduled hearings at this time.

HB 287 – An Act making appropriations for public education and transportation of students; making appropriations under art. IX, sec. 17 (c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date.

This bill intends to make transportation funds a bit more reliable than they have been in the past. Transportation cost has always been targeted as a place to save money. Hopefully, this can help alleviate that risk for school districts/municipalities.

HB 293 – An Act relating to powers of the Alaska Police Standards Council; and relating to background checks for admission to police training programs and certification as a police officer.

This bill did not even make it to my “radar” screen, as I saw it as a public safety issue rather than a municipal issue. However, while attending the hearing to testify on another bill, the committee was still in the “throes” of discussing HB 293 when I walked in. As lawmakers can do, they were getting totally wrapped around an axle about this bill which simply intends to give the Alaska Police Standards Council the ability provide a national criminal history record check by the submission of a person’s fingerprints who has been admitted to a police training program or for certification as a police officer. Currently, smaller communities that employ VPOs (Village Police Officers) are not required to certify them. The Governor, meanwhile, has inserted this bill that would give the communities the ability to send these VPOs to the State Academy, but background checks and fingerprinting would be required first. In the committee hearing, some of the legislators felt it would be a good idea to “allow” these small municipalities to do background checks and fingerprinting. WOW! Thanks, Legislature. The small communities, with very few employees, could then learn how to fingerprint and fill out reams of federal forms. On the outside chance that a few wanted to do this, did it ever enter the Legislature’s mind to ask them first? The discussion got crazy!! The other “rub” is that local governments do NOT have a government-to-government relationship with the feds. So, if these checks and fingerprints were run, they still have to go through the State as the State must then pass them on to the feds. For instance, the City of Anaktuvuk Pass cannot call up the FBI and order a fingerprint run. This bill was heard on 01/30/18 and 02/01/18. It has been passed out to House Judiciary.

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