

**GOVERNOR'S COUNCIL ON DISABILITIES
AND SPECIAL EDUCATION**

Legislative Committee

LOCATION

**Governor's Council Conference Room
3601 C Street
Anchorage, Alaska
Teleconference**

Meeting Date

**April 1, 2016
11:00 a.m.**

Attendees:

Anthony Cravalho
Art Delaune, Chair
Dean Gates
Christine King
Sara Kveum
Mallory Hamilton

Staff:

Patrick Reinhart
Rich Sanders

CALL TO ORDER – 11:00 a.m.
ROLL CALL

WELCOME FROM THE CHAIR

Art Delaune welcomed committee members to the meeting.

Announcements and Good News

Patrick Reinhart announced that Rich Sanders will be retiring from the Council on April 25th, and the Council will host a retirement party for him on Monday, April 18th from 3:00 to 5:00 p.m.

APPROVAL OF THE AGENDA

Mallory Hamilton **MOVED** to approve the meeting agenda, **SECONDED** by Dean Gates. Hearing no objection, the motion **PASSED**.

APPROVAL OF THE PREVIOUS MEETING MINUTES

Approval of the minutes was tabled until the next meeting.

CORRESPONDENCE

Patrick Reinhart stated that correspondence will be addressed under the discussion of the current bills later in the agenda.

REPORTS

Report from the Chair

Art Delaune reported that he has been busy with RFPs for grants at Access Alaska and figuring out the budget. Other activities he has been involved in include:

- SILC Accessible Voting Committee
- On the board of Thrivalaska
- Participating on the Inclusive Community Choices Council

- Following the legislation, particularly HB 77, for which he has had conversations with staff on both the Senate and the House sides.

BUSINESS

Budget

Patrick Reinhart used Dave Parish's Key Coalition report to provide a brief budget update to the committee. The budgets approved by the House and Senate were not far off from each other. The big differences that would impact the Council's constituency are that senior and community-based grants were cut by 2.5 percent in the House, and the community developmental disability grants were cut by 2.5 percent in the Senate versus the House's budget cut of 5 percent. Other than that, the Council took no additional budget cuts.

HB 188/SB 104: ABLE Act

Patrick Reinhart stated that the vehicle for the ABLE Act will be Representative Saddler's Bill, HB 188, and there is a hearing tomorrow with the House Finance Committee. All of the papers the Council has put together for the ABLE Act have been included in the House Finance Committee's package on the bill. Patrick stated that he will testify on behalf of the bill, and any other Legislative Committee members are also welcomed to do so. Sara Kveum stated that she is planning on testifying, and Rich Sanders will send Sara the Council's fact sheets to prepare. Christine King reminded Patrick Reinhart to contact Maggie Winston so she knows about the opportunity to testify.

HB 76 – Removal of "Gifted" from Council's Enabling Statute

Patrick Reinhart stated that this bill has passed the House, and they are waiting for it to be calendared for a floor vote in the Senate.

HB 77 – Disability Training and Education Bill

Art Delaune reported that two weeks ago, HB 77 went through the first hearing of the Finance Committee, and then it went back and passed last

week 38 to 0. It has moved to the Senate side and is scheduled for a hearing in Senate State Affairs Committee. Patrick Reinhart stated that he will be testifying on behalf of the Council.

HB 102/SB 103

Patrick Reinhart stated that as the Special Education Advisory Panel, the Education Committee met last week and composed a letter opposing this legislation, which has stirred quite a bit of controversy. In brief, he explained that the lobbyists for this legislation are very aggressive and casting a bad light on the Council and Education Committee chair David Kohler. Regardless, the Senate committee passed it out, so it's going to the Senate for a floor vote. Representative Millett informed Patrick that she will attempt to talk to Senator Giessel and Ed Graff, ASD superintendent.

Patrick Reinhart stated that they are going to be testifying at tomorrow's hearing, but he noted that the Council's letter of opposition was not included in the committee's packet. Representative Millett will inform Senator Giessel of some of this information she was not aware of that is being kept out.

Mallory Hamilton stated that she planned on testifying as a parent at tomorrow's hearing, and she asked for permission to identify herself as a Council member and ask them if they have read the Council's position paper. She wants to let them know that she is the parent addressed in that position paper. Patrick Reinhart stated that because she is a Council member and is taking the position of the Council, she certainly may speak on behalf of the Council. Patrick stated that he plans to bring the Council's position paper with him to the hearing to enter it. Patrick encouraged Mallory to speak also as a parent and her experience with facilities such as this. The committee discussed the fact that these bills aren't just about North Star Behavioral Health, but would include all of them. Patrick also noted that it may be worth it to send a letter to the full Senate now at this point.

Committee members also discussed contacting other senators relating to this legislation if they are part of their constituency.

Patrick Reinhart also noted that the Trust and the Alaska Mental Health Board are in support of this bill, and the Council has been getting pressure to back off. Patrick stated that he would love for this bill to die and then the Council host a summit on the issue of the education of children with IEPs in treatment facilities. He stated that the Council may no longer be in a position to do that due to the strength of their position, but they could try.

SB 74 – Medicaid Reform Bill

Patrick Reinhart reported that SB 74 is getting a number of hearings in the House, and it's already through the Senate. He has asked Jeff Jessee or Amanda Lofgren to give a presentation to the DD Committee on the current state of the changes of this bill.

HB 315 – Electronic Visit Verification for PCA and HCBS

Patrick Reinhart stated that this bill is sponsored by Representatives Vazquez and Reinbold and requires the personal care attendant program in the state to have an electronic visit verification system, similar to what other states have done. He directed committee members to the copy of the bill that he sent them and noted the cost associated with implementing this. He stated that the Council has concerns about this bill extending into all home and community-based services, which would be impossible.

Patrick stated that the Medicaid Ad Hoc Committee has agreed to write a letter of concern about portions of this bill. Legislative Committee members agreed to have the Medicaid Ad Hoc Committee compose a letter of concern.

HB 154/SD 49 – Establishing a Legal Services Fund

Patrick Reinhart reported that there was some movement on this bill this week. He will need to double check the current status and will send out last year's letter of support for this for the next committee hearing.

SB 91/HB 205 – Criminal Law Procedure Bill

Patrick Reinhart reported that Representative Millett is the main sponsor of HB 205 in the House. This legislation is a major priority of the Trust, and they are shepherding it through and dealing with the questions related to the opposition coming from victims' rights organizations. He noted that these two bills have momentum and are generating a lot of discussion.

Christine King stated that the issues and concerns regarding this bill from the victim's perspectives are some of the details such as reinvestment into the act as well as support for the victims. Art Delaune stated that from what he has read, there are also concerns from the rural areas of victims and perpetrators being back in the same village together.

Christine King understood that Senator Coghill's office will be doing some amendments to the bill based on some of the concerns brought to his office by victim advocates.

UPCOMING MEETINGS AND CONFERENCES

- May 5 – 6, Full Council meeting, telephonic. Patrick Reinhart stated that staff will be asking the Executive Committee to consider holding a one-day videoconference Council meeting instead of a two-day.

TIME AND DATE OF NEXT LEGISLATIVE COMMITTEE MEETING

The next Legislative Committee meeting is scheduled for April 8th from 11:00 a.m. to 12:00 p.m.

ADJOURNMENT

Mallory Hamilton **MOVED** to adjourn the meeting, **SECONDED** by Christine King. Hearing no opposition, the meeting adjourned at 11:56 a.m.