

**Board of Massage Therapists
Goals and Objectives 2021**

Establishment Registration Program and Compliance Checks

In FY 2020 the Board will process the first applications of massage establishment registrations. This registration will provide an opportunity to investigative teams to address complaint driven concerns as compliance checks. The Board will work with Division's Investigations team to develop compliance check lists consistent with regulation to assist in on site establishment compliance checks.

STATE OF ALASKA 2021

HOLIDAY CALENDAR

State Holidays

Date	Holiday
01/01	New Year's Day
01/18	MLK Jr.'s Birthday
02/15	Presidents' Day
03/29	Seward's Day
05/31	Memorial Day
07/04	Independence Day (observed 7/5)
09/06	Labor Day
10/18	Alaska Day
11/11	Veterans' Day
11/25	Thanksgiving Day
12/25	Christmas Day (observed 12/24)
01/01/22	New Year's Day (observed 12/31/21)

Biweekly employees please refer to appropriate collective bargaining unit agreement for more information regarding holidays.

 Holiday



State calendar maintained by the
 Division of Finance,
 Department of Administration
<http://doa.alaska.gov/calendars.html>
 Revised 12/16/2019

JANUARY

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Office of Governor
MIKE DUNLEAVYYou are here: [Home](#) / [Services](#) / [Boards and Commissions](#) / Roster

Roster

Board of Massage Therapists

NAME	APPOINTED	REAPPOINTED	EXPIRES
Edwards-Smith, David (Soldotna) Licensed Massage Therapist — Chair	11/25/2014	03/01/2018	03/01/2022
Endle, Julie (Palmer) Public	01/22/2019	03/01/2021	03/01/2025
Millsap , Bruce (Anchorage) Licensed Massage Therapist	06/25/2021		03/01/2025
Motz, Jill (Wasilla) Licensed Massage Therapist	01/23/2017	03/01/2018	03/01/2022
Tri, Kristin (Eagle River) Licensed Massage Therapist	03/02/2020		03/01/2024

[Board Fact Sheet](#)

**STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
BOARD OF MASSAGE THERAPISTS**

**September 9, 2021
Videoconference
State Office Building
333 Willoughby Ave., 9th Fl, Conference Room C
Juneau, AK**

In light of the current COVID-19 situation, no physical attendance will be accepted

ZOOM Meeting: <https://us02web.zoom.us/j/88069922066?pwd=Wm9vZXVvZXM3NFRKVE5RTUF3QVp1Zz09>

Call In: 253-215-8782

Meeting ID: 880 6992 2066

Passcode: 153763

DRAFT MEETING AGENDA

Working Groups May Occur

Agenda:

- 1. 9:00 a.m.** September 9, 2021 Roll Call
- 2. 9:05 a.m.** Review Agenda
- 3. 9:10 a.m.** Ethics Disclosure
- 4. 9:30 a.m.** Investigations
 - A. Investigative Report
 - B. Investigative Memo
 - C. CE Audits
 - D. Case Review: Precedent and Civil Fines
- 5. 10:15 a.m.** Board Procedure Review
 - A. Communication With Licensees Regarding Licensing Matters
 - B. Application Review of Applications by Examination
 - C. Application Review of Applications by Credentials
 - D. Communication With the Licensing Examiner
 - E. Onboard Application Review
- 6. 10:45 a.m.** COVID-19 - Board Guidance Review

7. **11:00 a.m.** Application Review
 - A. S.R.
8. **12:00 p.m.** Lunch
9. **1:15 p.m.** Public Comment
10. **1:45 p.m.** FSMTB Annual Meeting - Charlotte NC
11. **2:00 p.m.** Review of 625 Transcript Analysis Form
12. **3:30 p.m.** Administrative Business
 - A. Review/approve June 2021 Meeting Minutes
 - B. Previous Meeting Task List
 - C. Correspondence
 - D. Massage Establishment Regulation Review
13. **5:00 p.m.** Adjourn

State of Alaska Department of Law

Ethics Information for Members of Boards & Commissions (AS 39.52)

Introduction

This is an introduction to AS 39.52, the Alaska Executive Branch Ethics Act. This guide is not a substitute for reading the law and its regulations. State board and commission members who have further questions should contact their board chair or staff.

The Ethics Act applies to all current and former executive branch public employees and members of statutorily created boards and commissions.

Scope of Ethics Act (AS 39.52.110)

Service on a state board or commission is a public trust. The Ethics Act prohibits substantial and material conflicts of interest. Further, board or commission members, and their immediate family, may not improperly benefit, financially or personally, from their actions as board or commission members. The Act does not, however, discourage independent pursuits, and it recognizes that minor and inconsequential conflicts of interest are unavoidable.

Misuse of Official Position (AS 39.52.120)

Members of boards or commissions may not use their positions for personal gain or to give an unwarranted benefit or treatment to any person. For example, board members may not:

- use their official positions to secure employment or contracts;
 - accept compensation from anyone other than the State for performing official duties;
 - use State time, equipment, property or facilities for their own personal or financial benefit or for partisan political purposes;
 - take or withhold official action on a matter in which they have a personal or financial interest; or
 - coerce subordinates for their personal or financial benefit.
- attempt to influence outcome of an administrative hearing by privately contacting the hearing officer.



Terry knew that a proposal that was before the board would harm Terry's business competitor. Instead of publicly disclosing the matter and requesting recusal, Terry voted on the proposal.



Board member Mick has board staff employee Bob type an article for him that Mick hopes to sell to an Alaskan magazine. Bob types the article on State time.

Improper Gifts (AS 39.52.130)

A board member may not solicit or accept gifts if a person could reasonably infer from the circumstances that the gift is intended to influence the board member's action or judgment. "Gifts" include money, items of value, services, loans, travel, entertainment, hospitality, and employment. All gifts from registered lobbyists are presumed to be improper, unless the giver is immediate family of the person receiving the gift.

A gift worth more than \$150 to a board member or the board member's immediate family must be reported within 30 days if:

- the board member can take official action that can affect the giver, or
- the gift is given to the board member because he or she is on a state board.

The receipt of a gift worth less than \$150 may be prohibited if a person could reasonably infer from the circumstances that the gift is intended to influence the board member's action or judgment. Receipt of such a gift should be disclosed.

Any gift received from another government, regardless of value, must be reported; the board member will be advised as to the disposition of this gift.

A form for reporting gifts is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff.

This restriction on gifts does not apply to lawful campaign contributions.



The commission is reviewing Roy's proposal for an expansion of his business. Roy invites all the board members out to dinner at an expensive restaurant. He says it will be okay, since he isn't excluding any of the members.



Jody receives a holiday gift every year from Sam. Jody was recently appointed to a state board, but Sam has no business that is before the board. Jody may accept the gift.

Improper Use or Disclosure of Information (AS 39.52.140)

No former or current member of a board may use or disclose any information acquired from participation on the board if that use or disclosure could result in a financial or personal benefit to the board member (or immediate family), unless that information has already been disseminated to the public. Board members are also prohibited from disclosing confidential information, unless authorized to do so.



Sheila has been on the board for several years. She feels she has learned a great deal of general information about how to have a successful business venture. So she sets up her own business and does well.



Delores has always advised and assisted the other doctors in her clinic on their continuing education requirements. After Delores is appointed to the medical board, she discloses this role to the board and continues to advise the doctors in her clinic.



Jim reviews a confidential investigation report in a licensing matter. He discusses the practitioner's violation with a colleague who is not a board member.

Improper Influence in State Grants, Contracts, Leases or Loans (AS 39.52.150)

A board member, or immediate family, may not apply for, or have an interest in a State grant, contract, lease, or loan, if the board awards or takes action to administer the State grant, contract, lease, or loan.

A board member (or immediate family) may apply for or be a party to a competitively solicited State grant, contract or lease, if the board as a body does not award or administer the grant, contract, or lease and so long as the board member does not take official action regarding the grant, contract, or lease.

A board member (or immediate family) may apply for and receive a State loan that is generally available to the public and has fixed eligibility standards, so long as the board member does not take (or withhold) official action affecting the loan's award or administration.

Board members must report to the board chair any personal or financial interest (or that of immediate family) in a State grant, contract, lease or loan that is awarded or administered by the agency the board member serves. A form for this purpose is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff.



John sits on a board that awards state grants. John hasn't seen his daughter for nearly ten years so he figures that it doesn't matter when her grant application comes up before the board.



The board wants to contract out for an analysis of the board's decisions over the last ten years. Board member Kim would like the contract since she has been on the board for ten years and feels she could do a good job.

Improper Representation (AS 39.52.160)

A board or commission member may not represent, advise, or assist a person in matters pending before the board or commission for compensation. A nonsalaried board or commission member may represent, advise, or assist in matters in which the member has an interest that is regulated by the member's own board or commission, if the member acts in accordance with AS 39.52.220 by disclosing the involvement in writing and on the public record, and refraining from all participation and voting on the matter. This section does not allow a board member to engage in any conduct that would violate a different section of the Ethics Act.



Susan sits on the licensing board for her own profession. She will represent herself and her business partner in a licensing matter. She discloses this situation to the board and refrains from participation in the board's discussions and determinations regarding the matter.

Restriction on Employment After Leaving State Service (AS 39.52.180)

For two years after leaving a board, a former board member may not provide advice or work for compensation on any matter in which the former member personally and substantially participated while serving on the board. This prohibition applies to cases, proceedings, applications, contracts, legislative bills, regulations, and similar matters. This section does not prohibit a State agency from contracting directly with a former board member.

With the approval of the Attorney General, the board chair may waive the above prohibition if a determination is made that the public interest is not jeopardized.

Former members of the governing boards of public corporations and former members of boards and commissions that have regulation-adoption authority, except those covered by the centralized licensing provisions of AS 08.01, may not lobby for pay for one year.



The board has arranged for an extensive study of the effects of the Department's programs. Andy, a board member, did most of the liaison work with the contractor selected by the board, including some negotiations about the scope of the study. Andy quits the board and goes to work for the contractor, working on the study of the effects of the Department's programs.



Andy takes the job, but specifies that he will have to work on another project.

Aiding a Violation Prohibited (AS 39.52.190)

Aiding another public officer to violate the Ethics Act is prohibited.

Agency Policies (AS 39.52.920)

Subject to the Attorney General's review, a board may adopt additional written policies further limiting personal or financial interests of board members.

Disclosure Procedures

DECLARATION OF POTENTIAL VIOLATIONS BY MEMBERS OF BOARDS OR COMMISSIONS (AS 39.52.220)

A board member whose interests or activities could result in a violation of the Ethics Act if the member participates in board action must disclose the matter on the public record and in writing to the board chair who determines whether a violation exists. A form for this purpose is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff. If another board member objects to the chair's ruling or if the chair discloses a potential conflict, the board members at the meeting (excluding the involved member) vote on the matter. If the chair or the board determines a violation will occur, the member must refrain from deliberating, voting, or participating in the matter. For more information, see Ethics Act Procedures for Boards and Commissions available at the above noted web site.

When determining whether a board member's involvement in a matter may violate the Ethics Act, either the chair or the board or commission itself may request guidance from the Attorney General.

ATTORNEY GENERAL'S ADVICE (AS 39.52.240-250)

A board chair or a board itself may request a written advisory opinion from the Attorney General interpreting the Ethics Act. A former board member may also request a written advice from the Attorney General. These opinions are confidential. Versions of opinions without identifying information may be made available to the public.

REPORTS BY THIRD PARTIES (AS 39.52.230)

A third party may report a suspected violation of the Ethics Act by a board member in writing and under oath to the chair of a board or commission. The chair will give a copy to the board member and to the Attorney General and review the report to determine whether a violation may or does exist. If the chair determines a violation exists, the board member will be asked to refrain from deliberating, voting, or participating in the matter.

Complaints, Hearings, and Enforcement

COMPLAINTS (AS 39.52.310-330)

Any person may file a complaint with the Attorney General about the conduct of a current or former board member. Complaints must be written and signed under oath. The Attorney General may also initiate complaints based on information provided by a board. A copy of the complaint will be sent to the board member who is the subject of the complaint and to the Personnel Board.

All complaints are reviewed by the Attorney General. If the Attorney General determines that the complaint does not warrant investigation, the complainant and the board member will be notified of the dismissal. The Attorney General may refer a complaint to the board member's chair for resolution.

After investigation, the Attorney General may dismiss a complaint for lack of probable cause to believe a violation occurred or recommend corrective action. The complainant and board member will be promptly notified of this decision.

Alternatively, if probable cause exists, the Attorney General may initiate a formal proceeding by serving the board or commission member with an accusation alleging a violation of the Ethics Act. Complaints or accusations may also be resolved by settlement with the subject.

CONFIDENTIALITY (AS 39.52.340)

Complaints and investigations prior to formal proceedings are confidential. If the Attorney General finds evidence of probable criminal activity, the appropriate law enforcement agency shall be notified.

HEARINGS (AS 39.52.350-360)

An accusation by the Attorney General of an alleged violation may result in a hearing. An administrative law judge from the state's Office of Administrative Hearings serves as hearing officer and determines the time, place and other matters. The parties to the proceeding are the Attorney General, acting as prosecutor, and the accused public officer, who may be represented by an attorney. Within 30 days after the hearing, the hearing officer files a report with the Personnel Board and provides a copy to the parties.

PERSONNEL BOARD ACTION (AS 39.52.370)

The Personnel Board reviews the hearing officer's report and is responsible for determining whether a violation occurred and for imposing penalties. An appeal may be filed by the board member in the Superior Court.

PENALTIES (AS 39.52.410-460)

When the Personnel Board determines a board member has violated the Ethics Act, it will order the member to refrain from voting, deliberating, or participating in the matter. The Personnel Board may also order restitution and may recommend that the board member be removed from the board or commission. If a recommendation of removal is made, the appointing authority will immediately remove the member.

If the Personnel Board finds that a former board member violated the Ethics Act, it will issue a public statement about the case and will ask the Attorney General to pursue appropriate additional legal remedies.

State grants, contracts, and leases awarded in violation of the Ethics Act are voidable. Loans given in violation of the Ethics Act may be made immediately payable.

Fees, gifts, or compensation received in violation of the Ethics Act may be recovered by the Attorney General.

The Personnel Board may impose a fine of up to \$5,000 for each violation of the Ethics Act. In addition, a board member may be required to pay up to twice the financial benefit received in violation of the Ethics Act.

Criminal penalties are in addition to the civil penalties listed above.

DEFINITIONS (AS 39.52.960)

Please keep the following definitions in mind:

Benefit - anything that is to a person's advantage regardless financial interest or from which a person hopes to gain in any way.

Board or Commission - a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch, including the Alaska Railroad Corporation.

Designated Ethics Supervisor - the chair or acting chair of the board or commission for all board or commission members and for executive directors; for staff members, the executive director is the designated ethics supervisor.

Financial Interest - any property, ownership, management, professional, or private interest from which a board or commission member or the board or commission member's immediate family receives or expects to receive a financial benefit. Holding a position in a business, such as officer, director, partner, or employee, also creates a financial interest in a business.

Immediate Family - spouse; another person cohabiting with the person in a conjugal relationship that is not a legal marriage; a child, including a stepchild and an adoptive child; a parent, sibling, grandparent, aunt, or uncle of the person; and a parent or sibling of the person's spouse.

Official Action - advice, participation, or assistance, including, for example, a recommendation, decision, approval, disapproval, vote, or other similar action, including inaction, by a public officer.

Personal Interest - the interest or involvement of a board or commission member (or immediate family) in any organization or political party from which a person or organization receives a benefit.

For further information and disclosure forms, visit our Executive Branch Ethics web site or please contact:

State Ethics Attorney
Alaska Department of Law
1031 West 4th Avenue, Suite 200
Anchorage, Alaska 99501-5903
(907) 269-5100
attorney.general@alaska.gov

Revised 9/2013

Department of Law attorney.general@alaska.gov P.O. Box 110300, Juneau, AK 99811-0300
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State of Alaska Department of Law Ethics Act Procedures for Boards & Commissions

All board and commission members and staff should be familiar with the Executive Branch Ethics Act procedures outlined below.

Who Is My Designated Ethics Supervisor (DES)?

Every board or commission subject to the Ethics Act¹ has several ethics supervisors designated by statute.

- The chair serves as DES for board or commission members.
- The chair serves as DES for the executive director.
- The executive director serves as DES for the staff.
- The governor is the DES for a chair.²

What Do I Have To Disclose?

The Ethics Act requires members of boards and commissions to disclose:

- Any matter that is a potential conflict of interest with actions that the member may take when serving on the board or commission.
- Any circumstance that may result in a violation of the Ethics Act.
- Any personal or financial interest (or that of an immediate family member) in a state grant, contract, lease or loan that is awarded or administered by the member's board or commission.
- The receipt of certain gifts.

The executive director of the board or commission and its staff, as state employees, must also disclose:

- Compensated outside employment or services.
- Volunteer service, if any compensation, including travel and meals, is paid or there is a potential conflict with state duties.
- For more information regarding the types of matters that may result in violations of the Ethics Act, board or commission members should refer to the guide, *"Ethics Information for Members of Boards and Commissions."* The executive director and staff should refer to the guide, *"Ethics Information for Public Employees."* Both guides and disclosure forms may be found on the Department of Law's ethics website.

How Do I Avoid Violations of the Ethics Act?

- Make timely disclosures!
- Follow required procedures!
- Provide all information necessary to a correct evaluation of the matter!³
- When in doubt, disclose and seek advice!
- Follow the advice of your DES!

What Are The Disclosure Procedures for Board and Commission Members?

The procedural requirements for disclosures by members are set out in AS 39.52.220 and 9 AAC 52.120. One goal of these provisions is to help members avoid violations of the Ethics Act. The procedures provide the opportunity for members to seek review of matters in advance of taking action to ensure that actions taken will be consistent with the Act.

Procedure for declaring actual or potential conflicts.

Members must declare potential conflicts and other matters that may violate the Ethics Act **on the public record and in writing to the chair.**

Disclosure on the public record. Members must identify actual and potential conflicts orally at the board or commission's public meeting **in advance** of participating in deliberations or taking any official action on the matter.

- A member must always declare a conflict and may choose to refrain from voting, deliberations or other participation regarding a matter.⁴
- If a member is uncertain whether participation would result in a violation of the Act, the member should disclose the circumstances and seek a determination from the chair.

Disclosure in writing at a public meeting. In addition to an oral disclosure at a board or commission meeting, members' disclosures must be made in writing.

- If the meeting is recorded, a tape or transcript of the meeting is preserved **and** there is a method for identifying the declaration in the record, an oral disclosure may serve as the written disclosure.
- Alternatively, the member must note the disclosure on the Notice of Potential Violation disclosure form and the chair must record the determination.

Confidential disclosure in advance of public meeting. Potential conflicts may be partially addressed in advance of a board or commission's public meeting based on the published meeting agenda or other board or commission activity.

- A member identifying a conflict or potential conflict submits a Notice of Potential Violation to the chair, as DES, in advance of the public meeting.
- This written disclosure is considered confidential.
- The chair may seek advice from the Attorney General.
- The chair makes a written determination, also confidential, whether the disclosed matter represents a conflict that will result in a violation of the Ethics Act if the member participates in official action addressing the matter. 5
- If so, the chair directs the member to refrain from participating in the matter that is the subject of the disclosure.
- An oral report of the notice of potential violation and the determination that the member must refrain from participating is put on the record at a public meeting.6

Determinations at the public meeting. When a potential conflict is declared by a member for the public record, the following procedure must be followed:

- The chair states his or her determination regarding whether the member may participate.
- Any member may then object to the chair's determination.
- If an objection is made, the members present, excluding the member who made the disclosure, vote on the matter.
- *Exception:* A chair's determination that is made consistent with advice provided by the Attorney General may not be overruled.
- If the chair, or the members by majority vote, determines that a violation will exist if the disclosing member continues to participate, the member must refrain from voting, deliberating or participating in the matter.7

If the chair identifies a potential conflict, the same procedures are followed. If possible, the chair should forward a confidential written notice of potential violation to the Office of the Governor for a determination in advance of the board or commission meeting. If the declaration is first made at the public meeting during which the matter will be addressed, the members present, except for the chair, vote on the matter. If a majority determines that a violation of the Ethics Act will occur if the chair continues to participate, the chair shall refrain from voting, deliberating or participating in the matter. A written disclosure or copy of the public record regarding the oral disclosure should be forwarded to the Office of the Governor for review by the chair's DES.

Procedures for Other Member Disclosures

A member's interest in a state grant, contract, lease or loan and receipt of gifts are disclosed by filling out the appropriate disclosure form and submitting the form to the chair for approval. The disclosure forms are found on the Department of Law's ethics website.

What Are The Disclosure Procedures for Executive Directors and Staff?

Ethics disclosures of the executive director or staff are made in writing to the appropriate DES (chair for the executive director and the executive director for staff).

- Disclosure forms are found on the ethics website, noted above.

Notices of Potential Violations. Following receipt of a written notice of potential violation, the DES investigates, if necessary, and makes a written determination whether a violation of the Ethics Act could exist or will occur. A DES may seek advice from the Attorney General. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

- These disclosures are not required to be made part of the public record.
- A copy of a determination is provided to the employee.
- Both the notice and determination are confidential.

Other Disclosures. The DES also reviews other ethics disclosures and either approves them or determines what action must be taken to avoid a violation of the Act. In addition to the disclosures of certain gifts and interests in the listed state matters, state employees must disclose all outside employment or services for compensation.

- The DES must provide a copy of an approved disclosure or other determination the employee.

How Are Third Party Reports of Potential Violations or Complaints Handled?

Any person may report a potential violation of the Ethics Act by a board or commission member or its staff to the appropriate DES or file a complaint alleging actual violations with the Attorney General.

- Notices of potential violations and complaints must be submitted **in writing** and **under oath**.

- Notices of potential violations are investigated by the appropriate DES who makes a written determination whether a violation may exist.⁸
- Complaints are addressed by the Attorney General under separate procedures outlined in the Ethics Act.
- **These matters are confidential**, unless the subject waives confidentiality or the matter results in a public accusation.

What Are The Procedures for Quarterly Reports?

Designated ethics supervisors must submit copies of notices of potential violations received and the corresponding determinations to the Attorney General for review by the state ethics attorney as part of the quarterly report required by the Ethics Act.

- Reports are due in April, July, October and January for the preceding quarter.
- A sample report may be found on the Department of Law's ethics website.
- An executive director may file a quarterly report on behalf of the chair and combine it with his or her own report.
- If a board or commission does not meet during a quarter and there is no other reportable activity, the DES advises the Department of Law Ethics Attorney by e-mail at ethicsreporting@alaska.gov and no other report is required.

If the state ethics attorney disagrees with a reported determination, the attorney will advise the DES of that finding. If the ethics attorney finds that there was a violation, the member who committed the violation is not liable if he or she fully disclosed all relevant facts reasonably necessary to the ethics supervisor's or commission's determination and acted consistent with the determination.

How Does A DES or Board or Commission Get Ethics Advice?

A DES or board or commission may make a **written request** to the Attorney General for an opinion regarding the application of the Ethics Act. In practice, the Attorney General, through the state ethics attorney, also provides **advice by phone or e-mail** to designated ethics supervisors, especially when time constraints prevent the preparation of timely written opinions.

- A request for advice and the advisory opinion are confidential.
- The ethics attorney endeavors to provide prompt assistance, although that may not always be possible.
- The DES must make his or her determination addressing the potential violation based on the opinion provided.

It is the obligation of each board or commission member, as well as the staff, to ensure that the public's business is conducted in a manner that is consistent with the standards set out in the Ethics Act. We hope this summary assists you in ensuring that your obligations are met.

1 The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government.

2 The governor has delegated the DES responsibility to Guy Bell, Administrative Director of the Office of the Governor.

3 You may supplement the disclosure form with other written explanation as necessary. Your signature on a disclosure certifies that, to the best of your knowledge, the statements made are true, correct and complete. False statements are punishable.

4 In most, but not all, situations, refraining from participation ensures that a violation of the Ethics Act does not occur. Abstention does not cure a conflict with respect to a significant direct personal or financial interest in a state grant, contract, lease or loan because the Ethics Act prohibition applies whether or not the public officer actually takes official action.

5 The chair must give a copy of the written determination to the disclosing member. There is a determination form available on the Department of Law's ethics web page. The ethics supervisor may also write a separate memorandum.

6 In this manner, a member's detailed personal and financial information may be protected from public disclosure.

7 When a matter of particular sensitivity is raised and the ramifications of continuing without an advisory opinion from the Attorney General may affect the validity of the board or commission's action, the members should consider tabling the matter so that an opinion may be obtained.

8 The DES provides a copy of the notice to the employee who is the subject of the notice and may seek input from the employee, his or her supervisor and others. The DES may seek advice from the Attorney General. A copy of the DES' written determination is provided to the subject employee and the complaining party. The DES submits a copy of both the notice and the determination to the Attorney General for review as part of the DES' quarterly report. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

6/14

Department of Law attorney.general@alaska.gov P.O. Box 110300, Juneau, AK 99811-0300
 Phone: 907-465-3600 Fax: 907-465-2075 TTY: 907-258-9161
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Ethics Disclosure Form

CONFIDENTIAL REQUEST FOR ETHICS DETERMINATION

TO: _____, Designated Ethics Supervisor

(Identify Your Department, Agency, Public Corporation, Board, Commission)

I request advice regarding the application of the Executive Branch Ethics Act (AS 39.52.010 - .960) to my situation. The situation involves the following:

I have provided additional information in the attached document(s).

I believe the following provisions of the Ethics Act may apply to my situation:

- AS 39.52.120, Misuse of Official Position
- AS 39.52.130, Improper Gifts
- AS 39.52.140, Improper Use or Disclosure of Information
- AS 39.52.150, Improper Influence in State Grants, Contracts, Leases or Loans
- AS 39.52.160, Improper Representation
- AS 39.52.170, Outside Employment Restricted
- AS 39.52.180, Restrictions on Employment after Leaving State Service
- AS 39.52.190, Aiding a Violation Prohibited

I understand that I should refrain from taking any official action relating to this matter until I receive your advice. If the circumstances I described above may result in a violation of AS 39.52.110 - .190, I intend that this request serve as my disclosure of the matter in accordance with AS 39.52.210 or AS 39.52.220.

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Date)

(Printed Name)

(Division, Board, Commission)

(Position Title)

(Location)

Designated Ethics Supervisor: Provide a copy of your written determination to the employee advising whether action is necessary under AS 39.52.210 or AS 39.52.220, and send a copy of the determination and disclosure to the attorney general with your quarterly report.

Ethics Disclosure Form

Receipt of Gift

TO: _____, Designated Ethics Supervisor, _____
(Agency, Public Corporation, Board, Commission or Council)

This disclosure reports receipt of a gift with value in excess of \$150.00 by me or my immediate family member, as required by AS 39.52.130(b) or (f).

- 1. Is the gift connected to my position as a state officer, employee or member of a state board or commission?
 Yes No
- 2. Can I take or withhold official action that may affect the person or entity that gave me the gift?
 Yes No

(If you answer "No" to both questions, you do not need to report this gift. If the answer to either question is "Yes," or if you are not sure, you must complete this form and provide it to your designated ethics supervisor.)

The gift is _____

Identify gift giver by full name, title, and organization or relationship, if any:

Describe event or occasion when gift was received or other circumstance explaining the reason for the gift:

My estimate of its value is \$ _____ The date of receipt was _____

The gift was received by a member of my family. Who? _____

If you checked "Yes" to question 2 above, explain the official action you may take that affects the giver (attach additional page, if necessary):

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Date)

(Printed Name)

(Division)

(Position Title)

(Location)

Ethics Supervisor Determination: Approve Disapproved

Designated Ethics Supervisor*

(Date)

**Designated Ethics Supervisor: Provide a copy of the approval or disapproval to the employee. If action is necessary under AS 39.52.210 or AS 39.52.220, attach a determination stating the reasons and send a copy of the determination and disclosure to the attorney general with your quarterly report.*

EXECUTIVE SESSION MOTION

I, _____, move that the Alaska State Board of Massage Therapists enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing _____

Board staff to remain during the session.

Off record: _____

On record: _____

Authority: AS 44.62.310(c), Government meetings public

The following subjects may be considered in executive session:

- 1. matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;**
- 2. subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;**
- 3. matters which by law, municipal charter, or ordinance are required to be confidential;**
- 4. matters involving consideration of government records that by law are not subject to public disclosure.**



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

BOARD OF MASSAGE THERAPISTS
P.O. Box 110806
Juneau, Alaska 99811-0806
Main: 907.465.2550
Fax: 907.465.2974

May 19, 2021

Therapists,

As vaccinations for COVID-19 have reached large populations across the US, recommendations from the CDC continue to evolve over time. Recently the CDC has reported that fully vaccinated individuals can be indoors, without masks, without fear of spreading coronavirus. While this is a long-awaited moment, this recommendation has been made for private individuals.

There remains in place the CDC recommendation for all healthcare providers to continue to use appropriate PPE when providing care. While there is a wide range of interpretation as to what level of PPE is required for different levels of providers, the Alaska Board of Massage Therapists understands that masking is the first line of prevention as the COVID-19 pandemic continues.

We urge every therapist to keep themselves educated and up to date on current recommendations and safety protocols as we continue to navigate this pandemic together.

Respectfully,
David Edwards-Smith, Chairperson
Board of Massage Therapists



Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Summary of All Professional Licensing
Schedule of Revenues and Expenditures

Board of Massage Therapists	FY 14	FY 15	Biennium	FY 16	FY 17	Biennium	FY 18	FY 19	Biennium	FY 21		
										FY 20	1st - 3rd QTR	
Revenue												
Revenue from License Fees	\$ -	\$ 660	\$ 660	\$ 586,230	\$ 228,015	\$ 814,245	\$ 346,505	\$ 89,770	\$ 436,275	\$ 350,267	\$ 51,605	
Allowable Third Party Reimbursements	-	-	-	-	-	-	1,161	1,791	2,952	860	-	
TOTAL REVENUE	\$ -	\$ 660	\$ 660	\$ 586,230	\$ 228,015	\$ 814,245	\$ 347,666	\$ 91,561	\$ 439,227	\$ 351,127	\$ 51,605	
Expenditures												
Non Investigation Expenditures												
1000 - Personal Services	-	33,797	33,797	105,007	39,319	144,326	57,585	84,174	141,759	97,519	71,669	
2000 - Travel	-	6,585	6,585	17,726	10,216	27,942	9,646	10,277	19,923	5,437	-	
3000 - Services	-	12,627	12,627	52,528	34,055	86,583	96,155	60,787	156,942	14,143	6,421	
4000 - Commodities	-	274	274	13	155	168	70	25	95	-	-	
5000 - Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	
Total Non-Investigation Expenditures	-	53,283	53,283	175,274	83,745	259,019	163,456	155,263	318,719	117,099	78,090	
Investigation Expenditures												
1000-Personal Services	-	879	879	11,039	36,787	47,826	93,529	63,771	157,300	66,128	57,561	
2000 - Travel	-	-	-	-	-	-	-	-	-	(707)	-	
3023 - Expert Witness	-	-	-	-	-	-	-	-	-	-	150	
3088 - Inter-Agency Legal	-	-	-	-	14,761	14,761	1,679	845	2,524	-	4,980	
3094 - Inter-Agency Hearing/Mediation	-	-	-	-	18,192	18,192	16,632	2,013	18,645	-	760	
3000 - Services other	-	-	-	-	-	-	-	555	555	237	31	
4000 - Commodities	-	-	-	-	-	-	-	-	-	-	-	
Total Investigation Expenditures	-	879	879	11,039	69,740	80,779	111,840	67,184	179,024	65,658	63,482	
Total Direct Expenditures	-	54,162	54,162	186,313	153,485	339,798	275,296	222,447	497,743	182,757	141,572	
Indirect Expenditures												
Internal Administrative Costs	-	3,689	3,689	33,476	37,540	71,016	53,488	43,601	97,089	48,628	36,471	
Departmental Costs	-	7,130	7,130	25,405	24,679	50,084	35,578	32,777	68,355	26,239	19,679	
Statewide Costs	-	5,605	5,605	9,698	8,596	18,294	16,888	15,627	32,515	21,559	16,169	
Total Indirect Expenditures	-	16,424	16,424	68,579	70,815	139,394	105,954	92,005	197,959	96,426	72,319	
TOTAL EXPENDITURES	\$ -	\$ 70,586	\$ 70,586	\$ 254,892	\$ 224,300	\$ 479,192	\$ 381,250	\$ 314,452	\$ 695,702	\$ 279,183	\$ 213,891	
Cumulative Surplus (Deficit)												
Beginning Cumulative Surplus (Deficit)	\$ -	\$ -		\$ (69,926)	\$ 261,412		\$ 265,127	\$ 231,543		\$ 8,652	\$ 80,596	
Annual Increase/(Decrease)	-	(69,926)		331,338	3,715		(33,584)	(222,891)		71,944	(162,286)	
Ending Cumulative Surplus (Deficit)	\$ -	\$ (69,926)		\$ 261,412	\$ 265,127		\$ 231,543	8,652		80,596	(81,690)	
Statistical Information												
Number of Licenses for Indirect calculation				756	1,482		1,498	1,277		1,382		
Additional information:	<ul style="list-style-type: none"> • Fee analysis required if the cumulative is less than zero; fee analysis recommended when the cumulative is less than current year expenditures; no fee increases needed if cumulative is over the current year expenses * • Most recent fee change: Fee change FY20 • Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load, court cases, multiple license and fee types under one program, and program changes per AS 08.01.065. 											

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Appropriation Name (Ex)	(All)
Sub Unit	(All)
PL Task Code	MAS1

Sum of Budgetary Expenditures Object Name (Ex)	Object Type Name (Ex)		Grand Total
	1000 - Personal Services	3000 - Services	
1011 - Regular Compensation	68,301.54		68,301.54
1014 - Overtime	450.06		450.06
1023 - Leave Taken	10,871.22		10,871.22
1028 - Alaska Supplemental Benefit	4,954.36		4,954.36
1029 - Public Employee's Retirement System Defined Benefits	5,157.87		5,157.87
1030 - Public Employee's Retirement System Defined Contribution	3,036.84		3,036.84
1034 - Public Employee's Retirement System Defined Cont Health Reim	2,162.82		2,162.82
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	728.52		728.52
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	6,662.35		6,662.35
1039 - Unemployment Insurance	140.38		140.38
1040 - Group Health Insurance	21,559.21		21,559.21
1041 - Basic Life and Travel	29.68		29.68
1042 - Worker's Compensation Insurance	789.28		789.28
1047 - Leave Cash In Employer Charge	1,647.36		1,647.36
1048 - Terminal Leave Employer Charge	1,122.93		1,122.93
1053 - Medicare Tax	1,135.07		1,135.07
1063 - GGU Business Leave Bank Usage	-		-
1069 - SU Business Leave Bank Contributions	78.78		78.78
1077 - ASEA Legal Trust	94.63		94.63
1079 - ASEA Injury Leave Usage	15.85		15.85
1080 - SU Legal Trst	45.37		45.37
1970 - Personal Services Transfer	246.11		246.11
3002 - Memberships		951.20	951.20
3023 - Expert Witness		150.00	150.00
3035 - Long Distance		6.43	6.43
3036 - Local/Equipment Charges		5.71	5.71
3045 - Postage		39.20	39.20
3046 - Advertising		170.32	170.32
3088 - Inter-Agency Legal		9,225.94	9,225.94
3094 - Inter-Agency Hearing/Mediation		759.50	759.50
3100 - Inter-Agency Safety		530.75	530.75
3085 - Inter-Agency Mail		503.05	503.05
Grand Total	129,230.23	12,342.10	141,572.33

Sum of Total FY21 Labor Charges through pay period ending 5.2.2021

Appropriation Unit	Unit Code	Sub Unit	Task Code	Grand Total	Work Title
080801156	CBPL	INVE	MAS1	441.82	Supervisor Investigations
080801156	CBPL	PROF	MAS1	492.22	Publications
080801156	CBPL	PROF	MAS1	7,097.32	Regulations
080801156	CBPL	INVE	MAS1	23,047.22	Paralegal
080801156	CBPL	PROF	MAS1	28,455.69	OLE Supervisor
080801156	CBPL	INVE	MAS1	41,113.54	Investigator
080801156	CBPL	PROF	MAS1	47,839.48	Licensing Examiner
Grand Total				\$ 148,487.29	

FY20 Full Year

Appropriation Unit	Unit Code	Sub Unit	Task Code	Grand Total	Work Title
080801156	CBPL	PROF	MAS1	742.61	Publications
080801156	CBPL	PROF	MAS1	3,147.96	OLE Supervisor
080801156	CBPL	INVE	MAS1	3,859.81	Supervisor Investigations
080801156	CBPL	PROF	MAS1	10,245.84	Regulations
080801156	CBPL	INVE	MAS1	22,012.83	Paralegal
080801156	CBPL	INVE	MAS1	42,848.40	Investigator
080801156	CBPL	PROF	MAS1	80,789.65	Licensing Examiner
Grand Total				\$ 163,647.10	

CS FOR SENATE BILL NO. 15(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 4/21/21

Referred: Finance

Sponsor(s): SENATOR COSTELLO

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the Open Meetings Act; establishing a warning and civil and**
2 **criminal penalties for violations of the open meeting requirements by certain elected**
3 **members of governmental bodies; and relating to the duties of the Alaska Public Offices**
4 **Commission and the attorney general."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** AS 15.13 is amended by adding a new section to read:

7 **Sec. 15.13.395. Open meetings violations.** A person may file with the
8 commission an administrative complaint against a person for a violation described in
9 AS 44.62.310(i). When an administrative complaint has been filed, the commission
10 shall give the respondent due notice and an opportunity to be heard, except that, if the
11 alleged violation would be the person's third violation, the commission shall refer the
12 matter to the attorney general for criminal proceedings against the respondent under
13 AS 44.62.310(i). If, at the conclusion of the hearing, the commission determines that
14 the respondent engaged in the alleged violation, the commission shall, if the violation

1 is the respondent's first violation, give the respondent a warning under
2 AS 44.62.310(i) or, if the violation is the respondent's second violation, assess a civil
3 penalty under AS 44.62.310(i). The commission's determination under this section
4 may be appealed to the superior court under AS 44.62 (Administrative Procedure Act).

5 * **Sec. 2.** AS 44.62.310 is amended by adding a new subsection to read:

6 (i) A member of a governmental body that is made up of elected public
7 officials who knowingly attends a meeting of the governmental body that violates this
8 section is subject to a warning if the violation is the member's first violation, liable to
9 the state for a civil penalty not to exceed \$1,000 if the violation is the member's
10 second violation, or guilty of a class B misdemeanor if the violation is the member's
11 third violation. The Alaska Public Offices Commission shall advise a member in the
12 warning that a second violation is subject to a civil penalty not to exceed \$1,000 and a
13 third violation is a class B misdemeanor. The Alaska Public Offices Commission shall
14 enforce this subsection under AS 15.13.395. In this subsection,

15 (1) "elected public official" means a person who has been elected to a
16 governmental body at a regular or special election held by a municipality, school
17 district, or regional educational attendance area;

18 (2) "knowingly" has the meaning given in AS 11.81.900(a).

19 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
20 read:

21 **APPLICABILITY.** AS 15.13.395, added by sec. 1 of this Act, and AS 44.62.310(i),
22 added by sec. 2 of this Act, apply to conduct occurring on or after the effective date of this
23 Act.

SENATE BILL NO. 68

IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/3/21
Referred: Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act making supplemental appropriations, reappropriations, and other**
2 **appropriations; amending appropriations; making appropriations under art. IX, sec.**
3 **17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund;**
4 **and providing for an effective date."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 (SECTION 1 OF THIS ACT BEGINS ON PAGE 2)

* **Section 1.** The following appropriation items are for operating expenditures from the general fund or other funds as set out in the fiscal year 2022 budget summary for the operating budget by funding source to the agencies named for the purposes expressed for the fiscal year beginning July 1, 2020 and ending June 30, 2021, unless otherwise indicated.

	Appropriation	General	Other
	Allocations	Items	Funds
	*****	*****	
	***** Department of Administration *****		
	*****	*****	
Centralized Administrative Services		1,650,000	-1,650,000
Personnel	0		
	*****	*****	
	***** Department of Commerce, Community, and Economic Development *****		
	*****	*****	
Corporations, Business and Professional	411,700	411,700	
Licensing			
Corporations, Business and	411,700		
Professional Licensing			
	*****	*****	
	***** Department of Environmental Conservation *****		
	*****	*****	
DEC Buildings Maintenance and	70,000	70,000	
Operations			
DEC Buildings Maintenance	70,000		
and Operations			
Environmental Health	120,000	120,000	
Environmental Health	120,000		
Water	236,900	236,900	
Water Quality,	236,900		
Infrastructure Support &			
Financing			

	Appropriation	General	Other
	Allocations	Items	Funds
	*****	*****	
	***** Office of the Governor *****		
	*****	*****	
6	Elections	590,000	590,000
7	Elections	590,000	
8		*****	*****
9	***** Department of Health and Social Services *****		
10		*****	*****
11	Children's Services	2,975,000	275,000 2,700,000
12	Subsidized Adoptions &	2,975,000	
13	Guardianship		
14	Public Assistance	1,200,000	1,200,000
15	Adult Public Assistance	1,200,000	
16		*****	*****
17	***** Department of Military and Veterans Affairs *****		
18		*****	*****
19	Military and Veteran's Affairs	1,200,000	1,200,000
20	Army Guard Facilities	1,200,000	
21	Maintenance		
22		*****	*****
23	***** Department of Revenue *****		
24		*****	*****
25	Administration and Support	130,000	130,000
26	Commissioner's Office	130,000	
27	Alaska Permanent Fund Corporation	50,000,000	50,000,000
28	APFC Investment	50,000,000	
29	Management Fees		
30	(SECTION 2 OF THIS ACT BEGINS ON THE NEXT PAGE)		

1 * Sec. 2. The following sets out the funding by agency for the appropriations made in Sec.
2 1 of this Act.

3	Funding Source	Amount
4	Department of Administration	
5	1004 General Fund Receipts	1,650,000
6	1007 Interagency Receipts	-1,650,000
7	*** Total Agency Funding ***	\$0
8	Department of Commerce, Community, and Economic Development	
9	1004 General Fund Receipts	411,700
10	*** Total Agency Funding ***	\$411,700
11	Department of Environmental Conservation	
12	1004 General Fund Receipts	426,900
13	*** Total Agency Funding ***	\$426,900
14	Office of the Governor	
15	1003 General Fund Match	590,000
16	*** Total Agency Funding ***	\$590,000
17	Department of Health and Social Services	
18	1002 Federal Receipts	2,700,000
19	1003 General Fund Match	1,475,000
20	*** Total Agency Funding ***	\$4,175,000
21	Department of Military and Veterans Affairs	
22	1002 Federal Receipts	1,200,000
23	*** Total Agency Funding ***	\$1,200,000
24	Department of Revenue	
25	1004 General Fund Receipts	130,000
26	1105 Alaska Permanent Fund Corporation Receipts	50,000,000
27	*** Total Agency Funding ***	\$50,130,000
28	*** Total Budget ***	\$56,933,600

29 (SECTION 3 OF THIS ACT BEGINS ON THE NEXT PAGE)

* Sec. 3. The following appropriations are for capital projects and grants from the general fund or other funds as set out in Section 4 of this Act by funding source to the agencies named for the purposes expressed. They lapse under AS 37.25.020, unless otherwise noted.

	Appropriation	General	Other
	Allocations	Items	Funds
	*****	*****	
	***** Department of Commerce, Community, and Economic Development *****		
	*****	*****	
Alaska Energy Authority - Electrical	200,000	200,000	
Emergencies Program (HD 1-40)			
	*****	*****	
	***** Department of Education and Early Development *****		
	*****	*****	
Mt. Edgecumbe High School Master Plan	330,000	330,000	
Update (HD 35)			
Statewide School Capital Funding	240,000	240,000	
Forecast Database (HD 1-40)			
	*****	*****	
	***** Department of Environmental Conservation *****		
	*****	*****	
Village Safe Water and Wastewater	3,650,000	3,650,000	
Infrastructure Projects (HD 1-40)			
Village Safe Water and	1,460,000		
Wastewater Infrastructure			
Projects: Expansion,			
Upgrade, and Replacement			
of Existing Service (HD 1-			
40)			
Village Safe Water and	2,190,000		
Wastewater Infrastructure			
Projects: First Time			

1		Appropriation	General	Other
2		Allocations	Items	Funds
3	Service Projects			
4	Supplemental (HD 1-40)			
5		*****	*****	
6		***** Department of Natural Resources *****		
7		*****	*****	
8	Enhance Capacity at Geological Material		375,000	375,000
9	Center (HD 21)			
10	Exxon Valdez Oil Spill Outreach (HD 1-		49,050	49,050
11	40)			
12	Land Sales - New Subdivision		750,000	750,000
13	Development (HD 1-40)			
14	(SECTION 4 OF THIS ACT BEGINS ON THE NEXT PAGE)			

1 * Sec. 4. The following sets out the funding by agency for the appropriations made in Sec.
2 3 of this Act.

3	Funding Source	Amount
4	Department of Commerce, Community, and Economic Development	
5	1004 General Fund Receipts	200,000
6	*** Total Agency Funding ***	\$200,000
7	Department of Education and Early Development	
8	1030 School Fund (Cigarette Tax)	570,000
9	*** Total Agency Funding ***	\$570,000
10	Department of Environmental Conservation	
11	1003 General Fund Match	3,650,000
12	*** Total Agency Funding ***	\$3,650,000
13	Department of Natural Resources	
14	1018 Exxon Valdez Oil Spill Settlement	49,050
15	1108 Statutory Designated Program Receipts	375,000
16	1153 State Land Disposal Income Fund	750,000
17	*** Total Agency Funding ***	\$1,174,050
18	*** Total Budget ***	\$5,594,050

19 (SECTION 5 OF THIS ACT BEGINS ON THE NEXT PAGE)

1 * Sec. 5. The following summarizes by fund source the funding for appropriations made in
2 sections 1 and 3 of this Act.

3	Funding Source	Amount
4	Unrestricted General Funds	
5	1003 General Fund Match	5,715,000
6	1004 General Fund Receipts	2,818,600
7	*** Total Unrestricted General Funds ***	\$8,533,600
8	Designated General Funds	
9	1030 School Fund (Cigarette Tax)	570,000
10	1153 State Land Disposal Income Fund	750,000
11	*** Total Designated General Funds ***	\$1,320,000
12	Federal Receipts	
13	1002 Federal Receipts	3,900,000
14	*** Total Federal Receipts ***	\$3,900,000
15	Other Non-Duplicated Funds	
16	1018 Exxon Valdez Oil Spill Settlement	49,050
17	1105 Alaska Permanent Fund Corporation Receipts	50,000,000
18	1108 Statutory Designated Program Receipts	375,000
19	*** Total Other Non-Duplicated Funds ***	\$50,424,050
20	Duplicated Funds	
21	1007 Interagency Receipts	-1,650,000
22	*** Total Duplicated Funds ***	\$-1,650,000
23	*** Total Budget ***	\$62,527,650

24 (SECTION 6 OF THIS ACT BEGINS ON THE NEXT PAGE)

1 * **Sec. 6.** DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS. The unexpended
2 and unobligated balances, estimated to be a total of \$2,093,889, of the following
3 appropriations are reappropriated to the Department of Military and Veterans' Affairs for the
4 Alaska land mobile radio system:

5 (1) sec. 10, ch. 29, SLA 2008, page 32, lines 9 - 11, as amended by sec. 17(b),
6 ch. 2, 4SSSLA 2016 (Department of Administration, Alaska Land Mobile Radio System),
7 estimated balance of \$341,985;

8 (2) sec. 4, ch. 2, 4SSLA 2016, page 24, lines 10 - 11 (Department of
9 Administration, Alaska Land Mobile Radio System - \$1,000,000), estimated balance of
10 \$820,204;

11 (3) sec. 1, ch. 1, TSSLA 2017, page 2, lines 10 - 11 (Department of
12 Administration, Alaska Land Mobile Radio System - \$1,534,600), estimated balance of
13 \$931,700.

14 * **Sec. 7.** DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (a) The sum of
15 \$2,853,000 is appropriated from the general fund to the Department of Health and Social
16 Services, behavioral health, designated evaluation and treatment, to pay the settlement entered
17 into between the state and the plaintiffs in *The Disability Law Center of Alaska, Inc. v. State*
18 *of Alaska*, Department of Health and Social Services, 3AN-18-09814CI, to fund the programs
19 described in the court-ordered plan for the fiscal year ending June 30, 2021.

20 (b) The following amounts are appropriated to the Department Health and Social
21 Services, behavioral health, designated evaluation and treatment, to pay for the settlement
22 described in (a) of this section to fund the programs described in the court-ordered plan for
23 the fiscal years ending June 30, 2021, and June 30, 2022:

24 (1) federal receipts, not to exceed \$4,500,000;

25 (2) general fund match, \$4,500,000.

26 * **Sec. 8.** DEPARTMENT OF LAW. (a) The sum of \$366,304 is appropriated from the
27 general fund to the Department of Law, civil division, deputy attorney general's office, for the
28 purpose of paying judgments and settlements against the state on or before June 30, 2021.

29 (b) The amount necessary, after application of the amount appropriated in (a) of this
30 section, to pay judgments awarded against the state on or before June 30, 2021, is
31 appropriated from the general fund to the Department of Law, civil division, deputy attorney

1 general's office, for the purpose of paying judgments against the state for the fiscal year
2 ending June 30, 2021.

3 * **Sec. 9.** NATIONAL PETROLEUM RESERVE - ALASKA IMPACT GRANT
4 PROGRAM: CAPITAL. Section 19, ch. 8, SLA 2020, is amended to read:

5 Sec. 19. NATIONAL PETROLEUM RESERVE - ALASKA IMPACT
6 GRANT PROGRAM: CAPITAL. The **unexpended and unobligated balance of**
7 [AMOUNT RECEIVED BY] the National Petroleum Reserve - Alaska special
8 revenue fund (AS 37.05.530(a)) under 42 U.S.C. 6506a(l) or former 42 U.S.C. 6508
9 **on September 1, 2020** [BY AUGUST 31, 2020], estimated to be **\$17,908,763**
10 [\$11,300,000], is appropriated from that fund to the Department of Commerce,
11 Community, and Economic Development for capital project grants under the National
12 Petroleum Reserve - Alaska impact grant program.

13 * **Sec. 10.** CONSTITUTIONAL BUDGET RESERVE FUND. (a) If, after the
14 appropriations made in this Act and in sec. 45(b) and (c), ch. 8, SLA 2020, the unrestricted
15 state revenue available for appropriation in fiscal year 2021 is insufficient to cover the general
16 fund appropriations that take effect in fiscal year 2021, the amount necessary to balance
17 revenue and general fund appropriations is appropriated to the general fund from the budget
18 reserve fund (art. IX, sec. 17, Constitution of the State of Alaska.)

19 (b) The appropriation made in (a) of this section is made under art. IX, sec. 17(c),
20 Constitution of the State of Alaska.

21 * **Sec. 11.** LAPSE. The appropriations made in secs. 6 and 9 of this Act are for capital
22 projects and lapse under AS 37.25.020.

23 * **Sec. 12.** RETROACTIVITY. If this Act takes effect after June 30, 2021, this Act is
24 retroactive to June 30, 2021.

25 * **Sec. 13.** This Act takes effect immediately under AS 01.10.070(c).