

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE

SECOND SESSION

Juneau, Alaska **Wednesday** **February 17, 2016**

Thirtieth Day

Pursuant to adjournment the Senate was called to order by President Meyer at 10:35 a.m.

The roll showed seventeen members present. Senators Dunleavy, Hoffman were excused from a call of the Senate. Senator Ellis was absent.

The prayer was offered by the Chaplain, Deacon Charles Rohrbacher, The Cathedral of the Nativity of the Blessed Virgin Mary. Senator Bishop moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Lord, make me an instrument of your peace,
Where there is hatred, let me sow love;
where there is injury, pardon;
where there is doubt, faith;
where there is despair, hope;
where there is darkness, light;
where there is sadness, joy;

O Divine Master,
grant that I may not so much seek to be consoled as
to console;
to be understood as to understand;
to be loved as to love.

For it is in giving that we receive;
it is in pardoning that we are pardoned;
and it is in dying that we are born to eternal life.
(Prayer of St. Francis)

Senator Gardner led the Senate in the Pledge of Allegiance.

Certification

Senator Coghill moved and asked unanimous consent that the journals for the twenty-fifth through twenty-ninth legislative days and House and Senate Joint Journal Supplement No. 11 be approved as certified by the Secretary. Without objection, it was so ordered.

Communications

Disclosure letters received in accordance with AS 24.60 will be published in Senate Journal Supplement No. 4 and Senate and House Joint Journal Supplement No. 12.

The following reports are on file in the Office of the Secretary of the Senate:

Commercial Fisheries Entry Commission
2015 Annual Report
in accordance with AS 16.43.980

Department of Education and Early Development
Annual Report
February 15, 2016
in accordance with AS 14.03.078

Department of Commerce, Community and Economic Development
Division of Community and Regional Affairs
2016 Designated Legislative Lapsing Grant Report

Notification of Availability of the Department of Revenue
Tax Division
2015 Annual Report
Available at:
<http://www.tax.alaska.gov/programs/programs/reports/AnnualReport.aspx?Year=2015>

Standing Committee Reports

Report dated February 10 was read stating:

In accordance with AS 39.05.080, the Judiciary Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

Board of Governors of the Alaska Bar

Adam Trombley – Anchorage

Commission on Judicial Conduct

Amy Gurton-Mead – Juneau

Robert Sheldon – Anchorage

Karla Taylor-Welch – Fairbanks

Alaska Judicial Council

Loretta Bullard – Nome

Regulatory Commission of Alaska

Rebecca Pauli – Anchorage

This does not reflect an intent by any of the members to vote for or against the confirmation of the individuals during any further sessions.

Signing the report: Senator McGuire, Chair; Senators Coghill, Costello, Wielechowski.

Report dated February 15 was read stating:

In accordance with AS 39.05.080, the Resources Committee reviewed the following and recommends the appointment be forwarded to a joint session for consideration:

Board of Game

Guy Trimmingham – Hope

This does not reflect an intent by any of the members to vote for or against the confirmation of the individual during any further sessions.

Signing the report: Senator Giessel, Chair; Senators Costello, Wielechowski, Coghill, Micciche, Stedman, Stoltze.

SB 123

The State Affairs Committee considered SENATE BILL NO. 123 "An Act relating to the penalty for the use of electronic devices while driving." Signing no recommendation: Senator Stoltze, Chair; Senator Wielechowski. Signing do pass: Senators Coghill, Huggins, McGuire.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Public Safety
Fiscal Note No. 2, zero, Department of Administration

The bill was referred to the Judiciary Committee.

SB 127

The State Affairs Committee considered SENATE BILL NO. 127 "An Act relating to actions by insurers based on credit history or insurance score; and providing for an exception to consideration by an insurer of credit history or insurance score." Signing do pass: Senator Stoltze, Chair; Senators Coghill, Huggins, McGuire. Signing amend: Senator Wielechowski.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Commerce, Community
and Economic Development

The bill was referred to the Labor and Commerce Committee.

SB 142

The Labor and Commerce Committee considered SENATE BILL NO. 142 "An Act relating to insurance coverage for anti-cancer medications" and recommended it be replaced with

CS FOR SENATE BILL NO. 142(L&C)

Signing do pass: Senator Costello, Chair; Senators Giessel, Meyer, Stevens.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Commerce, Community and Economic Development

The bill was referred to the Rules Committee.

Introduction and Reference of Senate Bills

SB 103

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 103 BY SENATORS GIESSEL, Ellis, Costello, entitled:

"An Act relating to school boards; relating to approval of educational programs at residential psychiatric treatment centers; providing for funding of educational services for students in residential psychiatric treatment centers; and providing for an effective date."

was read the first time and referred to the Education and Judiciary Committees.

SB 181

SENATE BILL NO. 181 BY SENATOR GIESSEL, entitled:

"An Act relating to obstruction or interference with a person's free passage on or use of navigable water; and amending the definition of 'navigable water' under the Alaska Land Act."

was read the first time and referred to the Resources Committee.

SB 182

SENATE BILL NO. 182 BY SENATOR MCGUIRE, entitled:

"An Act relating to genetic genealogy, DNA testing, DNA analysis, DNA privacy, and DNA property rights."

was read the first time and referred to the Judiciary Committee.

SB 183

SENATE BILL NO. 183 BY SENATOR WIELECHOWSKI, entitled:

"An Act relating to the municipal property tax exemption on the residence of a senior and a widow or a widower of a senior or disabled veteran; and providing for an effective date."

was read the first time and referred to the Community and Regional Affairs and Finance Committees.

Consideration of the Calendar**Citations**

Honoring - Darwin's Theory 35th Anniversary

Representative(s) Kawasaki, Gara

Senator(s) Kelly, Ellis, Meyer, Bishop, Costello, Dunleavy, Egan, Gardner, Giessel, Hoffman, Huggins, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Wielechowski

Honoring - National Engineers Week

Representative(s) Kito, Munoz

Senator(s) Egan, Meyer, Bishop, Coghill, Costello, Dunleavy, Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Stoltze, Wielechowski

Senator Coghill moved and asked unanimous consent that the citations be adopted. Without objection, the citations were adopted and referred to the Secretary for transmittal.

Recess

Senator Coghill moved and asked unanimous consent that the Senate stand in recess to the Joint Session. Without objection, the Senate recessed at 10:49 a.m.

After Recess**Joint Session in the House**

Speaker Chenault called the House to order and in accordance with Uniform Rule 51 turned the gavel over to President Meyer, who called the Joint Session to order at 11:00 a.m.

The purpose of the Joint Session was to hear an address by the Honorable Lisa Murkowski, U.S. Senator.

Senator Coghill moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. Without objection, it was so ordered.

Representative Millett moved and asked unanimous consent that the roll call of the House be waived and all members be shown as present. Without objection, it was so ordered.

President Meyer appointed Representative Olson and Senator Bishop to escort Senator Murkowski to the Joint Session.

The Senate Sergeant-at-Arms, Grace Ellsworth, announced the Honorable Lisa Murkowski's entrance to the House Chamber.

The Honorable Lisa Murkowski was escorted to the rostrum and welcomed by President Meyer.

U.S. Senator Lisa Murkowski delivered her address. This address appears in House and Senate Joint Journal Supplement No. 13.

Following her address, there was a question and answer period. Senator Murkowski received a standing ovation and was escorted from the chamber by Senator Bishop and Representative Olson.

Senator Coghill moved and asked unanimous consent that the Joint Session stand in adjournment. Without objection, President Meyer adjourned the Joint Session at 12:05 p.m.

After Recess**In the Senate**

The Senate reconvened at 12:20 p.m.

The presence of Senator Ellis was noted.

Unfinished Business**SB 179**

Senator Giessel moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 179 "An Act prohibiting abortions when the unborn child is viable outside the pregnant woman's womb with certain exceptions; providing that an infant removed from a pregnant woman's womb alive after an abortion may be surrendered and found to be a child in need of aid; and repealing a prohibition against partial-birth abortions." Without objection, it was so ordered.

Senator Huggins moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 19 through evening plane time, February 21. Without objection, Senator Huggins was excused.

Senator Gardner moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, February 26 through evening plane time, February 28; and from evening plane time, March 4 through evening plane time, March 6. Without objection, Senator Gardner was excused.

Senator Stedman moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 19 through afternoon plane time, February 21. Without objection, Senator Stedman was excused.

Adjournment

Senator Coghill moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., February 19, 2016. Without objection, the Senate adjourned at 12:24 p.m.

Liz Clark
Secretary of the Senate

Announcements

Americans with Disabilities Act Notice - Persons with disabilities who require special accommodation or alternative communication formats to access committee meetings may contact the appropriate committee office or the Legislative Information Office in their community. Reasonable advance notice is needed to accommodate the request. For further information, call the ADA Coordinator at 465-3854 Voice/465-4980 TDD.

STANDING COMMITTEES

+ indicates teleconference

= indicates bill previously heard/scheduled

COMMUNITY & REGIONAL AFFAIRS

Feb 18 **Thursday** **Beltz 105 (tsbldg)** **3:30 PM**
No Meeting Scheduled

EDUCATION

Feb 18 **Thursday** **Butrovich 205** **3:30 PM**
+= SB 174 REG. OF FIREARMS/KNIVES BY UNIV. OF AK

FINANCE

Feb 17 **Wednesday** **Senate Finance 532** **9:00 AM**
No Meeting Scheduled

Feb 18 **Thursday** **Senate Finance 532** **9:00 AM**
+ AKLNG Appropriations & Expenditures
+ Alaska Gasline Development Corporation
+ Department of Revenue
+ Department of Natural Resources
+ Department of Law
+ Bills Previously Heard/Scheduled

Feb 19 **Friday** **Senate Finance 532** **9:00 AM**
No Meeting Scheduled

HEALTH & SOCIAL SERVICES

Feb 17 Wednesday Butrovich 205 1:30 PM
 + Alaska's Health Insurance Market
 + Presentation by Division of Insurance/DCCED

Feb 19 Friday Butrovich 205 1:30 PM
 No Meeting Scheduled

JUDICIARY

Feb 17 Wednesday Beltz 105 (tsbldg) 1:30 PM
 + Consideration of Chief Justice's Nomination
 + Select Committee on Legislative Ethics
 Bill Gordon
 += HB 83 REPEAL COLLECTION OF CIVIL LITIG. INFO
 + SB 174 REG. OF FIREARMS/KNIVES BY UNIV. OF AK
 <Pending Referral>
 + Bills Previously Heard/Scheduled:
 += SB 121 SECURITY FREEZE ON MINOR'S CREDIT REPORT
 -- Public Testimony --

Feb 19 Friday Beltz 105 (tsbldg) 1:30 PM
 No Meeting Scheduled

LABOR & COMMERCE

Feb 18 Thursday Beltz 105 (tsbldg) 1:30 PM
 + SB 136 ELCTRNC TAX RETURNS; VESSEL PASSENGER TAX
 <Above Item Removed from Agenda>
 + SB 134 INDIV. INCOME TAX: CREDITS; RETURNS
 <Above Item Removed from Agenda>
 + Bills Previously Heard/Scheduled
 -- Public Testimony --

Feb 18 Thursday Beltz 105 (tsbldg) 6:00 PM
 -- MEETING CANCELED --
 += SB 136 ELCTRNC TAX RETURNS; VESSEL PASSENGER TAX
 += SB 134 INDIV. INCOME TAX: CREDITS; RETURNS
 Initial Statewide Public Testimony
(continued on next page)

LABOR & COMMERCE (continued)

(continued from previous page)

-- Public Testimony <Limited to 2 Minutes> --
 Please Sign-in at Your Local LIO
 Limited Number of Off-Net Phone Lines Available
 Must be Arranged Through Chair's Office Prior
 to Hearing
 Contact by Phone: 907-465-4968
 or Submit Written Testimony by Email:
 Senate.Labor.and.Commerce@akleg.gov
 Bills Previously Heard/Scheduled
 -- Public Testimony --

Feb 19 Friday Beltz 105 (tsbldg) 3:30 PM
 -- MEETING CANCELED --
 Bills Previously Heard/Scheduled
 -- Public Testimony --

Feb 23 Tuesday Beltz 105 (tsbldg) 1:30 PM
 + SB 72 DESIGNATED CAREGIVERS FOR PATIENTS
 += SB 165 ALCO. BEV. CONT. BOARD; MINORS; ALCOHOL
 += SB 134 INDIV. INCOME TAX: CREDITS; RETURNS
 + Bills Previously Heard/Scheduled
 -- Public Testimony --

Feb 23 Tuesday Beltz 105 (tsbldg) 6:00 PM
 += SB 134 INDIV. INCOME TAX: CREDITS; RETURNS
 Initial Statewide Public Testimony
 -- Public Testimony <Limited to 2 Minutes> --
 Please Sign-in at Your Local LIO
 Limited Number of Off-Net Phone Lines Available
 Must be Arranged Through Chair's Office Prior
 to Hearing
 Contact by Phone: 907-465-4968
 or Submit Written Testimony by Email:
 Senate.Labor.and.Commerce@akleg.gov
 Bills Previously Heard/Scheduled

LABOR & COMMERCE (continued)

Feb 25 Thursday Beltz 105 (tsbldg) 1:30 PM
 + SB 127 INSURER'S USE OF CREDIT HISTORY/SCORES
 + SB 149 AIDEA:DIVIDEND TO STATE;INCOME;VALUATION
 + SB 152 MONEY SERVICES BUSINESS: REQS; LICENSING;
 + SB 118 DNR LAND DISPOSAL SURVEYS; PEER REVIEW
 + Bills Previously Heard/Scheduled
 -- Public Testimony --

Feb 25 Thursday Beltz 105 (tsbldg) 6:00 PM
 += SB 134 INDIV. INCOME TAX: CREDITS; RETURNS
 Initial Statewide Public Testimony
 -- Public Testimony <Limited to 2 Minutes> --
 Please Sign-in at Your Local LIO
 Limited Number of Off-Net Phone Lines Available
 Must be Arranged Through Chair's Office Prior
 to Hearing
 Contact by Phone: 907-465-4968
 or Submit Written Testimony by Email:
 Senate.Labor.and.Commerce@akleg.gov
 + Bills Previously Heard/Scheduled

RESOURCES

Feb 17 Wednesday Senate Finance 532 3:30 PM
 -- Location Change --
 -- Testimony <Invitation Only> --
 + Overview / Update on John Sturgeon Supreme Court
 Case: John Sturgeon, Petitioner
 Department of Law, Safari Club International

Feb 19 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

RULES

Feb 24 Wednesday Butrovich 205 8:00 AM
 + HB 75 MARIJUANA REG;CLUBS;MUNIS;LOCAL OPT ELECT
 + SB 89 PARENT RIGHTS: EDUCATION; SCHOOL ABSENCE

STATE AFFAIRS

Feb 18 Thursday Butrovich 205 8:30 AM
 + SB 171 DOA PAYMENTS; REPEAL OTHER DOA DUTIES
 + Presentation by Sponsor's Representative
 Department of Administration
 -- Public Testimony --
 += SB 91 OMNIBUS CRIM LAW & PROCEDURE; CORRECTIONS
 -- Testimony <Invitation Only> --
 + Presentations:
 Office of Victims' Rights
 Alaska Court System - Implementation & Fiscal
 Impacts
 + Bills Previously Heard/Scheduled

TRANSPORTATION

Feb 18 Thursday Butrovich 205 1:00 PM
 -- MEETING CANCELED --
 + Bills Previously Heard/Scheduled

FINANCE SUBCOMMITTEES

CORRECTIONS

Feb 18 Thursday Beltz 105 (tsbldg) 5:00 PM
 -- MEETING CANCELED --
 Changes and Revisions
Mar 01 Tuesday Beltz 105 (tsbldg) 5:00 PM
 -- MEETING CANCELED --
 Final Closeout

ENVIRONMENTAL CONSERVATION

Feb 18 Thursday House Finance 519 11:30 AM
 + Joint with the House
 + Budget Overview / Fee Discussion

HEALTH & SOCIAL SERVICES

- Feb 19 Friday Butrovich 205 11:00 AM**
 Department of Health & Social Services
 Division of Public Health
 Division of Senior & Disabilities Services

- Feb 26 Friday Butrovich 205 11:00 AM**
 Department of Health & Social Services
 Alaska Pioneer Homes
 Office of Children's Services

- Mar 04 Friday Butrovich 205 11:00 AM**
 Department of Health & Social Services
 Budget Closeout

LABOR & WORKFORCE DEVELOPMENT

- Feb 25 Thursday Beltz 105 (tsbldg) 5:00 PM**
 -- MEETING CANCELED --
 Final Closeout

MEDICAID REFORM

- Feb 17 Wednesday Senate Finance 532 9:30 AM**
 -- Time Change --
 + SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES
 + SB 78 MEDICAL ASSISTANCE COVERAGE; REFORM
 + Topic: Fraud

- Feb 17 Wednesday Senate Finance 532 1:30 PM**
 + SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES
 + SB 78 MEDICAL ASSISTANCE COVERAGE; REFORM
 + Topic: Eligibility Verification & Data Analytics
 and Primary Care

- Feb 19 Friday Senate Finance 532 1:30 PM**
 No Meeting Scheduled

NATURAL RESOURCES

Feb 23 Tuesday Beltz 105 (tsbldg) 5:00 PM
 -- MEETING CANCELED --
 Final Closeout

TRANSPORTATION & PUBLIC FACILITIES

Feb 18 Thursday Fahrenkamp 203 11:00 AM
 Department of Transportation & Public Facilities
 Alaska Marine Highway System

JOINT COMMITTEES**LEGISLATIVE BUDGET & AUDIT**

Feb 22 Monday Anch Lio Auditorium 3:30 PM
 -- Public Testimony <Limited to 3 Minutes> --
 + Performance Reviews:
 + Department of Education and Early Development
 + Alaska Commission on Post-Secondary Education
 + Alaska Student Loan Corporation
 ** Meeting is in Anchorage with Teleconferences
 for Fairbanks & Statewide **
 **Streaming Available in JNU in
 Beltz Room 105**
 <Public Testimony for JNU is 2/26/2016>

Feb 25 Thursday House Finance 519 7:00 AM
 -- Testimony <Invitation Only> --
 Executive Session - Procurement
 Oil and Gas Consultants
 Other Committee Business

Feb 26 Friday Beltz 105 (tsbldg) 8:30 AM
 -- Public Testimony <Limited to 3 Minutes> --
 + Performance Reviews:
 + Department of Education and Early Development
 + Alaska Commission on Post-Secondary Education
 + Alaska Student Loan Corporation
 ** Meeting in JNU with a Teleconference for
 Fairbanks & Statewide **

OTHER MEETINGS**JOINT SESSION**

Feb 17 **Wednesday** **House Chamber** **11:00 AM**
+ Annual Address by the Honorable
 Lisa Murkowski, U.S. Senator

Feb 29 **Monday** **House Chamber** **11:00 AM**
+ Annual Address by the Honorable
 Dan Sullivan, U.S. Senator

MISCELLANEOUS MEETING

Feb 22 **Monday** **Butrovich 205** **12:00 PM**
 Lunch & Learn:
 "Healthy Future - Heathy Economy: Innovations
 in Green Chemistry and Business"
 Presenter: Dr. Lauren Heine
 Sponsored by Senator Wielechowski