

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE
SECOND SESSION

Juneau, Alaska Monday February 22, 2016

Thirty-fifth Day

Pursuant to adjournment the Senate was called to order by President Meyer at 11:05 a.m.

The roll showed 18 members present. Senator Olson was excused from a call of the Senate. Senator Costello was absent.

The prayer was offered by the Chaplain, Pastor Sue Bahleda, Resurrection Lutheran Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Faithful One:

We give you thanks and ask your help.

For the beauty and wonder of your creation, in earth and sky and sea, we thank you. For the just and proper use of your creation, we ask your help.

For minds to think, and hearts to love, and hands to serve, we thank you. For those who know hunger, fear, injustice and oppression, we ask your help.

For seekers of truth, liberty, and justice, we thank you. For all who work for justice, freedom and peace, we ask your help.

For your abundance, we thank you. For courage to trust that there is enough, we ask your help.

Thank you. Help us. Amen.
(With reference to the Book of Common Prayer)

Senator Hoffman led the Senate in the Pledge of Allegiance.

Certification

Senator Coghill moved and asked unanimous consent that the journals for the thirty-second through thirty-fourth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Senator Coghill moved and asked unanimous consent that Senator Costello be excused from a call of the Senate today. Without objection, Senator Costello was excused.

Communications

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

Report from the Commissioner of the Department of Administration dated February 18 was received correcting the previous monetary terms (page 1704) for the collective bargaining agreement reached with the Teachers Education Association of Mount Edgecumbe, representing the teachers of the Alaska Department of Education and Early Development in accordance with AS 23.40.215.

The President referred the report to the Finance Committee.

Alaska Commercial Fishing and Agriculture Bank
2015 Annual Report
in accordance with AS 44.81.200

The following Budget and Audit Report was received from Kris Curtis, Legislative Auditor, in accordance with AS 24.20.311 and is on file in the Office of the Secretary of the Senate:

Legislative Budget and Audit Committee
Condensed 2015 Annual Report

Standing Committee Reports**SB 18**

The Labor and Commerce Committee considered SENATE BILL NO. 18 "An Act exempting a health care sharing ministry from regulation as an insurer." Signing do pass: Senator Giessel, Vice Chair; Senators Meyer, Stevens, Ellis.

The following fiscal information was published today:

Fiscal Note No. 2, zero, Department of Commerce, Community and Economic Development

The bill was referred to the Rules Committee.

**Introduction and Reference of
Senate Resolutions****SCR 20**

SENATE CONCURRENT RESOLUTION NO. 20 BY SENATOR MEYER,

Proclaiming April 2016 as Sexual Assault Awareness Month.

was read the first time and referred to the State Affairs Committee.

Introduction and Reference of Senate Bills**SB 176**

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 176 BY SENATOR GARDNER, entitled:

"An Act relating to the admissibility of prior reports of sexual assault, sexual abuse of a minor, or unlawful exploitation of a minor in prosecutions of

sexual assault, sexual abuse of a minor, unlawful exploitation of a minor, or an attempt to commit any of those crimes; and amending Rule 404(a), Alaska Rules of Evidence."

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

SB 188

SENATE BILL NO. 188 BY SENATOR WIELECHOWSKI, entitled:

"An Act bearing the short title of the 'Protect the Permanent Fund Dividend Act'; relating to appropriations from the earnings reserve account; and relating to the oil and gas production tax."

was read the first time and referred to the Resources and Finance Committees.

SB 189

SENATE BILL NO. 189 BY SENATOR STEVENS, entitled:

"An Act providing for the conveyance of certain land to the City and Borough of Yakutat."

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

SB 190

SENATE BILL NO. 190 BY SENATOR MCGUIRE, entitled:

"An Act relating to an exemption from the regulation of postsecondary educational institutions."

was read the first time and referred to the Education and Labor and Commerce Committees.

SB 191

SENATE BILL NO. 191 BY SENATOR DUNLEAVY, entitled:

"An Act relating to disciplinary sanctions imposed by the State Medical Board; restricting employees and representatives of abortion services providers, and affiliates of abortion services providers, from delivering instruction or distributing materials in public schools and providing civil penalties for violations; relating to revocation or suspension of teacher certificates; relating to the receipt of state funds by teachers and school board members; and providing for an effective date."

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

SB 192

SENATE BILL NO. 192 BY SENATOR MCGUIRE, entitled:

"An Act authorizing the Alaska Industrial Development and Export Authority to issue bonds to finance the infrastructure and construction costs of the Sweetheart Lake hydroelectric project; and relating to legislative approval for a loan from the power project fund to the Lynn Canal Transmission Corporation."

was read the first time and referred to the Senate Special Committee on Energy and Finance Committee.

SB 193

SENATE BILL NO. 193 BY SENATOR MCGUIRE, entitled:

"An Act extending the exemption from regulation by the Regulatory Commission of Alaska for certain facilities or plants generating energy from renewable energy resources."

was read the first time and referred to the Senate Special Committee on Energy and Labor and Commerce Committee.

SB 194

SENATE BILL NO. 194 BY SENATOR WIELECHOWSKI BY REQUEST, entitled:

"An Act relating to a veteran's designation on an identification card or a driver's license for Lao and Hmong veterans."

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

SB 195

SENATE BILL NO. 195 BY SENATOR MCGUIRE, entitled:

"An Act relating to state procurement; and providing for an effective date."

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

SB 196

SENATE BILL NO. 196 BY SENATORS HOFFMAN, MacKinnon, Bishop, Olson, Stedman, Stevens, entitled:

"An Act relating to the use of certain unexpended earnings from the power cost equalization endowment fund."

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

SB 197

SENATE BILL NO. 197 BY SENATOR COGHILL, entitled:

"An Act relating to motor vehicle franchises, motor vehicle transactions, motor vehicle dealers, motor vehicle manufacturers, and motor vehicle distributors."

was read the first time and referred to the Labor and Commerce and Judiciary Committees.

SB 198

SENATE BILL NO. 198 BY SENATOR DUNLEAVY, entitled:

"An Act establishing a 12.5 percent Alaska fisheries royalty on seafood caught commercially in the state; and providing for an effective date."

was read the first time and referred to the Resources and Finance Committees.

SB 199

SENATE BILL NO. 199 BY SENATOR WIELECHOWSKI, entitled:

"An Act relating to the labeling of food; relating to the misbranding of food; and requiring the labeling of food containing certain color additives."

was read the first time and referred to the Labor and Commerce and Resources Committees.

SB 200

SENATE BILL NO. 200 BY SENATOR COSTELLO, entitled:

"An Act relating to physical activity requirements for students in kindergarten through grade eight."

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

SB 201

SENATE BILL NO. 201 BY SENATOR GIESSEL, entitled:

"An Act relating to the Board of Pharmacy; relating to the licensing and inspection of certain facilities located outside the state; relating to drug supply chain security; and creating a position of executive administrator for the Board of Pharmacy."

was read the first time and referred to the Labor and Commerce and Finance Committees.

Consideration of the Calendar**Second Reading of Senate Bills****SB 148**

SENATE BILL NO. 148 "An Act relating to reporting of workplace injuries to the division of labor standards and safety" was read the second time.

Senator Giessel, Vice-Chair, moved and asked unanimous consent for the adoption of the Labor and Commerce Committee Substitute offered on page 1798. Without objection, CS FOR SENATE BILL NO. 148(L&C) "An Act relating to the reporting of workplace injuries to the division of labor standards and safety; and providing for an effective date" was adopted.

President Meyer stated CS FOR SENATE BILL NO. 148(L&C) will be on the February 24 calendar.

Citations

Honoring - Robert Bielefeld

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

Honoring - Alaska Women's Hall of Fame Class of 2016

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

Honoring - Tuluksak School and Katherine Garrison Hour of Code 2015 Alaska Event Winner

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

Honoring - Anna May Sorensen
Representative(s) Edgmon
Senator(s) Hoffman, Meyer, Bishop, Coghill, Costello, Dunleavy, Egan, Ellis, Gardner, Giessel, Huggins, Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Stoltze, Wielechowski

Honoring - The Rustic Goat and the West Anchorage High School Prostart Team Prostart Invitational Second Place Title
Representative(s) Claman
Senator(s) Costello, Meyer, Bishop, Coghill, Dunleavy, Egan, Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Wielechowski

In Memoriam - Donna Hightower
Senator(s) MacKinnon, Meyer, Bishop, Coghill, Costello, Dunleavy, Egan, Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, 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.

Unfinished Business

Senator Dunleavy moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 26 through evening plane time, February 28. Without objection, Senator Dunleavy was excused.

Senator Stedman moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 26 through evening plane time, February 29. Without objection, Senator Stedman was excused.

Senator Huggins moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 26 through evening plane time, February 28. Without objection, Senator Huggins was excused.

SB 104

Senators Micciche, Stoltze, Gardner, Wielechowski, Stevens, Bishop, Egan moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 104 "An Act relating to financial accounts for persons with disabilities; relating to financial institutions; relating to property exemptions; relating to securities; and providing for an effective date." Without objection, it was so ordered.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Coghill moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 24, 2016. Without objection, the Senate adjourned at 11:41 a.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 23 Tuesday Beltz 105 (tsbldg) 3:30 PM
No Meeting Scheduled

Feb 25 Thursday Beltz 105 (tsbldg) 3:30 PM
No Meeting Scheduled

EDUCATION

Feb 23 Tuesday Butrovich 205 3:30 PM
+= SB 174 REG. OF FIREARMS/KNIVES BY UNIV. OF AK

Feb 25 Thursday Butrovich 205 3:30 PM
+ SB 103 RESIDENTIAL PSYCHIATRIC EDUCATION FUNDING
+ Bills Previously Heard/Scheduled

FINANCE

Feb 22 Monday Senate Finance 532 9:00 AM
No Meeting Scheduled

Feb 23 Tuesday Senate Finance 532 9:00 AM
+ FY17 Budget Amendments
+ Bills Previously Heard/Scheduled

FINANCE (continued)

Feb 24 Wednesday Senate Finance 532 9:00 AM
 + Sheldon Fisher, Commissioner, Department of
 Administration Contracts
 + Bills Previously Heard/Scheduled

Feb 25 Thursday Senate Finance 532 9:00 AM
 += SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES
 -- Testimony <Invitation Only> --
 -- Public Testimony Beginning at 1 p.m. --
 + Bills Previously Heard/Scheduled

Feb 26 Friday Senate Finance 532 9:00 AM
 No Meeting Scheduled

HEALTH & SOCIAL SERVICES

Feb 22 Monday Butrovich 205 1:30 PM
 + Bills Previously Heard/Scheduled:
 += SB 112 ADOPTION OF CHILD IN STATE CUSTODY

Feb 24 Wednesday Butrovich 205 1:30 PM
 + SB 113 NEW DRUGS FOR THE TERMINALLY ILL
 + SB 156 INSURANCE COVERAGE FOR CONTRACEPTIVES
 + Bills Previously Heard/Scheduled

Feb 26 Friday Butrovich 205 1:30 PM
 No Meeting Scheduled

JUDICIARY

Feb 22 Monday Beltz 105 (tsbldg) 1:30 PM
 + SB 123 USE OF ELECTRONIC DEVICES WHILE DRIVING
 += HB 93 PROBATION AND PAROLE: WORK, TRAVEL ACCOM.
 Bills Previously Heard/Scheduled:
 += HB 83 REPEAL COLLECTION OF CIVIL LITIG. INFO

Feb 24 Wednesday Beltz 105 (tsbldg) 1:30 PM
 + SB 180 PARENT-GUARDIAN/CHILD:TEMP. POWER OF ATTY
 + SJR 19 CALL FED. CONSTITUTIONAL CONV:TERM LIMITS

JUDICIARY (continued)

- + SB 24 LEGIS. ETHICS ACT: CONTRACTORS,INTERNS
- + Bills Previously Heard/Scheduled
- Public Testimony --

Feb 26 Friday Beltz 105 (tsbldg) 1:30 PM
 No Meeting Scheduled

LABOR & COMMERCE

- 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

- 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 --

LABOR & COMMERCE (continued)

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 22 Monday Butrovich 205 3:30 PM
 + Confirmation on Governor's Appointees:
 + Board of Game, Nathan Turner
 -- Public Testimony on Appointee --
 + SB 164 FISH & GAME: OFFENSES;LICENSES;PENALTIES
 -- Testimony <Invitation Only> --
 + SB 172 FISH/SHELLFISH HATCHERY/ENHANCE. PROJECTS
 -- Testimony <Invitation Only> --
 + Bills Previously Heard/Scheduled

Feb 24 Wednesday Butrovich 205 3:30 PM
 + Overview: The Economics of Mining in Alaska
 -- Testimony <Invitation Only> --
 + Bills Previously Heard/Scheduled

Feb 26 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 23 Tuesday Butrovich 205 9:00 AM
 += SB 128 PERM. FUND:DEPOSITS;DIVIDEND;EARNINGS
 += SB 114 PERM FUND: EARNINGS, DEPOSITS, ACCOUNTS
 + SJR 1 CONST AM: GUARANTEE PERM FUND DIVIDEND
 -- Testimony <Invitation Only> --
 Initial Presentation by Sponsor
 Bills Previously Heard/Scheduled

Feb 25 Thursday Butrovich 205 9:00 AM
 + Confirmation on Governor's Appointees:
 -- Public Testimony on Appointment --
 + State Board of Parole: Steve Meyer, Jason Wilson
 + Violent Crimes Compensation Board: Gerad Godfrey
 + Alaska Police Standards Council: Carrie Belden, Bryce Johnson
 John Papasodora, Brad Reich, Kelly Swihart
 += SB 91 OMNIBUS CRIM LAW & PROCEDURE; CORRECTIONS
 Bills Previously Heard/Scheduled

TRANSPORTATION

Feb 23 Tuesday Butrovich 205 1:00 PM
 No Meeting Scheduled

Feb 25 Thursday Butrovich 205 1:00 PM
 No Meeting Scheduled

FINANCE SUBCOMMITTEES

ADMINISTRATION

Feb 26 Friday Butrovich 205 7:30 AM
 + Department of Administration FY17 Operating
 Budget
 + Public Defender Agency
 Quinlan Steiner, Director
 + Office of Public Advocacy
 Richard Allen, Director

COMMERCE, COMMUNITY & ECONOMIC DEV

Mar 10 **Thursday** **Beltz 105 (tsbldg)** **8:00 AM**
 Budget Closeout

CORRECTIONS

Mar 01 **Tuesday** **Beltz 105 (tsbldg)** **5:00 PM**
 -- MEETING CANCELED --
 Final Closeout

EDUCATION & EARLY DEVELOPMENT

Feb 23 **Tuesday** **Butrovich 205** **7:30 AM**
 + Department of Education FY17 Operating Budget
 + Alaska Student Loan Corporation
 + Alaska Commission on Postsecondary Education
 Dianne Barrans, Executive Director

FISH & GAME

Feb 24 **Wednesday** **Beltz 105 (tsbldg)** **5:00 PM**
 FY17 Operating Budget
 Sam Cotten, Commissioner
 Kevin Brooks, Deputy Commissioner

HEALTH & SOCIAL 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 22 **Monday** **Senate Finance 532** **1:30 PM**
-- MEETING CANCELED --
+ SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES
+ SB 78 MEDICAL ASSISTANCE COVERAGE; REFORM

Feb 24 **Wednesday** **Senate Finance 532** **1:30 PM**
+ SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES
+ SB 78 MEDICAL ASSISTANCE COVERAGE; REFORM

MILITARY & VETERANS' AFFAIRS

Feb 23 **Tuesday** **Beltz 105 (tsbldg)** **8:00 AM**
Budget Subcommittee Meeting

Mar 08 **Tuesday** **Beltz 105 (tsbldg)** **8:00 AM**
Budget Closeout

NATURAL RESOURCES

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

PUBLIC SAFETY

Mar 09 **Wednesday** **Beltz 105 (tsbldg)** **8:00 AM**
Budget Closeout

TRANSPORTATION & PUBLIC FACILITIES

Feb 25 Thursday Fahrenkamp 203 11:00 AM
 Department of Transportation & Public Facilities
 Statewide Public Facilities
 State Equipment Fleet

Mar 03 Thursday Fahrenkamp 203 11:00 AM
 Department of Transportation & Public Facilities
 Budget Closeout

UNIVERSITY OF ALASKA

Feb 24 Wednesday Senate Finance 532 3:30 PM
 Budget Overview

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

LEGISLATIVE BUDGET & AUDIT (continued)

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

MISCELLANEOUS MEETING

Feb 22 Monday Capitol 106 8:30 AM
 Joint with the House & Senate Education Members
 Informal Round Table Discussion with Alaska
 Superintendents Fly In

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