

SENATE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Friday

May 12, 2017

One Hundred Sixteenth Day

Pursuant to adjournment the Senate was called to order by President Kelly at 11:22 a.m.

The roll showed nineteen members present. Senator Stedman was excused from a call of the Senate.

The prayer was offered by the Chaplain, The Reverend Gordon Blue, Holy Trinity Episcopal Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Heavenly Father,

In the waning of days, we turn to you in prayer: Give us wisdom.

Your word speaks from the Second Psalm this morning:

“Why are the nations in an uproar? Why do the peoples mutter empty threats?”

After all threats and promises lie broken on the ground, the moment is burning like a spent candle.

Help these Senators, O, Lord, do what is right for Alaska and all her people. You know better than we the temptations that will bring us down.

Guide their feet into the way of justice and peace.
They have been called by the people into service;
may you carry them into right action.

Let their example provide a renewal of hope and
blessings for the future generations of Alaska. Amen.

Senator Coghill led the Senate in the Pledge of Allegiance.

Certification

Senator Micciche moved and asked unanimous consent that the journal for the one hundred fifteenth legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

Senator Micciche moved and asked unanimous consent the Senate invite the House of Representatives to a Joint Session of the Thirtieth Alaska Legislature at 1:00 p.m. on Tuesday, May 16 for the purpose of considering confirmation of appointments. There being no objection, the Secretary was requested to invite the House.

Standing Committee Reports

SB 34

The Finance Committee considered SENATE BILL NO. 34 "An Act relating to the implementation of the federal REAL ID Act of 2005; and relating to issuance of identification cards and driver's licenses; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 34(FIN) "An Act relating to the implementation of the federal REAL ID Act of 2005; relating to issuance of identification cards and drivers' licenses; relating to data sharing by the Department of Administration; and providing for an effective date."

Signing do pass: Senator Hoffman, Cochair; Senators Bishop, von Imhof. Signing no recommendation: Senator MacKinnon, Cochair, Senators Olson, Micciche. Signing do not pass: Senator Hughes.

The following fiscal information was published today:
Fiscal Note No. 5, Department of Administration

The following previously published fiscal information applies:
Fiscal Note No. 2, zero, Department of Military and
Veterans Affairs
Fiscal Note No. 3, zero, Department of Public Safety

The bill was referred to the Rules Committee.

Introduction and Reference of Senate Resolutions

SR 6

SENATE RESOLUTION NO. 6 BY THE SENATE FINANCE COMMITTEE,

Urging the Alaska division of motor vehicles to advocate for discontinued use of social security numbers as a means of identity verification.

was read the first time and held on the Secretary's desk.

Introduction and Reference of Senate Bills

SB 120

SENATE BILL NO. 120 BY SENATOR GIESSEL BY REQUEST, entitled:

"An Act relating to the practice of naturopathy; relating to the licensure of naturopaths; relating to the Department of Commerce, Community, and Economic Development; and providing for an effective date."

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

Consideration of the Calendar**Third Reading of House Bills****HB 103**

CS FOR HOUSE BILL NO. 103(FIN) "An Act relating to the practice of optometry; and providing for an effective date" was read the third time.

Senator Micciche moved that the bill be returned to second reading for the purpose of hearing all amendments offered today. Without objection, the bill was returned to second reading.

Senator Begich offered Amendment No. 1:

Page 2, line 31, through page 3, line 8:

Delete all material and insert:

"(b) A licensee may not perform ophthalmic surgery. In this subsection, "ophthalmic surgery"

(1) means an invasive procedure in which human tissue is cut, ablated, or otherwise penetrated by incision, laser, or other means to treat diseases of the human eye, alter or correct refractive error, or alter or enhance cosmetic appearance;

(2) does not include the procedure described in AS 08.72.273."

Senator Begich moved for the adoption of Amendment No. 1. Senator Micciche objected.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

CSHB 103(FIN)

Second Reading

Amendment No. 1?

YEAS: 5 NAYS: 14 EXCUSED: 1 ABSENT: 0

Yeas: Begich, Costello, Egan, Gardner, Wielechowski

Nays: Bishop, Coghill, Dunleavy, Giessel, Hoffman, Hughes, Kelly, MacKinnon, Meyer, Micciche, Olson, Stevens, von Imhof, Wilson

Excused: Stedman

and so, Amendment No. 1 failed.

CS FOR HOUSE BILL NO. 103(FIN) was automatically in third reading.

The question being: "Shall CS FOR HOUSE BILL NO. 103(FIN) "An Act relating to the practice of optometry; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 103(FIN)
Third Reading - Final Passage
Effective Date

YEAS: 16 NAYS: 3 EXCUSED: 1 ABSENT: 0

Yeas: Bishop, Coghil, Dunleavy, Egan, Giessel, Hoffman, Hughes, Kelly, MacKinnon, Meyer, Micciche, Olson, Stevens, von Imhof, Wielechowski, Wilson

Nays: Begich, Costello, Gardner

Excused: Stedman

and so, CS FOR HOUSE BILL NO. 103(FIN) passed the Senate.

Senator Micciche moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was signed by the President and Secretary and returned to the House.

HB 115

CS FOR HOUSE BILL NO. 115(FIN) am(efd fld) "An Act bearing the short title of the 'Education Funding Act'; relating to the taxation of income of individuals, partners, shareholders in S corporations, trusts, and estates; relating to a payment against the individual income tax from the permanent fund dividend disbursement; and repealing tax credits applied against the tax on individuals under the Alaska Net Income Tax Act" was read the third time.

Senator Wielechowski rose to a point of personal privilege citing Mason's Manual Section 92. President Kelly ruled the point well taken and cautioned members to proceed in order.

The question being: "Shall CS FOR HOUSE BILL NO. 115(FIN) am(efd fld) "An Act bearing the short title of the 'Education Funding Act'; relating to the taxation of income of individuals, partners, shareholders in S corporations, trusts, and estates; relating to a payment against the individual income tax from the permanent fund dividend disbursement; and repealing tax credits applied against the tax on individuals under the Alaska Net Income Tax Act" pass the Senate?" The roll was taken with the following result:

CSHB 115(FIN) am(efd fld)
Third Reading - Final Passage

YEAS: 4 NAYS: 15 EXCUSED: 1 ABSENT: 0

Yeas: Begich, Egan, Gardner, Olson

Nays: Bishop, Coghill, Costello, Dunleavy, Giessel, Hoffman, Hughes, Kelly, MacKinnon, Meyer, Micciche, Stevens, von Imhof, Wielechowski, Wilson

Excused: Stedman

and so, CS FOR HOUSE BILL NO. 115(FIN) am(efd fld) failed.

Reconsideration of Senate Bills

SB 23

Senator Gardner requested that the reconsideration on CS FOR SENATE BILL NO. 23(FIN) am be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 23(FIN) am "An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and other appropriations; amending appropriations; making appropriations to capitalize funds; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 23(FIN) am
Third Reading - On Reconsideration

YEAS: 13 NAYS: 6 EXCUSED: 1 ABSENT: 0

Yeas: Bishop, Coghill, Costello, Giessel, Hoffman, Hughes, Kelly, MacKinnon, Meyer, Micciche, Stevens, von Imhof, Wilson

Nays: Begich, Dunleavy, Egan, Gardner, Olson, Wielechowski

Excused: Stedman

and so, CS FOR SENATE BILL NO. 23(FIN) am passed the Senate on reconsideration.

Senator Micciche moved for the adoption of the effective date clauses.

The question being: "Shall the effective date clauses be adopted?" The roll was taken with the following result:

CSSB 23(FIN) am
Effective Date Clauses

YEAS: 19 NAYS: 0 EXCUSED: 1 ABSENT: 0

Yeas: Begich, Bishop, Coghill, Costello, Dunleavy, Egan, Gardner, Giessel, Hoffman, Hughes, Kelly, MacKinnon, Meyer, Micciche, Olson, Stevens, von Imhof, Wielechowski, Wilson

Excused: Stedman

and so, the effective date clauses were adopted and the bill was referred to the Secretary for engrossment.

Senator Micciche moved and asked unanimous consent that the Senate return to Messages from the House. Without objection, the Senate returned to:

Messages from the House

Recede Messages

HB 59

Message dated May 12 was read stating the House failed to concur in the Senate amendment to CS FOR HOUSE BILL NO. 59(FIN) and respectfully requests the Senate to recede from its amendment, namely:

SENATE CS FOR CS FOR HOUSE BILL
NO. 59(FIN) "An Act making appropriations for the
operating and capital expenses of the state's
integrated comprehensive mental health program; and
providing for an effective date."

In the event the Senate fails to recede, the Speaker has appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the bills:

Representative Seaton, Chair
Representative Foster
Representative Pruitt

Senator Micciche moved that the Senate recede from its amendment and recommended the body vote no.

The question being: "Shall the Senate recede from its amendment?"
The roll was taken with the following result:

SCS CSHB 59(FIN)
Shall the Senate Recede from its Amendment
to CSHB 59(FIN)?

YEAS: 0 NAYS: 19 EXCUSED: 1 ABSENT: 0

Nays: Begich, Bishop, Coghill, Costello, Dunleavy, Egan, Gardner,
Giessel, Hoffman, Hughes, Kelly, MacKinnon, Meyer, Micciche,
Olson, Stevens, von Imhof, Wielechowski, Wilson

Excused: Stedman

and so, the Senate failed to recede.

The President appointed the following members to a Conference Committee to meet with the like committee from the House:

Senator Hoffman, Chair
Senator MacKinnon
Senator Olson

The Secretary was requested to notify the House.

Consideration of the Calendar (continued)**Citations**

Senator Micciche moved and asked unanimous consent that the following citation be made a special order of business. Without objection, it was so ordered.

Special Order of Business

In Memoriam - David Grunwald

Representative(s) Tilton

Senator(s) Hughes, Kelly, Begich, Bishop, Coghill, Costello, Dunleavy, Egan, Gardner, Giessel, Hoffman, MacKinnon, Meyer, Micciche, Olson, Stedman, Stevens, von Imhof, Wielechowski, Wilson

Senator Micciche moved and asked unanimous consent that the citation be adopted. Without objection, the citation was adopted and referred to the Secretary for transmittal.

Unfinished Business

President Kelly made the following appointment:

Alaska Minerals Commission

James Fueg

Recess

President Kelly stated the Senate would stand in recess to a call of the Chair. There being no objection, the Senate recessed at 2:04 p.m.

After Recess

The Senate reconvened at 5:02 p.m.

Senator Micciche moved and asked unanimous consent that the Senate return to Standing Committee Reports. Without objection, the Senate returned to:

Standing Committee Reports

HB 111

The Finance Committee considered CS FOR HOUSE BILL NO. 111(FIN)(efd fld) "An Act relating to the oil and gas production tax, tax payments, and credits; relating to interest applicable to delinquent oil and gas production tax; relating to carried-forward lease expenditures based on losses and limiting those lease expenditures to an amount equal to the gross value at the point of production of oil and gas produced from the lease or property where the lease expenditure was incurred; relating to information concerning tax credits, lease expenditures, and oil and gas taxes; relating to the disclosure of that information to the public; relating to an adjustment in the gross value at the point of production; and relating to a legislative working group" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 111(FIN)
"An Act relating to credits against the oil and gas production tax; relating to the applicability of certain credits earned under the oil and gas production tax to the tax on corporations; relating to tax credit certificates against the oil and gas production tax and the issuance and assignment of those certificates; relating to interest applicable to delinquent taxes; relating to lease expenditures; relating to the oil and gas tax credit fund; and providing for an effective date."
(Title Change SCR 12)

Signing do pass: Senator MacKinnon, Cochair; Senators Bishop, von Imhof, Hughes. Signing no recommendation: Senator Hoffman, Cochair; Senator Micciche. Signing amend: Senator Olson.

Fiscal information forthcoming.

The bill was referred to the Rules Committee.

Announcements

Rule 23(d) of the Alaska State Legislature Uniform Rules is currently in effect.

Announcements are at the end of the journal.

Engrossment**SB 23**

CS FOR SENATE BILL NO. 23(FIN) am "An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and other appropriations; amending appropriations; making appropriations to capitalize funds; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Micciche moved and asked unanimous consent that the Senate stand in adjournment until 12:00 p.m., May 13, 2017. Without objection, the Senate adjourned at 5:07 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

May 16	Tuesday No Meeting Scheduled	Beltz 105 (tsbldg)	3:30 PM
May 18	Thursday No Meeting Scheduled	Beltz 105 (tsbldg)	3:30 PM

EDUCATION

May 12	Friday No Meeting Scheduled	Butrovich 205	8:00 AM
May 15	Monday No Meeting Scheduled	Butrovich 205	8:00 AM
May 17	Wednesday No Meeting Scheduled	Butrovich 205	8:00 AM
May 19	Friday No Meeting Scheduled	Butrovich 205	8:00 AM

FINANCE

May 12 Friday Senate Finance 532 9:00 AM
 += HB 111 OIL & GAS PRODUCTION TAX;PAYMENTS;CREDITS
 += SB 34 DRIVER'S LICENSE & ID CARDS & REAL ID ACT
 + Bills Previously Heard/Scheduled

May 13 Saturday Senate Finance 532 9:00 AM
 += HB 111 OIL & GAS PRODUCTION TAX;PAYMENTS;CREDITS
 <Bill Hearing Canceled>
 + Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

May 12 Friday Butrovich 205 1:30 PM
 No Meeting Scheduled

May 15 Monday Butrovich 205 1:30 PM
 No Meeting Scheduled

May 17 Wednesday Butrovich 205 1:30 PM
 No Meeting Scheduled

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

JUDICIARY

May 12 Friday Beltz 105 (tsbldg) 1:30 PM
 No Meeting Scheduled

RESOURCES

May 12 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

RULES

May 13 Saturday Butrovich 205 9:00 AM
 + HB 16 DRIV. LICENSE REQ;DISABILITY:ID &TRAINING

STATE AFFAIRS

May 16 Tuesday Butrovich 205 3:30 PM
 No Meeting Scheduled

May 18 Thursday Butrovich 205 3:30 PM
 No Meeting Scheduled

JOINT COMMITTEES

LEGISLATIVE COUNCIL

May 18 Thursday House Finance 519 9:00 AM
 + Contract Approval
 - Wasilla LIO

CONFERENCE COMMITTEES

CONFERENCE COMMITTEE ON HB 57 AND HB 59

May 15 Monday Senate Finance 532 1:00 PM
 HB 57 APPROP: OPERATING BUDGET/LOANS/FUNDS
 HB 59 APPROP: MENTAL HEALTH BUDGET
 Organizational Meeting