

**SENATE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**THIRTIETH LEGISLATURE**  
**SECOND SESSION**

**Juneau, Alaska**

**Monday**

**February 12, 2018**

**Twenty-eighth Day**

Pursuant to adjournment the Senate was called to order by President Kelly at 12:01 p.m.

The roll showed eighteen members present. Senator Egan was absent. The seat from District E was vacant.

The prayer was offered by the Chaplain, Pastor Dan Wiese, Church of the Nazarene. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Most gracious God, we come humbly before you today on behalf of the Alaska State Senate. I thank you for these officials who have taken on the responsibility of leadership in our great state. We live in a beautiful state populated by people whom You love and for whom you provided hope, grace and mercy through Your Son, Jesus.

These men and women have been elected to a great responsibility to conduct the business of the state, to know many different issues and make decisions that will impact many people. I pray for wisdom, guidance and conviction to make good and right decisions. Our state faces many challenges that will determine the future of our great state. Please give a great measure of Your Spirit to discern what is good and best for our future.

And finally, God, I pray for these senators and their families. They carry their own burdens and concerns. Would you go with them and guide them? Would you provide for them, guide them and bring healing in areas of their concerns. And I pray you would guide them as they uphold the integrity of their office and position of leadership. Bless them this day!

I pray in the name of Jesus Christ, my Lord and Savior, Amen.

Senator Costello led the Senate in the Pledge of Allegiance.

### **Certification**

Senator Micciche moved and asked unanimous consent that the journals for the twenty-fifth through twenty-seventh legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

The presence of Senator Egan was noted.

### **Messages from the Governor**

Letter dated February 9 and received February 12 was read stating:

Pursuant to my authority under Article II, Section 4 of the Alaska Constitution, I have appointed Randall Kowalke to fill the vacancy in the Alaska State Senate, District E.

Subject to confirmation by the Senate Republicans, Randall Kowalke will hold this office for the remainder of the unexpired term for Senate District E.

**Messages from the House****HB 106**

Message dated February 9 was read stating the Speaker respectfully requests the following be returned:

HOUSE BILL NO. 106 "An Act allowing appropriations to the civil legal services fund from court filing fees."

President Kelly requested the Secretary return the bill to the House. There being no objection, the bill was returned.

**HB 135**

Message dated February 9 was read stating the Speaker respectfully requests the following be returned:

CS FOR HOUSE BILL NO. 135(EDC) am "An Act relating to school district participation in the school construction grant program."

President Kelly requested the Secretary return the bill to the House. There being no objection, the bill was returned.

**HB 138**

Message dated February 9 was read stating the Speaker respectfully requests the following be returned:

HOUSE BILL NO. 138 "An Act establishing the month of March as Sobriety Awareness Month."

President Kelly requested the Secretary return the bill to the House. There being no objection, the bill was returned.

**Communications**

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

Department of Administration  
Division of Risk Management  
Fiscal Year 2018 Report  
in accordance with AS 37.05.287

**Standing Committee Reports****SB 105**

Forthcoming Labor and Commerce Committee Substitute (page 1961) for SENATE BILL NO. 105 "An Act relating to the licensure of marital and family therapists; relating to professional liability insurance for marital and family therapists; relating to medical assistance for marital and family therapy services; and providing for an effective date" was received today:

CS FOR SENATE BILL NO. 105(L&C)

**Introduction and Reference of Senate Bills****SB 182**

SENATE BILL NO. 182 BY SENATOR COGHILL, entitled:

"An Act relating to protests and remedies under the State Procurement Code; and amending Rule 609, Alaska Rules of Appellate Procedure."

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

**SB 183**

SENATE BILL NO. 183 BY SENATOR MICCICHE, entitled:

"An Act relating to the earnings reserve account and the earnings of the Alaska permanent fund; and providing for an effective date."

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

**SB 184**

SENATE BILL NO. 184 BY SENATOR BEGICH, entitled:

"An Act restricting the release of certain records of convictions; relating to criminal history information for state employment applications; amending Rule 37.6, Alaska Rules of Administration; and providing for an effective date."

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

**Consideration of the Calendar****Second Reading of Senate Bills****SB 37**

SENATE BILL NO. 37 "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 second time.

Senator MacKinnon, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 1946. Senator Gardner objected, then withdrew her objection. There being no further objection, CS FOR SENATE BILL NO. 37(FIN) "An Act relating to the Board of Pharmacy; relating to the licensing of certain entities and inspection of certain facilities located outside the state; relating to drug supply chain security; creating a position of executive administrator for the Board of Pharmacy; and providing for an effective date" was adopted.

President Kelly stated CS FOR SENATE BILL NO. 37(FIN) will advance to third reading on the February 14 calendar.

**SB 126**

SENATE BILL NO. 126 "An Act providing for an exception to the regulation of the practice of medicine for a physician who provides medical services to an athletic team from another state" was read the second time.

Senator Micciche moved and asked unanimous consent the bill be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE BILL NO. 126 was read the third time.

The question being: "Shall SENATE BILL NO. 126 "An Act providing for an exception to the regulation of the practice of medicine for a physician who provides medical services to an athletic team from another state" pass the Senate?" The roll was taken with the following result:

SB 126

Third Reading - Final Passage

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

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

and so, SENATE BILL NO. 126 passed the Senate and was referred to the Secretary for engrossment.

### Citations

Honoring - William "Bill" Mendenhall

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

Representative(s) Wilson, Birch

Honoring - The 30th Anniversary of the Legislative Internship Program

Representative(s) Kawasaki, Parish

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

In Memoriam - Bob C. Thomas

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

Representative(s) Wilson, Birch

In Memoriam - Kaye Ferguson

Representative(s) Guttenberg

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

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

### **Unfinished Business**

#### **SB 184**

Senator Gardner moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 184 "An Act restricting the release of certain records of convictions; relating to criminal history information for state employment applications; amending Rule 37.6, Alaska Rules of Administration; and providing for an effective date." Without objection, it was so ordered.

Senator Gardner moved and asked unanimous consent to adopt the following Sense of the Senate:

### **SENSE OF THE SENATE**

It is the Sense of the Senate that the federal government should respect the will of Alaska voters who, in 2014, chose to regulate the production, sale, and use of marijuana. U.S. Attorney General Jeff Sessions rescinded the "Cole memo," which limited the conditions of prosecution on state-licensed cannabis businesses. The Senate believes the decision is Federal overreach that infringes upon states' rights, violates the will of Alaskan voters and damages a promising young Alaskan industry.

Senator Micciche moved to table the motion to March 7, 2018. Senator Gardner objected. The question being: "Shall the Senate table the motion to March 7, 2018?" The roll was taken with the following result:

Table Sense of the Senate to March 7?

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

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

Nays: Begich, Egan, Gardner, Olson, Wielechowski

and so, the motion was tabled to March 7, 2018.

### **Announcements**

Announcements are at the end of the journal.

### **Engrossment**

#### **SB 126**

SENATE BILL NO. 126 "An Act providing for an exception to the regulation of the practice of medicine for a physician who provides medical services to an athletic team from another state" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

### **Adjournment**

Senator Micciche moved and asked unanimous consent the Senate stand in adjournment until 11:00 a.m., February 14, 2018. Without objection, the Senate adjourned at 12:42 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 13      Tuesday                      Beltz 105 (tsbldg)              3:30 PM**  
No Meeting Scheduled

**Feb 15      Thursday                      Beltz 105 (tsbldg)              3:30 PM**  
No Meeting Scheduled

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**EDUCATION**

**Feb 12      Monday                      Butrovich 205              8:00 AM**  
+    SB 171    CHILD ABUSE;TRAINING PROGRAMS;BREE'S LAW  
-- Invited Testimony --  
-- Public Testimony <Time Limit May Be Set> --  
+            Bills Previously Heard/Scheduled  
             \*\*Streamed live on AKL.tv\*\*

**Feb 14      Wednesday                      Capitol 106              8:00 AM**  
-- Location Change --  
Joint Meeting with the House Education Committee  
+            Presentation: State Board of Education & Early  
Development's Annual Report to the Legislature  
-- Testimony <Invitation Only> --  
             \*\*Streamed live on AKL.tv\*\*

**Feb 16      Friday                      Butrovich 205              8:00 AM**  
+            Bills Previously Heard/Scheduled

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**FINANCE**

**Feb 12 Monday Senate Finance 532 9:00 AM**  
 + Presentation: Credit Rating and Debt Analysis  
 Deven Mitchell  
 + SB 125 EXTEND BOND AUTH FOR INTERIOR ENERGY PROJ  
 + Bills Previously Heard/Scheduled

**Feb 13 Tuesday Senate Finance 532 9:00 AM**  
 += SB 144 APPROP: OPERATING BUDGET/LOANS/FUNDS  
 + Presentation: FY19 Operating Budget Overview  
 and Deferred Maintenance Update  
 Jim Johnsen, President, University of Alaska  
 Michelle Rizk, VP University Relations,  
 University of Alaska  
 Scott Bell, Associate Vice-Chancellor  
 Facilities Services UAF  
 + Bills Previously Heard/Scheduled

**Feb 14 Wednesday Senate Finance 532 9:00 AM**  
 + Presentation: PERS TRS Overview  
 Department of Administration  
 + Bills Previously Heard/Scheduled

**Feb 15 Thursday Senate Finance 532 9:00 AM**  
 += SB 144 APPROP: OPERATING BUDGET/LOANS/FUNDS  
 + Presentation: FY19 Operating Budget  
 Commissioner Michael Johnson, Department of  
 Education and Early Development  
 + Bills Previously Heard/Scheduled

**Feb 16 Friday Senate Finance 532 9:00 AM**  
 + SB 15 E-CIGS: SALE TO AND POSSESSION BY MINOR  
 + Bills Previously Heard/Scheduled

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**HEALTH & SOCIAL SERVICES**

**Feb 12 Monday Butrovich 205 1:30 PM**  
 No Meeting Scheduled

**HEALTH & SOCIAL SERVICES (continued)**

<b>Feb 14</b> +	<b>Wednesday</b> Presentation: Department of Health and Social Services, Office of Children's Services "Alaska Tribal Child Welfare Compact" -- Testimony <Invitation Only> --	<b>Butrovich 205</b>	<b>1:30 PM</b>
<b>Feb 16</b> +	<b>Friday</b> Presentation: Department of Health and Social Services "Medicaid Services Waivers" -- Testimony <Invitation Only> --	<b>Butrovich 205</b>	<b>1:30 PM</b>

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**JUDICIARY**

<b>Feb 12</b> +	<b>Monday</b> Presentation: Alaska Children's Justice Act Task Force	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>
<b>Feb 14</b>	<b>Wednesday</b> No Meeting Scheduled	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>
<b>Feb 16</b>	<b>Friday</b> No Meeting Scheduled	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>

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**LABOR & COMMERCE**

<b>Feb 13</b> +	<b>Tuesday</b> MEDICAL CARE/LICENSING/MEDICAL BOARD -- Public Testimony --	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>
+ SB 108	BROADBAND INTERNET: NEUTRALITY/REGULATION -- Public Testimony --		
+ SB 160	RACE CLASSICS -- Public Testimony --		
+ HB 18	Bills Previously Heard/Scheduled		

**LABOR & COMMERCE (continued)**

**Feb 15 Thursday Beltz 105 (tsbldg) 1:30 PM**  
 + Consideration of the Governor's Appointee:  
 Commissioner Designee - Department of Commerce  
 Community, and Economic Development  
 Mike Navarre  
 -- Public Testimony --  
 + Bills Previously Heard/Scheduled  
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**RESOURCES**

**Feb 12 Monday Butrovich 205 3:30 PM**  
 += SB 86 ALASKA RAILROAD CORPORATION LAND  
 -- Public Testimony --  
 + SB 173 LIABILITY: PESTICIDES & UTILITY POLES  
 -- Public Testimony --  
 += SB 92 VESSELS: REGISTRATION/TITLES; DERELICTS  
 -- Testimony <Invitation Only> --

**Feb 13 Tuesday Senate Finance 532 12:00 PM**  
 + Joint with the House Resources Committee  
 Overview: Update on Alaska's Mining Industry and  
 Projects  
 -- Testimony <Invitation Only> --

**Feb 14 Wednesday Butrovich 205 3:30 PM**  
 + Bills Previously Heard/Scheduled

**Feb 16 Friday Butrovich 205 3:30 PM**  
 + Bills Previously Heard/Scheduled  
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**STATE AFFAIRS**

**Feb 13 Tuesday Butrovich 205 3:30 PM**  
 + SB 141 BIENNIAL BUDGET  
 -- Public Testimony --  
 + Bills Previously Heard/Scheduled

**Feb 15 Thursday Butrovich 205 3:30 PM**  
 + SJR 2 CONST AM: APPROPRIATION LIMIT  
 + Bills Previously Heard/Scheduled  
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## TRANSPORTATION

<b>Feb 13</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
+	DOT Regional Construction Update for Northern Region		
<b>Feb 15</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
+	DOT Regional Construction Update for Central Region		

## FINANCE SUBCOMMITTEES

### EDUCATION & EARLY DEVELOPMENT

<b>Feb 13</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>4:30 PM</b>
+	-- Teleconference <Invitation Only> -- Overview: FY19 Department Budget		

### ENVIRONMENTAL CONSERVATION

<b>Feb 13</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>2:30 PM</b>
	Review of the Governor's FY19 Budget Proposal		

### FISH & GAME

<b>Feb 14</b>	<b>Wednesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>8:15 AM</b>
	Department Overview		

### LAW

<b>Feb 15</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>4:00 PM</b>
+	-- Teleconference <Invitation Only> -- Overview: FY19 Department Budget		

### UNIVERSITY OF ALASKA

<b>Feb 14</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>7:45 AM</b>
	Review of the Governor's FY19 Budget Proposal		

**JOINT COMMITTEES****LEGISLATIVE COUNCIL**

**Feb 13      Tuesday                      Gruenberg 120              7:00 AM**  
 -- MEETING CANCELED --  
 + Sexual & Other Workplace Harassment Subcommittee  
 Agenda: Policy

**Feb 15      Thursday                      Gruenberg 120              7:00 AM**  
 + Sexual & Other Workplace Harassment Subcommittee  
 Agenda: Policy

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**OTHER MEETINGS****JOINT SESSION**

**Feb 22      Thursday                      House Chamber              11:00 AM**  
 Annual Address by the Honorable  
 Lisa Murkowski, U.S. Senator

**Feb 26      Monday                      House Chamber              11:00 AM**  
 Annual Address by the Honorable  
 Dan Sullivan, U.S. Senator

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**MISCELLANEOUS MEETINGS**

**Feb 12      Monday                      Senate Finance 532              1:00 PM**  
 School District Legislative Fly-In  
 Informal Q & A Session Regarding Alaska's Public  
 School System  
 All School District Participants of the Fly-In  
 are Encouraged to Attend

**Feb 14      Wednesday                      Butrovich 205              12:00 PM**  
 Lunch & Learn:  
 The Alaska Air Carriers Association  
 Presentation on Services Provided to the Aviation  
 Industry and A Brief History on Aviation  
 Equipment Improvements  
 Sponsored by Senator Olson