

SENATE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Wednesday

April 11, 2018

Eighty-sixth Day

Pursuant to adjournment the Senate was called to order by President Kelly at 11:04 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Sister Marie Lucek, Cathedral of the Nativity of the Blessed Virgin Mary. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

O God, you are loving and gracious and always ready to listen, and so with confidence I pray today for our senators. Give them light and wisdom to guide them in the decisions they make for all Alaskans. Help them to keep in mind the most vulnerable among us as they ponder their decisions.

Thank you for the ways you have gifted each of them. As they share their gifts with one another give them the desire to continue to work together through both challenging and rewarding times, focusing always on the good of the whole community.

I ask this of you, O God, Creator, Redeemer and Sanctifier, who desires only the best for each of us.
Amen.

Senator MacKinnon led the Senate in the Pledge of Allegiance.

Certification

Senator Micciche moved and asked unanimous consent that the journal for the eighty-fifth legislative day and Senate and House Joint Journal Supplement No. 19 be approved as certified by the Secretary. Without objection, it was so ordered.

Standing Committee Reports**HB 128**

The Finance Committee considered HOUSE BILL NO. 128 "An Act relating to management of enhanced stocks of shellfish; authorizing certain nonprofit organizations to engage in shellfish enhancement projects; relating to application fees for salmon hatchery permits; and providing for an effective date." Signing do pass: Senator MacKinnon, Cochair; Senators Bishop, von Imhof, Stevens, Micciche.

The following fiscal information was published today:

Fiscal Note No. 3, indeterminate, Department of Fish and Game
Fiscal Note No. 4, zero, Department of Fish and Game
Fiscal Note No. 5, zero, Department of Revenue

The bill was referred to the Rules Committee.

HB 285

The Finance Committee considered CS FOR HOUSE BILL NO. 285(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" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL
NO. 285(FIN)

Signing do pass: Senators Hoffman, MacKinnon, Cochairs; Senators Bishop, von Imhof, Stevens, Micciche. Signing amend: Senator Olson.

The bill is on today's calendar.

HB 286

The Finance Committee considered CS FOR HOUSE BILL NO. 286(FIN) am(brf sup maj fld)(efd fld) "An Act making appropriations for the operating and loan program expenses of state government and for certain programs; capitalizing funds; amending appropriations; and making supplemental appropriations" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 286(FIN) "An Act making appropriations for the operating and loan program expenses of state government and for certain programs; capitalizing funds; amending appropriations; making supplemental appropriations; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date." (technical title change)

Signing do pass: Senators Hoffman, MacKinnon, Cochairs; Senators Bishop, von Imhof, Stevens, Micciche. Signing amend: Senator Olson.

The bill is on today's calendar.

HCR 19

The Community and Regional Affairs Committee considered CS FOR HOUSE CONCURRENT RESOLUTION NO. 19(CRA) am Urging Governor Bill Walker to issue an administrative order recognizing a linguistic emergency. Signing do pass: Senator Bishop, Chair; Senators Gardner, Hoffman.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Legislative Agency

The resolution was referred to the State Affairs Committee.

Consideration of the Calendar**Second Reading of Senate Bills****SB 92**

SENATE BILL NO. 92 "An Act relating to abandoned and derelict vessels; relating to the registration of vessels; relating to certificates of title for vessels; relating to the duties of the Department of Administration; relating to the duties of the Department of Natural Resources; establishing the derelict vessel prevention program; establishing the derelict vessel prevention program fund; and providing for an effective date" was read the second time.

Senator MacKinnon, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 2507. Senator Gardner objected, then withdrew her objection. There being no further objection, CS FOR SENATE BILL NO. 92(FIN) "An Act relating to abandoned and derelict vessels; relating to the registration of vessels; relating to certificates of title for vessels; relating to the duties of the Department of Administration; relating to the duties of the Department of Natural Resources; establishing the derelict vessel prevention program; establishing the derelict vessel prevention program fund; relating to the authority of certain persons to enforce laws relating to derelict vessels; and providing for an effective date" was adopted.

Senator Micciche stated CS FOR SENATE BILL NO. 92(FIN) will advance to third reading on the April 12 calendar.

SB 199

SENATE BILL NO. 199 "An Act relating to the use of off-road vehicles within the James Dalton Highway corridor" was read the second time.

Senators Bishop, Kelly offered Amendment No. 1:

Page 2, line 11:

Delete "a new subsection"
Insert "new subsections"

Page 2, following line 11:

Insert a new subsection to read:

"(b) Nothing in this section authorizes a person to access the land of another person unlawfully."

Reletter the following subsection accordingly.

Senator Bishop moved for the adoption of Amendment No. 1. There being no objection, Amendment No. 1 was adopted.

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. 199 am was read the third time.

The question being: "Shall SENATE BILL NO. 199 am "An Act relating to the use of off-road vehicles within the James Dalton Highway corridor" pass the Senate?" The roll was taken with the following result:

SB 199 am

Third Reading - Final Passage

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, SENATE BILL NO. 199 am passed the Senate.

SB 215

SENATE BILL NO. 215 "An Act relating to multi-line telephone systems" 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. 215 was read the third time.

The question being: "Shall SENATE BILL NO. 215 "An Act relating to multi-line telephone systems" pass the Senate?" The roll was taken with the following result:

SB 215

Third Reading - Final Passage

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, SENATE BILL NO. 215 passed the Senate and was referred to the Secretary for engrossment.

Second Reading of House Bills

HB 285

CS FOR HOUSE BILL NO. 285(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" was read the second time.

Senator Hoffman, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 2586. Senator Gardner objected, then withdrew her objection. There being no further objection, SENATE CS FOR CS FOR HOUSE BILL NO. 285(FIN) was adopted.

President Kelly stated SENATE CS FOR CS FOR HOUSE BILL NO. 285(FIN) will advance to third reading on the April 12 calendar.

HB 286

CS FOR HOUSE BILL NO. 286(FIN) am(brf sup maj fld)(efd fld) "An Act making appropriations for the operating and loan program expenses of state government and for certain programs; capitalizing funds; amending appropriations; and making supplemental appropriations" was read the second time.

Senator Hoffman, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 2587. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 286(FIN) "An Act making appropriations for the operating and loan program expenses of state government and for certain programs; capitalizing funds; amending appropriations; making supplemental appropriations; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date" was adopted.

President Kelly stated SENATE CS FOR CS FOR HOUSE BILL NO. 286(FIN) will advance to third reading on the April 12 calendar.

Special Order of Business

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

Citation Calendar

Honoring - Alaska Cricket Association

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

Honoring - Bruce Twomley

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

Honoring - 35th Anniversary of the Helping Hands of Juneau

Representative(s) Parish

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

In Memoriam - Neland J. Haavig

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

In Memoriam - Cliff Everts

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

In Memoriam - Dennis Green

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

In Memoriam - Roy S. Ewan

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

In Memoriam - Mary April Miller

Representative(s) Foster

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

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

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

Honoring - Senator Berta Gardner

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

Honoring - Dennis Egan
Representative(s) Kito
Senator(s) Stedman, Kelly, Begich, Bishop, Coghill, Costello, Egan,
Gardner, Giessel, Hoffman, Hughes, MacKinnon, Meyer, Micciche,
Olson, Shower, 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

Reconsideration of Senate Bills

SB 199

Senator Olson gave notice of reconsideration on SENATE BILL NO. 199 am and moved and asked unanimous consent it be taken up. Without objection, it was so ordered and the bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall SENATE BILL NO. 199 am "An Act relating to the use of off-road vehicles within the James Dalton Highway corridor" pass the Senate?" The roll was taken with the following result:

SB 199 am
Third Reading - On Reconsideration

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

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

Absent: Wilson

and so, SENATE BILL NO. 199 am passed the Senate on reconsideration and was referred to the Secretary for engrossment.

Unfinished Business (continued)**SB 208**

Senator Meyer, Chair, moved and asked unanimous consent the State Affairs Committee referral be waived on SENATE BILL NO. 208 "An Act establishing the month of March as Sobriety Awareness Month." Without objection, the bill was referred to the Rules Committee.

Announcements**HB 374**

Senator Bishop, Chair, moved and asked unanimous consent Uniform Rule 23 be waived on CS FOR HOUSE BILL NO. 374(L&C) "An Act relating to on-bill financing by a utility for certain energy efficiency and conservation improvements" for the Community and Regional Affairs Committee meeting on April 12. Without objection, it was so ordered.

HB 136

Senator Meyer, Chair, moved and asked unanimous consent Uniform Rule 23 be waived on CS FOR HOUSE BILL NO. 136(TRA) "An Act relating to motor vehicle franchises, motor vehicle dealers, motor vehicle manufacturers, and motor vehicle distributors" for the State Affairs Committee meeting on April 12. Without objection, it was so ordered.

Announcements are at the end of the journal.

Engrossment**SB 199**

SENATE BILL NO. 199 am "An Act relating to the use of off-road vehicles within the James Dalton Highway corridor" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 215

SENATE BILL NO. 215 "An Act relating to multi-line telephone systems" 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., April 12, 2018. Without objection, the Senate adjourned at 12:10 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

Apr 12 Thursday Beltz 105 (tsbldg) 3:30 PM
 + HB 374 ON-BILL FINANCING OF ENERGY IMPROVEMENTS
 Uniform Rule 23 Waived
 + Bills Previously Heard/Scheduled

EDUCATION

Apr 11 Wednesday Butrovich 205 8:00 AM
 -- MEETING CANCELED --
 + Bills Previously Heard/Scheduled

Apr 13 Friday Butrovich 205 8:00 AM
 + Bills Previously Heard/Scheduled

FINANCE

Apr 11 Wednesday Senate Finance 532 9:00 AM
 -- Meeting Postponed to 9:30 a.m. --
 += HB 285 APPROP: MENTAL HEALTH BUDGET
 <Bill Hearing Canceled>
 += HB 286 APPROP: OPERATING BUDGET/LOANS/FUNDS
 <Bill Hearing Canceled>
 + Bills Previously Heard/Scheduled:
 += HB 121 OCC. HEALTH AND SAFETY CIVIL PENALTIES
 <Bill Hearing Rescheduled from 4/12/18 at 9 a.m.>
 += HB 128 SHELLFISH ENHANCE. PROJECTS; HATCHERIES

FINANCE (continued)**Apr 11 Wednesday Senate Finance 532 1:30 PM**

- + HB 285 APPROP: MENTAL HEALTH BUDGET
<Bill Hearing Canceled>
- + HB 286 APPROP: OPERATING BUDGET/LOANS/FUNDS
<Bill Hearing Canceled>
- + Bills Previously Heard/Scheduled:
- + HB 215 DHSS: PUBLIC HEALTH FEES
<Bill Hearing Rescheduled from 4/13/18 at 9 a.m.>

Apr 12 Thursday Senate Finance 532 9:00 AM

- + HB 285 APPROP: MENTAL HEALTH BUDGET
<Bill Hearing Canceled>
- + HB 286 APPROP: OPERATING BUDGET/LOANS/FUNDS
<Bill Hearing Canceled>
- + SB 193 MED. ASSISTANCE WORK REQUIREMENT
- + HB 176 EMER. MEDICAL TRANSPORT SERVICE PAYMENTS
<Bill Hearing Rescheduled to 4/13/18 at 9 a.m.>
- + HB 213 PUBLIC SCHOOL TRUST FUND
<Bill Hearing Rescheduled to 4/13/18 at 9 a.m.>
- + HB 215 DHSS: PUBLIC HEALTH FEES
<Bill Hearing Rescheduled to 4/13/18 at 9 a.m.>
- + Bills Previously Heard/Scheduled:
- + HB 79 OMNIBUS WORKERS' COMPENSATION
<Bill Hearing Rescheduled from 4/10/18 at 9 a.m.>
- + HB 121 OCC. HEALTH AND SAFETY CIVIL PENALTIES
<Bill Hearing Rescheduled from 4/10/18 at 9 a.m.>

Apr 12 Thursday Senate Finance 532 1:30 PM

- + HB 110 MASSAGE THERAPY LICENSING; EXEMPTIONS
- + HB 299 EXTEND: ALCOHOLIC BEVERAGE CONTROL BOARD
<Pending Introduction & Referral>
- + HB 318 MEMBERSHIP OF & EXTEND BD .SOC WORK EXAM
- + HB 323 EXTEND: BOARD OF PHARMACY
- + Bills Previously Heard/Scheduled

Apr 13 Friday Senate Finance 532 9:00 AM

- + Bills Previously Heard/Scheduled:
- + HB 176 EMER. MEDICAL TRANSPORT SERVICE PAYMENTS
<Bill Hearing Rescheduled from 4/12/18 at 9 a.m.>
- + HB 213 PUBLIC SCHOOL TRUST FUND
<Bill Hearing Rescheduled from 4/12/18 at 9 a.m.>
- + HB 215 DHSS: PUBLIC HEALTH FEES
<Bill Hearing Rescheduled from 4/12/18 at 9 a.m.>

FINANCE (continued)

Apr 13 **Friday** **Senate Finance 532** **1:30 PM**
 + Bills Previously Heard/Scheduled

Apr 14 **Saturday** **Senate Finance 532** **10:00 AM**
 + Bills Previously Heard/Scheduled

Apr 15 **Sunday** **Senate Finance 532** **10:00 AM**
 + Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

Apr 11 **Wednesday** **Butrovich 205** **1:30 PM**
 + -- MEETING CANCELED --
 Bills Previously Heard/Scheduled

Apr 13 **Friday** **Butrovich 205** **1:30 PM**
 + Bills Previously Heard/Scheduled

JUDICIARY

Apr 11 **Wednesday** **Beltz 105 (tsbldg)** **1:30 PM**
 + SB 195 PF DIVIDEND FUND TRANSFERS;CRIMES;VICTIMS
 += SB 47 MOTOR VEHICLE DEALER FRANCHISES
 <Bill Hearing Canceled>

+= SJR 14 CONST. AM: PARENTAL CONSENT TO ABORTION
 <Bill Hearing Canceled>

+= HB 208 TRUSTS; COMM PROP TRUSTS; POWERS OF APPT
 <Bill Hearing Canceled>

+ SB 76 ALCOHOLIC BEVERAGE CONTROL; ALCOHOL REG
 += HJR 21 FEDS RESPECT STATE REG OF MARIJUANA
 += HB 307 MILITARY JUSTICE & MILITIA CIVIL RELIEF
 += HB 44 LEGISLATIVE ETHICS: VOTING & CONFLICTS
 + HB 20 SOLEMNIZE MARRIAGE: ELECTED OFFICIALS
 Uniform Rule 23 Waived

+ SB 134 TERMINATION OF PARENTAL RTS;GUARDIANS
 Uniform Rule 23 Waived

JUDICIARY (continued)

Apr 13 Friday Beltz 105 (tsbldg) 1:30 PM
 += SB 195 PF DIVIDEND FUND TRANSFERS;CRIMES;VICTIMS
 += SB 47 MOTOR VEHICLE DEALER FRANCHISES
 += SJR 14 CONST. AM: PARENTAL CONSENT TO ABORTION
 += HB 208 TRUSTS; COMM PROP TRUSTS; POWERS OF APPT
 + SB 76 ALCOHOLIC BEVERAGE CONTROL; ALCOHOL REG
 += HJR 21 FEDS RESPECT STATE REG OF MARIJUANA
 += HB 44 LEGISLATIVE ETHICS: VOTING & CONFLICTS
 += HB 307 MILITARY JUSTICE & MILITIA CIVIL RELIEF
 += HB 20 SOLEMNIZE MARRIAGE: ELECTED OFFICIALS
 Uniform Rule 23 Waived
 += SB 134 TERMINATION OF PARENTAL RTS;GUARDIANS
 Uniform Rule 23 Waived

LABOR & COMMERCE

Apr 12 Thursday Beltz 105 (tsbldg) 1:30 PM
 + Bills Previously Heard/Scheduled

RESOURCES

Apr 11 Wednesday Butrovich 205 3:30 PM
 -- MEETING CANCELED --
 + Bills Previously Heard/Scheduled

Apr 13 Friday Butrovich 205 3:30 PM
 + Bills Previously Heard/Scheduled

STATE AFFAIRS

Apr 12 Thursday Butrovich 205 3:30 PM
 += SB 208 MARCH: SOBRIETY AWARENESS MONTH
 <Bill Waived from Committee>
 -- Public Testimony --
 + HB 136 MOTOR VEHICLE DEALER FRANCHISES
 Uniform Rule 23 Waived
 -- Public Testimony --
 + SJR 9 CONST. AM.:PERMANENT FUND APPROP;DIVIDEND
 -- Public Testimony --
 + Bills Previously Heard/Scheduled

TRANSPORTATION

Apr 12 **Thursday** **Butrovich 205** **1:30 PM**
 + Bills Previously Heard/Scheduled

JOINT COMMITTEES**LEGISLATIVE BUDGET & AUDIT**

Apr 11 **Wednesday** **Capitol 106** **7:45 AM**
 + -- Location Change --
 EXECUTIVE SESSION - Preliminary Audit
 a. Contract Amendments
 b. Dept. of Revenue - Alaska Mental Health
 Trust Authority, Asset Management & Other
 Selected Issues
 Other Committee Business

LEGISLATIVE COUNCIL

Apr 12 **Thursday** **Gruenberg 120** **7:00 AM**
 + Sexual & Other Workplace Harassment Subcommittee
 Sexual and Other Workplace Harassment Policy

SELECT COMMITTEE ON LEGISLATIVE ETHICS

Apr 21 **Saturday** **Anch Lio Lg Conf Rm** **10:30 AM**
 + Senate Subcommittee
 Public Comment
 EXECUTIVE SESSION
 Public Session