

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

**Juneau, Alaska**

**Tuesday**

**May 1, 2018**

**One Hundred Sixth Day**

Pursuant to adjournment the Senate was called to order by President Kelly at 11:36 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Senator Giessel. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

“I give You thanks, O Lord, with my whole heart;  
before the gods I sing Your praise;

I bow down to You and give thanks to Your name  
for Your steadfast love and Your faithfulness, for  
You have exalted above all things Your name and  
Your Word.

On the day I called, You answered me; my strength  
of soul and inner self You increased. All the kings of  
the earth shall give You thanks, O Lord, for they  
have heard the words of Your Mouth, and they shall  
joyfully celebrate the ways of the Lord, for great is  
the glory of the Lord. For though the Lord is high,  
yet He regards the lowly, but the haughty He knows  
from afar. Though I walk in the midst of trouble,  
You preserve my life; You stretch out Your hand

against the wrath of my enemies, and Your right hand delivers me. The Lord will fulfill His purpose for me; Your mercy and steadfast love, O Lord, endures forever. Do not forsake the work of Your hands.”

I pray in the name above all names, the Lord Jesus Christ. Amen.  
(Psalms 138:1-8 ESV)

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 fifth legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

### **Messages from the House**

#### **HB 170**

Message dated April 30 was read stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 170(JUD), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 170(L&C) "An Act relating to securities, registration, exempt securities, exempt transactions, broker-dealers, agents, investment advice, investment advisers, investment adviser representatives, federal covered securities, federal covered investment advisers, viatical settlement interests, small intrastate security offerings, Canadian broker-dealers, and Canadian agents; relating to protecting older and vulnerable adults from financial exploitation; relating to administrative, civil, and criminal enforcement provisions, including restitution and civil penalties for violations; relating to an investor training fund;

establishing increased civil penalties for harming older persons and vulnerable adults; relating to corporations organized under the Alaska Native Claims Settlement Act; amending Rules 4, 5, 54, 65, and 90, Alaska Rules of Civil Procedure, and Rule 602, Alaska Rules of Appellate Procedure; and providing for an effective date."

**HJR 21**

Message dated April 30 was read stating the House concurred in the Senate amendment to SPONSOR SUBSTITUTE FOR HOUSE JOINT RESOLUTION NO. 21 Urging the federal government to respect the authority of the state to regulate marijuana use, production, and distribution and to honor previous federal guidance on marijuana policy; and urging the federal government to reconsider its listing of marijuana as a schedule I controlled substance, thus adopting:

SENATE CS FOR SPONSOR SUBSTITUTE FOR HOUSE JOINT RESOLUTION NO. 21(JUD) Urging the federal government to respect the authority of the state to regulate marijuana use, production, and distribution; and urging the federal government to reconsider its listing of marijuana as a schedule I controlled substance.

**SCR 23**

Message dated April 30 was read stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 23 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Joint Resolution No. 21, urging the federal government to respect the authority of the state to regulate marijuana use, production, and distribution and to honor previous federal guidance on marijuana policy; and urging the federal government to reconsider its listing of marijuana as a schedule I controlled substance.

The resolution was referred to the Secretary for enrollment.

Message dated April 30 was read stating the House passed and transmitted for consideration:

**First Reading and Reference of  
House Resolutions**

**HCR 33**

HOUSE CONCURRENT RESOLUTION NO. 33 BY THE HOUSE RULES COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 134, relating to the appointment of guardians ad litem; relating to petitions and proceedings for termination of parental rights; and amending Rules 1 and 6, Alaska Adoption Rules.

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

**Concur Messages**

**SB 134**

Message dated April 30 was read stating the House passed and returned for consideration SENATE BILL NO. 134 "An Act relating to the appointment of guardians ad litem; relating to petitions and proceedings for termination of parental rights; and amending Rules 1 and 6, Alaska Adoption Rules" with the following amendment:

SENATE BILL NO. 134 am H "An Act relating to the appointment of guardians ad litem; relating to petitions and proceedings for termination of parental rights; and amending Rule 90.3, Alaska Rules of Civil Procedure, and Rules 1 and 6, Alaska Adoption Rules."

Senator Micciche moved the Senate concur in the House amendment.

The question being: "Shall the Senate concur in the House amendment?" The roll was taken with the following result:

SB 134 am H

Shall the Senate Concur in the House  
Amendment to SB 134? Court Rules

**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, the Senate concurred in the House amendment, thus adopting SENATE BILL NO. 134 am H "An Act relating to the appointment of guardians ad litem; relating to petitions and proceedings for termination of parental rights; and amending Rule 90.3, Alaska Rules of Civil Procedure, and Rules 1 and 6, Alaska Adoption Rules."

Senator Micciche moved and asked unanimous consent the vote on concurrence be considered the vote on the Court Rule changes. Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

### **HCR 33**

Senator Micciche moved and asked unanimous consent to take up HOUSE CONCURRENT RESOLUTION NO. 33, which had been held on the Secretary's desk (page 2908). Without objection, the resolution was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 33 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 134, relating to the appointment of guardians ad litem; relating to petitions and proceedings for termination of parental rights; and amending Rules 1 and 6, Alaska Adoption Rules, pass the Senate?" The roll was taken with the following result:

HCR 33  
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, HOUSE CONCURRENT RESOLUTION NO. 33 passed the Senate, was signed by the President and Secretary and returned to the House.

**SB 163**

Senator Micciche moved and asked unanimous consent to take up the concur message on HOUSE CS FOR CS FOR SENATE BILL NO. 163(RLS) "An Act relating to commercial motor vehicles; and relating to overtaking and passing certain stationary vehicles" (page 2675). Without objection, it was so ordered.

Senator Micciche moved the Senate concur in the House amendment.

Senator Hoffman moved and asked unanimous consent to abstain from voting due to a conflict of interest. Objections were heard and Senator Hoffman was required to vote.

The question being: "Shall the Senate concur in the House amendment?" The roll was taken with the following result:

HCS CSSB 163(RLS)  
Shall the Senate Concur in the House  
Amendment to CSSB 163(STA)?

**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, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 163(RLS) "An Act relating to commercial motor vehicles; and relating to overtaking and passing certain stationary vehicles."

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

**HCR 30**

Senator Micciche moved and asked unanimous consent to take up HOUSE CONCURRENT RESOLUTION NO. 30, which had been held on the Secretary's desk (page 2673). Without objection, the resolution was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 30 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 163, relating to commercial motor vehicles, pass the Senate?" The roll was taken with the following result:

HCR 30

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, HOUSE CONCURRENT RESOLUTION NO. 30 passed the Senate, was signed by the President and Secretary and returned to the House.

**Standing Committee Reports****HB 374**

The Community and Regional Affairs Committee considered 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" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL  
NO. 374(CRA)

Signing do pass: Senator Bishop, Chair; Senators Gardner, Hoffman.  
Signing no recommendation: Senators MacKinnon, Stedman.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

#### **HB 410**

The Community and Regional Affairs Committee considered HOUSE BILL NO. 410 "An Act relating to the reinstatement of Native corporations; and providing for an effective date." Signing do pass: Senator Bishop, Chair; Senators Hoffman, Stedman. Signing no recommendation: Senators Gardner, MacKinnon.

The following previously published fiscal information applies:

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

The bill was referred to the State Affairs Committee.

### **Consideration of the Calendar**

#### **Second Reading of House Bills**

#### **HB 31**

CS FOR HOUSE BILL NO. 31(FIN) "An Act relating to law enforcement training in domestic violence and sexual assault; relating to sexual assault investigation protocols; requiring an inventory and reports on untested sexual assault examination kits; and providing for an effective date" was read the second time.

Senator Meyer, Chair, moved and asked unanimous consent for the adoption of the State Affairs Senate Committee Substitute offered on page 2352. Senator Gardner objected, then withdrew her objection. There being no further objection, SENATE CS FOR CS FOR HOUSE BILL NO. 31(STA) 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 CS FOR CS FOR HOUSE BILL NO. 31(STA) was read the third time.

Senators Micciche, Begich, Egan, Olson, Wielechowski, Wilson, Meyer, Shower, Costello, von Imhof, Stevens, Giessel, Bishop, Stedman, Hughes, Kelly moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 31(STA) "An Act relating to law enforcement training in domestic violence and sexual assault; relating to sexual assault investigation protocols; requiring an inventory and reports on untested sexual assault examination kits; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 31(STA)

Third Reading - Final Passage

Effective Date

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

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

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 31(STA) passed the Senate.

Senator Micciche moved and asked unanimous consent 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 referred to the Secretary for engrossment.

**HB 221**

HOUSE BILL NO. 221 "An Act relating to the duties of the Alaska Commission on Postsecondary Education; relating to a statewide workforce and education-related statistics program; relating to information obtained by the Department of Labor and Workforce Development; and providing for an effective date" was read the second time.

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

HOUSE BILL NO. 221 was read the third time.

Senator Hughes moved and asked unanimous consent to abstain from voting due to a conflict of interest. Senator Micciche objected and Senator Hughes was required to vote.

The question being: "Shall HOUSE BILL NO. 221 "An Act relating to the duties of the Alaska Commission on Postsecondary Education; relating to a statewide workforce and education-related statistics program; relating to information obtained by the Department of Labor and Workforce Development; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

HB 221

Third Reading - Final Passage

Effective Date

**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, HOUSE BILL NO. 221 passed the Senate.

Senator Micciche moved and asked unanimous consent 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 267**

CS FOR HOUSE BILL NO. 267(RES) "An Act requiring the release of certain records relating to big game hunters, guided hunts, and guided sport fishing activities to municipalities for verification of taxes payable; and providing for an effective date" was read the second time.

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

CS FOR HOUSE BILL NO. 267(RES) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 267(RES) "An Act requiring the release of certain records relating to big game hunters, guided hunts, and guided sport fishing activities to municipalities for verification of taxes payable; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 267(RES)

Third Reading - Final Passage

Effective Date

**YEAS: 17 NAYS: 3 EXCUSED: 0 ABSENT: 0**

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

Nays: Hughes, Shower, Wilson

and so, CS FOR HOUSE BILL NO. 267(RES) passed the Senate.

Senator Micciche moved and asked unanimous consent 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 318**

CS FOR HOUSE BILL NO. 318(FIN) "An Act extending the termination date of the Board of Social Work Examiners; relating to the composition of the Board of Social Work Examiners; and providing for an effective date" was read the second time.

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

CS FOR HOUSE BILL NO. 318(FIN) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 318(FIN) "An Act extending the termination date of the Board of Social Work Examiners; relating to the composition of the Board of Social Work Examiners; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 318(FIN)

Third Reading - Final Passage

Effective Date

**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, CS FOR HOUSE BILL NO. 318(FIN) passed the Senate.

Senator Micciche moved and asked unanimous consent 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.

**Third Reading of Senate Bills****SB 128**

CS FOR SENATE BILL NO. 128(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 128(FIN) "An Act establishing the marijuana education and treatment fund; and relating to the duties of the Department of Health and Social Services to administer a comprehensive marijuana use education and treatment program" pass the Senate?" The roll was taken with the following result:

CSSB 128(FIN)

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, CS FOR SENATE BILL NO. 128(FIN) passed the Senate and was referred to the Secretary for engrossment.

### **Unfinished Business**

#### **HB 221**

Senators Gardner, Stevens, Bishop moved and asked unanimous consent to be shown as cross sponsors on HOUSE BILL NO. 221 "An Act relating to the duties of the Alaska Commission on Postsecondary Education; relating to a statewide workforce and education-related statistics program; relating to information obtained by the Department of Labor and Workforce Development; and providing for an effective date." Without objection, it was so ordered.

#### **SB 128**

Senators Micciche, Bishop, Stevens, Kelly moved and asked unanimous consent to be shown as cosponsors on CS FOR SENATE BILL NO. 128(FIN) "An Act establishing the marijuana education and treatment fund; and relating to the duties of the Department of Health and Social Services to administer a comprehensive marijuana use education and treatment program." Without objection, it was so ordered.

**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 128**

CS FOR SENATE BILL NO. 128(FIN) "An Act establishing the marijuana education and treatment fund; and relating to the duties of the Department of Health and Social Services to administer a comprehensive marijuana use education and treatment program" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**HB 31**

SENATE CS FOR CS FOR HOUSE BILL NO. 31(STA) "An Act relating to law enforcement training in domestic violence and sexual assault; relating to sexual assault investigation protocols; requiring an inventory and reports on untested sexual assault examination kits; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**Adjournment**

Senator Micciche moved and asked unanimous consent the Senate stand in adjournment until 11:00 a.m., May 2, 2018. Without objection, the Senate adjourned at 12:19 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

**FINANCE**

**May 01 Tuesday Senate Finance 532 9:00 AM**  
+= SB 193 MED. ASSISTANCE WORK REQUIREMENT  
+ Bills Previously Heard/Scheduled

**May 01 Tuesday Senate Finance 532 1:30 PM**  
-- Delayed to 2:00 p.m. --  
+ Bills Previously Heard/Scheduled  
+= HB 56 COMMERCIAL FISHING LOANS  
+= HB 150 PAY, ALLOWANCES, BENEFITS FOR MILITIA MEM  
+= HB 217 LOCAL FOOD GOV PROCUREMENT; FARM TOURS  
+= HB 219 CRIM HIST CHECK: ST EMPLOYEES/CONTRACTORS  
+= HB 299 ABC BOARD: EXTEND; DIRECTOR; DECISIONS  
+= HB 151 DHSS;CINA; FOSTER CARE; CHILD PROTECTION

**May 02 Wednesday Senate Finance 532 9:30 AM**  
+ Bills Previously Heard/Scheduled  
+= SB 193 MED. ASSISTANCE WORK REQUIREMENT

**May 02 Wednesday Senate Finance 532 1:30 PM**  
+ HB 409 VEHICLES;ID CARD,REGISTRAT.,LICENSE FEES;  
+ Bills Previously Heard/Scheduled

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**HEALTH & SOCIAL SERVICES**

**May 02 Wednesday Butrovich 205 1:30 PM**  
No Meeting Scheduled

**May 04 Friday Butrovich 205 1:30 PM**  
No Meeting Scheduled