

SENATE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Monday

May 7, 2018

One Hundred Twelfth Day

Pursuant to adjournment the Senate was called to order by President Kelly at 1:45 p.m.

The roll showed nineteen members present. Senator Shower was absent.

Senator Micciche moved and asked unanimous consent Senator Shower be excused from a call of the Senate today through evening plane time, May 9. Without objection, Senator Shower was excused.

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

O Lord, giver of life and source of freedom I know that all I have received is from your hand. Gracious and Loving Father. You call us to be stewards of Your abundance, the caretakers of all you have entrusted us. Help us to always use Your gifts wisely and teach us to share them generously. Send the Holy Spirit to work through us bringing Your message to those we serve.

May our faithful stewardship bear witness to the love of Jesus Christ in our lives I pray with a grateful heart, in Jesus' name. Amen.

Senator Gardner led the Senate in the Pledge of Allegiance.

Certification

Senator Micciche moved and asked unanimous consent that the journals for the one hundred eighth through one hundred eleventh legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the Governor**HB 168**

Message was read stating the Governor signed the following bill on May 3 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE BILL NO. 168 "An Act relating to regulation notice and review by the legislature; and relating to the Administrative Regulation Review Committee."

Chapter 7, SLA 2018
Effective Date: 8/1/18

Messages from the House**SB 107**

Message dated May 4 was read stating the House passed and returned:

SENATE BILL NO. 107 "An Act relating to the Alaska capital income fund."

The bill was referred to the Secretary for enrollment.

SB 169

Message dated May 4 was read stating the House passed and returned:

CS FOR SENATE BILL NO. 169(RLS) "An Act relating to the definition of 'direct supervision' for purposes of medical assistance coverage of behavioral health clinic services."

The bill was referred to the Secretary for enrollment.

Messages dated May 3 and 4 were read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 260

CS FOR HOUSE BILL NO. 260(FIN) am BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to possession of certain licenses, tags, and permits issued by the Department of Fish and Game; and providing for an effective date."

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

HB 331

CS FOR HOUSE BILL NO. 331(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act establishing the Alaska Tax Credit Certificate Bond Corporation; relating to the issuance of bonds by the Alaska Tax Credit Certificate Bond Corporation; relating to purchases of tax credit certificates and refunds and payments of tax credits; relating to the oil and gas tax credit fund; relating to overriding royalty interest agreements; providing for an effective date by repealing the effective date of secs. 2, 5, 8, 10, 31, 37, and 40, ch. 3, SSSLA 2017; and providing for an effective date."

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

Communications

The following report is on file in the Office of the Secretary of the Senate:

Department of Commerce, Community and Economic Development
Regulatory Commission of Alaska
Fiscal Year 2017 Annual Report
in accordance with AS 42.05.211

Standing Committee Reports**HB 47**

The Finance Committee considered HOUSE BILL NO. 47 "An Act requiring certain municipalities with a population that decreased by more than 25 percent between 2000 and 2010 that participate in the defined benefit retirement plan of the Public Employees' Retirement System of Alaska to contribute to the system an amount calculated by applying a rate of 22 percent of the total of all base salaries paid by the municipality to employees of the municipality who are active members of the system during a payroll period; authorizing the administrator of the defined benefit retirement plan of the Public Employees' Retirement System of Alaska to reduce the rate of interest payable by certain municipalities that are delinquent in transmitting employee and employer contributions to the retirement plan; and providing for an effective date." Signing do pass: Senators Hoffman, MacKinnon, Cochairs; Senators Bishop, Stevens, Olson. Signing no recommendation: Senator von Imhof.

The following previously published fiscal information applies:

Fiscal Note No. 4, Department of Administration

The bill was referred to the Rules Committee.

**Introduction and Reference of
Senate Resolutions****SCR 28**

SENATE CONCURRENT RESOLUTION NO. 28 BY THE
SENATE FINANCE COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 76, relating to the
mariculture revolving loan fund and loans and grants
from the fund.

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

Consideration of the Calendar**Second Reading of House Bills****HB 76**

CS FOR HOUSE BILL NO. 76(FSH) "An Act relating to the mariculture revolving loan fund and loans and grants from the 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 Senate Committee Substitute offered on page 2969. Senator Gardner objected, then withdrew her objection. There being no further objection, SENATE CS FOR CS FOR HOUSE BILL NO. 76(FIN) "An Act relating to the mariculture revolving loan fund and loans from the fund; and providing for an effective date" 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. 76(FIN) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 76(FIN) "An Act relating to the mariculture revolving loan fund and loans from the fund; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 76(FIN)

Third Reading - Final Passage

Effective Date

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

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

Excused: Shower

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 76(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 referred to the Secretary for engrossment.

SCR 28

Senator Micciche moved and asked unanimous consent to take up SENATE CONCURRENT RESOLUTION NO. 28, which had been held on the Secretary's desk (page 2982). Without objection, the resolution was before the Senate on final passage.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 28 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 76, relating to the mariculture revolving loan fund and loans and grants from the fund, pass the Senate?" The roll was taken with the following result:

SCR 28

Final Passage

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

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

Excused: Shower

and so, SENATE CONCURRENT RESOLUTION NO. 28 passed the Senate and was referred to the Secretary for engrossment.

HB 135

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

Senator MacKinnon, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 2946. Senator Gardner objected, then withdrew her objection. There being no further objection, SENATE CS FOR CS FOR HOUSE BILL NO. 135(FIN) 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. 135(FIN) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 135(FIN) "An Act relating to school district participation in the school construction grant program" pass the Senate?" The roll was taken with the following result:

SCS CSHB 135(FIN)

Third Reading - Final Passage

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

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

Excused: Shower

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 135(FIN) passed the Senate and was referred to the Secretary for engrossment.

HB 240

CS FOR HOUSE BILL NO. 240(FIN) "An Act relating to prescription prices available to consumers; relating to penalties for certain pharmacy or pharmacist violations; relating to the registration and duties of pharmacy benefits managers; relating to procedures, guidelines, and enforcement mechanisms for pharmacy audits; relating to the cost of multi-source generic drugs and insurance reimbursement procedures; relating to the duties of the director of the division of insurance; 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. 240(FIN) was read the third time.

Senators Wielechowski, Coghill, Olson, Meyer Hughes, Bishop moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

The question being: "Shall CS FOR HOUSE BILL NO. 240(FIN) "An Act relating to prescription prices available to consumers; relating to penalties for certain pharmacy or pharmacist violations; relating to the registration and duties of pharmacy benefits managers; relating to procedures, guidelines, and enforcement mechanisms for pharmacy audits; relating to the cost of multi-source generic drugs and insurance reimbursement procedures; relating to the duties of the director of the division of insurance; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 240(FIN)

Third Reading - Final Passage

Effective Dates

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

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

Excused: Shower

and so, CS FOR HOUSE BILL NO. 240(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 clauses. Without objection, it was so ordered and the bill was signed by the President and Secretary and returned to the House.

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 - Bruce J. Hanson

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

Honoring - Vicki Van Fleet

Representative(s) Tuck

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

Unfinished Business**Concur Messages****SB 155**

Senator Micciche moved and asked unanimous consent to take up the concur message on HOUSE CS FOR CS FOR SENATE BILL NO. 155(L&C) am H "An Act relating to the registration and regulation of real estate appraisal management companies; relating to the establishment of fees by the Department of Commerce, Community, and Economic Development; relating to the Board of Certified Real Estate Appraisers; relating to real estate appraisers; and providing for an effective date" which had been read May 2 (page 2925). Without objection, it was so ordered.

Senator Micciche moved the Senate concur in the House amendments.

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

HCS CSSB 155(L&C) am H

Shall the Senate Concur in the House

Amendments to CSSB 155(FIN)? Effective Dates

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

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

Excused: Shower

and so, the Senate concurred in the House amendments, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 155(L&C) am H "An Act relating to the registration and regulation of real estate appraisal management companies; relating to the establishment of fees by the Department of Commerce, Community, and Economic Development; relating to the Board of Certified Real Estate Appraisers; relating to real estate appraisers; and providing for an effective date."

Senator Micciche moved and asked unanimous consent the vote on concurrence be considered the vote on the effective date clauses. Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

HB 214

Senator Wielechowski moved and asked unanimous consent to discharge HOUSE BILL NO. 214 "An Act renaming a portion of the Alaska Safe Children's Act as Bree's Law; relating to Bree's Law programs and Bree's Law activities; relating to dating violence and abuse policy, training, awareness, prevention, and notices; and providing for an effective date" from the Finance Committee. Senator Micciche objected.

The question being: "Shall HOUSE BILL NO. 214 be discharged from the Finance Committee?" The roll was taken with the following result:

HB 214

Discharge from Finance Committee?

YEAS: 7 NAYS: 12 EXCUSED: 1 ABSENT: 0

Yeas: Begich, Egan, Gardner, Giessel, Hughes, Olson, Wielechowski

Nays: Bishop, Coghill, Costello, Hoffman, Kelly, MacKinnon, Meyer, Micciche, Stedman, Stevens, von Imhof, Wilson

Excused: Shower

and so, HOUSE BILL NO. 214 failed to be discharged from the Finance 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**HB 76**

SENATE CS FOR CS FOR HOUSE BILL NO. 76(FIN) "An Act relating to the mariculture revolving loan fund and loans from the fund; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

HB 135

SENATE CS FOR CS FOR HOUSE BILL NO. 135(FIN) "An Act relating to school district participation in the school construction grant program" was engrossed, signed by the President and Secretary and returned to the House for consideration.

SCR 28

SENATE CONCURRENT RESOLUTION NO. 28 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 76, relating to the mariculture revolving loan fund and loans and grants from the fund, 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., May 8, 2018. Without objection, the Senate adjourned at 2:29 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 07 Monday Senate Finance 532 9:30 AM

+ = HB 47 MUNICIPAL PERS CONTRIBUTIONS/INTEREST

+ = HB 233 EXTEND EDUCATION TAX CREDITS
Bills Previously Heard/Scheduled

May 07 Monday Senate Finance 532 2:00 PM

-- Meeting Postponed to 3:00 p.m. --

+ = SB 142 APPROP: CAPITAL BUDGET

Bills Previously Heard/Scheduled

+ = HB 212 REAA & SMALL MUNI SCHOOL DISTRICT FUND

+ = HB 233 EXTEND EDUCATION TAX CREDITS

May 08 Tuesday Senate Finance 532 9:30 AM

+ HB 331 TAX CREDIT CERT. BOND CORP; ROYALTIES

-- Testimony <Invitation Only> --

Department of Revenue

+ Bills Previously Heard/Scheduled

May 08 Tuesday Senate Finance 532 1:30 PM

+ = HB 331 TAX CREDIT CERT. BOND CORP; ROYALTIES

-- Public Testimony --

+ HB 260 FISH & GAME LICENSES; ELECTRONIC FORM

+ Bills Previously Heard/Scheduled

RULES

May 08 Tuesday Butrovich 205 4:00 PM
+= HB 312 CRIMES AGAINST MEDICAL PROFESSIONALS
-- Testimony <Invitation Only> --

JOINT COMMITTEES**SELECT COMMITTEE ON LEGISLATIVE ETHICS**

May 17 Thursday Anch Lio Lg Conf Rm 8:00 AM
+
Public Comment
Chair/Staff Report
2019 Ethics Training
EXECUTIVE SESSION
Public Session
Other Business

CONFERENCE COMMITTEES**CONFERENCE COMMITTEE ON SB 26**

May 08 Tuesday Senate Finance 532 9:00 AM
+= SB 26 APPROP LIMIT & PER FUND;DIVIDEND;EARNINGS