

**SENATE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**THIRTY-FIRST LEGISLATURE**  
**FIRST SESSION**

**Juneau, Alaska**

**Tuesday**

**April 30, 2019**

**One Hundred Sixth Day**

Pursuant to adjournment the Senate was called to order by President Giessel at 1:08 p.m.

The roll showed eighteen members present. Senators Shower, von Imhof were absent.

The prayer was offered by the Chaplain, Kayla Epstein, Congregation Sukkat Shalom. Senator Hoffman moved and asked unanimous consent the prayer be spread. Without objection, it was so ordered.

Source of all living things,

Spring has come. We awaken to song birds and small rays of light sneaking through our curtains' edges. As we leave our dwellings, small patches of purple, gold, blue, and white capture our attention as flowers sunbathe along our path. It's a time of renewal which may lighten our hearts.

Thus, as we begin these deliberations, we ask Your blessing that enlighten us as we seek to preserve and promote life in all its forms and the dignity of all of our people.

Bless this body of legislators for endeavoring to use their power to create an atmosphere of true peace and liberty so it may prevail in our state, our country and throughout the world.

Bless us with wisdom, energy, and resolve as we strive to do good. Amen.

Senator Micciche led the Senate in the Pledge of Allegiance.

**Certification**

Senator Costello moved and asked unanimous consent the journal for the one hundred fifth legislative day, Senate Journal Supplement No. 3 and Senate and House Joint Journal Supplement No. 8 be approved as certified by the Secretary. Without objection, it was so ordered.

**Messages from the House****SB 25**

Message dated April 29 was read stating the House passed and returned:

SENATE BILL NO. 25 "An Act extending the termination date of the Board of Dental Examiners; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

Message dated April 29 was read stating the House passed and transmitted for consideration:

**First Reading and Reference of  
House Resolutions****HJR 14**

HOUSE JOINT RESOLUTION NO. 14 BY REPRESENTATIVES FOSTER, Tuck, Vance, Tarr, Kopp, Spohnholz, Josephson, Hannan,

Urging the Alaska Congressional delegation to pursue infrastructure funding for a deep draft Arctic port in Nome; requesting the Department of Transportation and Public Facilities to send a letter from the state to the Alaska Congressional delegation supporting a deep draft Arctic port in Nome; and requesting the Department of Transportation and Public Facilities to work collaboratively with the City of Nome on a deep draft Arctic port in Nome.

was read the first time and referred to the Community and Regional Affairs Committee.

**Standing Committee Reports****SB 90**

The Resources Committee considered SENATE BILL NO. 90 "An Act relating to the powers of the Alaska Commercial Fisheries Entry Commission; relating to administrative areas for regulation of certain commercial set net entry permits; establishing a buy-back program for certain set net entry permits; providing for the termination of state set net tract leases under the buy-back program; closing certain water to commercial fishing; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 90(RES)

Signing do pass: Senator Birch, Chair; Senator Bishop. Signing no recommendation: Senators Giessel, Coghill, Reinbold, Kiehl. Signing amend: Senator Kawasaki.

The following fiscal information was published today:

Fiscal Note No. 1, indeterminate, Department of Fish and Game

Fiscal Note No. 2, zero, Department of Natural Resources

Fiscal Note No. 3, indeterminate, Department of Fish and Game

The bill was referred to the Finance Committee.

**SB 103**

The Finance Committee considered SENATE BILL NO. 103 "An Act relating to deposits into the dividend fund and appropriations from the earnings reserve account; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 103(FIN) "An Act relating to deposits into the dividend fund and income of and appropriations from the earnings reserve account; and providing for an effective date."

Signing do pass: Senator Stedman, Cochair. Signing amend: Senator von Imhof, Cochair; Senators Hoffman, Wilson, Bishop. Signing do not pass: Senator Wielechowski.

The following fiscal information was published today:

Fiscal Note No. 1, indeterminate, Senate Finance Committee

The bill was referred to the Rules Committee.

### **Introduction and Reference of Senate Resolutions**

#### **SCR 4**

SENATE CONCURRENT RESOLUTION NO. 4 BY SENATOR STEDMAN,

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 40, making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program.

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

### **Consideration of the Calendar**

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

The presence of Senator von Imhof was noted.

#### **HB 39**

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 39(FIN) am(brf sup maj fld) "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; and providing for an effective date" was read the second time.

Senator Stedman, Cochair moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 939. Senator Begich objected, then withdrew his objection. There being no further objection, SENATE CS FOR CS FOR SPONSOR

SUBSTITUTE FOR HOUSE BILL NO. 39(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 and reappropriations; and providing for an effective date" was adopted.

President Giessel stated SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 39(FIN) will advance to third reading on the May 1 calendar.

#### **HB 40**

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 40(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 Stedman, Cochair moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 939. Senator Begich objected, then withdrew his objection. There being no further objection, SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 40(FIN) was adopted.

President Giessel stated SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 40(FIN) will advance to third reading on the May 1 calendar.

### **Third Reading of Senate Bills**

#### **SB 80**

SENATE BILL NO. 80 "An Act relating to proposing and enacting laws by initiative" was read the third time.

Senator Wielechowski moved the bill be returned to second reading for the purpose of Amendment No. 1 and Amendment No. 2. Without objection, the bill was returned to second reading.

Senator Wielechowski offered Amendment No. 1:

Page 1, line 1, following "**initiative**":

Insert "**; and prohibiting the legislature from repealing a law within two years after the effective date of the law if the law voided a measure proposed for the ballot by initiative**"

Page 1, following line 8:

Insert a new bill section to read:

"\* **Sec. 2.** AS 24.08 is amended by adding a new section to read:

**Sec. 24.08.025. Law found substantially the same as measures proposed by initiative.** A law determined by the lieutenant governor to be substantially the same as a measure proposed for the ballot by initiative under AS 15.45.210, and that voids the respective initiative petition, may not be repealed by the legislature within two years of the law's effective date."

Senator Wielechowski moved for the adoption of Amendment No. 1. Senator Costello objected.

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

SB 80

Second Reading

Amendment No. 1?

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

Yeas: Begich, Gray-Jackson, Kawasaki, Olson, Wielechowski

Nays: Birch, Bishop, Coghill, Costello, Giessel, Hoffman, Hughes, Kiehl, Micciche, Reinbold, Stedman, Stevens, von Imhof, Wilson

Absent: Shower

and so, Amendment No. 1 failed.

Senator Wielechowski offered Amendment No. 2:

Page 1, line 1, following "**initiative**":

Insert "**; and prohibiting the state and its agencies and corporations from spending funds to influence the outcome of certain ballot propositions and questions**"

Page 1, following line 2:

Insert new bill sections to read:

\*\* **Section 1.** AS 15.13.145(b) is amended to read:

(b) Money held by an entity identified in (a)(1) - (3) of this section may be used to influence the outcome of an election concerning a ballot proposition or question, but only if the funds have been specifically appropriated for that purpose by a state law or a municipal ordinance. **However, money held by an entity identified in (a)(1) of this section may not be used to influence the outcome of an election concerning whether**

**(1) an Act proposed by initiative shall become law;**

**(2) an Act referred by referendum shall be rejected;**

**(3) a constitutional amendment shall be adopted;**

**(4) a constitutional convention shall be called; or**

**(5) a state official shall be recalled."**

Page 1, line 3:

Delete "**Section 1**"

Insert "**Sec. 2**"

Senator Wielechowski moved for the adoption of Amendment No. 2.  
Senator Costello objected.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

SB 80

Second Reading

Amendment No. 2?

**YEAS: 10 NAYS: 9 EXCUSED: 0 ABSENT: 1**

Yeas: Begich, Gray-Jackson, Hoffman, Hughes, Kawasaki, Kiehl, Micciche, Olson, Reinbold, Wielechowski

Nays: Birch, Bishop, Coghill, Costello, Giessel, Stedman, Stevens, von Imhof, Wilson

Absent: Shower

and so, Amendment No. 2 was adopted.

SENATE BILL NO. 80 am "An Act relating to proposing and enacting laws by initiative; and prohibiting the state and its agencies and corporations from spending funds to influence the outcome of certain ballot propositions and questions" was automatically in third reading.

Senator Coghill moved to table SENATE BILL NO. 80 am.

The question being "Shall the Senate table the bill?" The roll was taken with the following result:

SB 80 am

Shall the Senate Table?

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

Yeas: Birch, Bishop, Coghill, Costello, Giessel, Hoffman, Hughes, Micciche, Reinbold, Stedman, Stevens, von Imhof, Wilson

Nays: Begich, Gray-Jackson, Kawasaki, Kiehl, Olson, Wielechowski

Absent: Shower

and so, SENATE BILL NO. 80 am "An Act relating to proposing and enacting laws by initiative; and prohibiting the state and its agencies and corporations from spending funds to influence the outcome of certain ballot propositions and questions" was tabled.

### Citations

Honoring - American Bald Eagle Foundation  
Senator Kiehl  
Representatives Hannan, Story

Honoring - Cindy Sandfort Lelake  
Representative Edgmon

Honoring - Team Rubicon  
Representative Rauscher  
Senator Shower



In Memoriam - Michele Marie Michaud  
Senator Kiehl  
Representatives Hannan, Story

In Memoriam - John "Jack" Renn  
Representative Revak

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

### **Announcements**

Announcements are at the end of the journal.

### **Enrollment**

#### **SB 41**

SENATE BILL NO. 41 "An Act relating to the number of superior court judges in the third judicial district; and providing for an effective date" was enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 10:55 a.m., April 30, 2019.

### **Adjournment**

Senator Costello moved and asked unanimous consent the Senate stand in adjournment until 9:00 a.m., May 1, 2019. Without objection, the Senate adjourned at 2:14 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 30      Tuesday                      Beltz 105 (tsbldg)              3:30 PM**  
 No Meeting Scheduled

**May 02      Thursday                      Beltz 105 (tsbldg)              3:30 PM**  
 No Meeting Scheduled

-----

**EDUCATION**

**Apr 30      Tuesday                      Butrovich 205                  9:00 AM**  
 No Meeting Scheduled

**May 02      Thursday                      Butrovich 205                  9:00 AM**  
 No Meeting Scheduled

-----

**FINANCE**

**Apr 30      Tuesday                      Senate Finance 532              9:00 AM**  
 + SB 91 NUYAKUK RIVER: HYDROELECTRIC SITE  
 + Bills Previously Heard/Scheduled:  
 += SB 103 PFD APPROPRIATIONS  
 += SB 104 APPROPRIATION LIMIT

**FINANCE (continued)**

<b>Apr 30</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>1:30 PM</b>
		-- MEETING CANCELED --	
+	SB 33	ARREST;RELEASE;SENTENCING;PROBATION	
+	SB 34	PROBATION; PAROLE; SENTENCES; CREDITS	
+		Bills Previously Heard/Scheduled	
<b>May 01</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+		Bills Previously Heard/Scheduled	
<b>May 01</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>1:30 PM</b>
+		Bills Previously Heard/Scheduled	
<b>May 02</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+		Bills Previously Heard/Scheduled	
<b>May 02</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>1:30 PM</b>
+		Bills Previously Heard/Scheduled	
<b>May 03</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+		Bills Previously Heard/Scheduled	
<b>May 03</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>1:30 PM</b>
+		Bills Previously Heard/Scheduled	
<b>May 04</b>	<b>Saturday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+		Bills Previously Heard/Scheduled	
<b>May 05</b>	<b>Sunday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+		Bills Previously Heard/Scheduled	

**HEALTH & SOCIAL SERVICES**

<b>May 01</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
		No Meeting Scheduled	
<b>May 03</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
		No Meeting Scheduled	

**JUDICIARY**

<b>May 01</b>	<b>Wednesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>
+	Bills Previously Heard/Scheduled		
<b>May 03</b>	<b>Friday</b>	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>
+	Bills Previously Heard/Scheduled		

-----

**LABOR & COMMERCE**

<b>Apr 30</b>	<b>Tuesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>May 02</b>	<b>Thursday</b>	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

-----

**RESOURCES**

<b>May 01</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
	No Meeting Scheduled		
<b>May 03</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
	No Meeting Scheduled		

-----

**STATE AFFAIRS**

<b>Apr 30</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
	-- Meeting Postponed to 5/1/19 at 3:30 p.m. --		
+	SB 116	BALLOT CUSTODY/TAMPERING; VOTER REG	
+		Bills Previously Heard/Scheduled	
<b>May 01</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
	-- Meeting Postponed From 4/30/19 --		
+	SB 116	BALLOT CUSTODY/TAMPERING; VOTER REG	
+		Bills Previously Heard/Scheduled	
<b>May 02</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

-----

**TRANSPORTATION**

<b>Apr 30</b>	<b>Tuesday</b> No Meeting Scheduled	<b>Butrovich 205</b>	<b>1:30 PM</b>
<b>May 02</b>	<b>Thursday</b> No Meeting Scheduled	<b>Butrovich 205</b>	<b>1:30 PM</b>

-----

**JOINT COMMITTEES**

**JOINT ARMED SERVICES COMMITTEE**

<b>May 09</b>	<b>Thursday</b> -- Please Note Time Change -- Presentations by:	<b>Senate Finance 532</b>	<b>11:15 AM</b>
+	- Brigadier General Torrence Saxe, The Adjutant General, Alaska National Guard Commissioner, Alaska Department of Military & Veterans' Affairs - Colonel Cory Mendenhall, Representing the Lieutenant General, Alaska North American Aerospace Defense Region, Alaskan Command, Eleventh Air Force - Colonel Adam Lange, Representing the Commanding General, U.S. Army Alaska - Rear Admiral Matthew Bell, Commander, Seventeenth U.S. Coast Guard District		