

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

**Juneau, Alaska**

**Monday**

**May 13, 2019**

**One Hundred Nineteenth Day**

Pursuant to adjournment the Senate was called to order by President Giessel at 2:27 p.m.

The roll showed seventeen members present. Senators Hoffman, Olson, Reinbold were absent.

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

"Do not judge, and you will not be judged. Do not condemn, and you will not be condemned. Forgive, and you will be forgiven. Give, and it will be given to you. A good measure, pressed down, shaken together and running over, will be poured into your lap. For with the measure you use, it will be measured to you." (Luke 6:37-39)

Senator Bishop led the Senate in the Pledge of Allegiance.

**Certification**

Senator Costello moved and asked unanimous consent the journal for the one hundred eighteenth legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

The presence of Senator Olson was noted.

**Messages from the House****HB 78**

Message dated May 13 was read stating the House concurred in the Senate amendments to HOUSE BILL NO. 78 "An Act relating to insurance; relating to an insurer's corporate annual disclosure; relating to insurance company holding systems; and providing for an effective date" thus adopting:

SENATE CS FOR HOUSE BILL NO. 78(RLS) am S  
"An Act relating to insurance; relating to an insurer's corporate governance; relating to insurance holding companies and insurance company holding systems; amending Rule 26, Alaska Rules of Civil Procedure, and Rules 402 and 501, Alaska Rules of Evidence; and providing for an effective date."

**SCR 6**

Message dated May 13 was read stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 6  
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 78, relating to insurance; relating to an insurer's corporate annual disclosure; and relating to insurance company holding systems.

The resolution was referred to the Secretary for enrollment.

Message dated May 13 was read stating the House passed and transmitted for consideration:

**First Reading and Reference of House Bills****HB 68**

CS FOR HOUSE BILL NO. 68(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to the division of labor standards and safety; relating to the division of workers' compensation; establishing the division of workers' safety and compensation; relating to employment of a minor; and providing for an effective date."

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

### **Standing Committee Reports**

#### **HB 49**

Forthcoming Senate Finance Committee Substitute (page 1116) for CS FOR HOUSE BILL NO. 49(FIN) am "An Act relating to criminal law and procedure; relating to pretrial services; establishing the crime of possession of motor vehicle theft tools; relating to electronic monitoring; relating to controlled substances; relating to probation and parole; relating to sentencing; amending the definitions of 'most serious felony,' 'sex offense,' and 'sex offender'; relating to registration of sex offenders; relating to operating under the influence; relating to refusal to submit to a chemical test; relating to the duties of the commissioner of corrections; relating to testing of sexual assault examination kits; relating to reports of involuntary commitment; amending Rules 6(r)(6) and 38.2, Alaska Rules of Criminal Procedure; and providing for an effective date" was received today:

SENATE CS FOR CS FOR HOUSE BILL NO. 49(FIN) "An Act relating to criminal law and procedure; relating to marriage as a defense to certain crimes of sexual assault; establishing the crime of possession of motor vehicle theft tools; relating to controlled substances; relating to electronic monitoring; relating to probation and parole; relating to sentencing; amending the definitions of 'most serious felony,' 'sex offense,' and 'sex offender'; relating to registration of sex offenders; relating to the automated victim notification system; relating to reporting child abuse or neglect; relating to Alaska Native organizations; relating to the village public safety officer program; relating to cancellation of a

driver's license; relating to driving while license canceled; relating to operating under the influence; relating to restoration of a driver's license; relating to refusal to submit to a chemical test; relating to the use of headlights; relating to the powers and duties of the commissioner of corrections; relating to pretrial services; relating to the duties of a prosecuting attorney; relating to testing of sexual assault examination kits; relating to reports of involuntary commitment; amending Rules 6(r)(6), 38.2, and 45(d), Alaska Rules of Criminal Procedure; and providing for an effective date."

Forthcoming fiscal information (page 1116) for SENATE CS FOR CS FOR HOUSE BILL NO. 49(FIN) was published today:

- Fiscal Note No. 20, Department of Administration
- Fiscal Note No. 21, Department of Administration
- Fiscal Note No. 22, Department of Administration
- Fiscal Note No. 23, Department of Corrections
- Fiscal Note No. 24, Department of Corrections
- Fiscal Note No. 25, Department of Corrections
- Fiscal Note No. 26, Department of Corrections
- Fiscal Note No. 27, Department of Corrections
- Fiscal Note No. 28, Department of Corrections
- Fiscal Note No. 29, Department of Corrections
- Fiscal Note No. 30, Department of Health and Social Services
- Fiscal Note No. 31, Department of Law
- Fiscal Note No. 32, zero, Department of Public Safety
- Fiscal Note No. 33, zero, Department of Public Safety
- Fiscal Note No. 34, zero, Department of Public Safety
- Fiscal Note No. 35, Department of Public Safety
- Fiscal Note No. 36, zero, Department of Transportation and Public Facilities
- Fiscal Note No. 37, Alaska Judiciary System

The following previously published fiscal information applies:

- Fiscal Note No. 1, zero, Department of Health and Social Services

**Introduction and Reference of  
Senate Resolutions****SCR 7**

SENATE CONCURRENT RESOLUTION NO. 7 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. 49, relating to criminal law and procedure; relating to pretrial services; establishing the crime of possession of motor vehicle theft tools; relating to electronic monitoring; relating to controlled substances; relating to probation and parole; relating to sentencing; amending the definitions of "most serious felony," "sex offense," and "sex offender"; relating to registration of sex offenders; relating to operating under the influence; relating to refusal to submit to a chemical test; relating to the duties of the commissioner of corrections; relating to testing of sexual assault examination kits; relating to reports of involuntary commitment; and amending Rules 6(r)(6) and 38.2, Alaska Rules of Criminal Procedure.

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

**Consideration of the Calendar****Second Reading of House Bills****HB 126**

HOUSE BILL NO. 126 "An Act establishing November as Alaska Native Heritage Month" was read the second time.

Senator Costello 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. 126 was read the third time.

The question being: "Shall HOUSE BILL NO. 126 "An Act establishing November as Alaska Native Heritage Month" pass the Senate?" The roll was taken with the following result:

HB 126

Third Reading - Final Passage

**YEAS: 18 NAYS: 0 EXCUSED: 0 ABSENT: 2**

Yeas: Begich, Birch, Bishop, Coghill, Costello, Giessel, Gray-Jackson, Hughes, Kawasaki, Kiehl, Micciche, Olson, Shower, Stedman, Stevens, von Imhof, Wielechowski, Wilson

Absent: Hoffman, Reinbold

and so, HOUSE BILL NO. 126 passed the Senate, was signed by the President and Secretary and returned to the House.

### **Third Reading of House Bills**

#### **HB 49**

CS FOR HOUSE BILL NO. 49(FIN) am "An Act relating to criminal law and procedure; relating to pretrial services; establishing the crime of possession of motor vehicle theft tools; relating to electronic monitoring; relating to controlled substances; relating to probation and parole; relating to sentencing; amending the definitions of 'most serious felony,' 'sex offense,' and 'sex offender'; relating to registration of sex offenders; relating to operating under the influence; relating to refusal to submit to a chemical test; relating to the duties of the commissioner of corrections; relating to testing of sexual assault examination kits; relating to reports of involuntary commitment; amending Rules 6(r)(6) and 38.2, Alaska Rules of Criminal Procedure; and providing for an effective date" was read the third time.

Senator Costello moved the bill be returned to second reading for all amendments today. Without objection, the bill was returned to second reading.

The presence of Senator Reinbold was noted.

**HB 49**

Senator von Imhof, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered today. Senator Begich objected, then withdrew his objection. There being no further objection, SENATE CS FOR CS FOR HOUSE BILL NO. 49(FIN) "An Act relating to criminal law and procedure; relating to marriage as a defense to certain crimes of sexual assault; establishing the crime of possession of motor vehicle theft tools; relating to controlled substances; relating to electronic monitoring; relating to probation and parole; relating to sentencing; amending the definitions of 'most serious felony,' 'sex offense,' and 'sex offender'; relating to registration of sex offenders; relating to the automated victim notification system; relating to reporting child abuse or neglect; relating to Alaska Native organizations; relating to the village public safety officer program; relating to cancellation of a driver's license; relating to driving while license canceled; relating to operating under the influence; relating to restoration of a driver's license; relating to refusal to submit to a chemical test; relating to the use of headlights; relating to the powers and duties of the commissioner of corrections; relating to pretrial services; relating to the duties of a prosecuting attorney; relating to testing of sexual assault examination kits; relating to reports of involuntary commitment; amending Rules 6(r)(6), 38.2, and 45(d), Alaska Rules of Criminal Procedure; and providing for an effective date" was adopted.

Senator Hughes offered Amendment No. 1:

Page 67, line 5, following "vehicle":

Insert "on a road that is not a designated traffic safety corridor under AS 19.10.075"

Senator Hughes moved for the adoption of Amendment No. 1. Senator Costello objected, then withdrew her objection. There being no further objection, Amendment No. 1 was adopted.

Senator Kiehl offered Amendment No. 2:

Page 79, following line 19:

Insert a new bill section to read:

**\*\* Sec. 127.** AS 33.30.011(a) is amended to read:

(a) The commissioner shall

(1) establish, maintain, operate, and control correctional facilities suitable for the custody, care, and discipline of persons charged or convicted of offenses against the state or held under authority of state law; each correctional facility operated by the state shall be established, maintained, operated, and controlled in a manner that is consistent with AS 33.30.015;

(2) classify prisoners;

(3) for persons committed to the custody of the commissioner, establish programs, including furlough programs that are reasonably calculated to

(A) protect the public and the victims of crimes committed by prisoners;

(B) maintain health;

(C) create or improve occupational skills;

(D) enhance educational qualifications;

(E) support court-ordered restitution; and

(F) otherwise provide for the rehabilitation and reformation of prisoners, facilitating their reintegration into society;

(4) provide necessary

(A) medical services for prisoners in correctional facilities or who are committed by a court to the custody of the commissioner, including examinations for communicable and infectious diseases;

(B) psychological or psychiatric treatment if a physician or other health care provider, exercising ordinary skill and care at the time of observation, concludes that

(i) a prisoner exhibits symptoms of a serious disease or injury that is curable or may be substantially alleviated; and

(ii) the potential for harm to the prisoner by reason of delay or denial of care is substantial; and

(C) assessment or screening of the risks and needs of offenders who may be vulnerable to harm, exploitation, or recidivism as a result of fetal alcohol syndrome, fetal alcohol spectrum disorder, or another brain-based disorder;

(5) establish minimum standards for sex offender treatment programs offered to persons who are committed to the



custody of the commissioner;

(6) provide for fingerprinting in correctional facilities in accordance with AS 12.80.060;

(7) establish a program to conduct assessments of the risks and needs of offenders sentenced to serve a term of incarceration of 90 [30] days or more [AND PROVIDE TO THE LEGISLATURE, BY ELECTRONIC MEANS, BY JANUARY 15, 2017, AND THEREAFTER BY JANUARY 15, PRECEDING THE FIRST REGULAR SESSION OF EACH LEGISLATURE, A REPORT SUMMARIZING THE FINDINGS AND RESULTS OF THE PROGRAM]; the program must include a requirement for an assessment before a prisoner's release on parole, furlough, or electronic monitoring from a correctional facility;

(8) establish a procedure that provides for each prisoner required to serve an active term of imprisonment of 90 [30] days or more a written case plan that

(A) **takes effect and** is provided to the prisoner within 90 days after sentencing;

(B) is based on the results of the assessment of the prisoner's risks and needs under (7) of this subsection;

(C) includes a requirement to follow the rules of the institution;

(D) is modified when necessary for changes in classification, housing status, medical or mental health, and resource availability;

(E) includes participation in programming that addresses the needs identified in the assessment;

(9) establish a program to begin reentry planning with each prisoner serving an active term of imprisonment of 90 days or more; reentry planning must begin at least 90 days before release on furlough or probation or parole; the reentry program must include

(A) a written reentry plan for each prisoner completed upon release on furlough or probation or parole that includes information on the prisoner's proposed

(i) residence;

(ii) employment or alternative means of support;

(iii) treatment options;

(iv) counseling services;

(v) education or job training services;

(B) any other requirements for successful transition back to the community, including electronic monitoring or furlough for the period between a scheduled parole hearing and parole eligibility;

(C) coordination with the Department of Labor and Workforce Development to provide access, after release, to job training and employment assistance; **and**

**(D) coordination with community reentry coalitions or other providers of reentry services if available;**

(10) for offenders under electronic monitoring, establish

(A) minimum standards for electronic monitoring, which may include the requirement of active, real-time monitoring using global positioning systems; and

(B) procedures for oversight and approving electronic monitoring programs and systems provided by private contractors; [AND]

(11) assist a prisoner in obtaining a valid state identification card if the prisoner does not have a valid state identification card before the prisoner's release; the department shall pay the application fee for the identification card; **and**

**(12) provide to the legislature, by electronic means, by January 10 preceding the first regular session of each legislature, a report summarizing the findings and results of the program established under (7) of this subsection; the report must include**

**(A) the number of prisoners who were provided with written case plans under (8) of this subsection;**

**(B) the number of written case plans under (8) of this subsection initiated within the preceding year; and**

**(C) the number of written case plans under (8) of this subsection that were updated in the preceding year."**

Renumber the following bill sections accordingly.

Page 89, following line 17:

Insert a new bill section to read:

"\* **Sec. 148.** The uncodified law of the State of Alaska is amended by adding a new section to read:

REPORT TO LEGISLATURE; COMMISSIONER OF

CORRECTIONS. On or before January 10, 2020, the commissioner of corrections shall provide a report to the legislature as described under AS 33.30.011(a)(12), enacted by sec. 127 of this Act. The commissioner shall submit the report to the senate secretary and chief clerk of the house of representatives and notify the legislature that the report is available."

Renumber the following bill sections accordingly.

Page 93, line 4:

Delete "."

Insert ";

Page 93, following line 4:

Insert a new paragraph to read:

"(21) AS 33.30.011(a), as amended by sec. 127 of this Act."

Page 95, line 5:

Delete "secs. 130 and 131"

Insert "secs. 131 and 132"

Page 95, line 23:

Delete "Sections 141 - 144"

Insert "Sections 142 - 145"

Page 95, lines 23 - 24:

Delete "secs. 141 - 144"

Insert "secs. 142 - 145"

Page 95, line 26:

Delete "Sections 132 - 135"

Insert "Sections 133 - 136"

Page 95, line 27:

Delete "Sections 129 - 131"

Insert "Sections 130 - 132"

Page 95, line 28:

Delete "Section 137"

Insert "Section 138"

Page 95, line 29:

Delete "146, 148, and 151"

Insert "147, 150, and 153"

Page 95, line 31:

Delete "secs. 154 - 157"

Insert "secs. 156 - 159"

Senator Kiehl moved for the adoption of Amendment No. 2. Senator Micciche objected, then withdrew his objection. There being no further objection, Amendment No. 2 was adopted.

Senator von Imhof offered Amendment No. 3:

Page 41, lines 18 - 31:

Delete all material.

Page 42, lines 1 - 11:

Delete all material.

Renumber the following bill sections accordingly.

Senator von Imhof moved for the adoption of Amendment No. 3. Senator Begich objected, then withdrew his objection.

Senator Hughes objected.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

SCS CSHB 49(FIN) am S

Second Reading

Amendment No. 3?

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

Yeas: Begich, Birch, Bishop, Coghill, Giessel, Gray-Jackson, Kawasaki, Kiehl, Micciche, Olson, Stedman, Stevens, von Imhof, Wielechowski

Nays: Costello, Hughes, Reinbold, Shower, Wilson

Absent: Hoffman

and so, Amendment No. 3 was adopted.

Senator Begich offered Amendment No. 4:

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

Insert "**relating to sexual assault by a peace officer against a person who is a perpetrator of a crime;**"

Page 2, line 23:

Delete "sec. 77"

Insert "sec. 78"

Page 2, line 24:

Delete "sec. 81"

Insert "sec. 82"

Page 2, line 27:

Delete "sec. 77"

Insert "sec. 78"

Page 3, line 3:

Delete "sec. 77"

Insert "sec. 78"

Page 3, line 16:

Delete "sec. 89"

Insert "sec. 90"

Page 3, line 21:

Delete "sec. 89"

Insert "sec. 90"

Page 3, line 25:

Delete "sec. 89"

Insert "sec. 90"

Page 6, lines 25 - 29:

Delete all material and insert:

"(4) while employed in the state by a law enforcement agency as a peace officer, or while acting as a peace officer in the state, engages in sexual penetration with a person with reckless disregard that the person is in the custody or the apparent custody

of the offender, [OR] is committed to the custody of a law enforcement agency, **or is the perpetrator of a crime under investigation by the offender;**"

Page 7, following line 6:

Insert a new bill section to read:

\*\* **Sec. 6.** AS 11.41.427(a) is amended to read:

(a) An offender commits the crime of sexual assault in the fourth degree if

(1) while employed in a state correctional facility or other placement designated by the commissioner of corrections for the custody and care of prisoners, the offender engages in sexual contact with a person who the offender knows is committed to the custody of the Department of Corrections to serve a term of imprisonment or period of temporary commitment;

(2) the offender engages in sexual contact with a person 18 or 19 years of age who the offender knows is committed to the custody of the Department of Health and Social Services under AS 47.10 or AS 47.12 and the offender is the legal guardian of the person;

(3) while employed in the state by a law enforcement agency as a peace officer, or while acting as a peace officer in the state, the offender engages in sexual contact with a person with reckless disregard that the person is in the custody or the apparent custody of the offender, [OR] is committed to the custody of a law enforcement agency, **or is the perpetrator of a crime under investigation by the offender;**

(4) while employed by the state or a municipality of the state as a probation officer or parole officer, or while acting as a probation officer or parole officer in the state, the offender engages in sexual contact with a person with reckless disregard that the person is on probation or parole; or

(5) while employed as a juvenile probation officer or as a juvenile facility staff, the offender engages in sexual contact with a person 18 or 19 years of age with reckless disregard that the person is committed to the custody or probationary supervision of the Department of Health and Social Services."

Renumber the following bill sections accordingly.

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Page 7, line 17:

Delete "**and**"

Page 7, line 19, following "**charged**":

Insert ":

**(3) AS 11.41.425(a)(4) or 11.41.427(a)(3) that the offender and the person who is a perpetrator of a crime under investigation by the offender had, before the person was a perpetrator of a crime under investigation by the offender, a dating or sexual relationship, and the relationship continued until the date the person became the perpetrator of a crime under investigation by the offender"**

Page 90, following line 14:

Insert a new paragraph to read:

"(5) AS 11.41.427(a), as amended by sec. 6 of this Act;"

Renumber the following paragraphs accordingly.

Page 90, line 15:

Delete "sec. 6"

Insert "sec. 7"

Page 90, line 16:

Delete "sec. 7"

Insert "sec. 8"

Page 90, line 17:

Delete "sec. 8"

Insert "sec. 9"

Page 90, line 18:

Delete "sec. 9"

Insert "sec. 10"

Page 90, line 19:

Delete "sec. 10"

Insert "sec. 11"

Page 90, line 20:

Delete "sec. 11"

Insert "sec. 12"

Page 90, line 21:

Delete "sec. 12"

Insert "sec. 13"

Page 90, line 22:

Delete "sec. 13"

Insert "sec. 14"

Page 90, line 23:

Delete "sec. 14"

Insert "sec. 15"

Page 90, line 24:

Delete "sec. 15"

Insert "sec. 16"

Page 90, line 25:

Delete "sec. 16"

Insert "sec. 17"

Page 90, line 26:

Delete "sec. 17"

Insert "sec. 18"

Page 90, line 27:

Delete "sec. 18"

Insert "sec. 19"

Page 90, line 28:

Delete "sec. 19"

Insert "sec. 20"

Page 90, line 29:

Delete "sec. 20"

Insert "sec. 21"



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Page 90, line 30:

Delete "sec. 21"

Insert "sec. 22"

Page 90, line 31:

Delete "sec. 22 "

Insert "sec. 23"

Page 91, line 1:

Delete "sec. 23"

Insert "sec. 24"

Page 91, line 2:

Delete "sec. 24"

Insert "sec. 25"

Page 91, line 3:

Delete "sec. 25"

Insert "sec. 26"

Page 91, line 4:

Delete "sec. 26"

Insert "sec. 27"

Page 91, line 5:

Delete "sec. 27"

Insert "sec. 28"

Page 91, line 6:

Delete "sec. 28"

Insert "sec. 29"

Page 91, line 7:

Delete "sec. 29"

Insert "sec. 30"

Page 91, line 8:

Delete "sec. 30"

Insert "sec. 31"

Page 91, line 9:

Delete "sec. 31"

Insert "sec. 32"

Page 91, line 10:

Delete "sec. 32"

Insert "sec. 33"

Page 91, line 11:

Delete "sec. 33"

Insert "sec. 34"

Page 91, line 12:

Delete "sec. 34"

Insert "sec. 35"

Page 91, line 13:

Delete "sec. 35"

Insert "sec. 36"

Page 91, line 14:

Delete "sec. 36"

Insert "sec. 37"

Page 91, line 15:

Delete "sec. 37"

Insert "sec. 38"

Page 91, line 16:

Delete "sec. 38"

Insert "sec. 39"

Page 91, line 17:

Delete "sec. 39"

Insert "sec. 40"

Page 91, line 18:

Delete "sec. 40"

Insert "sec. 41"

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1145

Page 91, line 19:

Delete "sec. 41"

Insert "sec. 42"

Page 91, line 20:

Delete "sec. 42"

Insert "sec. 43"

Page 91, line 21:

Delete "sec. 43"

Insert "sec. 44"

Page 91, line 22:

Delete "sec. 44"

Insert "sec. 45"

Page 91, line 23:

Delete "sec. 45"

Insert "sec. 46"

Page 91, line 24:

Delete "sec. 46"

Insert "sec. 47"

Page 91, line 25:

Delete "sec. 47"

Insert "sec. 48"

Page 91, line 26:

Delete "sec. 48"

Insert "sec. 49"

Page 91, line 27:

Delete "sec. 49"

Insert "sec. 50"

Page 91, line 28:

Delete "sec. 50"

Insert "sec. 51"

Page 91, line 29:

Delete "sec. 51"

Insert "sec. 52"

Page 91, line 30:

Delete "sec. 52"

Insert "sec. 53"

Page 91, line 31:

Delete "sec. 53"

Insert "sec. 54"

Page 92, line 1:

Delete "sec. 54"

Insert "sec. 55"

Page 92, line 2:

Delete "sec. 55"

Insert "sec. 56"

Page 92, line 3:

Delete "sec. 56"

Insert "sec. 57"

Page 92, line 4:

Delete "sec. 57"

Insert "sec. 58"

Page 92, line 5:

Delete "sec. 58"

Insert "sec. 59"

Page 92, line 6:

Delete "sec. 59"

Insert "sec. 60"

Page 92, line 7:

Delete "sec. 60"

Insert "sec. 61"

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Page 92, line 8:  
Delete "sec. 61"  
Insert "sec. 62"

Page 92, line 9:  
Delete "sec. 62"  
Insert "sec. 63"

Page 92, line 10:  
Delete "sec. 63"  
Insert "sec. 64"

Page 92, line 11:  
Delete "sec. 90"  
Insert "sec. 91"

Page 92, line 12:  
Delete "sec. 96"  
Insert "sec. 97"

Page 92, line 13:  
Delete "sec. 97"  
Insert "sec. 98"

Page 92, line 16:  
Delete "sec. 64"  
Insert "sec. 65"

Page 92, line 17:  
Delete "sec. 67"  
Insert "sec. 68"

Page 92, line 18:  
Delete "sec. 68"  
Insert "sec. 69"

Page 92, line 19:  
Delete "sec. 69"  
Insert "sec. 70"

Page 92, line 20:

Delete "sec. 70"

Insert "sec. 71"

Page 92, line 21:

Delete "sec. 71"

Insert "sec. 72"

Page 92, line 22:

Delete "sec. 74"

Insert "sec. 75"

Page 92, line 23:

Delete "sec. 75"

Insert "sec. 76"

Page 92, line 24:

Delete "sec. 76"

Insert "sec. 77"

Page 92, line 25:

Delete "sec. 77"

Insert "sec. 78"

Page 92, line 26:

Delete "sec. 78"

Insert "sec. 79"

Page 92, line 27:

Delete "sec. 79"

Insert "sec. 80"

Page 92, line 28:

Delete "sec. 80"

Insert "sec. 81"

Page 92, line 29:

Delete "sec. 81"

Insert "sec. 82"

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Page 92, line 30:

Delete "sec. 82"

Insert "sec. 83"

Page 92, line 31:

Delete "sec. 83"

Insert "sec. 84"

Page 93, line 1:

Delete "sec. 98"

Insert "sec. 99"

Page 93, line 2:

Delete "sec. 100"

Insert "sec. 101"

Page 93, line 3:

Delete "sec. 125"

Insert "sec. 126"

Page 93, line 4:

Delete "sec. 126"

Insert "sec. 127"

Page 93, line 7:

Delete "sec. 86"

Insert "sec. 87"

Page 93, line 8:

Delete "sec. 87"

Insert "sec. 88"

Page 93, line 9:

Delete "sec. 88"

Insert "sec. 89"

Page 93, line 10:

Delete "sec. 89"

Insert "sec. 90"

Page 93, line 13:

Delete "sec. 72"

Insert "sec. 73"

Page 93, line 14:

Delete "sec. 73"

Insert "sec. 74"

Page 93, line 15:

Delete "sec. 103"

Insert "sec. 104"

Page 93, line 16:

Delete "sec. 105"

Insert "sec. 106"

Page 93, line 17:

Delete "sec. 106"

Insert "sec. 107"

Page 93, line 18:

Delete "sec. 107"

Insert "sec. 108"

Page 93, line 19:

Delete "sec. 108"

Insert "sec. 109"

Page 93, line 22:

Delete "sec. 65"

Insert "sec. 66"

Page 93, line 23:

Delete "sec. 104"

Insert "sec. 105"

Page 93, line 24:

Delete "sec. 105"

Insert "sec. 106"



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Page 93, line 25:

Delete "sec. 107"

Insert "sec. 108"

Page 93, line 28:

Delete "sec. 109"

Insert "sec. 110"

Page 93, line 29:

Delete "sec. 110"

Insert "sec. 111"

Page 93, line 30:

Delete "sec. 111"

Insert "sec. 112"

Page 93, line 31:

Delete "sec. 112"

Insert "sec. 113"

Page 94, line 1:

Delete "sec. 113"

Insert "sec. 114"

Page 94, line 2:

Delete "sec. 115"

Insert "sec. 116"

Page 94, line 3:

Delete "sec. 116"

Insert "sec. 117"

Page 94, line 4:

Delete "sec. 117"

Insert "sec. 118"

Page 94, line 5:

Delete "sec. 118"

Insert "sec. 119"

Page 94, line 6:

Delete "sec. 119"

Insert "sec. 120"

Page 94, line 7:

Delete "sec. 120"

Insert "sec. 121"

Page 94, line 10:

Delete "sec. 121"

Insert "sec. 122"

Page 94, line 11:

Delete "sec. 122"

Insert "sec. 123"

Page 94, line 12:

Delete "sec. 123"

Insert "sec. 124"

Page 94, line 13:

Delete "sec. 124"

Insert "sec. 125"

Page 94, line 14:

Delete "sec. 114"

Insert "sec. 115"

Page 94, line 15:

Delete "sec. 114"

Insert "sec. 115"

Page 94, line 16:

Delete "sec. 114"

Insert "sec. 115"

Page 94, line 17:

Delete "sec. 99"

Insert "sec. 100"

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Page 94, line 18:

Delete "sec. 101"

Insert "sec. 102"

Page 94, line 21:

Delete "sec. 66"

Insert "sec. 67"

Page 94, line 22:

Delete "sec. 66"

Insert "sec. 67"

Page 94, line 23:

Delete "sec. 66"

Insert "sec. 67"

Page 94, line 24:

Delete "sec. 95"

Insert "sec. 96"

Page 94, line 25:

Delete "sec. 95"

Insert "sec. 96"

Page 94, line 26:

Delete "sec. 95"

Insert "sec. 96"

Page 94, line 30:

Delete "sec. 108"

Insert "sec. 109"

Page 95, line 5:

Delete "secs. 130 and 131"

Insert "secs. 131 and 132"

Page 95, line 10:

Delete "sec. 104"

Insert "sec. 105"

Delete "sec. 123"

Insert "sec. 124"

Page 95, line 12:

Delete "sec. 104"

Insert "sec. 105"

Page 95, line 13:

Delete "sec. 123"

Insert "sec. 124"

Page 95, line 23:

Delete "Sections 141 - 144"

Insert "Sections 142 - 145"

Page 95, lines 23 - 24:

Delete "secs. 141 - 144"

Insert "secs. 142 - 145"

Page 95, line 26:

Delete "Sections 132 - 135"

Insert "Sections 133 - 136"

Page 95, line 27:

Delete "Sections 129 - 131"

Insert "Sections 130 - 132"

Page 95, line 28:

Delete "Section 137"

Insert "Section 138"

Page 95, line 29:

Delete "Sections 102, 146, 148, and 151"

Insert "Sections 103, 147, 149, and 152"

Page 95, line 31:

Delete "secs. 154 - 157"

Insert "secs. 155 - 158"

Senator Begich moved for the adoption of Amendment No. 4. Objections were heard. Senator Begich moved and asked unanimous consent to withdraw Amendment No. 4. Without objection, Amendment No. 4 was withdrawn.

Senator von Imhof offered Amendment No. 5:

Page 89, line 10:

Delete "AS 12.55.027(g),"

Senator von Imhof moved for the adoption of Amendment No. 5. Senator Costello objected, then withdrew her objection. There being no further objection, Amendment No. 5 was adopted.

The presence of Senator Hoffman was noted.

### **HB 49**

Senator Hughes offered Amendment No. 6:

Page 89, lines 15 - 17:

Delete all material.

ReNUMBER the following bill sections accordingly.

Senator Hughes moved for the adoption of Amendment No. 6. Senator Micciche objected, then withdrew his objection. There being no further objection, Amendment No. 6 was adopted.

Senator Costello moved and asked unanimous consent SENATE CS FOR CS FOR HOUSE BILL NO. 49(FIN) am S "An Act relating to criminal law and procedure; relating to marriage as a defense to certain crimes of sexual assault; establishing the crime of possession of motor vehicle theft tools; relating to controlled substances; relating to electronic monitoring; relating to probation and parole; relating to sentencing; amending the definitions of 'most serious felony,' 'sex offense,' and 'sex offender'; relating to registration of sex offenders; relating to the automated victim notification system; relating to reporting child abuse or neglect; relating to Alaska Native organizations; relating to the village public safety officer program; relating to cancellation of a driver's license; relating to driving while license canceled; relating to operating under the influence; relating to restoration of a driver's license; relating to refusal to submit to a chemical test; relating to the use of headlights; relating to the powers and duties of the commissioner of corrections; relating to pretrial services; relating to the duties of a prosecuting attorney; relating to

testing of sexual assault examination kits; relating to reports of involuntary commitment; amending Rules 6(r)(6), 38.2, and 45(d), Alaska Rules of Criminal Procedure; and providing for an effective date" be held in second reading to the May 14 calendar. Without objection, it was so ordered.

### **Citations**

Honoring - College Gate Elementary Yup'ik Immersion Program  
Representatives Spohnholz, LeDoux  
Senator Wielechowski

Honoring - Matthew Failor  
Representative Eastman  
Senator Shower

Honoring - University of Alaska Scholar Program 20th Anniversary  
Representatives Hopkins, Wool  
Senator Kawasaki

Honoring - Rex Shattuck  
Representatives Tilton, Neuman  
Senator Wilson

Honoring - Holly Martinson, Ph.D.  
Representative Spohnholz, LeDoux  
Senator Wielechowski

In Memoriam - June Iue Degnan  
Senators Olson, Kiehl  
Representative Story

In Memoriam - Sara Ruth Hornberger  
Representative Edgmon

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

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

**Special Order of Business**

In Memoriam - William K. Williams  
Senator Stedman  
Representative Ortiz

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

**Announcements**

Rule 23(d) of the Alaska State Legislature Uniform Rules is currently in effect.

Announcements are at the end of the journal.

**Adjournment**

Senator Costello moved and asked unanimous consent the Senate stand in adjournment until 8:00 a.m., May 14, 2019. Without objection, the Senate adjourned at 3:38 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**

<b>May 13</b>	<b>Monday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
	-- MEETING CANCELED --		
+	Bills Previously Heard/Scheduled		
<b>May 14</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+	Bills Previously Heard/Scheduled		
<b>May 15</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+	Bills Previously Heard/Scheduled		

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**HEALTH & SOCIAL SERVICES**

<b>May 13</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>May 15</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>May 17</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>May 20</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

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**JUDICIARY**

<b>May 13</b>	<b>Monday</b> No Meeting Scheduled	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>
<b>May 15</b>	<b>Wednesday</b> No Meeting Scheduled	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>
<b>May 17</b>	<b>Friday</b> No Meeting Scheduled	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>

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**LABOR & COMMERCE**

<b>May 13</b>	<b>Monday</b> += HB 104 MORTGAGE LOAN ORIGINATOR LICENSING + HB 44 AUTOMATED TELLER MACHINES: FEES -- Public Testimony -- + Bills Previously Heard/Scheduled	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>
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**STATE AFFAIRS**

<b>May 14</b>	<b>Tuesday</b> + Bills Previously Heard/Scheduled	<b>Butrovich 205</b>	<b>3:30 PM</b>
<b>May 16</b>	<b>Thursday</b> + Bills Previously Heard/Scheduled	<b>Butrovich 205</b>	<b>3:30 PM</b>

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**TRANSPORTATION**

<b>May 14</b>	<b>Tuesday</b> No Meeting Scheduled	<b>Butrovich 205</b>	<b>1:30 PM</b>
<b>May 16</b>	<b>Thursday</b> No Meeting Scheduled	<b>Butrovich 205</b>	<b>1:30 PM</b>

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**JOINT COMMITTEES**

**LEGISLATIVE BUDGET & AUDIT**

**May 15      Wednesday                      Adams Room 519                      7:00 AM**  
 -- Teleconference Listen Only --  
 Executive Session  
 - Final Audit Release: FY18 Statewide Single Audit  
 Other Committee Business

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**CONFERENCE COMMITTEES**

**CONFERENCE COMMITTEE ON HB39 AND HB40**

**May 13      Monday                                      Senate Finance 532                      10:30 AM**  
 -- Delayed from 5/12/19 --  
 += HB 39    APPROP: OPERATING BUDGET/LOANS/FUNDS  
 += HB 40    APPROP: MENTAL HEALTH BUDGET  
               - Administration  
               - Education & Early Development  
               - Environmental Conservation  
               - Health & Social Services  
               - Natural Resources  
               - Judiciary

**May 13      Monday                                      Senate Finance 532                      4:30 PM**  
 += HB 39    APPROP: OPERATING BUDGET/LOANS/FUNDS  
 += HB 40    APPROP: MENTAL HEALTH BUDGET  
               - Education & Early Development  
               - Fish & Game  
               - Governor  
               - Department of Health & Social Services  
               - Department of Law  
               - Military & Veterans' Affairs  
               - Natural Resources  
               - Department of Public Safety  
               - Transportation  
               - University  
               - Debt Service Items  
               - Fund Capitalizations  
               - Fund Transfers

**May 14      Tuesday                                      Senate Finance 532                      10:00 AM**  
 += HB 39    APPROP: OPERATING BUDGET/LOANS/FUNDS  
 += HB 40    APPROP: MENTAL HEALTH BUDGET