

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

**Juneau, Alaska**

**Tuesday**

**May 28, 2019**

**Thirteenth Day**

Pursuant to adjournment the Senate was called to order by President Giessel at 10:34 a.m.

The roll showed eighteen members present. Senator Shower was excused from a call of the Senate. Senator Stedman was absent.

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

*Eloheinu v'Elohei avoteinu v'imoteinu* - Our God and God of our ancestors, watch over those who defend our nation. Shield them from harm and guide them in all their pursuits. Grant their commanders wisdom and discernment in their time of preparation and on the battlefield. Should battle erupt may their victory be swift and complete. May the loss of life for any of your creations be avoided. Grant healing to those who are wounded and safe redemption to those who fall into enemy hands. For those who have lost their lives, grant consolation and Your presence to those who were close to them.

We also ask that you stand with our President and all our military leaders. Guide them in their decision making so that Your will is implanted within their minds. May it be Your will that world hostilities come to a rapid end and that those in service are returned safely to their families. We pray that freedom will dawn for the oppressed and Fervently we hope that the vision of Your prophet will come to be, "Let nation not lift up sword against nation nor learn war anymore." May this vision come to pass speedily and in our day,                    Amen.

Senator Gray-Jackson led the Senate in the Pledge of Allegiance.

### **Certification**

Senator Costello moved and asked unanimous consent the journals for the sixth through twelfth legislative days of the first special session be approved as certified by the Secretary. Without objection, it was so ordered.

### **Motion to Delegate Litigation Authority**

Senator Coghill moved and asked unanimous consent the Thirty-First Alaska State Legislature delegate to the Legislative Council the full authority to initiate, intervene, appeal, and take all action necessary to direct litigation regarding the forward funding of education for the 2020 fiscal year and that the Legislative Council be authorized to make all decisions concerning the objectives, scope, and means of pursuing this litigation, including settlement, compromise, and appeal.

Senator Hughes objected.

Senators Begich, Wilson moved and asked unanimous consent to abstain from voting due to a conflict of interest. Senator Costello objected and Senators Begich, Wilson were required to vote.

The question being: "Shall the Thirty-First Alaska State Legislature delegate to the Legislative Council the full authority to initiate, intervene, appeal, and take all action necessary to direct litigation regarding the forward funding of education for the 2020 fiscal year and that the Legislative Council be authorized to make all decisions concerning the objectives, scope, and means of pursuing this litigation, including settlement, compromise, and appeal?" The roll was taken with the following result:

Delegate to Legislative Council  
Authority for Litigation  
for 2020 Education Funding?

**YEAS: 14 NAYS: 4 EXCUSED: 1 ABSENT: 1**

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

Nays: Hughes, Micciche, Reinbold, Wilson

Excused: Shower

Absent: Stedman

Micciche changed from "Yea" to "Nay".

and so, the motion was adopted.

The Secretary was requested to notify the House.

**HB 49**

Senator Costello moved and asked unanimous consent to take up the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 49 "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) and 38.2, Alaska Rules of Criminal Procedure; and providing for an effective date" which had been read May 21 (page 1238). Without objection, the Conference Committee Report was before the Senate.

Senator Costello moved the Senate adopt the Conference Committee Report.

The question being: "Shall the Senate adopt the Conference Committee Report?" The roll was taken with the following result:

CCS HB 49

Shall the Senate Adopt the Conference  
Committee Report?

Court Rules      Effective Dates

**YEAS: 18   NAYS: 0   EXCUSED: 1   ABSENT: 1**

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

Excused: Shower

Absent: Stedman

and so, the report was adopted, thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 49 "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) and 38.2, Alaska Rules of Criminal Procedure; and providing for an effective date."

Senator Costello moved and asked unanimous consent the vote on the adoption of the Conference Committee Report be considered the vote on the court rule changes. Without objection, it was so ordered.

Senator Costello moved and asked unanimous consent the vote on the adoption of the Conference Committee Report be considered the vote on the effective date clauses. Without objection, it was so ordered.

The Secretary was requested to notify the House.

### **Recess**

Senator Costello moved and asked unanimous consent the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 11:10 a.m.

### **After Recess**

The Senate reconvened at 5:05 p.m.

### **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 10:00 a.m., May 31, 2019. Without objection, the Senate adjourned at 5:06 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.

No Meetings Scheduled