

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

**Juneau, Alaska**

**Monday**

**April 19, 2021**

**Ninety-first Day**

Pursuant to adjournment the Senate was called to order by President Micciche at 11:15 a.m.

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

The prayer was offered by the Chaplain, Kelli Toth, staff to Senator Reinbold. Senator Hoffman moved and asked unanimous consent the prayer be spread. Without objection, it was so ordered.

Heavenly Father,

Alaska's Constitution has not only expressed its gratitude to you, but also to our nation's founders and our state's pioneers. Our constitution also declares in its first breath that all persons are entitled to the natural right to life, liberty, and the pursuit of happiness, and that all persons are entitled to equal rights, opportunities, and protection before the law.

We have learned through painful experience that whenever any member of the human family is denied protection before the law, we open all of our humanity to risk. Therefore, we beg you to assist us in finding harmony, in defining personhood, and protection for the entire human family. In these trying and disturbing times, please lighten our minds, temper our disagreements, and open our hearts.

In Jesus' name I pray,

Amen.

Senator Wilson led the Senate in the Pledge of Allegiance.

Senator Hughes moved and asked unanimous consent Senator von Imhof be excused from a call of the Senate today. Without objection, Senator von Imhof was excused.

Senator Begich moved and asked unanimous consent Senator Kawasaki be excused from a call of the Senate today. Without objection, Senator Kawasaki was excused.

### **Certification**

Senator Hughes moved and asked unanimous consent the journals for the eighty-eighth through ninetieth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

### **Communications**

The following reports are on file in the Office of the Secretary of the Senate:

Department of Administration  
Biennial Procurement Report  
FY 2019 and 2020  
in accordance with AS 36.30.540

Public Employees' Retirement System  
Annual Report FY 2020  
in accordance with AS 39.35.004

Teachers' Retirement System  
Annual Report FY 2020  
in accordance with AS 14.25.004

**Standing Committee Reports****SB 6**

The Labor and Commerce Committee considered SENATE BILL NO. 6 "An Act relating to retirement incentives for members of the defined benefit retirement plan of the teachers' retirement system and the defined benefit retirement plan of the Public Employees' Retirement System of Alaska; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 6(L&C) "An Act relating to reemployment of persons who retire under the teachers' retirement system; relating to retirement incentives for members of the defined benefit retirement plan of the teachers' retirement system and the defined benefit retirement plan of the Public Employees' Retirement System of Alaska; and providing for an effective date."

Signing do pass: Senator Costello, Chair. Signing no recommendation: Senator Stevens. Signing amend: Senators Revak, Gray-Jackson.

The following previously published fiscal information applies:

Fiscal Note No. 1, indeterminate, Department of Administration  
Fiscal Note No. 2, Office of the Governor

The bill was referred to the Finance Committee.

**SB 55**

The Finance Committee considered SENATE BILL NO. 55 "An Act relating to employer contributions to the Public Employees' Retirement System of Alaska; and providing for an effective date." Signing do pass: Senators Stedman, Bishop, Cochairs; Senators Hoffman, Wielechowski. Signing no recommendation: Senators Wilson, Olson.

The following fiscal information was published today:

Fiscal Note No. 3, Office of the Governor  
Fiscal Note No. 4, Office of the Governor  
Fiscal Note No. 5, Department of Administration

The bill was referred to the Rules Committee.

**SB 111**

Forthcoming Education Committee Substitute (page 726) for SENATE BILL NO. 111 "An Act relating to the duties of the Department of Education and Early Development; relating to public schools; relating to early education programs; relating to funding for early education programs; relating to school age eligibility; relating to reports by the Department of Education and Early Development; relating to reports by school districts; relating to certification and competency of teachers; relating to assessing reading deficiencies and providing reading intervention services to public school students enrolled in grades kindergarten through three; relating to textbooks and materials for reading intervention services; establishing a reading program in the Department of Education and Early Development; relating to school operating funds; relating to a virtual education consortium; and providing for an effective date" was received today:

CS FOR SENATE BILL NO. 111(EDC) "An Act relating to the duties of the Department of Education and Early Development; relating to public schools and school districts; relating to early education programs; relating to funding for early education programs; relating to school age eligibility; relating to reports by the Department of Education and Early Development; relating to reports by school districts; relating to certification and competency of teachers; relating to assessing reading deficiencies and providing reading intervention services to public school students enrolled in grades kindergarten through three; relating to textbooks and materials for reading intervention services; establishing a reading program in the Department of Education and Early Development; relating to school operating funds; relating to a virtual education consortium; and providing for an effective date."

**SB 123**

The Labor and Commerce Committee considered SENATE BILL NO. 123 "An Act establishing the Alaska energy independence program and the Alaska energy independence fund in the Alaska

Industrial Development and Export Authority; and providing for an effective date." Signing no recommendation: Senator Costello, Chair; Senators Revak, Stevens. Signing do pass: Senator Gray-Jackson.

The following previously published fiscal information applies:

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

Fiscal Note No. 2, Department of Commerce, Community, and Economic Development

The bill was referred to the Finance Committee.

### **SJR 1**

The Judiciary Committee considered SENATE JOINT RESOLUTION NO. 1 Proposing amendments to the Constitution of the State of Alaska relating to the Alaska permanent fund and appropriations from the Alaska permanent fund, and recommended it be replaced with

CS FOR SENATE JOINT RESOLUTION NO. 1(JUD)

Signing no recommendation: Senator Reinbold, Chair. Signing do pass: Senators Shower, Myers, Hughes. Signing amend: Senator Kiehl.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Office of the Governor

The resolution was referred to the Finance Committee.

## **Special Committee Reports**

### **Committee on Committees Report**

Report dated April 19 was read stating:

Mr. President:

Your Committee on Committees has met and submits to the Senate for its consideration the following change(s) to the Committee on Committees Report adopted January 20, 2021:

**Judiciary Committee**

Senator Holland, Chair  
Senator Shower, Vice Chair  
Senator Hughes  
Senator Myers  
Senator Kiehl

**Labor and Commerce Committee**

Senator Costello, Chair  
Senator Revak, Vice Chair  
Senator Micciche  
Senator Stevens  
Senator Gray-Jackson

Signing the report: Senator Micciche, Chair; Senators Stevens, Bishop, Costello, Begich.

Senator Hughes moved and asked unanimous consent to adopt the Committee on Committees report. Senator Reinbold objected.

The question being: "Shall the Committee on Committees Report be Adopted?" The roll was taken with the following result:

Adopt Committee on Committees Report?

**YEAS: 17 NAYS: 1 EXCUSED: 2 ABSENT: 0**

Yeas: Begich, Bishop, Costello, Gray-Jackson, Hoffman, Holland, Hughes, Kiehl, Micciche, Myers, Olson, Revak, Shower, Stedman, Stevens, Wielechowski, Wilson

Nays: Reinbold

Excused: Kawasaki, von Imhof

and so, the Committee on Committees report was adopted.

**Introduction and Reference of Senate Bills**

**SB 127**

SENATE BILL NO. 127 BY SENATOR SHOWER, entitled:

"An Act establishing a private cause of action for unfair claim settlement practices; and amending Rules 79 and 82, Alaska Rules of Civil Procedure."

was read the first time and referred to the Labor and Commerce and Judiciary Committees.

**SB 128**

SENATE BILL NO. 128 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act making special appropriations relating to the American Rescue Plan Act; and providing for an effective date."

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

Governor's transmittal letter dated April 16:

Dear President Micciche:

Under the authority of Article III, Section 18 of the Alaska Constitution, I am transmitting a bill relating to appropriations of \$1.54 billion in federal relief funds from the American Rescue Plan Act.

This appropriation bill includes \$1.02 billion in state discretionary federal relief funds allocated to balance relief for impacted individuals and industries, Alaska's long-term economic development, and offsetting unrestricted general fund expenditures to improve Alaska's fiscal situation. The following broad categories are proposed allocations of the \$1.02 billion:

- Protecting Alaskans: \$80 million for emergency response to address economic impacts, the negative effects of domestic violence, food security, and assistance to households and individual Alaskans.
- Alaska Tourism Revitalization: \$150 million for industry relief, to promote tourism, and adapt services for the potential loss of another cruise ship season.
- Economic Recovery and Innovation: \$325 million of relief to businesses and organizations impacted by COVID-19, and to prepare Alaska's economy for investment as we reach the end of the pandemic and a return to normal life.
- Build Alaska – Infrastructure Investment: \$325 million for water, sewer, and broadband infrastructure investments.
- General Fund Offsets - \$139.3 million to provide state government services by offsetting existing general fund expenditures.

Additionally, \$112.3 million in federal funding is allocated to the State for capital projects directly enabling work, education, and health monitoring. This is a placeholder appropriation pending further detail from United States Treasury on the funding requirements and the application process, which should be made available on or before May 10, 2021.

The American Rescue Plan Act also provided \$230.7 million for payments to Alaska communities, of which \$185.4 million requires appropriation and distribution by the State of Alaska to communities based on a federal formula. This funding is included in this legislation.

Numerous state programs were awarded increased federal funding in the American Rescue Plan Act. Appropriations for these federal awards are included in this bill for items where sufficient guidance and details are known. This includes \$220 million for specific programs for public health and safety, workforce development, education, transportation, and emergency management. This amount represents the best-known information at this time of the total federal authorization that will be required for American Rescue Plan Act funding.



My administration will work with the legislature to refine these appropriations as additional guidance is provided by the federal government. I look forward to engaging with you to implement a robust plan for these funds for the benefit of all Alaskans.

Sincerely,

/s/

Mike Dunleavy  
Governor

### **Consideration of the Calendar**

#### **Citations**

Honoring - David Gray  
Senator(s) Hoffman, Kiehl, Olson

Honoring - Kyle Hopkins  
Representative(s) Tarr, Spohnholz  
Senator(s) Begich

Honoring - Paul Johnson  
Representative(s) Kreiss-Tomkins

Honoring - Lalo's Pizza  
Representative(s) Josephson, Tuck  
Senator Gray-Jackson

Honoring - The Elevation of the Negro Leagues to Formal Major League Status  
Representative(s) Josephson  
Senator(s) Gray-Jackson

Honoring - Dr. Susan Hunter-Joerns  
Representative(s) Josephson, Story  
Senator(s) Kiehl

Honoring - David Schaff  
Representative(s) Tuck  
Senator(s) Wielechowski

Honoring - Burrito Factory  
Representative(s) Spohnholz  
Senator(s) Wielechowski

In Memoriam - Andy Anderson  
Senator(s) Stevens

In Memoriam - Charles "Chuck" Sassara  
Representative(s) Josephson, Fields  
Senator(s) Begich

In Memoriam - John Lewis  
Representative(s) Josephson  
Senator(s) Gray-Jackson

In Memoriam - Clifford "Cliff" Gilmore  
Representative(s) Tilton

In Memoriam - Michael Witman  
Representative(s) Tilton

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

### **Unfinished Business**

Senator Begich moved and asked unanimous consent to be excused from a call of the Senate from May 30 through June 8. Without objection, Senator Begich was excused.

Senator Wilson moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, April 22 through evening plane time, April 25. Without objection, Senator Wilson was excused.

Senator Reinbold moved and asked unanimous consent to be excused from a call of the Senate from April 23 through morning plane time, April 26. Without objection, Senator Reinbold was excused.

**Announcements**

Announcements are at the end of the journal.

**Adjournment**

Senator Hughes moved and asked unanimous consent the Senate stand in adjournment until 11:00 a.m., April 21, 2021. Without objection, the Senate adjourned at 11:40 a.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 20 Tuesday Beltz 105 (tsbldg) 3:30 PM**  
 += SB 72 SEC. SCHOOL CIVICS EDUCATION  
 + SB 81 VILLAGE PUBLIC SAFETY OFFICER GRANTS  
 + SB 46 LAW ENFORCEMENT: REGISTRY; USE OF FORCE  
 -- Testimony <Invitation Only> --  
 + Bills Previously Heard/Scheduled  
 \*\*Streamed live on AKL.tv\*\*

**Apr 22 Thursday Beltz 105 (tsbldg) 3:30 PM**  
 + SJR 13 IMPROVE BROADBAND INTERNET ACCESS  
 -- Invited & Public Testimony --  
 + Bills Previously Heard/Scheduled  
 \*\*Streamed live on AKL.tv\*\*

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**EDUCATION**

**Apr 19 Monday Butrovich 205 9:00 AM**  
 += SB 94 EDUCATION & SUPPLEMENTAL LOAN PROGRAMS  
 -- Testimony <Invitation Only> --  
 + Bills Previously Heard/Scheduled  
 \*\*Streamed live on AKL.tv\*\*

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**EDUCATION (continued)**

**Apr 21      Wednesday                      Butrovich 205              9:00 AM**

- + SB 10 CONST. AM: IN-PERSON PUBLIC EDUCATION  
<Bill Hearing Canceled>  
-- Testimony <Invitation Only> --
- + SB 34 STATE-TRIBAL EDUCATION COMPACT SCHOOLS  
-- Testimony <Invitation Only> --
- + SB 94 EDUCATION & SUPPLEMENTAL LOAN PROGRAMS  
-- Public Testimony --
- + Bills Previously Heard/Scheduled  
\*\*Streamed live on AKL.tv\*\*

**Apr 23      Friday                                      Butrovich 205              9:00 AM**

- + SB 119 OATH OF OFFICE  
-- Testimony <Invitation Only> --
- + Bills Previously Heard/Scheduled  
\*\*Streamed live on AKL.tv\*\*

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**FINANCE**

**Apr 19      Monday                                      Senate Finance 532              9:00 AM**

- + SB 71 COUNCIL ON ARTS: PLATES & MANAGE ART
- + SB 20 OUT OF STATE TEACHER RECIPROCITY
- + SB 55 EMPLOYER CONTRIBUTIONS TO PERS
- + Bills Previously Heard/Scheduled

**Apr 20      Tuesday                                      Senate Finance 532              9:00 AM**

- + SB 10 FREE/REDUCED TUITION FOR ESSENTIAL WORKER
- + SB 101 ADVISORY COMMISSION ON FEDERAL MGT AREAS  
-- Invited & Public Testimony --  
-- <Time Limit May Be Set> --
- + SB 25 STATE GOV'T FINANCES: WEBSITE  
-- Invited & Public Testimony --  
-- <Time Limit May Be Set> --
- + Bills Previously Heard/Scheduled

**Apr 21      Wednesday                                      Senate Finance 532              9:00 AM**

- + SB 88 STATE INSUR. CATASTROPHE RESERVE ACCT.  
-- Invited & Public Testimony --  
-- <Time Limit May Be Set> --
- + Bills Previously Heard/Scheduled

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**FINANCE (continued)**

**Apr 22 Thursday Senate Finance 532 9:00 AM**  
+ Bills Previously Heard/Scheduled

**Apr 23 Friday Senate Finance 532 9:00 AM**  
+ Bills Previously Heard/Scheduled

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**HEALTH & SOCIAL SERVICES**

**Apr 20 Tuesday Butrovich 205 1:30 PM**  
+= SB 67 NURSING: LICENSURE; MULTISTATE COMPACT  
+= SB 78 HEALTH CARE SERVICES BY TELEHEALTH  
+= SB 80 PUBLIC SCHOOLS: MENTAL HEALTH EDUCATION  
+ Bills Previously Heard/Scheduled

**Apr 22 Thursday Butrovich 205 1:30 PM**  
+ Bills Previously Heard/Scheduled

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**JUDICIARY**

**Apr 19 Monday Butrovich 205 1:30 PM**  
+= SB 15 OPEN MEETINGS ACT; PENALTY  
-- Public Testimony --  
+ SB 23 INITIATIVE SEVERABILITY  
+= SB 122 VICTIM DEFINITION  
+ Bills Previously Heard/Scheduled  
\*\*Streamed live on AKL.tv\*\*

**Apr 21 Wednesday Butrovich 205 1:30 PM**  
+ SB 53 PERM FUND; ADVISORY VOTE  
+= SB 82 ELECTIONS; ELECTION INVESTIGATIONS  
+= SB 23 INITIATIVE SEVERABILITY  
-- Public Testimony --  
+ Bills Previously Heard/Scheduled  
\*\*Streamed live on AKL.tv\*\*

**Apr 23 Friday Butrovich 205 1:30 PM**  
+= SJR 4 CONST. AM: ABORTION/FUNDING  
+ Bills Previously Heard/Scheduled  
\*\*Streamed live on AKL.tv\*\*

**LABOR & COMMERCE**

- Apr 19 Monday Beltz 105 (tsbldg) 1:30 PM**  
 -- Delayed until 2 PM --  
 += SB 93 HEALTH INS. ALL-PAYER CLAIMS DATABASE  
 -- Invited & Public Testimony --  
 + Bills Previously Heard/Scheduled  
 \*\*Streamed live on AKL.tv\*\*
- Apr 21 Wednesday Beltz 105 (tsbldg) 1:30 PM**  
 += SB 26 REPEAL CERTIFICATE OF NEED PROGRAM  
 -- Invited & Public Testimony --  
 + Bills Previously Heard/Scheduled  
 \*\*Streamed live on AKL.tv\*\*
- Apr 23 Friday Beltz 105 (tsbldg) 1:30 PM**  
 + SB 17 ENERGY EFFICIENCY & POLICY: PUB. BLDGS  
 -- Invited & Public Testimony --  
 + Bills Previously Heard/Scheduled  
 \*\*Streamed live on AKL.tv\*\*

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**RESOURCES**

- Apr 19 Monday Butrovich 205 3:30 PM**  
 += SB 97 STATE LAND SALES AND LEASES; RIVERS  
 -- Testimony <Invitation Only> --  
 + Consideration of Governor's Appointees:  
 Board of Fish  
 Commercial Fisheries Entry Commission  
 -- Public Testimony --  
 + Bills Previously Heard/Scheduled  
 \*\*Streamed live on AKL.tv\*\*
- Apr 21 Wednesday Senate Finance 532 3:30 PM**  
 -- Please Note Location Change --  
 + Joint Meeting With Special Cmte on World Trade  
 Presentation: Barriers to Global Seafood Trade by  
 At-Sea Processors Association  
 -- Testimony <Invitation Only> --  
 \*\*Streamed live on AKL.tv\*\*

**RESOURCES (continued)**

**Apr 23 Friday Butrovich 205 3:30 PM**  
 + SB 44 PERSONAL USE FISHING PRIORITY  
 -- Invited & Public Testimony --  
 + HB 10 FUNTER BAY MARINE PARK: UNANGAN CEMETERY  
 <Pending Referral>  
 -- Testimony <Invitation Only> --  
 + Presentation: Susitna-Watana Hydroelectric  
 Project by Curtis Thayer-AEA  
 + HB 115 AQUATIC FARMING & HATCHERY SITE LEASES  
 -- Testimony <Invitation Only> --  
 + Bills Previously Heard/Scheduled  
 \*\*Streamed live on AKL.tv\*\*

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**STATE AFFAIRS**

**Apr 20 Tuesday Butrovich 205 3:30 PM**  
 += SB 39 BALLOT CUSTODY/TAMPERING; VOTER REG; MAIL  
 -- Invited & Public Testimony --  
 + Bills Previously Heard/Scheduled

**Apr 22 Thursday Butrovich 205 3:30 PM**  
 += SB 39 BALLOT CUSTODY/TAMPERING; VOTER REG; MAIL  
 + Bills Previously Heard/Scheduled  
 \*\*Streamed live on AKL.tv\*\*

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**TRANSPORTATION**

**Apr 20 Tuesday Beltz 105 (tsbldg) 1:30 PM**  
 + HB 27 NAMING IRENE WEBBER BRIDGE  
 -- Invited & Public Testimony --  
 + Bills Previously Heard/Scheduled  
 \*\*Streamed live on AKL.tv\*\*

**Apr 22 Thursday Beltz 105 (tsbldg) 1:30 PM**  
 No Meeting Scheduled



**FINANCE SUBCOMMITTEES****ADMINISTRATION**

<b>Apr 20</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>12:30 PM</b>
+	Close-out		

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**EDUCATION & EARLY DEVELOPMENT**

<b>Apr 20</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>1:00 PM</b>
+	-- MEETING CANCELED -- FY22 Department of Education and Early Development Budget Closeout **Streamed live on AKL.tv**		

<b>Apr 22</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>1:00 PM</b>
+	-- MEETING CANCELED -- FY22 Department of Education and Early Development Budget Closeout **Streamed live on AKL.tv**		

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**FISH & GAME**

<b>Apr 20</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>1:15 PM</b>
+	Close-out		

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**LAW**

<b>Apr 22</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>5:30 PM</b>
+	-- MEETING CANCELED -- FY 2022 Budget - Close out -- Testimony <Invitation Only> --		

<b>Apr 29</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>5:30 PM</b>
+	FY 2022 Budget - Close out -- Testimony <Invitation Only> --		

**PUBLIC SAFETY**

**Apr 21            Wednesday                            Beltz 105 (tsbldg)                            4:00 PM**  
 -- MEETING CANCELED --  
 +            FY 2022 Budget - Sub-committee Closeout  
 -- Testimony <Invitation Only> --

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**SPECIAL COMMITTEES**

**SPECIAL COMMITTEE ON WORLD TRADE**

**Apr 21            Wednesday                            Senate Finance 532                            3:30 PM**  
 Joint Meeting with Senate Resources Committee  
 Presentation: Barriers to Global Seafood Trade by  
 At-Sea Processors Association  
 +            -- Testimony <Invitation Only> --  
 \*\*Streamed live on AKL.tv\*\*

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**JOINT COMMITTEES**

**LEGISLATIVE BUDGET & AUDIT**

**Apr 28            Wednesday                            Senate Finance 532                            5:00 PM**  
 -- Teleconference <Listen Only> --  
 Executive Session  
 - Preliminary Audit: Statewide Single Audit  
 - Oil and Gas Consultants Contract Amendments  
 Legislative Audit IT Audit Procurement

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**OTHER MEETINGS**

**COMMITTEE ON COMMITTEES**

**Apr 19            Monday    Butrovich 205    11:05 AM**  
 Committee Organization/Membership

**MISCELLANEOUS MEETINGS**

**Apr 20      Tuesday                                      Butrovich 205                      12:00 PM**  
-- MEETING CANCELED --  
+      Lunch & Learn: A Different Approach to Mental Health  
Crisis Response by Ann Ringstad, NAMI Alaska  
Sponsored by Senator Revak