

SENATE JOURNAL
ALASKA STATE LEGISLATURE
THIRTY-THIRD LEGISLATURE
FIRST SESSION

Juneau, Alaska

Wednesday

March 29, 2023

Seventy-second Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:01 a.m.

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

The prayer was offered by the Chaplain, Pastor Dani Cherian, Valley Church. Senator Olson moved and asked unanimous consent the prayer be spread. Without objection, it was so ordered.

I thank you for this new day and for the opportunities that we have. I pray that you would protect and guide our Senators as they lead and serve the state of Alaska.

The bible says, in

[Psa 91:15 NLT] 15 When they call on me, I will answer; I will be with them in trouble. I will rescue and honor them.

I ask that you would please be a refuge to our Senators, their staff, and their families while they are traveling back and forth from Juneau.

And I ask that you would give them wisdom, peace, and strength to make good decisions for the people in our great State of Alaska.

In Jesus' name,

Amen.

Senator Kiehl led the Senate in the Pledge of Allegiance.

Certification

Senator Giessel moved and asked unanimous consent the journals for the seventieth and seventy-first legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the Governor

Letter dated March 29 was read stating in accordance with Article III, sections 26 and 27 of the Alaska Constitution, and AS 39.05.080, I submitted the following appointee(s) for confirmation.

The following appointee is withdrawn from consideration, effective immediately:

Alaska Labor Relations Agency

Dennis Dewitt

Standing Committee Reports

Reports dated March 24 were read stating:

In accordance with AS 39.05.080, the Education Committee held a hearing on the following appointee(s). A signature on this report does not reflect an intent by any of the members to vote for or against the confirmation of the individual(s) during any further sessions.

Professional Teaching Practices Commission

Mary Carlson

University of Alaska Board of Regents

Paula Harrison

Dennis Michel

Bethany Marcum

Signing the reports: Senator Tobin, Chair; Senators Bjorkman, Gray-Jackson, Stevens, Kiehl.

Report dated March 28 was read stating:

In accordance with AS 39.05.080, the Health and Social Services Committee held a hearing on the following appointee(s). A signature on this report does not reflect an intent by any of the members to vote for or against the confirmation of the individual(s) during any further sessions.

State Medical Board

David Paulson

Alaska Mental Health Trust Authority Board of Trustees

Anita Halterman

John Morris

Signing the report: Senator Wilson, Chair; Senators Tobin, Kaufman, Giessel, Dunbar.

Report dated March 29 was read stating:

In accordance with AS 39.05.080, the Finance Committee held a hearing on the following appointee(s). A signature on this report does not reflect an intent by any of the members to vote for or against the confirmation of the individual(s) during any further sessions.

Alaska Mental Health Trust Authority Board of Trustees

Anita Halterman

Signing the report: Senators Hoffman, Stedman, Olson, Cochairs; Senators Wilson, Kiehl, Merrick, Bishop.

SB 34

The Resources Committee considered SENATE BILL NO. 34 "An Act reestablishing the Citizens' Advisory Commission on Federal Management Areas in Alaska; and providing for an effective date."

Signing do pass: Senator Bishop, Cochair; Senator Kaufman. Signing no recommendation: Senator Giessel, Cochair; Senators Kawasaki, Claman, Wielechowski, Dunbar.

The following fiscal information was published today:
Fiscal Note No. 1, Department of Natural Resources

The bill was referred to the Finance Committee.

SB 74

The Labor and Commerce Committee considered SENATE BILL NO. 74 "An Act relating to an interstate physical therapy licensure compact; relating to the licensure of physical therapists, physical therapist assistants, occupational therapists, and occupational therapy assistants; and providing for an effective date."

Signing do pass: Senator Bjorkman, Chair; Senators Dunbar, Gray-Jackson. Signing no recommendation: Senators Bishop, Merrick.

The following fiscal information was published today:
Fiscal Note No. 1, Department of Commerce, Community, and Economic Development

The bill was referred to the Finance Committee.

SB 75

The Labor and Commerce Committee considered SENATE BILL NO. 75 "An Act relating to an audiology and speech-language interstate compact; relating to the practice of audiology and the practice of speech-language pathology; and providing for an effective date."

Signing do pass: Senator Bjorkman, Chair; Senators Dunbar, Gray-Jackson. Signing no recommendation: Senators Merrick, Bishop.

The following fiscal information was published today:
Fiscal Note No. 1, Department of Commerce, Community, and Economic Development

The bill was referred to the Finance Committee.

SB 77

The Community and Regional Affairs Committee considered SENATE BILL NO. 77 "An Act relating to municipal property tax; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 77(CRA)

Signing do pass: Senator Dunbar, Chair; Senators Gray-Jackson, Olson, Giessel, Bjorkman.

The following fiscal information was published today:

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

The bill was referred to the Rules Committee.

SB 104

The Judiciary Committee considered SENATE BILL NO. 104 "An Act relating to appropriations to the civil legal services fund."

Signing do pass: Senator Claman, Chair; Senators Giessel, Kiehl. Signing no recommendation: Senators Tobin, Kaufman.

The following fiscal information was published today:

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

The bill was referred to the Finance Committee.

Introduction and Reference of Senate Bills

SB 116

SENATE BILL NO. 116 BY SENATOR GIESSEL BY REQUEST, entitled:

"An Act relating to the Board of Professional Counselors; relating to licensing of associate counselors; and providing for an effective date."

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

SB 117

SENATE BILL NO. 117 BY THE SENATE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to fireworks; repealing restrictions on the sale of fireworks; directing the Department of Public Safety to adopt fireworks regulations; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, Department of Public Safety

Governor's transmittal letter dated March 28:

Dear President Stevens:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill that would shift the substantive rules relating to the sale, storage, and use of fireworks in Alaska from statute to regulation, thereby allowing a more streamlined and up-to-date approach to the state's management of fireworks.

The bill would eliminate the substantive statutes governing fireworks and, in their place, authorize and direct the Department of Public Safety (DPS) to adopt regulations for the sale, storage, and use of fireworks. The fireworks statutes have not changed in several decades, and this bill is intended to allow DPS to bring the state's rules in-step with more modern approaches found in the International Fire Code and National Fire Protection Association regulations.

Under the bill, DPS would be required to enact regulations establishing minimum standards for the sale, storage, distribution, and use of fireworks, and would be permitted to establish reasonable fees for fireworks permits and inspections. The department would further be authorized to enter any building where fireworks are stored or kept for the sole purpose of ensuring compliance with fireworks regulations.

Regulations adopted by DPS under this bill would supersede municipal ordinances relating to fireworks that are less restrictive than the department's regulations. A municipality would be permitted, however, to enact ordinances that are more restrictive than the regulations. A violation of regulations established under the bill would be a class B misdemeanor.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Mike Dunleavy
Governor

SB 118

SENATE BILL NO. 118 BY SENATOR MERRICK, entitled:

"An Act relating to critical and essential minerals and the global energy transition."

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

Consideration of the Calendar**Second Reading of Senate Bills****SB 25**

SENATE BILL NO. 25 "An Act relating to inactive state accounts and funds; relating to the curriculum improvement and best practices fund; relating to the fuel emergency fund and fuel emergency grants; relating to the special Alaska Historical Commission receipts account; relating to the rural electrification revolving loan fund and loans from the fund; relating to the Southeast energy fund and grants from the fund; and relating to the Exxon Valdez oil spill unincorporated rural community grant fund and grants from the fund" was read the second time.

Senator Olson, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 528.

Without objection, CS FOR SENATE BILL NO. 25(FIN) "An Act relating to inactive state accounts and funds; relating to the curriculum improvement and best practices fund; relating to the fuel emergency fund and fuel emergency grants; relating to the special Alaska Historical Commission receipts account; relating to the rural electrification revolving loan fund and loans from the fund; and relating to the Exxon Valdez oil spill unincorporated rural community grant fund and grants from the fund" was adopted.

President Stevens stated CS FOR SENATE BILL NO. 25(FIN) will advance to third reading on the March 31 calendar.

SB 46

SENATE BILL NO. 46 "An Act establishing the month of March as Brain Injury Awareness Month" was read the second time.

President Stevens stated SENATE BILL NO. 46 will advance to third reading on the March 31 calendar.

Citations

Honoring – Kodiak High School Shakesbears Drama 2023 Division
Drama, Debate, & Forensics State Champions

Senator(s) Stevens

Representative(s) Stutes

Honoring – 2023 Top Three Iditarod Finishers

Senator(s) Hoffman

Honoring – Huffman Elementary School

Representative(s) Coulombe

Senator(s) Kaufman

In Memoriam – Marie Paul

Representative(s) Edgmon

Senator(s) Hoffman

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

Unfinished Business

SB 86

The following engrossed and enrolled bill, which was vetoed, was returned to the Office of the Governor for permanent filing:

SENATE BILL NO. 86 "An Act disapproving recommendations of the State Officers Compensation Commission relating to the salaries of state officers; and providing for an effective date."

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Giessel moved and asked unanimous consent the Senate stand in adjournment until 10:30 a.m., March 31, 2023. Without objection, the Senate adjourned at 11:19 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

Mar 30	Thursday	Beltz 105 (tsbldg)	1:30 PM
	-- MEETING CANCELED --		
+	Bills Previously Heard/Scheduled		

EDUCATION

Mar 29	Wednesday	Beltz 105 (tsbldg)	3:30 PM
+	SB 99	FINANCIAL LITERACY COURSE IN SCHOOLS	
	-- Testimony <Invitation Only> --		
	Presentation: Alaska Native Science and Engineering Program by Herb Schroeder, Vice Provost and Founder of ANSEP		
	Presentation: Alaska EXCEL by Carol Wilson, Executive Director; Billijo Mills, Deputy Director; Christa Wilson, Director of Finance; Ole Chief, Instructor		
	Presentation: Northwestern Alaska Career and Technical Center by Doug Walrath, NACTEC Director		
	Presentation: Alaska Technical Center by Terri Walker, Superintendent of the Northwest Arctic Borough School District		
	Karl Kowalski, Director of the Alaska Technical Center		
+	Bills Previously Heard/Scheduled		
	Streamed live on AKL.tv		

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EDUCATION (continued)

Mar 31	Friday	Beltz 105 (tsbldg)	3:30 PM
	No Meeting Scheduled		

FINANCE

Mar 29	Wednesday	Senate Finance 532	9:00 AM
	Consideration of Governor's Appointee: Anita Halterman, Alaska Mental Health Trust Authority Overview: University of Alaska - FY24 Operating and Capital - Subcommittee of the Whole		
+	Bills Previously Heard/Scheduled:		
+= SB 107	PERMANENT FUND DIVIDEND; POMV SPLIT		

Mar 30	Thursday	Senate Finance 532	9:00 AM
	Presentation: Retirement Income Comparisons - Pensions vs. 401(k) by David Teal, Consultant to the Senate Finance Committee		
+	Bills Previously Heard/Scheduled		

Mar 31	Friday	Senate Finance 532	9:00 AM
+= SB 98	POWER COST EQUALIZATION ENDOWMENT FUND		
+	SB 114	OIL & GAS PRODUCTION TAX; INCOME TAX	
+	Bills Previously Heard/Scheduled		

HEALTH & SOCIAL SERVICES

Mar 30	Thursday	Butrovich 205	3:30 PM
+	SJR 10	MEDICARE REIMBURSEMENT	
	-- Invited & Public Testimony --		
+	Bills Previously Heard/Scheduled		

JUDICIARY

Mar 29 Wednesday Butrovich 205 1:30 PM

Consideration of Governor's Appointees:
Commission on Judicial Conduct
Todd Fletcher - Anchorage
-- Invited & Public Testimony --
Consideration of Governor's Appointees: State
Board of Parole
Sarah Possenti - Fairbanks

- Invited & Public Testimony --
+= SB 37 CRIME COUNTERFEIT/NONFUNCTIONING AIRBAG
<Bill Hearing Canceled>
-- Testimony <Invitation Only> --
+= SB 53 FIVE-YEAR INVOLUNTARY COMMITMENTS
-- Testimony <Invitation Only> --
+ Bills Previously Heard/Scheduled

Mar 31 Friday Butrovich 205 1:30 PM

- += SB 64 CONTROLLED SUB.;HOMICIDE;GOOD TIME DEDUC.
-- Testimony <Invitation Only> --
+ Bills Previously Heard/Scheduled

LABOR & COMMERCE

Mar 29 Wednesday Beltz 105 (tsbldg) 1:30 PM

- += SB 83 PROFESSIONAL LICENSING; TEMP PERMITS
-- Public Testimony <Time Limit May Be Set> --
+ Bills Previously Heard/Scheduled:
+= SB 93 FISHERMEN'S FUND: VESSEL OWNER CLAIMS
+= SB 88 RETIREMENT SYSTEMS; DEFINED BENEFIT OPT.
-- Public Testimony <Time Limit May Be Set> --
Streamed live on AKL.tv

Mar 31 Friday Beltz 105 (tsbldg) 1:30 PM

- += SB 83 PROFESSIONAL LICENSING; TEMP PERMITS
+= SB 84 MONEY TRANSMISSION; VIRTUAL CURRENCY
-- Public Testimony <Time Limit May Be Set> --
+= SB 89 AGE FOR TOBACCO/NICOTINE/E-CIG; TAX E-CIG
-- Public Testimony <Time Limit May Be Set> --
Streamed live on AKL.tv

RESOURCES

- Mar 29 Wednesday Butrovich 205 3:30 PM**
- + HJR 11 ADDRESS AIR POLLUTION IN FAIRBANKS
 <Pending Referral>
 <Bill Hearing Canceled>
 Nick Czarnecki, Fairbanks North Star Borough Air
 Quality Manager
 -- Invited & Public Testimony --
- + SB 92 STATE OWNERSHIP OF SUBMERGED LAND
 -- Testimony <Invitation Only> --
 Brent Goodrum, Deputy Commissioner, Department of
 Natural Resources (DNR); Jim Walker, Chief Public
 Access Assertion and Defense (PAAD) Section,
 Division of Mining, Land And Water (DMLW), DNR;
 Daniel Hovancsek, Natural Resource Specialist,
 PAAD, DMLW, DNR; Mike Sewright, Retired Assistant
 Attorney General; and John Sturgeon, President,
 Safari Club International Alaska Club
 + Bills Previously Heard/Scheduled
- + SB 67 PFAS USE FIREFIGHTING
- + SB 87 LUMBER GRADING PROGRAM
 Streamed live on AKL.tv

- Mar 31 Friday Butrovich 205 3:30 PM**
- Presentation: Cook Inlet Update by Colleen
 Glover, Tax Division Director, Department of
 Revenue; and Dan Stickel, Chief Economist,
 Department of Revenue
 + Bills Previously Heard/Scheduled
 Streamed live on AKL.tv
-

STATE AFFAIRS

- Mar 30 Thursday Beltz 105 (tsbldg) 3:30 PM**
- Testimony <Invitation Only> --
 Presentation: Alaska Defense Force Overview
 by Dr. Craig Christensen, Deputy Commissioner
 Military and Veterans Affairs; Brigadier General
 Simon Brown AK Defense Force; Angela Laflamme
 Legislative Liaison, Department of Military and
 Veterans Affairs

(Continued on Next Page)

STATE AFFAIRS (continued)

(Continued from Previous Page)

- + SB 71 PAY FOR AK DEFENSE FORCE
 - Invited & Public Testimony --
 - **Streamed live on AKL.tv**
- + Bills Previously Heard/Scheduled

TRANSPORTATION

- | | | | |
|---------------|--------------------------------------|----------------------|----------------|
| Mar 30 | Thursday | Butrovich 205 | 1:30 PM |
| + SJR 11 | WESTERN AK/ARCTIC OIL SPILL RESPONSE | | |
| | -- Invited & Public Testimony -- | | |
| + | Bills Previously Heard/Scheduled | | |
| | -- Teleconference <Listen Only> -- | | |
| | **Streamed live on AKL.tv** | | |

FINANCE SUBCOMMITTEES

ADMINISTRATION

- | | | | |
|---------------|------------------|----------------------|----------------|
| Apr 12 | Wednesday | Butrovich 205 | 6:40 PM |
| | Budget Closeout | | |

CORRECTIONS

- | | | | |
|---------------|------------------|----------------------|----------------|
| Apr 12 | Wednesday | Butrovich 205 | 6:20 PM |
| | Budget Closeout | | |

FAMILY & COMMUNITY SERVICES

- | | | | |
|---------------|---|----------------------|----------------|
| Apr 13 | Thursday | Butrovich 205 | 3:30 PM |
| | -- Rescheduled from 03/28/23 -- | | |
| + | Department of Family & Community Services | | |
| | Budget Overview | | |
| | -- Testimony <Invitation Only> -- | | |

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HEALTH

Mar 29	Wednesday	Senate Finance 532	5:30 PM
	-- Rescheduled to 04/13/23 --		
	Department of Health Budget Overview		
	-- Testimony <Invitation Only> --		

Apr 13	Thursday	Butrovich 205	4:00 PM
	-- Rescheduled from 03/29/23 --		
	Department of Health Budget Overview		
	-- Testimony <Invitation Only> --		

JUDICIARY

Apr 12	Wednesday	Butrovich 205	6:00 PM
	Budget Closeout		

TRANSPORTATION & PUBLIC FACILITIES

Apr 04	Tuesday	Senate Finance 532	7:30 AM
+	Closeout		

OTHER MEETINGS

MISCELLANEOUS MEETINGS

Mar 29	Wednesday	Butrovich 205	12:00 PM
	Lunch & Learn Presentation: An Introduction to the Uniform Law Commission by Andrew Hemenway, Uniform Law Commission Alaska Delegate and Rebecca Polizzotto, Alaska Delegation Chair		
	Sponsored by Senator Donald Olson		