

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE

FIRST SESSION

Juneau, Alaska Monday February 23, 2015

Thirty-fifth Day

Pursuant to adjournment the Senate was called to order by President Meyer at 11:03 a.m.

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

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

The prayer was offered by the Chaplain, David Dierdorff, Unitarian Universalist Regional Lay Leader. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Spirit of Life, known by many names yet by no name fully known, the Senators gather here today with hopes and dreams and also with fears and wounds. May we be reminded that all things come and go; that today's victories and today's losses will in time give way to those of tomorrow, when roles may well be reversed. Help us to find the patience to accept our fears and wounds, and the persistence to pursue our hopes and dreams.

Spirit of Life, mother and father of us all, help us to remember those who came before us and to know that there will be others who follow us. May we always be open to growth and change, to movement, to grace.

In the name of all that is holy, and in all holy names that have ever been uttered, let us say Blessed be, Shalom, and Amen.

Senator Olson led the Senate in the Pledge of Allegiance.

Certification

Senator Coghill moved and asked unanimous consent that the journals for the thirty-second through thirty-fourth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the Governor

Letter dated February 20 was read stating the following appointment has been withdrawn:

Board of Fisheries

Dr. Roland Maw – Kasilof

The appointment had been referred to the State Affairs and Resources Committees (page 58).

Messages from the House

Message dated February 20 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Resolutions

HJR 5

CS FOR HOUSE JOINT RESOLUTION NO. 5(TRA) am BY THE HOUSE TRANSPORTATION COMMITTEE,

Recognizing the Academy of Model Aeronautics for establishing safety guidelines and best practices.

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

First Reading and Reference of House Bills

HB 35

CS FOR HOUSE BILL NO. 35(STA) BY THE HOUSE STATE AFFAIRS COMMITTEE, entitled:

"An Act establishing March 27 as Great Alaska Good Friday Earthquake Remembrance Day."

was read the first time and referred to the State Affairs Committee.

HB 43

CS FOR HOUSE BILL NO. 43(STA) BY THE HOUSE STATE AFFAIRS COMMITTEE, entitled:

"An Act establishing Alaska Law Enforcement Officers' Day."

was read the first time and referred to the State Affairs Committee.

Standing Committee Reports

SB 30

The Judiciary Committee considered SENATE BILL NO. 30 "An Act relating to controlled substances; relating to marijuana; relating to driving motor vehicles when there is an open marijuana container; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 30(JUD) "An Act relating to controlled substances; relating to marijuana; deleting marijuana, hash, and hash oil from the controlled substance schedules and making conforming and related amendments; relating to crimes and offenses related to marijuana and the use

of marijuana; relating to driving a commercial motor vehicle or motor vehicle while under the influence of an alcoholic beverage, marijuana, inhalant, or controlled substance; relating to conditions of release; relating to probation and parole; relating to sentencing; relating to illicit synthetic drugs; relating to protective orders; relating to employer alcohol, marijuana, and drug testing; relating to municipalities; relating to established villages and local options; making conforming amendments; and providing for an effective date."

Signing do pass: Senator McGuire, Chair. Signing amend: Senators Costello, Coghill, Micciche.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Health and Social Services
Fiscal Note No. 2, zero, Department of Health and Social Services
Fiscal Note No. 3, Department of Health and Social Services
Fiscal Note No. 4, zero, Department of Law
Fiscal Note No. 5, zero, Department of Commerce, Community
and Economic Development
Fiscal Note No. 6, zero, Department of Commerce, Community
and Economic Development
Fiscal Note No. 7, Department of Health and Social Services

The bill was referred to the Finance Committee.

Introduction and Reference of Senate Bills

SB 59

SENATE BILL NO. 59 BY SENATOR WIELECHOWSKI, entitled:

"An Act relating to a code of military justice; relating to military offenses and penalties for military offenses; relating to the jurisdiction of the court of appeals; relating to appeals of convictions and sentences of courts-martial; relating to the procedures for persons subject to court-martial proceedings;

relating to involuntary commitment for evaluation or treatment of a mental disease or defect before court-martial proceedings; and providing for an effective date."

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

SB 60

SENATE BILL NO. 60 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act establishing the Marijuana Control Board; relating to the powers and duties of the Marijuana Control Board; relating to the appointment, removal, and duties of the director of the Marijuana Control Board; relating to the Alcoholic Beverage Control Board; and providing for an effective date."

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

The following fiscal information was published today:

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

Governor's transmittal letter dated February 20:

Dear President Meyer:

Under the authority of Article III, Section 18 of the Alaska Constitution, I am transmitting a bill establishing the Marijuana Control Board (Board) and relating to the Alcoholic Beverage Control Board.

The bill would protect public safety and promote effective regulation of the marijuana industry consistent with the people's intent as expressed in AS 17.38 by creating the Marijuana Control Board that includes representatives from the public health and safety sectors, the marijuana industry, and the general public. The Board's members

would be appointed by the Governor to serve staggered terms of three years; the Board would have authority to regulate marijuana cultivation, transportation, production, and sale, as set out in AS 17.38.090. Importantly, the bill would give the Marijuana Control Board the power to enforce its regulations, including the ability to use peace officer powers to enforce the criminally punishable laws and regulations relating to marijuana. And, by providing for a shared administrative and enforcement staff with the Alcoholic Beverage Control Board, the bill would enable the Marijuana Control Board to benefit from the considerable experience and expertise of the Alcoholic Beverage Control Board while realizing significant economies.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Bill Walker
Governor

Consideration of the Calendar

Second Reading of Senate Bills

SB 35

SENATE BILL NO. 35 "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date" was read the second time.

President Meyer stated SENATE BILL NO. 35 will advance to third reading on the February 25 calendar.

Citations

Honoring - Service High School Flag Football 2014 All-CIC Team
Representative(s) Millett
Senator(s) Meyer, Bishop, Coghill, Costello, Dunleavy, Egan, Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Wielechowski

In Memoriam - Carl Heflinger

Senator(s) Coghill, Meyer, Bishop, Costello, Dunleavy, Egan, Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Stoltze, Wielechowski

In Memoriam - Lt. Colonel Norman Dudley Comfort

Senator(s) Coghill, Meyer, Bishop, Costello, Dunleavy, Egan, Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Stoltze, Wielechowski

In Memoriam - Louis "Frank" DeLong

Senator(s) Coghill, Meyer, Bishop, Costello, Dunleavy, Egan, Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Stoltze, Wielechowski

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

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

Special Order of Business

In Memoriam - John Karl Hoegberg

Representative(s) Wool

Senator(s) Bishop, Meyer, Coghill, Costello, Dunleavy, Egan, Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Wielechowski

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

Unfinished Business

Senator Bishop moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 26 through evening plane time, March 1. Without objection, Senator Bishop was excused.

Senator Hoffman moved and asked unanimous consent to be excused from a call of the Senate on February 27. Without objection, Senator Hoffman was excused.

Senator Costello moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, February 27 through morning plane time, March 2. Without objection, Senator Costello was excused.

Announcements

Senator Stedman, Chair, moved and asked unanimous consent that Uniform Rule 23 be waived for a Health and Social Services Committee meeting on February 25. Without objection, it was so ordered.

SJR 13

Senator Giessel, Chair, moved and asked unanimous consent that Uniform Rule 23 be waived on SENATE JOINT RESOLUTION NO. 13 Supporting oil and gas exploration and development on the outer continental shelf offshore of the state; opposing attempts to prohibit oil and gas development in the Chukchi Sea Planning Area and the Beaufort Sea Planning Area; and requesting that the federal Administration cease and desist from all future restrictions in the Chukchi and Beaufort Seas, for the Resources Committee meeting today. Without objection, it was so ordered.

Announcements are at the end of the journal.

Adjournment

Senator Coghill moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 25, 2015. Without objection, the Senate adjourned at 11:46 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

Feb 24	Tuesday No Meeting Scheduled	Beltz 105 (tsbldg)	3:30 PM
Feb 26	Thursday No Meeting Scheduled	Beltz 105 (tsbldg)	3:30 PM

EDUCATION

Feb 24	Tuesday	Butrovich 205	3:30 PM
+ SJR 2	CONST. AM: G.O. BONDS FOR STUDENT LOANS		
+	Presentation: Alaska Performance Scholarship Program Alaska Education Grant Program Diane Barrans, Director, Alaska Commission on Postsecondary Education		
Feb 26	Thursday	Butrovich 205	3:30 PM
+ SCR 1	CIVICS EDUCATION TASK FORCE		
+	Presentation: Secondary School Boarding Stipend Program Elizabeth Nudelman, Director, School Finance, DEED District Operated Residential Schools (Variable Length and 180-day Term Programs) Various School Districts Mt. Edgecumbe High School Bill Hutton, Superintendent		

FINANCE

- Feb 23 Monday Senate Finance 532 9:00 AM**
 += SB 27 APPROP: OPERATING BUDGET/LOANS/FUNDS
 Departments: Fish and Game, Natural Resources
 and Environmental Conservation
 Department of Fish and Game
 <Above Agenda Item Rescheduled to 02/25/14>
 + Bills Previously Heard/Scheduled
- Feb 24 Tuesday Senate Finance 532 9:00 AM**
 + SB 6 ELIMINATE DAYLIGHT SAVING TIME
 + SB 46 MUNI BOND BANK LOANS TO REG HEALTH ORGS
 += SB 30 MARIJUANA REG;CONT. SUBST;CRIMES;DEFENSES
 + Bills Previously Heard/Scheduled
- Feb 25 Wednesday Senate Finance 532 9:00 AM**
 += SB 27 APPROP: OPERATING BUDGET/LOANS/FUNDS
 Departments: Corrections, Public Safety, and Law
 Department of Fish and Game
 <Above Agenda Item Rescheduled from 02/23/14>
 + Bills Previously Heard/Scheduled
- Feb 26 Thursday Senate Finance 532 9:00 AM**
 + Presentation: Juneau Access and KABATA
 Administrative Order 271
 Commissioner-Designee Marc Luiken, Department of
 Transportation and Public Facilities
 + Presentation: Ambler Road
 Mark Davis, Alaska Industrial Development and
 Export Authority - via teleconference
 Bills Previously Heard/Scheduled
- Feb 27 Friday Senate Finance 532 9:00 AM**
 No Meeting Scheduled

HEALTH & SOCIAL SERVICES

- Feb 23 Monday Butrovich 205 1:30 PM**
 -- Meeting Postponed to 2/25/15 --
 Medicaid Expansion Presentation given by DHSS
 Commissioner Valerie Davidson
 -- Testimony <Invitation Only> --

HEALTH & SOCIAL SERVICES (continued)

Feb 25 Wednesday Butrovich 205 1:30 PM
 -- Rescheduled from 02/23/15 --
 -- Uniform Rule 23 Waived --
 Medicaid Expansion Presentation given by DHSS
 Commissioner Valerie Davidson
 -- Testimony <Invitation Only> --

Feb 27 Friday Butrovich 205 1:30 PM
 No Meeting Scheduled

JUDICIARY

Feb 23 Monday Beltz 105 (tsbldg) 1:30 PM
 + Confirmation of Governor's Appointments:
 Dr. George Brown - Violent Crimes Compensation
 Board
 Kathryn Dodge - State Commission for Human Rights
 Lester Lunceford - State Commission for Human
 Rights
 + SB 21 AFFIRMATIVE DEFENSE TO PROSTITUTION
 -- Invited and Public Testimony --
 + Bills Previously Heard/Scheduled

Feb 25 Wednesday Beltz 105 (tsbldg) 12:00 PM
 + CRIME SUMMIT
 -- Invited and Public Testimony --

Feb 27 Friday Beltz 105 (tsbldg) 1:30 PM
 += SB 51 UNIFORM INTER.CHILD SUPPORT;PARENTAGE
 + SB 49 CIVIL LEGAL SERVICES FUND
 -- Invited and Public Testimony --
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

- Feb 24 Tuesday Beltz 105 (tsbldg) 1:30 PM**
 + Board and Commission Appointees:
 Alaska Workers' Compensation Board
 Board of Certified Real Estate Board
 Board of Massage Therapists
 State Medical Board
 Board of Examiners in Optometry
 -- Public Testimony --
 + Bills Previously Heard/Scheduled
- Feb 26 Thursday Beltz 105 (tsbldg) 1:30 PM**
 + SB 15 LIFE INSURANCE POLICY PREMIUM TAX
 + SB 47 LIFE INSURANCE/ANNUITY EXEMPTIONS
 -- Public Testimony --
 + Bills Previously Heard/Scheduled
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RESOURCES

- Feb 23 Monday Butrovich 205 3:30 PM**
 + Confirmation of Governor's Appointees:
 Board of Game - Kip Fanning, Teresa Sager Albaugh
 -- Public Testimony on Appointees --
 -- Uniform Rule 23 Waived --
 += SJR 13 OCS OIL & GAS EXPLORATION/DEVELOPMENT
 -- Public Testimony --
 Bills Previously Heard/Scheduled
- Feb 25 Wednesday Senate Finance 532 12:00 PM**
 + Joint Hearing with House Resources Committee
 Overview on the Mining Industry in Alaska
 -- Testimony <Invitation Only> --
- Feb 25 Wednesday Butrovich 205 3:30 PM**
 + Overview of Extraction Industry in Alaska:
 Anchorage Economic Development Corporation
 -- Testimony <Invitation Only> --
 += SB 32 TIMBER SALES
 -- Public Testimony --
 + Bills Previously Heard/Scheduled

RESOURCES (continued)

Feb 27 **Friday** **Butrovich 205** **3:30 PM**
 + Bills Previously Heard/Scheduled

STATE AFFAIRS

Feb 24 **Tuesday** **Butrovich 205** **9:00 AM**
 + Governor's Appointments - Confirmation Hearings:
 Rebecca Hamon, Alaska Police Standards Council
 Gustaf Sandahl, Alaska Police Standards Council
 + HJR 13 RETAIN ARMY FORCES IN ALASKA
 -- Public Testimony --
 Bills/Topics Previously Heard/Scheduled

Feb 26 **Thursday** **Butrovich 205** **9:00 AM**
 + Governor's Appointments - Confirmation Hearing:
 Sheldon Fisher, Department of Administration
 Commissioner
 -- Public Testimony --
 "Continuing Discussion of the Implementation of
 Ballot Measure No. 2 (J3PSUM)"
 Kevin Anselm, Director, Division of Banking &
 Securities, DCCED
 Lori Wing-Heier, Director, Division of Insurance
 DCCED
 + SB 9 ELECTION PAMPHLETS
 + Bills/Topics Previously Heard/Scheduled

TRANSPORTATION

Feb 24 **Tuesday** **Butrovich 205** **1:00 PM**
 No Meeting Scheduled

Feb 26 **Thursday** **Butrovich 205** **1:00 PM**
 + Dalton Highway - Informational Hearing with the
 Department of Transportation and Industry
 Representatives Discussing the Conditions and
 Needs on the Dalton Highway
 Additional Departments May be Added to the Agenda

FINANCE SUBCOMMITTEES

COMMERCE, COMMUNITY & ECONOMIC DEV

- Mar 11** **Wednesday** **Senate Finance 532** **3:00 PM**
Commerce, Community & Economic Development
- Mar 17** **Tuesday** **Senate Finance 532** **3:00 PM**
Commerce, Community & Economic Development
- Mar 24** **Tuesday** **Senate Finance 532** **3:00 PM**
Closeout

MILITARY & VETERANS' AFFAIRS

- Mar 12** **Thursday** **Senate Finance 532** **3:00 PM**
Military & Veterans Affairs
- Mar 25** **Wednesday** **Senate Finance 532** **3:00 PM**
Closeout

PUBLIC SAFETY

- Mar 10** **Tuesday** **Senate Finance 532** **3:00 PM**
Department of Public Safety
- Mar 19** **Thursday** **Senate Finance 532** **3:00 PM**
Department of Public Safety
- Mar 26** **Thursday** **Senate Finance 532** **3:00 PM**
Closeout

SPECIAL COMMITTEES**SPECIAL CMTE ON THE ARCTIC**

Feb 26 **Thursday** **Butrovich 205** **11:15 AM**
 + Presentation: "Managing the Arctic Maritime
 Domain through Available Technology"
 Ed Page, Executive Director of the Marine
 Exchange of Alaska
 -- Invited and Public Testimony --
 + Bills Previously Heard/Scheduled

JOINT COMMITTEES**LEGISLATIVE BUDGET & AUDIT**

Feb 26 **Thursday** **Barnes 124** **3:30 PM**
 Audits
 Alaska State Legislature Financial Statements
 and Audit Report
 Executive Session
 Statewide Single Audit FY14 Preliminary
 Other Committee Business
 -- Testimony <Invitation Only> --

Mar 30 **Monday** **Barnes 124** **7:30 AM**
 Audits - Executive Session: Statewide Single
 Audit FY14 Final
 Other Committee Business
 -- Testimony <Invitation Only> --

OTHER MEETINGS**JOINT SESSION**

Mar 23 **Monday** **House Chamber** **11:00 AM**
 + Annual Address by the Honorable
 Dan Sullivan, U.S. Senator

MISCELLANEOUS MEETING

Feb 24	Tuesday	Capitol 106	12:00 PM
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Lunch and Learn: "An Update on Hilcorp: An Independent Operating in the Cook Inlet and the North Slope"
Speaker: Greg Lalicker, President, Hilcorp
Sponsored by Senator Giessel