

**SENATE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-NINTH LEGISLATURE**  
**SECOND SESSION**

**Juneau, Alaska**

**Friday**

**May 13, 2016**

**One Hundred Sixteenth Day**

Pursuant to adjournment the Senate was called to order by President Meyer at 12:10 p.m. in the Terry Miller Legislative Office Building gymnasium.

The roll showed nineteen members present. Senator Hoffman was absent.

The prayer was offered by the Chaplain, Romo Marasigan. Senator Giessel moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear Lord,

Give us strength to be the best we can be, humility to know our flaws, and love to share abundantly with ourselves and others. Amen.

Senator Kelly led the Senate in the Pledge of Allegiance.

**Certification**

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

**Standing Committee Reports****SB 138**

The Finance Committee considered SENATE BILL NO. 138 "An Act making appropriations, including capital appropriations, reappropriations, and other appropriations; making appropriations to capitalize funds; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 138(FIN) "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, reappropriations, and other appropriations; making appropriations to capitalize funds; and providing for an effective date."

Signing do pass: Senator MacKinnon, Cochair; Senators Bishop, Dunleavy, Micciche. Signing amend: Senator Olson.

The bill is on today's calendar.

**Consideration of the Calendar****Second Reading of Senate Bills****SB 138**

SENATE BILL NO. 138 "An Act making appropriations, including capital appropriations, reappropriations, and other appropriations; making appropriations to capitalize funds; and providing for an effective date" was read the second time.

Senator MacKinnon, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 2794. Senator Gardner objected, then withdrew her objection. There being no further objection, CS FOR SENATE BILL NO. 138(FIN) "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, reappropriations, and other appropriations; making appropriations to capitalize funds; and providing for an effective date" was adopted.

President Meyer stated CS FOR SENATE BILL NO. 138(FIN) will advance to third reading on the May 14 calendar.

**Unfinished Business****SB 91**

Senator Coghill moved and asked unanimous consent to take up the concur message on HOUSE CS FOR CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 91(FIN) am H "An Act relating to civil in rem forfeiture actions; relating to criminal law and procedure; relating to controlled substances; relating to victims of criminal offenses; relating to probation; relating to sentencing; relating to treatment program credit for time spent toward service of a sentence of imprisonment; relating to the Violent Crimes Compensation Board; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to identification cards and driver's licenses for parolees; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to the duties of the commissioner of corrections; amending Rules 32, 32.1, 38, and 43, Alaska Rules of Criminal Procedure; and providing for an effective date" which had been held on the Secretary's desk (page 2785). Without objection, it was so ordered.

Senator Coghill moved that the Senate concur in the House amendments.

The question being: "Shall the Senate concur in the House amendments?" The roll was taken with the following result:

HCS CSSSSB 91(FIN) am H

Shall the Senate Concur in the House Amendments  
to CSSSSB 91(FIN) am? Court Rules Effective Dates

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

Yeas: Kelly, MacKinnon, McGuire, Micciche, Olson, Stevens,  
Wielechowski, Bishop, Coghill, Costello, Egan, Ellis, Gardner, Meyer

Nays: Stedman, Stoltze, Dunleavy, Giessel, Huggins

Absent: Hoffman

and so, the Senate concurred in the House amendments, thus adopting HOUSE CS FOR CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 91(FIN) am H "An Act relating to civil in rem forfeiture actions; relating to criminal law and procedure; relating to controlled substances; relating to victims of criminal offenses; relating to probation; relating to sentencing; relating to treatment program credit for time spent toward service of a sentence of imprisonment; relating to the Violent Crimes Compensation Board; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to identification cards and driver's licenses for parolees; relating to the disqualification of persons convicted of certain felony drug offenses from participation in the food stamp and temporary assistance programs; relating to the duties of the commissioner of corrections; amending Rules 32, 32.1, 38, and 43, Alaska Rules of Criminal Procedure; and providing for an effective date."

Senator Coghill moved and asked unanimous consent that the vote on concurrence be considered the vote on the Court Rule changes. Without objection, it was so ordered.

Senator Coghill moved and asked unanimous consent that the vote on concurrence be considered the vote on the effective date clauses. Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

### **HCR 32**

Senator Coghill moved and asked unanimous consent to take up HOUSE CONCURRENT RESOLUTION NO. 32, which had been held on the Secretary's desk (page 2784). Without objection, the resolution was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 32 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 91, relating to criminal law and procedure; relating to controlled substances; relating to immunity from prosecution for the crime of prostitution; relating to probation; relating to sentencing; establishing a pretrial services program with pretrial services officers in the Department of Corrections; relating to the publication of suspended entries of judgment on a publicly available Internet website; relating to permanent fund dividends; relating to electronic monitoring; relating to penalties for violations of municipal ordinances; relating to parole; relating to correctional restitution centers; relating to community work service; relating to revocation, termination, suspension, cancellation, or restoration of a driver's license; relating to the excise tax on marijuana; establishing the recidivism reduction fund; relating to the Alaska Criminal Justice Commission; relating to the disqualification of persons convicted of specified drug offenses from participation in the food stamp and temporary assistance programs; relating to the duties of the commissioner of corrections; and amending Rules 32, 32.1, 38, 41, and 43, Alaska Rules of Criminal Procedure, and repealing Rules 41(d) and (e), Alaska Rules of Criminal Procedure, pass the Senate?" The roll was taken with the following result:

HCR 32

Final Passage

**YEAS: 19 NAYS: 0 EXCUSED: 0 ABSENT: 1**

Yeas: MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Stoltze, Wielechowski, Bishop, Coghill, Costello, Dunleavy, Egan, Ellis, Gardner, Giessel, Huggins, Kelly, Meyer

Absent: Hoffman

and so, HOUSE CONCURRENT RESOLUTION NO. 32 passed the Senate, was signed by the President and Secretary and returned to the House.

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

**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 Coghill moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., May 14, 2016. Without objection, the Senate adjourned at 1:01 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**

**May 13      Friday      Bill Ray Center 230      9:30 AM**

+ Oil and Gas Tax Credits  
Commissioner Randall Hoffbeck  
Director Ken Alper  
+ Bills Previously Heard/Scheduled

**May 14      Saturday      Bill Ray Center 230      1:30 PM**

+ HB 247 TAX;CREDITS;INTEREST;REFUNDS;O & G  
<Pending Referral>  
Department of Revenue  
Legislative Finance Division  
+ Bills Previously Heard/Scheduled

**JOINT COMMITTEES****LEGISLATIVE COUNCIL**

**May 16      Monday      Bill Ray Center 208      4:00 PM**

+ Committee Business  
a. Anchorage Office Space  
b. Bill Ray Center Lease

**CONFERENCE COMMITTEES****CONFERENCE COMMITTEE ON HB256 AND HB257**

**May 13      Friday                      Bill Ray Center 230              3:00 PM**

-- MEETING CANCELED --

+ = HB 256 APPROP: OPERATING BUDGET/LOANS/FUNDS

+ = HB 257 APPROP: MENTAL HEALTH BUDGET

**May 14      Saturday                      Bill Ray Center 230              1:00 PM**

-- Meeting Postponed until 3 PM --

+ = HB 256 APPROP: OPERATING BUDGET/LOANS/FUNDS

+ = HB 257 APPROP: MENTAL HEALTH BUDGET

**May 15      Sunday                      Bill Ray Center 230              3:00 PM**

+ = HB 256 APPROP: OPERATING BUDGET/LOANS/FUNDS

+ = HB 257 APPROP: MENTAL HEALTH BUDGET