

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE
FOURTH SPECIAL SESSION

Juneau, Alaska

Tuesday

May 31, 2016

Ninth Day

Pursuant to adjournment the Senate was called to order by President Meyer at 1:15 p.m. in the Beltz Room of the Thomas B. Stewart Legislative Office Building.

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

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

Lord, may we who have plenty live simply so that
others may simply live. Amen.

Senator Bishop led the Senate in the Pledge of Allegiance.

Certification

Senator Coghill moved and asked unanimous consent that the journal for the eighth legislative day of the fourth special session be approved as certified by the Secretary. Without objection, it was so ordered.

Special Committee Reports

HB 257

Senator Coghill moved and asked unanimous consent Rule 42, Alaska State Legislature Uniform Rules, be waived for the conference committee report on CONFERENCE CS FOR HOUSE BILL NO. 257. Without objection, Uniform Rule 42 was waived.

The following report was received and distributed at 11:35 a.m.,
May 31:

May 30, 2016

Mr. President:

Mr. Speaker:

The Conference Committee with limited powers of free conference considered SENATE CS FOR CS FOR HOUSE BILL NO. 257(FIN) and CS FOR HOUSE BILL NO. 257(FIN) and recommends

CONFERENCE CS FOR HOUSE BILL
NO. 257 "An Act making appropriations for
the operating and capital expenses of the
state's integrated comprehensive mental
health program; making supplemental
appropriations; and providing for an effective
date"

be adopted.

A fiscal note packet was attached.

Signing the report: Senator Kelly, Chair, Senators MacKinnon,
Hoffman; Representative Neuman, Chair, Representatives Thompson,
Gara.

Senator Coghill moved that 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 257

Shall the Senate Adopt the
Conference Committee Report? Effective Dates

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

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

Absent: McGuire

and so, the report was adopted, thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 257
"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; making supplemental appropriations; and providing for an effective date."

Senator Coghill moved and asked unanimous consent that 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.

President Meyer stated in accordance with Rule 43(b), Alaska State Legislature Uniform Rules, engrossment may be waived on all bills transmitted to the House this legislative day.

Senator Coghill moved and asked unanimous consent to adopt the first supplemental calendar. Without objection, the first supplemental calendar was adopted.

The presence of Senator McGuire was noted.

Consideration of the First Supplemental Calendar

Second Reading of House Bills

HB 27

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 27(JUD) am "An Act relating to the duties of the Department of Health and Social Services; relating to hearings on and plans for

permanent placement of a child in need of aid; relating to school placement and transportation for children in foster care; relating to foster care transition programs; relating to emergency and temporary placement of a child in need of aid; relating to transitional living arrangements for children in foster care; and amending Rule 17.2, Alaska Child in Need of Aid Rules of Procedure" was read the second time.

Senator Stedman, Chair, moved and asked unanimous consent for the adoption of the Health and Social Services Senate Committee Substitute offered on page 2490. Senator Gardner objected, then withdrew her objection. There being no further objection, SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 27(HSS) was adopted.

Senator Dunleavy offered Amendment No. 1:

Page 7, following line 28:

Insert a new bill section to read:

"* **Sec. 7.** AS 47.10.115(b) is amended to read:

(b) The department **shall** [MAY NOT] distribute the proceeds of a trust under this section [UNLESS]

(1) **to** the child **when the child**

(A) has reached 21 years of age; or

(B) is no longer in the custody of the department

and has reached **at least** 18 years of age **or is emancipated** [AND IS NO LONGER IN THE CUSTODY OF THE DEPARTMENT]; **or**

(2) **when** [THE CHILD HAS BEEN ADOPTED AND ONE YEAR HAS ELAPSED SINCE THE ADOPTION;

(3) THE CHILD IS NO LONGER IN THE CUSTODY OF THE DEPARTMENT AND THE CHILD HAS BEEN REUNITED WITH THE CHILD'S PARENTS; OR

(4)] ordered to do so by the court in the best interest of the child."

Renumber the following bill sections accordingly.

Page 9, following line 18:

Insert a new bill section to read:

"* **Sec. 14.** AS 47.10.115(c) is repealed."

Renumber the following bill section accordingly.

Senator Dunleavy moved for the adoption of Amendment No. 1. Senator Gardner objected, then withdrew her objection. There being no further objection, Amendment No. 1 was adopted.

Senator Coghill moved and asked unanimous consent that the bill be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 27(HSS) am S was read the third time.

The question being: "Shall SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 27(HSS) am S "An Act relating to the duties of the Department of Health and Social Services; relating to hearings on and plans for permanent placement of a child in need of aid; relating to school placement and transportation for children in foster care; relating to foster care transition programs; relating to emergency and temporary placement of a child in need of aid; relating to transitional living arrangements for children in foster care; and amending Rule 17.2, Alaska Child in Need of Aid Rules of Procedure" pass the Senate?" The roll was taken with the following result:

SCS CSSH B 27(HSS) am S
Third Reading - Final Passage
Court Rule

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 27(HSS) am S passed the Senate.

Senator Coghill moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the Court Rule change. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

HB 200

CS FOR HOUSE BILL NO. 200(HSS) am "An Act establishing procedures related to a petition or proxy for adoption or guardianship of a child in state custody; adding a definition of 'proxy for a formal petition'; amending Rules 5 and 6(a), Alaska Adoption Rules, and adding Rule 17.3, Alaska Child in Need of Aid Rules of Procedure; and providing for an effective date" was read the second time.

Senator Coghill moved and asked unanimous consent that the bill be advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR HOUSE BILL NO. 200(HSS) am was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 200(HSS) am "An Act establishing procedures related to a petition or proxy for adoption or guardianship of a child in state custody; adding a definition of 'proxy for a formal petition'; amending Rules 5 and 6(a), Alaska Adoption Rules, and adding Rule 17.3, Alaska Child in Need of Aid Rules of Procedure; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 200(HSS) am
Third Reading - Final Passage
Court Rules Effective Dates

YEAS: 18 NAYS: 2 EXCUSED: 0 ABSENT: 0

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

Nays: Kelly, Stoltze

and so, CS FOR HOUSE BILL NO. 200(HSS) am passed the Senate.

Senator Coghill moved and asked unanimous consent that the vote on the passage of the bill 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 the passage of the bill be considered the vote on the effective date clauses. Without objection, it was so ordered and the bill was signed by the President and Secretary and returned to the House.

Senator Coghill moved and asked unanimous consent to return to Special Committee Reports. Without objection, the Senate returned to:

Special Committee Reports

HB 256

The following report was received and distributed at 12:41 p.m., May 31:

May 30, 2016

Mr. President:

Mr. Speaker:

The Conference Committee with limited powers of free conference considered SENATE CS FOR CS FOR HOUSE BILL NO. 256(FIN) and CS FOR HOUSE BILL NO. 256(FIN) and recommends

CONFERENCE CS FOR HOUSE BILL NO. 256
"An Act making appropriations for the operating and loan program expenses of state government and for certain programs; capitalizing funds; amending appropriations; repealing appropriations; making supplemental appropriations and reappropriations; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date" (technical title change)

be adopted.

A fiscal note packet was attached.

Signing the report: Senator Kelly, Chair, Senators MacKinnon, Hoffman; Representative Neuman, Chair, Representatives Thompson, Gara.

Senator Coghill moved and asked unanimous consent Rule 42, Alaska State Legislature Uniform Rules, be waived for the conference committee report on CONFERENCE CS FOR HOUSE BILL NO. 256. Without objection, Uniform Rule 42 was waived.

Senator Coghill moved that 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 256

Shall the Senate Adopt the
Conference Committee Report? Effective Dates

YEAS: 17 NAYS: 3 EXCUSED: 0 ABSENT: 0

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

Nays: Ellis, Gardner, Wielechowski

and so, the report was adopted, thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 256
"An Act making appropriations for the operating and loan program expenses of state government and for certain programs; capitalizing funds; amending appropriations; repealing appropriations; making supplemental appropriations and reappropriations; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

Senator Coghill moved for the adoption of the constitutional budget reserve fund section.

The question being: "Shall the constitutional budget reserve fund section (Article IX, Section 17(c) Constitution of the State of Alaska) be adopted?" The roll was taken with the following result:

CCS HB 256

Adopt the Constitutional Budget

Budget Reserve Fund Section?

YEAS: 17 NAYS: 3 EXCUSED: 0 ABSENT: 0

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

Nays: Ellis, Gardner, Wielechowski

and so, the constitutional budget reserve fund section was adopted.

Senator Coghill moved and asked unanimous consent that 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.

Senator Coghill moved and asked unanimous consent to return to Messages from the House. Without objection, the Senate returned to:

Messages from the House

Recess

Senator Coghill moved and asked unanimous consent that the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 2:32 p.m.

After Recess

The Senate reconvened at 3:45 p.m.

Messages from the House (continued)**Concur Messages****SB 138**

Message dated May 31 was read stating the House passed and returned for consideration 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" with the following amendments:

HOUSE CS FOR CS FOR SENATE BILL
NO. 138(FIN) am H(brf sup maj fld H)

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 CSSB 138(FIN) am H(brf sup maj fld H)

Shall the Senate Concur in the House Amendments to CSSB 138(FIN)? Effective Dates

YEAS: 18 NAYS: 2 EXCUSED: 0 ABSENT: 0

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

Nays: Ellis, Wielechowski

and so, the Senate concurred in the House amendments, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 138(FIN) am H(brf sup maj fld H).

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.

Senator Kelly moved and asked unanimous consent to return to Unfinished Business. Without objection, the Senate returned to:

Unfinished Business

Senator Kelly moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, June 2 through morning plane time, June 4. Without objection, Senator Kelly was excused.

Senator Gardner moved and asked unanimous consent to be excused from a call of the Senate from September 4 through October 6. Without objection, Senator Gardner 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.

Engrossment

HB 27

SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 27(HSS) am S "An Act relating to the duties of the Department of Health and Social Services; relating to hearings on and plans for permanent placement of a child in need of aid; relating to school placement and transportation for children in foster care; relating to foster care transition programs; relating to emergency and temporary placement of a child in need of aid; relating to transitional living arrangements for children in foster care; and amending Rule 17.2, Alaska Child in Need of Aid Rules of Procedure" was engrossed, signed by the President and Secretary and returned to the House for consideration.

Adjournment

Senator Coghill moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., June 3, 2016. Without objection, the Senate adjourned at 3:58 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 31 Tuesday Bill Ray Center 230 1:00 PM
 -- MEETING CANCELED --

+ HB 374 REINSURANCE PROGRAM; HEALTH INS. WAIVERS
 Bills Previously Heard/Scheduled

Jun 01 Wednesday Bill Ray Center 230 9:00 AM

+ HB 374 REINSURANCE PROGRAM; HEALTH INS. WAIVERS
 Bills Previously Heard/Scheduled

Jun 01 Wednesday Bill Ray Center 230 1:00 PM

+ HB 374 REINSURANCE PROGRAM; HEALTH INS. WAIVERS

-- Public Testimony --
 1:00 pm - 2:00 pm

Please arrive 15 minutes prior to the end of the allotted time period or testimony will close early.

If you are a member of a group with the same message, in the interest of time, please select a spokesperson to testify for the entire group. Testimony is limited to three minutes.

You may send your written testimony to the Senate Finance Committee via:

finance.committee@akleg.gov

Bills Previously Heard/Scheduled