

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

Juneau, Alaska

Monday

June 6, 2016

Fifteenth Day

Pursuant to adjournment the Senate was called to order by President Meyer at 5:47 p.m. in the Beltz Room of the Thomas B. Stewart Legislative Office Building.

The roll showed nineteen members present. Senator Huggins 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.

Dear Lord,

I have heard it said, "Life is change." Please give us the strength and flexibility to accept and embrace the constant change that life brings and wisdom to capture joy where we find it.

In your name,

Amen.

Senator Costello led the Senate in the Pledge of Allegiance.

Certification

Senator Coghill moved and asked unanimous consent that the journals for the twelfth through fourteenth legislative days of the fourth special session be approved as certified by the Secretary. Without objection, it was so ordered.

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

Messages from the House

HB 374

Message dated June 4 was read stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 374(FIN), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 374(FIN) "An Act relating to coverage under a state plan provided by the Comprehensive Health Insurance Association; establishing the Alaska comprehensive health insurance fund; relating to a reinsurance program; relating to the definition of 'residents who are high risks'; relating to an application for a waiver for state innovation for health care insurance; and providing for an effective date."

Standing Committee Reports

SB 128

The Finance Committee considered SENATE BILL NO. 128 "An Act relating to the Alaska permanent fund; relating to appropriations to the dividend fund; relating to income of the Alaska permanent fund; relating to the earnings reserve account; relating to the Alaska permanent fund dividend; making conforming amendments; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 128(FIN) "An Act relating to the Alaska Permanent Fund Corporation, the earnings of the Alaska permanent fund, and the earnings reserve account; relating to management of the budget reserve fund (art. IX, sec. 17, Constitution of the State of Alaska) by the Alaska Permanent

Fund Corporation; relating to procurement by the Alaska Permanent Fund Corporation; relating to the mental health trust fund; relating to deposits into the dividend fund; relating to the calculation of permanent fund dividends; relating to unrestricted state revenue available for appropriation; and providing for an effective date."

Signing do pass: Senator MacKinnon, Cochair, Senators Micciche, Hoffman, Olson, Bishop. Signing no recommendation: Senator Kelly, Cochair. Signing do not pass: Senator Dunleavy.

The bill is on today's first supplemental calendar.

Special Committee Reports

HB 247

June 6, 2016

Mr. President:
Mr. Speaker:

The Conference Committee considering 2d CS FOR HOUSE BILL NO. 247(RLS) am "An Act amending the powers of the board of trustees of the Alaska Retirement Management Board to authorize purchase and sale of transferable tax credit certificates issued in conjunction with the production tax on oil and gas; relating to interest applicable to delinquent tax; relating to the oil and gas production tax, tax payments, and credits; relating to exploration incentive credits; relating to refunds for the gas storage facility tax credit, the liquefied natural gas storage facility tax credit, and the qualified in-state oil refinery infrastructure expenditures tax credit; relating to the confidential information status and public record status of information in the possession of the Department of Revenue; relating to oil and gas lease expenditures and production tax credits for municipal entities; requiring a bond or cash deposit with a business license application for

an oil or gas business; establishing a legislative working group to study the fiscal regime and tax structure and rates for oil and gas produced south of 68 degrees North latitude; and providing for an effective date"

and

SENATE CS FOR 2d CS FOR HOUSE BILL NO. 247(FIN) am S "An Act relating to the exploration incentive credits; relating to the powers and duties of the Alaska Oil and Gas Conservation Commission; relating to interest applicable to delinquent tax; relating to the oil and gas production tax, tax payments, and credits; relating to tax credit certificates; relating to refunds for the gas storage facility tax credit, the liquefied natural gas storage facility tax credit, and the qualified in-state oil refinery infrastructure expenditures tax credit; relating to oil and gas lease expenditures and production tax credits for municipal entities; requiring a bond or cash deposit with a business license application for an oil or gas business; and providing for an effective date"

requests limited powers of free conference on the following specific points:

Section 35 (House)
Section 25 (Senate)

Signing the report: Senator Giessel, Chair, Senators Coghill, Micciche; Representative Talerico, Chair, Representatives Olson, Tarr.

President Meyer granted the Senate members limited powers of free conference as requested.

The Secretary was requested to notify the House.

HB 247

The following corrected report was received and distributed at 3:12 p.m., June 6:

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Mr. President:
Mr. Speaker:

The Conference Committee with limited powers of free conference considered SENATE CS FOR 2d CS FOR HOUSE BILL NO. 247(FIN) am S and 2d CS FOR HOUSE BILL NO. 247(RLS) am and recommends

CONFERENCE CS FOR HOUSE BILL NO. 247
"An Act relating to the exploration incentive credits; relating to the powers and duties of the Alaska Oil and Gas Conservation Commission; relating to interest applicable to delinquent tax; relating to the oil and gas production tax, tax payments, and credits; relating to tax credit certificates; relating to refunds for the gas storage facility tax credit, the liquefied natural gas storage facility tax credit, and the qualified in-state oil refinery infrastructure expenditures tax credit; relating to oil and gas lease expenditures and production tax credits for municipal entities; requiring a bond or cash deposit with a business license application for an oil or gas business; and providing for an effective date"

be adopted.

The following previously published fiscal information applies:

Fiscal Note No. 5, zero, Department of Natural Resources
Fiscal Note No. 8, Department of Revenue

Signing the report: Senator Giessel, Chair, Senators Coghill, Micciche; Representative Talerico, Chair, Representatives Olson, Tarr.

Senator Coghill moved that the Senate adopt the Corrected Conference Committee Report.

The question being: "Shall the Senate adopt the Corrected Conference Committee Report?" The roll was taken with the following result:

CCS HB 247

Shall the Senate Adopt the Corrected
Conference Committee Report?

YEAS: 13 NAYS: 6 EXCUSED: 1 ABSENT: 0

Yea: Giessel, Hoffman, Kelly, MacKinnon, McGuire, Micciche, Olson, Stevens, Bishop, Coghill, Costello, Dunleavy, Meyer

Nay: Gardner, Stedman, Stoltze, Wielechowski, Egan, Ellis

Excused: Huggins

and so, the report was adopted, thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 247

"An Act relating to the exploration incentive credits; relating to the powers and duties of the Alaska Oil and Gas Conservation Commission; relating to interest applicable to delinquent tax; relating to the oil and gas production tax, tax payments, and credits; relating to tax credit certificates; relating to refunds for the gas storage facility tax credit, the liquefied natural gas storage facility tax credit, and the qualified in-state oil refinery infrastructure expenditures tax credit; relating to oil and gas lease expenditures and production tax credits for municipal entities; requiring a bond or cash deposit with a business license application for an oil or gas business; and providing for an effective date."

Senator Coghill moved for the adoption of the effective date clauses.

The question being: "Shall the effective date clauses be adopted?" The roll was taken with the following result:

CCS HB 247

Adopt Effective Dates Clauses?

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

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

Excused: Huggins

and so, the effective date clauses were adopted.

The Secretary was requested to notify the House.

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

Consideration of the First Supplemental Calendar

Second Reading of Senate Bills

SB 128

SENATE BILL NO. 128 "An Act relating to the Alaska permanent fund; relating to appropriations to the dividend fund; relating to income of the Alaska permanent fund; relating to the earnings reserve account; relating to the Alaska permanent fund dividend; making conforming amendments; 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 2974. Senator Gardner objected, then withdrew her objection. There being no further objection, CS FOR SENATE BILL NO. 128(FIN) "An Act relating to the Alaska Permanent Fund Corporation, the earnings of the Alaska permanent fund, and the earnings reserve account; relating to management of the budget reserve fund (art. IX, sec. 17, Constitution of the State of Alaska) by the Alaska Permanent Fund Corporation; relating to procurement by the Alaska Permanent Fund Corporation; relating to the mental health trust fund; relating to deposits into the dividend fund; relating to the calculation of permanent fund dividends; relating to unrestricted state revenue available for appropriation; and providing for an effective date" 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.

CS FOR SENATE BILL NO. 128(FIN) was read the third time.

Recess

Senator Coghill moved and asked unanimous consent that the Senate stand in recess to 7:00 p.m. Without objection, the Senate recessed at 6:13 p.m.

After Recess

The Senate reconvened at 7:16 p.m.

SB 128

CS FOR SENATE BILL NO. 128(FIN) was before the Senate in third reading.

The question being: "Shall CS FOR SENATE BILL NO. 128(FIN) "An Act relating to the Alaska Permanent Fund Corporation, the earnings of the Alaska permanent fund, and the earnings reserve account; relating to management of the budget reserve fund (art. IX, sec. 17, Constitution of the State of Alaska) by the Alaska Permanent Fund Corporation; relating to procurement by the Alaska Permanent Fund Corporation; relating to the mental health trust fund; relating to deposits into the dividend fund; relating to the calculation of permanent fund dividends; relating to unrestricted state revenue available for appropriation; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 128(FIN)
Third Reading - Final Passage
Effective Dates

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

Yea: Hoffman, Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Bishop, Coghill, Costello, Egan, Giessel, Meyer

Nay: Stoltze, Wielechowski, Dunleavy, Ellis, Gardner

Excused: Huggins

and so, CS FOR SENATE BILL NO. 128(FIN) 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 effective date clauses. Without objection, it was so ordered.

Reconsideration of Senate Bills

SB 128

Senator McGuire gave notice of reconsideration on CS FOR SENATE BILL NO. 128(FIN) and moved and asked unanimous consent that it be taken up. Without objection, it was so ordered and the bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 128(FIN) "An Act relating to the Alaska Permanent Fund Corporation, the earnings of the Alaska permanent fund, and the earnings reserve account; relating to management of the budget reserve fund (art. IX, sec. 17, Constitution of the State of Alaska) by the Alaska Permanent Fund Corporation; relating to procurement by the Alaska Permanent Fund Corporation; relating to the mental health trust fund; relating to deposits into the dividend fund; relating to the calculation of permanent fund dividends; relating to unrestricted state revenue available for appropriation; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 128(FIN)

Third Reading - On Reconsideration

Effective Dates

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

Yea: Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Bishop, Coghill, Costello, Egan, Giessel, Hoffman, Meyer

Nay: Stoltze, Wielechowski, Dunleavy, Ellis, Gardner

Excused: Huggins

and so, CS FOR SENATE BILL NO. 128(FIN) passed the Senate on reconsideration.

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 referred to the Secretary for engrossment.

Announcements

Rule 23(d) of the Alaska State Legislature Uniform Rules is currently in effect.

Announcements are at the end of the journal.

Engrossment

SB 128

CS FOR SENATE BILL NO. 128(FIN) "An Act relating to the Alaska Permanent Fund Corporation, the earnings of the Alaska permanent fund, and the earnings reserve account; relating to management of the budget reserve fund (art. IX, sec. 17, Constitution of the State of Alaska) by the Alaska Permanent Fund Corporation; relating to procurement by the Alaska Permanent Fund Corporation; relating to the mental health trust fund; relating to deposits into the dividend fund; relating to the calculation of permanent fund dividends; relating to unrestricted state revenue available for appropriation; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Enrollment**SB 74**

HOUSE CS FOR CS FOR SENATE BILL NO. 74(FIN) am H "An Act relating to diagnosis, treatment, and prescription of drugs without a physical examination by a physician; relating to the delivery of services by a licensed audiologist, speech-language pathologist, professional counselor, marriage and family therapist, psychologist, psychological associate, social worker, physical therapist, occupational therapist, and registered speech-language pathologist assistant by audio, video, or data communications; relating to the duties of the State Medical Board; relating to limitations of actions; establishing the Alaska Medical Assistance False Claim and Reporting Act; relating to medical assistance programs administered by the Department of Health and Social Services; relating to the controlled substance prescription database; relating to the duties of the Board of Pharmacy; relating to the duties of the Board of Dental Examiners; relating to the duties of the Board of Nursing; relating to the duties of the Board of Examiners in Optometry; relating to the duties of the Department of Commerce, Community, and Economic Development; relating to the duties of the Department of Corrections; relating to accounting for program receipts; relating to public record status of records related to the Alaska Medical Assistance False Claim and Reporting Act; establishing a telemedicine business registry; relating to verification of eligibility for public assistance programs administered by the Department of Health and Social Services; relating to annual audits of state medical assistance providers; relating to reporting overpayments of medical assistance payments; establishing authority to assess civil penalties for violations of medical assistance program requirements; relating to the duties of the Department of Health and Social Services; establishing medical assistance demonstration projects; relating to Alaska Pioneers' Homes and Alaska Veterans' Homes; relating to the duties of the Department of Administration; relating to the Alaska Mental Health Trust Authority; relating to feasibility studies for the provision of specified state services; relating to a report by the Board of Pharmacy, Board of Examiners in Optometry, Board of Dental Examiners, Board of Nursing, and State Medical Board; amending Rules 4, 5, 7, 12, 24, 26, 27, 41, 77, 79, and 82, Alaska Rules of Civil Procedure; and providing for an effective date" was enrolled, signed by the President and

Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 3:31 p.m., June 6, 2016.

Memorandum from the Division of Legal and Research Services, Legislative Affairs Agency, reporting the following manifest errors in HOUSE CS FOR CS FOR SENATE BILL NO. 74(FIN) am H, which have been corrected in enrolling:

Page 6, line 15:

Delete "and"
Insert "[AND]"

Page 14, line 31:

Delete "both the complaint and the material evidence"
Insert "the complaint, the material evidence,"

Page 16, line 3:

Delete "subsection"
Insert "section"

Page 17, line 20:

Delete "only be paid"
Insert "be paid only"

Page 17, line 28:

Delete "only be paid"
Insert "be paid only"

Page 19, line 15:

Delete "AS 09.58.010 - 09.58.100"
Insert "this chapter"

Page 19, line 17:

Delete "AS 09.58.010 - 09.58.100"
Insert "this chapter"

Page 19, line 23:

Delete "AS 09.58.010 - 09.58.100"
Insert "this chapter"

Page 19, lines 24 - 25:

Delete "AS 09.58.010 - 09.58.100"
Insert "this chapter"

Page 20, line 26:

Delete "under"
Insert "in"

Page 20, line 28:

Delete "under"
Insert "in"

Page 21, line 14:

Delete "subsection"
Insert "section"

Page 32, line 12:

Delete "subsection"
Insert "paragraph"

Page 32, line 22:

Delete "only be used"
Insert "be used only"

Page 34, line 2:

Delete "under AS 47.05.110 - 47.05.120"

Page 35, line 3:

Delete "**chapter**"
Insert "**section**"

Page 36, line 5, following "sum,":

Insert "in"

Page 38, line 30:

Delete "Act"
Insert "section"

Page 40, line 22, following "**and**":

Insert "**the**"

Page 43, line 11:
Delete "projects"
Insert "project"

Page 46, line 13:
Delete "AS 47.07"
Insert "this chapter"

Page 48, line 27:
Delete "may"

Page 49, line 23:
Delete "and"

Page 49, line 25, following "or":
Insert "to"

Page 50, line 26:
Delete "will"
Insert "must"

Page 50, line 27:
Delete "will"

Page 53, line 18:
Delete "substances"
Insert "substance prescription"

Page 53, line 28:
Delete "10, 11, 12"
Insert "10 - 12"

Page 55, line 2:
Delete "AS 09.58.120(f)"
Insert "AS 09.58.010(f)"

Page 55, line 31:
Delete "January"
Insert "July"

Adjournment

Senator Coghill moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., June 7, 2016. Without objection, the Senate adjourned at 8:40 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

Jun 06 Monday Bill Ray Center 230 3:00 PM
+= SB 128 PERM. FUND:DEPOSITS;DIVIDEND;EARNINGS
Bills Previously Heard/Scheduled

CONFERENCE COMMITTEES**CONFERENCE COMMITTEE ON HB247**

Jun 06 Monday Bill Ray Center 230 8:00 AM
HB 247 TAX;CREDITS;INTEREST;REFUNDS;O & G
-- Testimony <Invitation Only> --

Jun 06 Monday Bill Ray Center 230 2:00 PM
-- Testimony <Invitation Only> --
= HB 247 TAX;CREDITS;INTEREST;REFUNDS;O & G