

SENATE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE

FIRST SESSION

Juneau, Alaska

Wednesday

March 1, 2017

Forty-fourth Day

Pursuant to adjournment the Senate was called to order by President Kelly at 11:04 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Reverend Bobby Lewis, The New Light Baptist Church of Greater New York. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

"God Bless America"

God bless America, land that I love.
Stand beside her, and guide her
Through the night with a light from above.
From the mountains, to the prairies,
To the oceans, white with foam.
God bless America, my home sweet home.
God bless America, my home sweet home. Amen.
(Irving Berlin)

Senator Bishop led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House

Message dated February 27 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills**HB 104**

HOUSE BILL NO. 104 BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to collecting information about civil litigation by the Alaska Judicial Council; repealing Rule 41(a)(3), Alaska Rules of Civil Procedure, and Rules 511(c) and (e), Alaska Rules of Appellate Procedure; and providing for an effective date."

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

Communications

The following reports are on file in the Office of the Secretary of the Senate:

Department of Education and Early Development
Report on School Capital and Project Funding
February 24, 2017
in accordance with AS 14.11.035

Alaska Gasline Development Corporation
2016 Annual Report
in accordance with AS 31.25.270

Department of Administration
FY 2015 Comprehensive Annual Financial Report
in accordance with AS 37.05.210

Standing Committee Reports**SB 21**

The State Affairs Committee considered SENATE BILL NO. 21 "An Act relating to appropriations from the income of the Alaska permanent fund; relating to the calculation of permanent fund dividends; and providing for an effective date" and recommended the adoption of the following Letter of Intent:

State Affairs Committee
Letter of Intent

It is the intent of the Senate State Affairs Committee that when subsequent committees of referral in both bodies of the Alaska Legislature consider Senate Bill 21 (*Permanent Fund: Income; POMV; Dividends*), or any related legislation dealing with the use of the earnings of the Permanent Fund, that those committees strongly consider including the following elements.

1. Protection of the corpus of the Permanent Fund against the erosive effect of inflation over time.
2. A draw limit on the portion of earnings of the Permanent Fund drawn for use by state government.
3. A savings rule which captures and saves at least some peak revenue, and places these savings into the corpus of the Permanent Fund.

Signing no recommendation: Senator Dunleavy, Chair; Senators Egan, Wilson. Signing do pass: Senator Giessel.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Administration
Fiscal Note No. 2, Department of Corrections
Fiscal Note No. 3, zero, Department of Revenue

The bill was referred to the Finance Committee.

SB 45

The Labor and Commerce Committee considered SENATE BILL NO. 45 "An Act relating to an exemption from the regulation of construction contractors." Signing do pass: Senator Costello, Chair. Signing no recommendation: Senators Hughes, Meyer, Stevens, Gardner.

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 Finance Committee.

SB 46

The State Affairs Committee considered SENATE BILL NO. 46 "An Act establishing October 25 of each year as African American Soldiers' Contribution to Building the Alaska Highway Day." Signing no recommendation: Senator Dunleavy, Chair. Signing do pass: Senators Egan, Giessel, Wilson.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Military and
Veterans Affairs

The bill was referred to the Rules Committee.

HB 78

The Community and Regional Affairs Committee considered HOUSE BILL NO. 78 "An Act establishing the second Monday of October of each year as Indigenous Peoples Day." Signing do pass: Senator Bishop, Chair; Senators Hoffman, Gardner, MacKinnon.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Administration

The bill was referred to the State Affairs Committee.

**Introduction and Reference of
Senate Resolutions****SCR 6**

SENATE CONCURRENT RESOLUTION NO. 6 BY SENATOR
MICCICHE,

Urging the governor to join the legislature in opposing the selection of the G South Alternative for the Sterling Highway Milepost 45-60 Project and supporting the selection of the Juneau Creek Alternative; urging the governor to request that the United States Secretary of the Interior initiate a land exchange under the Russian River Land Act; and urging the governor to request that the commissioner of transportation and public facilities and the Division Administrator of the Federal Highway Administration reevaluate the selection of the G South Alternative.

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

Introduction and Reference of Senate Bills**SB 72**

SENATE BILL NO. 72 BY SENATOR GARDNER, entitled:

"An Act adding to the powers and duties of the State Commission for Human Rights; and relating to and prohibiting discrimination based on sexual orientation or gender identity or expression."

was read the first time and referred to the Health and Social Services, Judiciary and Finance Committees.

SB 73

SENATE BILL NO. 73 BY SENATOR GARDNER, entitled:

"An Act relating to sexual assault by a peace officer against a person who is a victim, witness, or perpetrator of a crime."

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

Consideration of the Calendar**Second Reading of Senate Bills****SB 9**

SENATE BILL NO. 9 "An Act relating to military facility zones" was read the second time.

Senator MacKinnon, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 258. Senator Gardner objected, then withdrew her objection. There being no further objection, CS FOR SENATE BILL NO. 9(FIN) "An Act relating to military facility zones; and providing for an effective date" was adopted.

Senator Micciche 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. 9(FIN) was read the third time.

Senators Costello, Giessel, Stedman, MacKinnon, Bishop, Stevens, Micciche, Hughes, Kelly moved and asked unanimous consent to be shown as cosponsors on the bill. Without objection, it was so ordered.

The question being: "Shall CS FOR SENATE BILL NO. 9(FIN) "An Act relating to military facility zones; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 9(FIN)

Third Reading - Final Passage

Effective Date

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

Yeas: Begich, Bishop, Coghill, Costello, Dunleavy, Egan, Gardner, Giessel, Hoffman, Hughes, Kelly, MacKinnon, Meyer, Micciche, Olson, Stedman, Stevens, von Imhof, Wielechowski, Wilson

and so, CS FOR SENATE BILL NO. 9(FIN) passed the Senate.

Senator Micciche moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

Citations

Senator Micciche 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

Honoring - Ernestine Hayes

Senator(s) Egan, Kelly, Begich, Bishop, Coghil, Costello, Dunleavy, Gardner, Giessel, Hoffman, Hughes, MacKinnon, Meyer, Micciche, Olson, Stedman, Stevens, von Imhof, Wielechowski

Representative(s) Kito

Senator Micciche 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 Wilson moved and asked unanimous consent to amend a prior excusal (page 366) in order to be excused from a call of the Senate from evening plane time, March 3 through evening plane time, March 5. Without objection, Senator Wilson was excused.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 9**

CS FOR SENATE BILL NO. 9(FIN) "An Act relating to military facility zones; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Micciche moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., March 3, 2017. Without objection, the Senate adjourned at 11:52 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 02	Thursday	Beltz 105 (tsbldg)	3:30 PM
	No Meeting Scheduled		
Mar 07	Tuesday	Beltz 105 (tsbldg)	3:30 PM
+	Bills Previously Heard/Scheduled		
Mar 09	Thursday	Beltz 105 (tsbldg)	3:30 PM
	No Meeting Scheduled		

EDUCATION

Mar 01	Wednesday	Butrovich 205	8:00 AM
+	Academic Results in Alaska's Schools		
	Commissioner Michael Johnson, Department of Education and Early Development		
	-- Testimony <Invitation Only> --		
Mar 03	Friday	Butrovich 205	8:00 AM
+	Broadband Access in Alaska's School Districts		
	-- Testimony <Invitation Only> --		
+	SB 66	ST. COUNCIL ON THE ARTS: PUBLIC CORP.	
	-- Testimony <Invitation Only> --		

FINANCE

Mar 01 Wednesday Senate Finance 532 9:00 AM
 + SB 70 APPROP. LIMIT/BUDGET PROCESS/PERM FUND
 + Bills Previously Heard/Scheduled

Mar 02 Thursday Senate Finance 532 9:00 AM
 + SB 14 TRANSPORTATION NETWORK COMPANIES
 <Above Item Removed from Agenda>
 + SB 57 AIDEA:DIVIDEND TO STATE;INCOME;VALUATION
 + Bills Previously Heard/Scheduled

Mar 03 Friday Senate Finance 532 9:00 AM
 No Meeting Scheduled

HEALTH & SOCIAL SERVICES

Mar 01 Wednesday Butrovich 205 1:30 PM
 + SB 63 REGULATION OF SMOKING
 -- Public Testimony --
 + Bills Previously Heard/Scheduled:
 += SCR 2 SEXUAL ASSAULT AWARENESS MONTH:APRIL 2017

Mar 03 Friday Butrovich 205 1:30 PM
 -- MEETING CANCELED --
 + Bills Previously Heard/Scheduled

JUDICIARY

Mar 01 Wednesday Beltz 105 (tsbldg) 1:30 PM
 += SB 54 CRIME AND SENTENCING
 Invited Testimony from:
 - Department of Corrections
 - Department of Public Safety
 - Department of Law
 - Public Defender
 - Court System
 -- Public Testimony --
 + Bills Previously Heard/Scheduled

JUDICIARY (continued)

Mar 03 Friday Beltz 105 (tsbldg) 1:30 PM
 += SB 54 CRIME AND SENTENCING
 -- Public Testimony --
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

Mar 02 Thursday Beltz 105 (tsbldg) 1:30 PM
 + SB 4 NON-CHEMICAL BARBERING;HAIR BRAIDING
 + SB 51 EXTEND BOARD OF VETERINARY EXAMINERS
 + Bills Previously Heard/Scheduled:
 -- Public Testimony --
 += SB 15 E-CIGS: SALE TO AND POSSESSION BY MINOR

RESOURCES

Mar 01 Wednesday Butrovich 205 3:30 PM
 += SB 60 FISH & GAME: OFFENSES;LICENSES;PENALTIES
 -- Public Testimony --
 + SB 44 OIL & GAS TAX CREDIT REPORTING
 -- Testimony <Invitation Only> --
 + Bills Previously Heard/Scheduled

Mar 03 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

STATE AFFAIRS

Mar 02 Thursday Butrovich 205 3:30 PM
 += SJR 2 CONST AM: APPROPRIATION LIMIT
 -- Testimony <Invitation Only> --
 += SB 48 INS. FOR DEPENDS. OF DECEASED FIRE/POLICE
 -- Public Testimony --
 + Bills Previously Heard/Scheduled

TRANSPORTATION

Mar 02 Thursday Butrovich 205 1:30 PM
 -- MEETING CANCELED --
 + Bills Previously Heard/Scheduled

FINANCE SUBCOMMITTEES**ADMINISTRATION**

Mar 01 Wednesday Senate Finance 532 1:30 PM
 Department of Administration FY2018 Budget
 Division of Motor Vehicles
 Indirect Expenditures

Mar 08 Wednesday Senate Finance 532 1:30 PM
 Agenda TBA

Mar 10 Friday Butrovich 205 11:30 AM
 Subcommittee Close-Out - Tentative

COMMERCE, COMMUNITY & ECONOMIC DEV

Mar 14 Tuesday Senate Finance 532 8:20 AM
 Close-out

CORRECTIONS

Mar 01 Wednesday Senate Finance 532 12:00 PM
 + FY18 Budget Overview

Mar 10 Friday Senate Finance 532 11:00 AM
 + Budget Close-Out

EDUCATION & EARLY DEVELOPMENT

Mar 07 Tuesday Butrovich 205 7:30 AM
 Agenda TBA

EDUCATION & EARLY DEVELOPMENT (continued)

Mar 09	Thursday	Butrovich 205	7:30 AM
	Tentative FY18 Subcommittee Budget Close-Out		

ENVIRONMENTAL CONSERVATION

Mar 02	Thursday	Beltz 105 (tsbldg)	8:00 AM
+	Governor's FY18 Budget Overview		

Mar 09	Thursday	Beltz 105 (tsbldg)	8:00 AM
+	Agenda TBA		

FISH & GAME

Mar 14	Tuesday	Senate Finance 532	8:00 AM
	Close-out		

HEALTH & SOCIAL SERVICES

Mar 02	Thursday	Senate Finance 532	1:30 PM
	Medicaid Optional Services Review		
	<Above Item Removed from Agenda>		
	Update on SB 74 (2016), Medicaid Reform		

Mar 07	Tuesday	Senate Finance 532	1:30 PM
	Medicaid Rates		
	<Above Item Removed from Agenda>		
	Medicaid Optional Services Review		

Mar 09	Thursday	Senate Finance 532	1:30 PM
	Medicaid Rates		

Mar 14	Tuesday	Senate Finance 532	1:30 PM
	Agenda to Follow		

Mar 16	Thursday	Senate Finance 532	1:30 PM
	If Needed		

JUDICIARY SUBCOMMITTEE

Mar 07 **Tuesday** **Beltz 105 (tsbldg)** **8:30 AM**
 + FY18 Subcommittee Budget Close-out

LABOR & WORKFORCE DEVELOPMENT

Mar 06 **Monday** **Beltz 105 (tsbldg)** **3:30 PM**
 Department Overview

Mar 10 **Friday** **Beltz 105 (tsbldg)** **3:30 PM**
 Department Overview Continued
 Review of House Changes
 Possible Close-out if Needed

LAW

Mar 01 **Wednesday** **Butrovich 205** **5:30 PM**
 -- MEETING CANCELED --
 Agenda TBA

Mar 08 **Wednesday** **Butrovich 205** **5:30 PM**
 Tentative FY18 Subcommittee Budget Close-Out

NATURAL RESOURCES

Mar 09 **Thursday** **Beltz 105 (tsbldg)** **3:30 PM**
 Department Overview

PUBLIC SAFETY

Mar 01 **Wednesday** **Beltz 105 (tsbldg)** **3:45 PM**
 Departmental Overview

REVENUE

Mar 09 **Thursday** **Senate Finance 532** **8:00 AM**
 + Budget Close-out

TRANSPORTATION & PUBLIC FACILITIES

Mar 08 **Wednesday** **Beltz 105 (tsbldg)** **3:30 PM**
 Department Overview

UNIVERSITY OF ALASKA

Mar 02 **Thursday** **Beltz 105 (tsbldg)** **11:15 AM**
 -- MEETING CANCELED --
 + Agenda TBA

Mar 09 **Thursday** **Beltz 105 (tsbldg)** **11:15 AM**
 + Agenda TBA

Mar 13 **Monday** **Beltz 105 (tsbldg)** **8:00 AM**
 -- Time & Date Change --
 + FY18 Subcommittee Budget Close-out

JOINT COMMITTEES**ARMED SERVICES COMMITTEE**

Mar 23 **Thursday** **Senate Finance 532** **11:30 AM**
 + Briefings by:
 Lieutenant General Kenneth S. Wilsbach
 - Commander, Alaskan North American Aerospace
 Command Region
 - Commander, Alaskan Command, U.S. Northern
 Command
 - Commander, Eleventh Air Force
 Major General Bryan R. Owens
 - Commanding General, U.S. Army AK
 Rear Admiral Michael F. McAllister
 - Commander, Seventeenth U.S. Coast Guard
 District
 Major General Laurel J. Hummel
 - The Adjutant General, AK National Guard
 - Commissioner, AK Dept. of Military & Veterans'
 Affairs

OMBUDSMAN SELECTION COMMITTEE

Mar 01 Wednesday Senate Finance 532 7:45 AM
Organizational Meeting

VICTIMS ADVOCATE SELECTION COMMITTEE

Mar 01 Wednesday Senate Finance 532 7:30 AM
Organizational Meeting

OTHER MEETINGS**MISCELLANEOUS MEETINGS**

Mar 01 Wednesday Butrovich 205 12:00 PM
Lunch & Learn:
Alaska Mental Health Trust Authority
Presentation by Greg Jones, Mental Health Trust
Authority CEO and Jeff Jesse, Mental
Health Trust Authority Legislative Liaison
Sponsored by Senator Begich

Mar 22 Wednesday Capitol 106 12:00 PM
Lunch & Learn
Alaska Chapter of the American Foundation for
Suicide Prevention
Sponsored by Senator Hoffman