

SENATE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE

FIRST SESSION

Juneau, Alaska

Friday

March 3, 2017

Forty-sixth Day

Pursuant to adjournment the Senate was called to order by President Kelly at 10:07 a.m.

The roll showed fourteen members present. Senators Bishop, Giessel, Hoffman, MacKinnon, Stevens were excused from a call of the Senate. Senator Olson was absent.

The prayer was offered by the Chaplain, Gordon Krueger, Senate Page. Senator Coghill moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Today, is the day of the lord, when the divinity returns to us. When living our free will, and with all the power of our spirit, we decide to live our lives in free communion with God, with no expectations. We will live our lives with gratitude, love, loyalty and justice, beginning with ourselves, and continuing with our brothers and sisters. We will respect all creations as a symbol of our love communion with the one who created us. Like the sun, the love of God shines equally on all. Amen.

Senator Coghill led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House

Message dated March 1 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills**HB 7**

CS FOR HOUSE BILL NO. 7(CRA) BY THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE, entitled:

"An Act relating to the exhibition of marked ballots and the prohibition on political persuasion near election polls."

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

Communications

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

Department of Commerce, Community and Economic Development
Alaska Energy Authority
2016 Annual Report
in accordance with AS 44.83.940

Commercial Passenger Vessel Excise Tax Report
Community Needs, Priorities, Shared Revenue, and Expenditures
Fiscal Years 2007 - 2016
in accordance with AS 43.52.260

Standing Committee Reports**SB 26**

The State Affairs Committee considered SENATE BILL NO. 26 "An Act relating to the Alaska Permanent Fund Corporation, the earnings of the Alaska permanent fund, and the earnings reserve account; 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 not pass: Senator Dunleavy, Chair; Senator Wilson. Signing no recommendation: Senators Egan, Coghill. Signing amend: Senator Giessel.

The following previously published fiscal information applies:

- Fiscal Note No. 1, zero, Department of Administration
- Fiscal Note No. 2, Department of Corrections
- Fiscal Note No. 3, Department of Revenue
- Fiscal Note No. 4, zero, Department of Revenue
- Fiscal Note No. 5, zero, Department of Administration
- Fiscal Note No. 6, Department of Revenue

The bill was referred to the Finance Committee.

SB 29

The Labor and Commerce Committee considered SENATE BILL NO. 29 "An Act repealing the Workers' Compensation Appeals Commission; relating to decisions and orders of the Workers' Compensation Appeals Commission; relating to superior court jurisdiction over appeals from Alaska Workers' Compensation Board decisions; repealing Rules 201.1, 401.1, and 501.1, Alaska Rules of Appellate Procedure, and amending Rules 202(a), 204(a) - (c), 210(e), 601(b), and 603(a), Alaska Rules of Appellate Procedure; and providing for an effective date." Signing no recommendation: Senator Costello, Chair; Senators Hughes, Meyer. Signing do pass: Senator Gardner.

The following previously published fiscal information applies:

- Fiscal Note No. 1, Department of Labor and Workforce Development

The bill was referred to the Judiciary Committee.

SB 60

The Resources Committee considered SENATE BILL NO. 60 "An Act relating to sport fishing, hunting, or trapping licenses, tags, or permits; relating to penalties for certain sport fishing, hunting, and trapping license violations; relating to restrictions on the issuance of sport fishing, hunting, and trapping licenses; creating violations and amending fines and restitution for certain fish and game offenses; creating an exemption from payment of restitution for certain unlawful takings of big game animals; relating to commercial fishing violations; allowing lost federal matching funds from the Pittman - Robertson, Dingell - Johnson/Wallop - Breaux programs to be included in an order of restitution; adding a definition of 'electronic form'; and providing for an effective date." Signing do pass: Senator Giessel, Chair; Senator von Imhof. Signing no recommendation: Senators Wielechowski, Hughes, Meyer. Signing amend: Senators Coghill, Stedman.

The following fiscal information was published today:

Fiscal Note No. 3, indeterminate, Department of Fish and Game

The following previously published fiscal information applies:

Fiscal Note No. 2, zero, Department of Public Safety

The bill was referred to the Judiciary Committee.

SB 63

The Health and Social Services Committee considered SENATE BILL NO. 63 "An Act prohibiting smoking in certain places; relating to education on the smoking prohibition; and providing for an effective date." Signing do pass: Senator Wilson, Chair; Senators Begich, von Imhof, Giessel, Micciche.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Transportation and Public Facilities

Fiscal Note No. 2, zero, Department of Environmental Conservation

Fiscal Note No. 3, zero, Department of Health and Social Services

Fiscal Note No. 4, zero, Department of Public Safety

Fiscal Note No. 5, zero, Department of Commerce, Community and Economic Development

The bill was referred to the Finance Committee.

SCR 2

The Health and Social Services Committee considered SENATE CONCURRENT RESOLUTION NO. 2 Proclaiming April 2017 as Sexual Assault Awareness Month. Signing do pass: Senator Wilson, Chair; Senators Begich, von Imhof, Giessel, Micciche.

The following fiscal information was published today:
Fiscal Note No. 1, zero, Legislative Agency

The resolution was referred to the Rules Committee.

Introduction and Reference of Senate Bills**SB 74**

SENATE BILL NO. 74 BY SENATOR WILSON BY REQUEST, entitled:

"An Act relating to care of juveniles and to juvenile justice; relating to employment of juvenile probation officers by the Department of Health and Social Services; relating to terms used in juvenile justice; relating to mandatory reporters of child abuse or neglect; relating to adjudication of minor delinquency and the deoxyribonucleic acid identification registration system; relating to sexual assault in the third degree; relating to sexual assault in the fourth degree; and providing for an effective date."

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

SB 75

SENATE BILL NO. 75 BY SENATOR COSTELLO, entitled:

"An Act relating to instruction in a language other than English; and relating to limited teacher certificates."

was read the first time and referred to the Labor and Commerce and Education Committees.

SB 76

SENATE BILL NO. 76 BY SENATOR MICCICHE, entitled:

"An Act relating to alcoholic beverages; relating to the regulation of manufacturers, wholesalers, retailers, and common carriers of alcoholic beverages; relating to licenses, endorsements, and permits involving alcoholic beverages; relating to the Alcoholic Beverage Control Board; relating to offenses involving alcoholic beverages; amending Rule 17, Alaska Rules of Minor Offense Procedure; and providing for an effective date."

was read the first time and referred to the Labor and Commerce and Judiciary Committees.

SB 77

SENATE BILL NO. 77 BY SENATOR MICCICHE, entitled:

"An Act relating to service areas in second class boroughs; and providing for an effective date."

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

Consideration of the Calendar**Citations**

Honoring - Matt Hall
Senator(s) Bishop, Kelly, Begich, Coghill, Costello, Dunleavy, Egan, Gardner, Giessel, Hoffman, Hughes, MacKinnon, Meyer, Micciche, Olson, Stedman, Stevens, von Imhof, Wielechowski, Wilson

Honoring - Marilyn Davidson

Representative(s) Stutes

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

In Memoriam - Virginia May Erickson

Representative(s) Kreiss-Tomkins

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

In Memoriam - Dr. John Joseph "Joe" Lounsbury

Representative(s) Kawasaki, Guttenberg

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

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

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

Special Order of Business

Honoring - Billy Honea

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

Representative(s) Foster

Honoring - Fran Ulmer 2017 Shining Lights Award Recipient

Representative(s) Tarr, Josephson

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

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

Unfinished Business

Senator Costello moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, March 3 through morning plane time, March 7. Without objection, Senator Costello was excused.

Senator Gardner moved and asked unanimous consent to withdraw a prior excusal for 11:30 a.m., March 17 through evening plane time, March 19 (page 95). Without objection, the excusal was withdrawn.

Senator Begich moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, March 3 through evening plane time, March 5. Without objection, Senator Begich was excused.

Announcements

Announcements are at the end of the journal.

Engrossment and Enrollment

SR 4

SENATE RESOLUTION NO. 4 Supporting the Alaska Congressional delegation in protecting the state's right to manage wildlife within its borders, was engrossed and enrolled, signed by the President and Secretary and the engrossed and enrolled copies transmitted to the Office of the Governor at 12:16 p.m., March 3, 2017

Senate Resolve No. 3

Adjournment

Senator Micciche moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., March 6, 2017. Without objection, the Senate adjourned at 10:23 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 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 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> --

Mar 06 **Monday** **Capitol 106** **8:00 AM**
+ Joint with House Education
Presentation of the Commonwealth North Operating
Budget Report - K-12 Funding
Mark Foster, Independent Consultant
-- Testimony <Invitation Only> --

Mar 08 **Wednesday** **Capitol 106** **8:00 AM**
+ Joint with House Education
Microsoft Imagine Academy
Joel Lathrop, Microsoft
-- Testimony <Invitation Only> --

EDUCATION (continued)

Mar 10 Friday Butrovich 205 8:00 AM
 += SB 66 ST. COUNCIL ON THE ARTS: PUBLIC CORP.
 -- Public Testimony --
 + SB 17 STEVENS/INOUE UNIVERSITY EXCHANGE PROG.
 -- Public Testimony --

FINANCE

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

Mar 06 Monday Senate Finance 532 9:00 AM
 += SB 21 PERMANENT FUND: INCOME; POMV; DIVIDENDS
 += SB 26 PERM. FUND:DEPOSITS;DIVIDEND;EARNINGS
 += SB 70 APPROP. LIMIT/BUDGET PROCESS/PERM FUND

Mar 06 Monday Senate Finance 532 4:00 PM
 += SB 21 PERMANENT FUND: INCOME; POMV; DIVIDENDS
 += SB 26 PERM. FUND:DEPOSITS;DIVIDEND;EARNINGS
 += SB 70 APPROP. LIMIT/BUDGET PROCESS/PERM FUND
 Public Testimony:
 Must be Signed up to Testify by 6:00 p.m.
 Written Comments for the Official Public Record
 Can be Sent to Finance.Committee@akleg.gov

Mar 07 Tuesday Senate Finance 532 9:00 AM
 += SB 14 TRANSPORTATION NETWORK COMPANIES
 + HB 80 MUNI ENERGY IMPROVEMNT:ASSESSMNTS/BONDS
 + Bills Previously Heard/Scheduled

Mar 08 Wednesday Senate Finance 532 9:00 AM
 += SB 21 PERMANENT FUND: INCOME; POMV; DIVIDENDS
 += SB 26 PERM. FUND:DEPOSITS;DIVIDEND;EARNINGS
 += SB 70 APPROP. LIMIT/BUDGET PROCESS/PERM FUND
 + Bills Previously Heard/Scheduled

Mar 09 Thursday Senate Finance 532 9:00 AM
 += SB 22 APPROP: OPERATING BUDGET/LOANS/FUNDS
 += SB 24 APPROP: MENTAL HEALTH BUDGET
(Continued on Next Page)

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+ SB 21 PERMANENT FUND: INCOME; POMV; DIVIDENDS
 += SB 26 PERM. FUND:DEPOSITS;DIVIDEND;EARNINGS
 += SB 70 APPROP. LIMIT/BUDGET PROCESS/PERM FUND
 + Bills Previously Heard/Scheduled

Mar 10 Friday Senate Finance 532 9:00 AM

+ SB 21 PERMANENT FUND: INCOME; POMV; DIVIDENDS
 += SB 26 PERM. FUND:DEPOSITS;DIVIDEND;EARNINGS
 += SB 70 APPROP. LIMIT/BUDGET PROCESS/PERM FUND
 + Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

Mar 03 Friday Butrovich 205 1:30 PM

-- MEETING CANCELED --
 + Bills Previously Heard/Scheduled

Mar 06 Monday Butrovich 205 1:30 PM

No Meeting Scheduled

Mar 08 Wednesday Butrovich 205 1:30 PM

+ Presentation: Alaska Opioid Policy Task Force

Mar 10 Friday Butrovich 205 1:30 PM

No Meeting Scheduled

JUDICIARY

Mar 03 Friday Beltz 105 (tsbldg) 1:30 PM

+ SB 54 CRIME AND SENTENCING
 -- Public Testimony --
 + Bills Previously Heard/Scheduled

Mar 06 Monday Beltz 105 (tsbldg) 1:30 PM

+ SB 54 CRIME AND SENTENCING
 + Bills Previously Heard/Scheduled

Mar 08 Wednesday Beltz 105 (tsbldg) 1:30 PM

+ Confirmation Hearings:
 Attorney General, Jahna Lindemuth
 Department of Public Safety, Walt Monegan
 + Bills Previously Heard/Scheduled

JUDICIARY (continued)

Mar 10 Friday Beltz 105 (tsbldg) 1:30 PM
 + HB 77 2017 REVISOR'S BILL
 + HB 104 REPEAL COLLECTION OF CIVIL LITIG. INFO
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

Mar 07 Tuesday Beltz 105 (tsbldg) 1:30 PM
 + SB 16 FIDUCIARY ACCESS TO DIGITAL ASSETS
 -- Public Testimony --
 + SB 32 PRESCRIPTIONS FOR BIOLOGICAL PRODUCTS
 -- Public Testimony --
 + Bills Previously Heard/Scheduled
 -- Public Testimony --

Mar 09 Thursday Beltz 105 (tsbldg) 1:30 PM
 + Governor Boards And Commissions Appointments:
 Alaska State Board of Public Accountancy
 Fisherman's Fund Advisory & Appeals Council
 Board of Pharmacy
 Board of Certified Real Estate Appraisers
 State Board of Registration for Architects,
 Engineers, and Land Surveyors
 + SB 56 PRODUCT WARRANTIES & REQUIRED UPDATES
 -- Public Testimony --
 + Bills Previously Heard/Scheduled
 -- Public Testimony --

RESOURCES

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

Mar 06 Monday Butrovich 205 3:30 PM
 + Consideration of Governor's Appointees:
 Board of Game:
 - Ted Spraker
 - Lawrence Van Daele
(Continued on Next Page)

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Big Game Commercial Services Board:

- Adam Trombley

-- Public Testimony on Appointees --

+ Bills Previously Heard/Scheduled

Mar 08 Wednesday Butrovich 205 3:30 PM

+ Overview of State Litigation on Federal Issues:

Department of Law

-- Testimony <Invitation Only> --

+ Bills Previously Heard/Scheduled

Mar 10 Friday Butrovich 205 3:30 PM

+ Consideration of Governor's Appointees:

Alaska Oil and Gas Conservation Commission:

- Hollis French

- Dan Seamount

-- Public Testimony on Appointees --

+ Bills Previously Heard/Scheduled

STATE AFFAIRS

Mar 07 Tuesday Butrovich 205 3:30 PM

+ = SJR 1 CONST AM: GUARANTEE PERM FUND DIVIDEND

-- Public Testimony --

+ SCR 1 UNIFORM RULES: ABSTAIN FROM VOTING

+ Bills Previously Heard/Scheduled

Mar 09 Thursday Butrovich 205 3:30 PM

+ HB 16 DRIV. LICENSE REQ;DISABILITY:ID &TRAINING

-- Public Testimony --

+ SCR 4 TASK FORCE ON UNMANNED AIRCRAFT SYSTEMS

-- Public Testimony --

+ Bills Previously Heard/Scheduled

TRANSPORTATION

Mar 07 Tuesday Butrovich 205 1:30 PM

+ = SB 50 INCREASE STUDED TIRE FEE

Mar 09 Thursday Butrovich 205 1:30 PM

No Meeting Scheduled

FINANCE SUBCOMMITTEES**ADMINISTRATION**

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

EDUCATION & EARLY DEVELOPMENT

Mar 07 **Tuesday** **Butrovich 205** **7:30 AM**
 Agenda TBA

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

ENVIRONMENTAL CONSERVATION

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 07	Tuesday Medicaid Rates <Above Item Removed from Agenda> Medicaid Optional Services Review	Senate Finance 532	1:30 PM
Mar 09	Thursday Medicaid Rates	Senate Finance 532	1:30 PM
Mar 14	Tuesday Agenda to Follow	Senate Finance 532	1:30 PM
Mar 16	Thursday If Needed	Senate Finance 532	1:30 PM

JUDICIARY SUBCOMMITTEE

Mar 07 +	Tuesday FY18 Subcommittee Budget Close-out	Beltz 105 (tsbldg)	8:30 AM
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LABOR & WORKFORCE DEVELOPMENT

Mar 06	Monday Department Overview	Beltz 105 (tsbldg)	3:30 PM
Mar 07	Tuesday Budget Close-out	Beltz 105 (tsbldg)	3:30 PM
Mar 10	Friday -- MEETING CANCELED -- Department Overview Continued Review of House Changes Possible Close-out if Needed	Beltz 105 (tsbldg)	3:30 PM

LAW

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

MILITARY & VETERANS' AFFAIRS

Mar 07 **Tuesday** **Fahrenkamp 203** **4:30 PM**
Departmental Overview

Mar 10 **Friday** **Senate Finance 532** **8:00 AM**
Close-out

NATURAL RESOURCES

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

Mar 11 **Saturday** **Beltz 105 (tsbldg)** **10:00 AM**
House Changes / Amendments

Mar 14 **Tuesday** **Beltz 105 (tsbldg)** **5:00 PM**
Close-out

PUBLIC SAFETY

Mar 08 **Wednesday** **Senate Finance 532** **3:45 PM**
Tentative Close-out

Mar 13 **Monday** **Beltz 105 (tsbldg)** **4:00 PM**
If Needed

REVENUE

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

TRANSPORTATION & PUBLIC FACILITIES

Mar 08	Wednesday Department Overview	Beltz 105 (tsbldg)	3:30 PM
Mar 10	Friday House Changes / Amendments	Beltz 105 (tsbldg)	3:30 PM
Mar 14	Tuesday Close-out	Beltz 105 (tsbldg)	5:00 PM

UNIVERSITY OF ALASKA

Mar 09 +	Thursday Agenda TBA	Beltz 105 (tsbldg)	11:15 AM
Mar 13 +	Monday -- Time & Date Change -- FY18 Subcommittee Budget Close-out	Beltz 105 (tsbldg)	8:00 AM

JOINT COMMITTEES**ARMED SERVICES COMMITTEE**

Mar 23 +	Thursday 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	Senate Finance 532	11:30 AM
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LEGISLATIVE COUNCIL

Mar 08 **Wednesday** **Barnes 124** **8:00 AM**
Per Diem Subcommittee:
+ Per Diem Rates

OTHER MEETINGS

MISCELLANEOUS MEETINGS

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