

SENATE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Monday

January 29, 2018

Fourteenth Day

Pursuant to adjournment the Senate was called to order by President Kelly at 11:02 a.m.

The roll showed eighteen members present. Senator Olson was absent. The seat from District E was vacant.

The prayer was offered by the Chaplain, Pastor Tari Stage-Harvey, Shepherd of the Valley Lutheran Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

In the midst of new beginnings, we give thanks for the following gifts:

The beauty and resources of the land around us. The honor of serving those who live in this state. A government based on freedom and equality. Servants willing to do the hard work of legislation.

In the midst of new beginnings, we pray for the following gifts:

Ears to hear those who disagree. Eyes to see those who are often overlooked. Mouths ready to smile or be silent as well as speak. Minds filled with wisdom. Hearts overflowing with compassion.

Help us all not to live degrading others or assuming we know what they think or believe, but fill us with the good character that seeks to bring out the best in ourselves and others. In the spirit of new beginnings open us to the gifts given and the ones needed. Amen.

Senator Stevens led the Senate in the Pledge of Allegiance.

Certification

Senator Micciche moved and asked unanimous consent that the journals for the eleventh through thirteenth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the Governor

A letter dated January 25, 2018 was received requesting legislative concurrence to fund the initial finance plan (as required by AS 26.23.020(k)(1)), for the 2017 North Slope Storm Disaster. The letter and finance plan had been copied to the Finance Committee Cochairs.

Introduction and Reference of Senate Bills

SB 166

SENATE BILL NO. 166 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act amending requirements for qualifications to acquire or hold mining rights; amending rental rates for mining locations and leases; repealing annual labor requirements for mining locations; providing for waiver of a cure penalty for abandonment because of failure to properly record a statement of labor; and providing for an effective date."

was read the first time and referred to the Resources and Finance Committees.

The following fiscal information was published today:
Fiscal Note No. 1, Department of Natural Resources

Governor's transmittal letter dated January 26:

Dear President Kelly,

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to amendments to qualifications to acquire or hold mining rights and to annual rental rates for mining claims, leasehold location, prospecting site and mining lease.

The bill would repeal State annual labor requirements for State and federal mining claims, as well as annual labor requirements for State mining leasehold locations. Administration of the annual labor requirements is costly to the Department of Natural Resources. Minor errors on affidavits may result in unintentional abandonment of a claim or leasehold location by the locator. Further, miners on State land are already able to avoid conducting labor by paying a fee in lieu of labor. Instead of requiring annual labor or payment in lieu of labor, the progressive rental rates for State mining locations and leases will be increased. This will ease administration of mining claims and also discourage individuals from holding claims without developing them.

The bill also provides for a new requirement in order to be qualified to acquire or hold a mining right. A person or entity must be a "bona fide miner" in addition to the other requirements of AS 38.05.190. A "bona fide" miner is defined as one who locates or holds a mining claim or lease in good faith for purposes of mineral exploration and development and not for the prevention of mineral exploration or development. The bill also provides a method for the Department of Natural Resources to request affidavits stating that a miner is "bona fide." This provision provides additional assurance that mining locations and leases will be acquired and held in good faith.

For State claims and leasehold locations, the bill would also provide a waiver of the penalty for cure of abandonment caused by a failure to properly record a statement of annual labor as required before the effective date of sections 8 and 9 of the bill.

The bill contains a transition provision providing for authority for the Department of Natural Resources to adopt regulations necessary to implement the changes made by the bill, effective immediately. The rest of the bill is effective September 2, 2018, and an applicability provision makes it clear that for purposes of annual labor, the bill will be applicable to the labor year that otherwise would begin September 1, 2018.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Bill Walker

Governor

Consideration of the Calendar

Second Reading of Senate Resolutions

SCR 14

SENATE CONCURRENT RESOLUTION NO. 14 Relating to awarding the Alaska Decoration of Honor to certain members of the military, was read the second time and was before the Senate on final passage.

Senators MacKinnon, Giessel, Bishop, Stedman, Stevens, von Imhof, Micciche, Hoffman, Gardner, Egan, Hughes, Begich, Coghill, Meyer, Wilson, Kelly moved and asked unanimous consent to be shown as cosponsors on the resolution. Without objection, it was so ordered.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 14 Relating to awarding the Alaska Decoration of Honor to certain members of the military, pass the Senate?" The roll was taken with the following result:

SCR 14

Second Reading - Final Passage

YEAS: 18 NAYS: 0 EXCUSED: 0 ABSENT: 1 VACANT: 1

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

Absent: Olson

and so, SENATE CONCURRENT RESOLUTION NO. 14 passed the Senate and was referred to the Secretary for engrossment.

Citations

Honoring - Bunnell Street Arts Center

Representative(s) Seaton

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

In Memoriam - Harmen Thomas "Herman" Beukers

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

Representative(s) Stutes

In Memoriam - Leslie Rae Isturis

Representative(s) Parish

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

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

Unfinished Business

Senator von Imhof moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, February 2 through evening plane time, February 6. Without objection, Senator von Imhof was excused.

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

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

Announcements

Senator Meyer, Chair, moved and asked unanimous consent Uniform Rule 23 be waived in order to hold a Rules Committee meeting on January 31 at 11:30 a.m. for consideration of a report. Without objection, it was so ordered.

Announcements are at the end of the journal.

Engrossment

SCR 14

SENATE CONCURRENT RESOLUTION NO. 14 Relating to awarding the Alaska Decoration of Honor to certain members of the military, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Micciche moved and asked unanimous consent the Senate stand in adjournment until 11:00 a.m., January 31, 2018. Without objection, the Senate adjourned at 11:21 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

Jan 30 Tuesday Beltz 105 (tsbldg) 3:30 PM
 += SB 125 EXTEND BOND AUTH FOR INTERIOR ENERGY PROJ

Feb 01 Thursday Beltz 105 (tsbldg) 3:30 PM
 + Bills Previously Heard/Scheduled

EDUCATION

Jan 29 Monday Capitol 106 8:00 AM
 -- Location Change --
 -- Joint with the House Education Committee --
 + Presentation: State Board of Education and Early Development - Alaska Education Challenge
 -- Testimony <Invitation Only> --
 Streamed live on AKL.tv

Jan 31 Wednesday Butrovich 205 8:00 AM
 += SB 99 PRE-ELEMENTARY PROGRAMS/FUNDING
 -- Testimony <Invited and Public> --
 -- <Time Limit May Be Set> --
 + Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

Feb 02 Friday Butrovich 205 8:00 AM
 + Bills Previously Heard/Scheduled
 -- Testimony <Invited and Public> --
 Streamed live on AKL.tv

FINANCE

Jan 29	Monday	Senate Finance 532	9:00 AM
+ SB 144	APPROP: OPERATING BUDGET/LOANS/FUNDS		
+	Presentation: Department of Transportation and Public Facilities FY19 Operating Budget Marc Luiken, Commissioner		
+	Bills Previously Heard/Scheduled		
Jan 30	Tuesday	Senate Finance 532	9:00 AM
+ SB 144	APPROP: OPERATING BUDGET/LOANS/FUNDS		
+	Presentation: Department of Health and Social Services FY19 Operating Budget Valerie Nuur'araaluk Davidson, Commissioner Shawnda O'Brien, Assistant Commissioner		
+	Bills Previously Heard/Scheduled		
Jan 31	Wednesday	Senate Finance 532	9:00 AM
+	Presentation: Medicaid Cost Drivers and Reform Update Margaret Brodie, Director, Division of Health Care Services, Department of Health and Social Services Monique Martin, Health Care Policy Advisor Department of Health and Social Services		
+	Bills Previously Heard/Scheduled		
Feb 01	Thursday	Senate Finance 532	9:00 AM
+	Presentation: Medicaid Cost Drivers and Reform Update Margaret Brodie, Director, Division of Health Care Services, Department of Health and Social Services Monique Martin, Health Care Policy Advisor Department of Health and Social Services		
+	Bills Previously Heard/Scheduled		
Feb 02	Friday	Senate Finance 532	9:00 AM
+ SB 4	NON-CHEMICAL BARBERING;HAIR BRAIDING		
+	Bills Previously Heard/Scheduled		

HEALTH & SOCIAL SERVICES

Jan 29 Monday Butrovich 205 1:30 PM
 Bills Previously Heard/Scheduled:
 += HB 43 NEW DRUGS FOR THE TERMINALLY ILL

Jan 31 Wednesday Butrovich 205 1:30 PM
 + Presentation:
 Governor's Council on Disabilities and Special
 Education
 -- Testimony <Invitation Only> --
 + SB 128 MARIJUANA EDU/TREATMENT FUND/PROGRAM
 -- Testimony <Invited and Public> --

Feb 02 Friday Butrovich 205 1:30 PM
 += SB 128 MARIJUANA EDU/TREATMENT FUND/PROGRAM
 + SB 81 DHSS CENT. REGISTRY; LICENSE; BCKGROUND CHK
 -- Testimony <Invited and Public> --
 + Bills Previously Heard/Scheduled

JUDICIARY

Jan 29 Monday Beltz 105 (tsbldg) 1:30 PM
 No Meeting Scheduled

Jan 31 Wednesday Beltz 105 (tsbldg) 1:30 PM
 No Meeting Scheduled

Feb 02 Friday Beltz 105 (tsbldg) 1:30 PM
 No Meeting Scheduled

LABOR & COMMERCE

Jan 30 Tuesday Beltz 105 (tsbldg) 1:00 PM
 -- Public Testimony --
 -- Please Note Time Change --
 + SB 126 VISITING PHYSICIANS WITH SPORTS TEAMS
 + HB 208 TRUSTS; COMM PROP TRUSTS; POWERS OF APPT
(Continued on Next Page)

LABOR & COMMERCE (continued)

(Continued from Previous Page)

- + HB 102 LIMITED TEACHER CERTIFICATES; LANGUAGES
- + HB 114 BOILER/PRESSURE VESSEL INSPECTION REPORTS
- + HB 121 OCC. HEALTH AND SAFETY CIVIL PENALTIES
- + HB 124 BENEFIT CORPORATIONS
- + HB 86 STUDENT LOAN DEFAULT/OCC. LICENSE RENEWAL
- + HCR 8 KODIAK SEAFOOD & MARINE SCIENCE CENTER

Feb 01 Thursday Butrovich 205 1:00 PM

- Please Note Location & Time Change --
- + SB 112 WORKERS COMPENSATION;DRUG DATABASE & TEST
- Public Testimony --
- + Bills Previously Heard/Scheduled

RESOURCES

Jan 29 Monday Butrovich 205 3:30 PM

- + SJR 4 AK LEGALLY ACQUIRED IVORY USE EXEMPTION
- Public Testimony --
- + HJR 12 OPPOSING GEN. ENGINEERED SALMON
- Public Testimony --
- + Bills Previously Heard/Scheduled

Jan 31 Wednesday Butrovich 205 3:30 PM

- + Overview: Alaska's State Managed Game Refuges
- Sanctuaries & Critical Habitat Areas
- Department of Fish & Game
- Testimony <Invitation Only> --

Feb 02 Friday Butrovich 205 3:30 PM

- + HB 130 GAME REFUGE/CRIT HABITAT AREA BOUNDARIES
- Public Testimony --
- + SB 158 OIL/HAZARDOUS SUB.:CLEANUP/REIMBURSEMENT
- Public Testimony --
- + Bills Previously Heard/Scheduled

RULES

Jan 31 Wednesday Fahrenkamp 203 11:30 AM
 -- Uniform Rule 23 Waived --
 -Scheduled Immediately Following Floor Session-
 + Consideration of Report

STATE AFFAIRS

Jan 30 Tuesday Butrovich 205 3:30 PM
 += SB 8 PFD CONTRIBUTIONS TO TRIBAL GOVERNMENTS
 + SB 154 PFD CONTRIBUTIONS TO GENERAL FUND
 + SB 130 VOTER APPROVAL FOR NEW TAXES
 + Bills Previously Heard/Scheduled

Feb 01 Thursday Butrovich 205 3:30 PM
 + SCR 10 ALASKA YEAR OF INNOVATION
 + SB 152 SEPT. 11: PATRIOT DAY
 + Bills Previously Heard/Scheduled

TRANSPORTATION

Jan 30 Tuesday Butrovich 205 1:30 PM
 No Meeting Scheduled

Feb 01 Thursday Butrovich 205 1:30 PM
 No Meeting Scheduled

JOINT COMMITTEES**LEGISLATIVE COUNCIL**

Jan 30 Tuesday Beltz 105 (tsbldg) 5:00 PM
 Sexual & Other Workplace Harassment Subcommittee
 + Timeline and Work Plan

Feb 01 Thursday Beltz 105 (tsbldg) 5:00 PM
 Sexual & Other Workplace Harassment Subcommittee
 + Sexual & Other Workplace Harassment Policy

LEGISLATIVE COUNCIL (continued)

Feb 03	Saturday	House Finance 519	10:00 AM
+	Executive Session: Executive Director Applicant Interviews		
Feb 05	Monday	House Finance 519	6:00 PM
+	Approval of Minutes: a. March 2017 - August 2017		
+	Ratification of Charitable Events: a. The Canvas at REACH Annual Fundraising Dinner b. 2nd Annual Catholic Community Services Formal Gala c. 26th Annual Girl Scouts Fundraiser d. Lawmaker's Round Up e. 33rd Annual Sham Jam		
+	Contract Approvals: a. Bethel Lease Extension b. Cordova Lease Extension c. Eagle River Lease Extension d. Glennallen Lease Extension e. Homer Lease Extension f. Interagency Lease Extension g. Juneau Storage - Goldstein Lease Extension h. Ketchikan Lease Extension i. Kotzebue Lease Extension j. North Pole Lease Extension k. Ombudsman - Anchorage Lease Extension l. Office of Victims' Rights Lease Extension m. Sitka Lease Extension n. Unalaska Lease Extension o. Wrangell Lease Extension		
+	Executive Session Other Committee Business a. FY17 Legislative Audit b. FY19 Proposed Budget		

OTHER MEETINGS**JOINT SESSION**

Feb 07	Wednesday	House Chamber	11:00 AM
	State of the Judiciary Address by the Honorable Craig Stowers, Chief Justice		
Feb 22	Thursday	House Chamber	11:00 AM
	Annual Address by the Honorable Lisa Murkowski, U.S. Senator		
Feb 26	Monday	House Chamber	11:00 AM
	Annual Address by the Honorable Dan Sullivan, U.S. Senator		

MISCELLANEOUS MEETINGS

Jan 30	Tuesday	Butrovich 205	8:00 AM
	Lunch & Learn: Alaska Permanent Fund 101 with Angela Rodell, CEO Alaska Permanent Fund Overview of How the Fund Works and Components of the Fund Sponsored by Senator Micciche & Speaker Edgmon		
Jan 31	Wednesday	Beltz 105 (tsbldg)	9:00 AM
+	-- Teleconference <Listen Only> -- Continuation of Presentation Series on Alaska's Oil Tax Fiscal System By LBA Consultant: In3nergy Sponsored by Senator Stedman, LBA Chair		
Jan 31	Wednesday	Beltz 105 (tsbldg)	1:00 PM
+	-- Teleconference <Listen Only> -- Continuation of Presentation Series on Alaska's Oil Tax Fiscal System By LBA Consultant: In3nergy Sponsored by Senator Stedman, LBA Chair		

MISCELLANEOUS MEETINGS (continued)

- Feb 01 Thursday Beltz 105 (tsbldg) 9:00 AM**
-- Teleconference <Listen Only> --
+ Continuation of Presentation Series on Alaska's
Oil Tax Fiscal System
By LBA Consultant: In3nergy
Sponsored by Senator Stedman, LBA Chair
- Feb 01 Thursday Beltz 105 (tsbldg) 1:00 PM**
-- Teleconference <Listen Only> --
+ Continuation of Presentation Series on Alaska's
Oil Tax Fiscal System
By LBA Consultant: In3nergy
Sponsored by Senator Stedman, LBA Chair
- Feb 12 Monday Senate Finance 532 1:00 PM**
School District Legislative Fly-In
Informal Q & A Session Regarding Alaska's Public
School System
All School District Participants of the Fly-In
are Encouraged to Attend