

**SENATE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**THIRTIETH LEGISLATURE**  
**SECOND SESSION**

**Juneau, Alaska**

**Friday**

**April 20, 2018**

**Ninety-fifth Day**

Pursuant to adjournment the Senate was called to order by President Kelly at 11:27 a.m.

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

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

Father in heaven, I thank you for the senators that I get to work with this day. I ask that you bless them with your goodness as they go about serving their people.

I recall the many times you have worked in me your grace to help in my times of need, so I ask that you work in us as we seek to answer the needs of our state.

As we work toward closing this session, please help our leadership teams find solutions that serve our people well.

Your unseen hand, the majestic beauty of our state and the many wonderful people we work with keep us grateful to serve.

We seek your grace and strength to look through the emotions of our disagreements – that we may show honor and respect for each other today.

With trust in you my savior and desire to see you work among us I offer this prayer in Jesus' name. Amen.

Senator von Imhof led the Senate in the Pledge of Allegiance.

### **Certification**

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

### **Standing Committee Reports**

#### **HB 47**

The State Affairs Committee considered HOUSE BILL NO. 47 "An Act requiring certain municipalities with a population that decreased by more than 25 percent between 2000 and 2010 that participate in the defined benefit retirement plan of the Public Employees' Retirement System of Alaska to contribute to the system an amount calculated by applying a rate of 22 percent of the total of all base salaries paid by the municipality to employees of the municipality who are active members of the system during a payroll period; authorizing the administrator of the defined benefit retirement plan of the Public Employees' Retirement System of Alaska to reduce the rate of interest payable by certain municipalities that are delinquent in transmitting employee and employer contributions to the retirement plan; and providing for an effective date." Signing no recommendation: Senator Meyer, Chair; Senators Wilson, Giessel, Egan. Signing do pass: Senator Coghill.

The following fiscal information was published today:  
Fiscal Note No. 4, Department of Administration

The bill was referred to the Finance Committee.

**HB 221**

The Education Committee considered HOUSE BILL NO. 221 "An Act relating to the duties of the Alaska Commission on Postsecondary Education; relating to a statewide workforce and education-related statistics program; relating to information obtained by the Department of Labor and Workforce Development; and providing for an effective date." Signing do pass: Senator Stevens, Chair. Signing no recommendation: Senators Coghill, Giessel, Hughes.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Education and Early Development

Fiscal Note No. 2, zero, Department of Labor and Workforce Development

The bill was referred to the Rules Committee.

**HB 240**

The Finance Committee considered CS FOR HOUSE BILL NO. 240(FIN) "An Act relating to prescription prices available to consumers; relating to penalties for certain pharmacy or pharmacist violations; relating to the registration and duties of pharmacy benefits managers; relating to procedures, guidelines, and enforcement mechanisms for pharmacy audits; relating to the cost of multi-source generic drugs and insurance reimbursement procedures; relating to the duties of the director of the division of insurance; and providing for an effective date." Signing do pass: Senators MacKinnon, Hoffman, Cochairs; Senators Bishop, von Imhof, Stevens, Micciche. Signing no recommendation: Senator Olson.

The following fiscal information was published today:

Fiscal Note No. 4, zero, Office of the Governor

The bill was referred to the Rules Committee.

**HB 398**

The State Affairs Committee considered HOUSE BILL NO. 398 "An Act relating to the allocation and apportionment of income of a public utility for purposes of the Alaska Net Income Tax Act; and providing for an effective date." Signing do pass: Senator Meyer, Chair; Senators Giessel, Egan. Signing no recommendation: Senators Wilson, Coghill.

The following previously published fiscal information applies:  
Fiscal Note No. 1, indeterminate, Department of Revenue

The bill was referred to the Finance Committee.

**HCR 19**

The State Affairs Committee considered CS FOR HOUSE CONCURRENT RESOLUTION NO. 19(CRA) am Urging Governor Bill Walker to issue an administrative order recognizing a linguistic emergency, and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE  
CONCURRENT RESOLUTION NO. 19(STA)  
Urging Governor Bill Walker to issue an  
administrative order recognizing the urgent need for  
language revitalization efforts.

Signing do pass: Senator Meyer, Chair; Senators Wilson, Giessel, Egan, Coghill.

The following previously published fiscal information applies:  
Fiscal Note No. 1, zero, Legislative Agency

The resolution was referred to the Rules Committee.

**Consideration of the Calendar**

**Second Reading of Senate Bills**

**SB 81**

SENATE BILL NO. 81 "An Act relating to criminal and civil history requirements and a registry regarding certain licenses, certifications, appeals, and authorizations by the Department of Health and Social Services; and providing for an effective date" was read the second time.

Senator Wilson, Chair, moved and asked unanimous consent for the adoption of the Health and Social Services Committee Substitute offered on page 2309. Senator Gardner objected, then withdrew her objection. There being no further objection, CS FOR SENATE BILL NO. 81(HSS) "An Act relating to criminal and civil history record checks and requirements; relating to licenses, certifications, appeals,

and authorizations by the Department of Health and Social Services; relating to child protection information; and providing for an effective date" was adopted.

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

**SB 81**

Senator Micciche moved and asked unanimous consent CS FOR SENATE BILL NO. 81(HSS) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 81(HSS) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 81(HSS) "An Act relating to criminal and civil history record checks and requirements; relating to licenses, certifications, appeals, and authorizations by the Department of Health and Social Services; relating to child protection information; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 81(HSS)  
Third Reading - Final Passage  
Effective Date

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

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

Excused: Begich

and so, CS FOR SENATE BILL NO. 81(HSS) passed the Senate.

Senator Micciche moved and asked unanimous consent 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.

**Second Reading of House Bills****HB 97**

CS FOR HOUSE BILL NO. 97(STA) "An Act repealing the insurance tax credit for gifts to the Alaska fire standards council; and providing for an effective date" was read the second time.

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

CS FOR HOUSE BILL NO. 97(STA) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 97(STA) "An Act repealing the insurance tax credit for gifts to the Alaska fire standards council; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 97(STA)  
Third Reading - Final Passage  
Effective Date

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

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

Excused: Begich

and so, CS FOR HOUSE BILL NO. 97(STA) passed the Senate.

Senator Micciche moved and asked unanimous consent 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 signed by the President and Secretary and returned to the House.

**Second Reading of House Resolutions****HJR 33**

CS FOR HOUSE JOINT RESOLUTION NO. 33(AET) Urging the Alaska delegation in Congress to pursue the establishment of a U.S. Coast Guard port in the Arctic region; supporting the increase in defensive capabilities in the Arctic region; and encouraging the development of critical Arctic infrastructure, was read the second time.

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

CS FOR HOUSE JOINT RESOLUTION NO. 33(AET) was read the third time.

Senators Olson, Wielechowski, Egan, Hughes, Micciche, Costello, Shower, MacKinnon, Stedman, Hoffman, Meyer moved and asked unanimous consent to be shown as cross sponsors on the resolution. Without objection, it was so ordered.

The question being: "Shall CS FOR HOUSE JOINT RESOLUTION NO. 33(AET) Urging the Alaska delegation in Congress to pursue the establishment of a U.S. Coast Guard port in the Arctic region; supporting the increase in defensive capabilities in the Arctic region; and encouraging the development of critical Arctic infrastructure, pass the Senate?" The roll was taken with the following result:

CSHJR 33(AET)  
Third Reading - Final Passage

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

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

Excused: Begich

and so, CS FOR HOUSE JOINT RESOLUTION NO. 33(AET) passed the Senate, was signed by the President and Secretary and returned to the House.

**Special Order of Business**

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

**Citation Calendar**

Honoring - Ketchikan Police Department

Representative(s) Ortiz

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

In Memoriam - Byron W. Haley

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

In Memoriam - Elizabeth "Betty" Wiehl

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

In Memoriam - Lenard Olen Taylor

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

In Memoriam - Fred Arnold "Trapper" McMillan

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

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

**Citations**

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

Honoring - Alaska Women's Hall of Fame 10th Anniversary and 2018 Inductees

Representative(s) Tarr

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

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

**Unfinished Business**

Senator Wielechowski moved and asked unanimous consent to adopt the following Sense of the Senate:

Sense of the Senate

The Alaska State Senate supports a free and open Internet that is equally accessible to all consumers and urges the United States Congress to exercise its authority under the Congressional Review Act to overturn the Federal Communication Commission's regulatory decision to end net neutrality protections.

Senator Coghill objected.

The question being: "Shall the Senate Adopt the Sense of the Senate?"  
The roll was taken with the following result:

Shall the Senate Adopt the  
Sense of the Senate?

**YEAS: 11 NAYS: 7 EXCUSED: 1 ABSENT: 1**

Yea: Costello, Egan, Gardner, Hoffman, Kelly, Micciche, Olson, Shower, Stevens, Wielechowski, Wilson

Nay: Coghill, Giessel, Hughes, MacKinnon, Meyer, Stedman, von Imhof

Excused: Begich

Absent: Bishop

and so, the Sense of the Senate was adopted.

**HB 240**

Senators Giessel, MacKinnon, Micciche, Stevens, Gardner, Egan, Kelly moved and asked unanimous consent to be shown as cross sponsors on CS FOR HOUSE BILL NO. 240(FIN) "An Act relating to prescription prices available to consumers; relating to penalties for certain pharmacy or pharmacist violations; relating to the registration and duties of pharmacy benefits managers; relating to procedures, guidelines, and enforcement mechanisms for pharmacy audits; relating to the cost of multi-source generic drugs and insurance reimbursement procedures; relating to the duties of the director of the division of insurance; and providing for an effective date." Without objection, it was so ordered.

Senator von Imhof moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, April 20 through evening plane time, April 23. Without objection, Senator von Imhof was excused.

Senator Hughes moved and asked unanimous consent to be excused from a call of the Senate on April 23. Without objection, Senator Hughes 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****SB 81**

CS FOR SENATE BILL NO. 81(HSS) "An Act relating to criminal and civil history record checks and requirements; relating to licenses, certifications, appeals, and authorizations by the Department of Health and Social Services; relating to child protection information; 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 the Senate stand in adjournment until 11:00 a.m., April 23, 2018. Without objection, the Senate adjourned at 12:42 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

**COMMUNITY & REGIONAL AFFAIRS**

**Apr 20 Friday Fahrenkamp 203 3:30 PM**  
-- MEETING CANCELED --  
-- Please Note Location --  
+= HB 374 ON-BILL FINANCING OF ENERGY IMPROVEMENTS

---

**EDUCATION**

**Apr 20 Friday Butrovich 205 8:00 AM**  
-- MEETING CANCELED --  
+ Bills Previously Heard/Scheduled  
-- Testimony <Invited and Public> --  
\*\*Streamed live on AKL.tv\*\*

---

**FINANCE**

**Apr 20 Friday Senate Finance 532 9:00 AM**  
+ HB 214 BREE'S LAW; DATING VIOLENCE PROGRAMS  
<Bill Hearing Canceled>  
+ HB 240 DRUG PRICING; PHARMACY BENEFITS MANAGERS  
+ Bills Previously Heard/Scheduled

SENATE JOURNAL

April 20, 2018

2811

**FINANCE (continued)**

<b>Apr 20</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>1:30 PM</b>
+=	HB 214	BREE'S LAW; DATING VIOLENCE PROGRAMS	
		-- Public Testimony <Limited to 2 Minutes> --	
+		Bills Previously Heard/Scheduled	
<b>Apr 21</b>	<b>Saturday</b>	<b>Senate Finance 532</b>	<b>10:00 AM</b>
		-- MEETING CANCELED --	
+		Bills Previously Heard/Scheduled	

---

**HEALTH & SOCIAL SERVICES**

<b>Apr 20</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
		No Meeting Scheduled	
<b>Apr 23</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
		No Meeting Scheduled	
<b>Apr 25</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
		No Meeting Scheduled	
<b>Apr 27</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
		No Meeting Scheduled	

---

**JUDICIARY**

<b>Apr 20</b>	<b>Friday</b>	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>
+=	HB 355	FIRE;FOREST LAND; CRIMES;FIRE PREVENTION	
+=	HB 208	TRUSTS; COMM PROP TRUSTS; POWERS OF APPT	
+=	HB 123	DISCLOSURE OF HEALTH CARE COSTS	
		-- Public Testimony --	
+	HB 259	CONFINING VEHICLE LOADS	
+	HB 336	SUPPORTIVE DECISION-MAKING AGREEMENTS	
+		Bills Previously Heard/Scheduled	
<b>Apr 23</b>	<b>Monday</b>	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>
+=	HB 208	TRUSTS; COMM PROP TRUSTS; POWERS OF APPT	
+=	HB 123	DISCLOSURE OF HEALTH CARE COSTS	
+=	HB 259	CONFINING VEHICLE LOADS	
+=	HB 336	SUPPORTIVE DECISION-MAKING AGREEMENTS	
+		Bills Previously Heard/Scheduled	

---

**LABOR & COMMERCE**

**Apr 20 Friday Beltz 105 (tsbldg) 3:30 PM**

- + HB 401 INSURANCE; REINSURANCE; VALUATION; CREDITS  
-- Public Testimony --
- + HB 403 LIFE & HEALTH INSURANCE GUARANTY ASSN.  
-- Public Testimony --
- + Bills Previously Heard/Scheduled

**Apr 21 Saturday Beltz 105 (tsbldg) 1:30 PM**

- MEETING CANCELED --
- Rescheduled to 4/23/18 at 8:00 a.m. --
- + HB 340 REPEAL BIDCO ASSISTANCE PROGRAM  
-- Public Testimony --
- + HB 343 PREMIUM FINANCE COMPANIES : EXAM REQS  
-- Public Testimony --
- + HB 262 MILITARY SPOUSE COURTESY LICENSE  
-- Public Testimony --

**Apr 23 Monday Beltz 105 (tsbldg) 8:00 AM**

- Rescheduled from 4/21/18 at 1:30 p.m. --
- + HB 340 REPEAL BIDCO ASSISTANCE PROGRAM  
-- Public Testimony --
- + HB 343 PREMIUM FINANCE COMPANIES : EXAM REQS  
-- Public Testimony --
- + HB 262 MILITARY SPOUSE COURTESY LICENSE  
-- Public Testimony --

---

**RESOURCES**

**Apr 20 Friday Butrovich 205 3:30 PM**

- + Bills Previously Heard/Scheduled
- + HB 130 GAME REFUGE/CRIT HABITAT AREA BOUNDARIES

---

**JOINT COMMITTEES****LEGISLATIVE COUNCIL**

<b>Apr 23</b>	<b>Monday</b>	<b>Adams Room 519</b>	<b>4:30 PM</b>
+	Approval of Minutes		
+	Ratification of Charitable Events:		
	a. The Canvas Annual Fundraising Dinner		
	b. Catholic Community Service Formal Gala		
	c. Girl Scouts Fundraiser		
	d. Thanksgiving in March		
	e. Silver Gala		
	f. Legislative Skits		
	g. REACH 40th Anniversary		
	h. Lawmaker's Round Up		
	i. Juneau's Got Talent		
	j. Haven House		
	k. 33rd Annual Sham Jam		
	l. Juneau Lyric Opera		
+	Contract Approvals, Lease Extensions:		
	a. Ketchikan		
	b. Bethel		
	c. Juneau Storage		
	d. Ombudsman		
	e. Office of Victims' Rights		
	f. Kodiak		
+	Other Committee Business		
	a. Policies		
	i. Per Diem		
	ii. Sexual & Other Workplace Harassment		
	EXECUTIVE SESSION		

**SELECT COMMITTEE ON LEGISLATIVE ETHICS**

<b>Apr 21</b>	<b>Saturday</b>	<b>Anch Lio Lg Conf Rm</b>	<b>10:30 AM</b>
+	Senate Subcommittee		
+	Public Comment		
	EXECUTIVE SESSION		
	Public Session		

**CONFERENCE COMMITTEES****CONFERENCE COMMITTEE ON SB 26**

**Apr 21 Saturday Senate Finance 532 12:30 PM**  
+= SB 26 APPROP LIMIT & PER FUND:DIVIDEND;EARNINGS