

SENATE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE

SECOND SESSION

Juneau, Alaska

Wednesday

April 25, 2018

One Hundredth Day

Pursuant to adjournment the Senate was called to order by President Kelly at 11:07 a.m.

The roll showed twenty members present.

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

God, often we do not really listen to each other. Instead of true dialogue, we carry on two monologues. We talk, but what we are really concentrating on is how to sound good, how to make our points strongly, how to outshine the person with whom we are talking. Teach us to listen. Remind us that, somehow, You are trying to reach us through our partner in conversation. When our words are harsh or angry, we convey the very opposite of Your truth, Your love and Your goodness. Teach us to be still, Lord, that we may truly hear our colleagues, and in them, You. Amen.

Senator Wilson led the Senate in the Pledge of Allegiance.

Certification

Senator Micciche moved and asked unanimous consent that the journal for the ninety-ninth legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

Standing Committee Reports**SB 128**

The Finance Committee considered SENATE BILL NO. 128 "An Act establishing the marijuana education and treatment fund; and relating to the duties of the Department of Health and Social Services to administer a comprehensive marijuana use education and treatment program" and recommended it be replaced with

CS FOR SENATE BILL NO. 128(FIN)

Signing do pass: Senator MacKinnon, Cochair; Senators Bishop, von Imhof, Stevens, Micciche. Signing no recommendation: Senator Olson.

Fiscal information forthcoming.

The bill was referred to the Rules Committee.

HB 44

The Judiciary Committee considered CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 44(STA) "An Act requiring a legislator to abstain from taking or withholding official action or exerting official influence that could benefit or harm an immediate family member or certain employers; and requiring a legislator to request to be excused from voting in an instance where the legislator may have a financial conflict of interest" and recommended the adoption of the State Affairs Senate Committee Substitute offered on page 2410. Signing do not pass: Senator Coghill, Chair. Signing no recommendation: Senators Wielechowski, Costello, Shower.

The following previously published fiscal information applies:

Fiscal Note No. 2, zero, Legislative Agency

The bill was referred to the Finance Committee.

HB 123

The Judiciary Committee considered CS FOR HOUSE BILL NO. 123(HSS) "An Act relating to disclosure of health care services and price information; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL
NO. 123(JUD) "An Act relating to disclosure of
health care services and price information; relating to
health care insurers; and providing for an effective
date." (Title Change SCR 20)

Signing do pass: Senator Coghill, Chair; Senator Wielechowski.
Signing no recommendation: Senators Costello, Kelly, Shower.

The following fiscal information was published today:

Fiscal Note No. 3, zero, Department of Commerce, Community
and Economic Development

The following previously published fiscal information applies:

Fiscal Note No. 2, zero, Department of Health and Social Services

The bill was referred to the Rules Committee.

HB 259

The Judiciary Committee considered CS FOR HOUSE BILL NO. 259(JUD) am "An Act relating to containing or confining loads being transported on highways" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL
NO. 259(JUD)

Signing do pass: Senator Coghill, Chair; Senators Wielechowski,
Costello. Signing no recommendation: Senators Kelly, Shower.

The following previously published fiscal information applies:

Fiscal Note No. 2, zero, Department of Transportation and Public
Facilities

The bill was referred to the Rules Committee.

HB 336

The Judiciary Committee considered CS FOR HOUSE BILL NO. 336(JUD) am "An Act relating to supported decision-making agreements to provide for decision-making assistance; and amending Rule 402, Alaska Rules of Evidence." Signing do pass: Senator Coghill, Chair; Senators Wielechowski, Costello, Kelly, Shower.

The following previously published fiscal information applies:

Fiscal Note No. 2, zero, Department of Health and Social Services

The bill was referred to the Rules Committee.

HCR 19

The Rules 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(RLS)
Urging Governor Bill Walker to recognize the urgent
need for language revitalization efforts.

Signing no recommendation: Senator Meyer, Chair; Senators MacKinnon, Kelly. Signing do pass: Senator Micciche. Signing amend: Senator Gardner.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Legislative Agency

The resolution is on today's calendar.

Consideration of the Calendar**Second Reading of House Bills****HB 43**

CS FOR HOUSE BILL NO. 43(JUD) "An Act relating to prescribing, dispensing, and administering an investigational drug, biological product, or device by physicians for patients who are terminally ill for

the purpose of sustaining the patient's life; providing immunity related to manufacturing, distributing, or providing investigational drugs, biological products, or devices; and relating to licensed health care facility requirements" 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. 43(JUD) was read the third time.

Senators Wielechowski, Shower, Costello, Giessel, Bishop, MacKinnon, Micciche, Gardner, Hughes, Begich, Egan, Meyer moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

The question being: "Shall CS FOR HOUSE BILL NO. 43(JUD) "An Act relating to prescribing, dispensing, and administering an investigational drug, biological product, or device by physicians for patients who are terminally ill for the purpose of sustaining the patient's life; providing immunity related to manufacturing, distributing, or providing investigational drugs, biological products, or devices; and relating to licensed health care facility requirements" pass the Senate?" The roll was taken with the following result:

CSHB 43(JUD)

Third Reading - Final Passage

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

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

and so, CS FOR HOUSE BILL NO. 43(JUD) passed the Senate, was signed by the President and Secretary and returned to the House.

HB 340

HOUSE BILL NO. 340 "An Act repealing the Alaska BIDCO Assistance program and repealing requirements for an annual examination of a BIDCO by the Department of Commerce, Community, and Economic Development" 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.

HOUSE BILL NO. 340 was read the third time.

The question being: "Shall HOUSE BILL NO. 340 "An Act repealing the Alaska BIDCO Assistance program and repealing requirements for an annual examination of a BIDCO by the Department of Commerce, Community, and Economic Development" pass the Senate?" The roll was taken with the following result:

HB 340

Third Reading - Final Passage

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

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

and so, HOUSE BILL NO. 340 passed the Senate, was signed by the President and Secretary and returned to the House.

HB 343

HOUSE BILL NO. 343 "An Act relating to examination of premium finance companies" 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.

HOUSE BILL NO. 343 was read the third time.

The question being: "Shall HOUSE BILL NO. 343 "An Act relating to examination of premium finance companies" pass the Senate?" The roll was taken with the following result:

HB 343

Third Reading - Final Passage

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

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

and so, HOUSE BILL NO. 343 passed the Senate, was signed by the President and Secretary and returned to the House.

Third Reading of House Bills

HB 130

SENATE CS FOR HOUSE BILL NO. 130(RES) was read the third time.

The question being: "Shall SENATE CS FOR HOUSE BILL NO. 130(RES) "An Act relating to the purposes of state game refuges and fish and game critical habitat areas; relating to the Izembek State Game Refuge, Cape Newenham State Game Refuge, Anchorage Coastal Wildlife Refuge, Palmer Hay Flats State Game Refuge, Yakataga State Game Refuge, Mendenhall Wetlands State Game Refuge, Susitna Flats State Game Refuge, Minto Flats State Game Refuge, Trading Bay State Game Refuge, Creamer's Field Migratory Waterfowl Refuge, Port Moller Critical Habitat Area, Egegik Critical Habitat Area, Pilot Point Critical Habitat Area, Fox River Flats Critical Habitat Area, Kachemak Bay Critical Habitat Area, and Dude Creek Critical Habitat Area; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS HB 130(RES)

Third Reading - Final Passage

Effective Date

YEAS: 16 NAYS: 4 EXCUSED: 0 ABSENT: 0

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

Nays: Begich, Egan, Gardner, Wielechowski

and so, SENATE CS FOR HOUSE BILL NO. 130(RES) 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.

SCR 24

Senator Micciche moved and asked unanimous consent to take up SENATE CONCURRENT RESOLUTION NO. 24, which had been held on the Secretary's desk (page 2839). Without objection, the resolution was before the Senate on final passage.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 24 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 130, relating to the Izembek State Game Refuge, Cape Newenham State Game Refuge, Palmer Hay Flats State Game Refuge, Port Moller Critical Habitat Area, Egegik Critical Habitat Area, Pilot Point Critical Habitat Area, Fox River Flats Critical Habitat Area, Kachemak Bay Critical Habitat Area, and Dude Creek Critical Habitat Area, pass the Senate?" The roll was taken with the following result:

SCR 24

Final Passage

YEAS: 16 NAYS: 4 EXCUSED: 0 ABSENT: 0

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

Nays: Begich, Gardner, Olson, Wielechowski

and so, SENATE CONCURRENT RESOLUTION NO. 24 passed the Senate and was referred to the Secretary for engrossment.

House Resolutions in Second Reading**HCR 19**

CS FOR HOUSE CONCURRENT RESOLUTION NO. 19(CRA) am Urging Governor Bill Walker to issue an administrative order recognizing a linguistic emergency, was before the Senate in second reading.

Senator Meyer, Chair, moved and asked unanimous consent for the adoption of the Rules Senate Committee Substitute offered on page 2854. Without objection, SENATE CS FOR CS FOR HOUSE CONCURRENT RESOLUTION NO. 19(RLS) Urging Governor Bill Walker to recognize the urgent need for language revitalization efforts, was adopted and was before the Senate on final passage.

Senator Gardner offered Amendment No. 1:

Page 1, lines 1 - 2:

Delete "**the urgent need for language revitalization efforts**"
Insert "**a linguistic emergency**"

Page 2, lines 24 - 25:

Delete "the urgent need for language revitalization efforts"
Insert "a linguistic emergency"

Senator Gardner moved for the adoption of Amendment No. 1. Senator MacKinnon objected, then withdrew her objection. There being no further objection, Amendment No. 1 was adopted.

The question being: "Shall SENATE CS FOR CS FOR HOUSE CONCURRENT RESOLUTION NO. 19(RLS) am S Urging Governor Bill Walker to recognize a linguistic emergency, pass the Senate?" The roll was taken with the following result:

SCS CSHCR 19(RLS) am S
Second Reading - Final Passage

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

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

and so, SENATE CS FOR CS FOR HOUSE CONCURRENT RESOLUTION NO. 19(RLS) am S passed the Senate and was referred to the Secretary for engrossment.

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 - Anchorage Museum's 50th Anniversary

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

Honoring - Alaska Aviation Museum's 30th Anniversary

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

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.

Special Order of Business

Honoring - Ann Krekelberg

Senator(s) Giessel, Coghill, Kelly, Begich, Bishop, Costello, Egan, Gardner, 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**HB 43**

Senator von Imhof moved and asked unanimous consent to be shown as a cross sponsor on CS FOR HOUSE BILL NO. 43(JUD) "An Act relating to prescribing, dispensing, and administering an investigational drug, biological product, or device by physicians for patients who are terminally ill for the purpose of sustaining the patient's life; providing immunity related to manufacturing, distributing, or providing investigational drugs, biological products, or devices; and relating to licensed health care facility requirements." Without objection, it was so ordered.

HCR 19

Senators Hoffman, Micciche, Stevens, MacKinnon, Stedman, Bishop, Costello, von Imhof, Gardner, Egan, Olson, Wielechowski, Begich, Meyer moved and asked unanimous consent to be shown as cross sponsors on SENATE CS FOR CS FOR HOUSE CONCURRENT RESOLUTION NO. 19(RLS) am S Urging Governor Bill Walker to recognize a linguistic emergency. Without objection, it was so ordered.

HB 262

Senators Costello, Stevens, Micciche, Egan, Meyer moved and asked unanimous consent to be shown as cross sponsors on CS FOR HOUSE BILL NO. 262(L&C) "An Act relating to temporary courtesy licenses for certain nonresident professionals; and relating to the Department of Commerce, Community, and Economic Development." Without objection, it was so ordered.

Announcements

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

Announcements are at the end of the journal.

Engrossment**HB 130**

SENATE CS FOR HOUSE BILL NO. 130(RES) "An Act relating to the purposes of state game refuges and fish and game critical habitat areas; relating to the Izembek State Game Refuge, Cape Newenham State Game Refuge, Anchorage Coastal Wildlife Refuge, Palmer Hay Flats State Game Refuge, Yakataga State Game Refuge, Mendenhall Wetlands State Game Refuge, Susitna Flats State Game Refuge, Minto Flats State Game Refuge, Trading Bay State Game Refuge, Creamer's Field Migratory Waterfowl Refuge, Port Moller Critical Habitat Area, Egegik Critical Habitat Area, Pilot Point Critical Habitat Area, Fox River Flats Critical Habitat Area, Kachemak Bay Critical Habitat Area, and Dude Creek Critical Habitat Area; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

SCR 24

SENATE CONCURRENT RESOLUTION NO. 24 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 130, relating to the Izembek State Game Refuge, Cape Newenham State Game Refuge, Palmer Hay Flats State Game Refuge, Port Moller Critical Habitat Area, Egegik Critical Habitat Area, Pilot Point Critical Habitat Area, Fox River Flats Critical Habitat Area, Kachemak Bay Critical Habitat Area, and Dude Creek Critical Habitat Area, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

HCR 19

SENATE CS FOR CS FOR HOUSE CONCURRENT RESOLUTION NO. 19(RLS) am S Urging Governor Bill Walker to recognize a linguistic emergency, was engrossed, signed by the President and Secretary and returned to the House for consideration.

Adjournment

Senator Micciche moved and asked unanimous consent the Senate stand in adjournment until 11:00 a.m., April 27, 2018. Without objection, the Senate adjourned at 12:30 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 25 Wednesday Beltz 105 (tsbldg) 3:30 PM
 + HB 333 MUNI: DRIVER PHONE USE IN SCHOOL ZONE
 += HB 374 ON-BILL FINANCING OF ENERGY IMPROVEMENTS

Apr 26 Thursday Beltz 105 (tsbldg) 3:30 PM
 += HB 374 ON-BILL FINANCING OF ENERGY IMPROVEMENTS
 + Bills Previously Heard/Scheduled

FINANCE

Apr 25 Wednesday Senate Finance 532 9:00 AM
 + HB 306 PERS/TERS DISTRIBUTIONS
 + HB 47 MUNICIPAL PERS CONTRIBUTIONS/INTEREST
 + HB 217 LOCAL FOOD GOV PROCUREMENT; FARM TOURS
 + Bills Previously Heard/Scheduled

Apr 25 Wednesday Senate Finance 532 1:30 PM
 += SB 142 APPROP: CAPITAL BUDGET
 + HB 316 RESTRICT ACCESS MARIJUANA CRIME RECORDS
 + Bills Previously Heard/Scheduled

Apr 26 Thursday Senate Finance 532 9:00 AM
 + HB 135 SCHOOL CONSTRUCTION GRANT PROGRAM
 += HB 150 PAY, ALLOWANCES, BENEFITS FOR MILITIA MEM
 += HB 233 EXTEND EDUCATION TAX CREDITS
 + Bills Previously Heard/Scheduled

SENATE JOURNAL

April 25, 2018

2865

FINANCE (continued)

Apr 26 Thursday Senate Finance 532 1:30 PM
+= SB 142 APPROP: CAPITAL BUDGET
-- Public Testimony --
+ Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

Apr 25 Wednesday Butrovich 205 1:30 PM
No Meeting Scheduled

Apr 27 Friday Butrovich 205 1:30 PM
No Meeting Scheduled

RULES

Apr 25 Wednesday Butrovich 205 8:15 AM
+ HCR 19 GOVERNOR: AK NATIVE LANGUAGES EMERGENCY
-- Testimony <Invitation Only> --