

**SENATE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**THIRTY-FIRST LEGISLATURE**  
**FIRST SESSION**

**Juneau, Alaska**

**Monday**

**February 18, 2019**

**Thirty-fifth Day**

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

The roll showed seventeen members present. Senator Kiehl was excused from a call of the Senate. Senators Coghill, Shower were absent.

Senator Costello moved and asked unanimous consent Senators Coghill, Shower be excused from a call of the Senate today. Without objection, Senators Coghill, Shower were excused.

The prayer was offered by the Chaplain, Pastor Tom Matthews, Douglas Island Bible Church. Senator Hoffman moved and asked unanimous consent the prayer be spread. Without objection, it was so ordered.

Dear Lord:

What an awesome privilege it is to be lifting these men and women before you in prayer. They face a daunting task. We live in such a time of unrest. Each person here understands they are representing their constituency that sent them here, and that in itself brings pressure on them as they want to do that well. Help each one I am lifting before you today to have clear convictions in their role. Help them to make their decisions based on what is true and right, and ethical. Protect them from any outside influence that could do them harm. Give them wisdom beyond themselves.

My mind goes to James 1:5 as it says: *But if any of you lacks wisdom, let him ask of God, who gives to all generously and without reproach, and it will be given to him.*

So Lord, I ask for wisdom for each person here today. Wisdom beyond themselves, wisdom that will lead our state forward in a path of justice and equity. In a path of prosperity in spite of the financial challenges around us.

I lift this prayer in the name of Your Son, Jesus Christ, Amen.

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

### **Certification**

Senator Costello moved and asked unanimous consent the journals for the thirty-second through thirty-fourth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

### **Messages from the Governor**

Letter dated February 15 was read stating in accordance with art. III, secs. 26 and 27 of the Alaska Constitution, and AS 39.05.080, I submit the following appointee for confirmation:

#### **Board of Nursing**

Emily Henry - Anchorage

Appointed: 2/15/2019

Term Expires: 3/1/2020

The appointment was referred to the Labor and Commerce Committee.

On February 12, in accordance with art. III, secs. 26 and 27 of the Alaska Constitution, and AS 39.05.080, I submitted a list of appointees for confirmation.

The following appointee has withdrawn her name from consideration, effective immediately:

**Professional Teaching Practices Commission**

Kalesha Dolan – Eagle River

The resume for this appointment has been submitted to the Offices of the Senate Secretary and the Chief Clerk.

**Communications**

The following report is on file in the Office of the Secretary of the Senate:

Department of Revenue  
Alaska Housing Finance Corporation  
Alaska Stories  
2018 Annual Report  
in accordance with AS 18.56.200

**Standing Committee Reports**

Report dated February 14 and received February 18 was read stating:

In accordance with AS 39.05.080, the Labor and Commerce Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

**Marijuana Control Board**

Christopher Jaime – Soldotna

**Alcoholic Beverage Control Board**

Charlie Cross – Nome

This does not reflect an intent by any of the members to vote for or against the confirmation of the individuals during any further sessions.

Signing the report: Senator Reinbold, Chair; Senators Bishop, Birch, Costello, Gray-Jackson.

**SB 41**

The Judiciary Committee considered SENATE BILL NO. 41 "An Act relating to the number of superior court judges in the third judicial district; and providing for an effective date." Signing do pass: Senator Hughes, Chair; Senators Reinbold, Micciche.

The following fiscal information was published today:

Fiscal Note No. 1, Alaska Judiciary System

The bill was referred to the Finance Committee.

**Introduction and Reference of Senate Bills**

**SB 61**

SENATE BILL NO. 61 BY SENATOR STEVENS, entitled:

"An Act relating to claims against protection and indemnity insurance policies of vessel owners."

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

**SB 62**

SENATE BILL NO. 62 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to the appropriation of alcoholic beverage excise tax proceeds for community assistance; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Commerce, Community, and Economic Development

Fiscal Note No. 2, Department of Revenue

Governor's transmittal letter dated February 15:

Dear President Giessel:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to the Alcoholic Beverage Excise Tax proceeds.

The bill would permit the legislature to appropriate half of the proceeds, currently going into the General Fund, for community assistance purposes. This recognizes the need to assist communities through use of tax proceeds on the sale of alcoholic beverages and allow communities the opportunities to use these resources to address substance abuse and homelessness issues at the local level.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Michael J. Dunleavy

Governor

**SB 63**

SENATE BILL NO. 63 BY THE SENATE RULES COMMITTEE  
BY REQUEST OF THE GOVERNOR, entitled:

"An Act repealing the fisheries business tax allocation to municipalities; repealing the refunds to local governments of fisheries business taxes; repealing revenue sharing for the fishery resource landing tax; providing for an effective date by amending the effective date of sec. 36, ch. 61, SLA 2014; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, Department of Commerce, Community, and  
Economic Development

Fiscal Note No. 2, Department of Revenue

Governor's transmittal letter dated February 15:

Dear President Giessel:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill repealing statutes providing allocations, refunds, and revenue sharing to municipalities from the Fisheries Business Taxes and Fishery Resource Landing Tax.

Currently, the state shares revenues from state fisheries business taxes with municipalities. For the fisheries business taxes, 50 percent of Fisheries Business Taxes are shared with the municipalities where the fishery resources were processed. Similarly, the state shares 50 percent of the Fishery Resource Landing Tax with the municipality where the fishery resources were landed. The revenues that form the basis of the disbursement each October are from taxes collected for the previous calendar year of processing and landing of fisheries resources. In fiscal year 2018, the state shared approximately \$29 million in revenues. This bill would repeal the statutes that provide for this revenue sharing.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Michael J. Dunleavy

Governor

**SB 64**

SENATE BILL NO. 64 BY THE SENATE RULES COMMITTEE  
BY REQUEST OF THE GOVERNOR, entitled:

"An Act repealing state aid for costs of school construction debt; and providing for an effective date."

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

The following fiscal information was published today:

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

Governor's transmittal letter dated February 15:

Dear President Giessel:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to the repeal of the statute authorizing payments to municipalities for reimbursement of school construction bonded debt.

The bill would repeal AS 14.11.100, which provides authority for school construction debt to be reimbursed by the state in an allowable percentage of the municipal debt payment. The percentage has varied based on numerous amendments to the statute over the years. The program, while well-intentioned, has become unsustainable and unnecessary. The level of school debt should remain at the municipal level, where voters can decide what type of school construction is reasonable and sustainable for their district. Recently, this program was put on hold through July 1, 2020; and it is apparent that a new direction beyond a holding pattern is needed.

The bill also addresses how funding for school construction and maintenance in the Regional Educational Attendance Areas through the small municipal school district fund is handled with the repeal of the state aid for school construction statutes. Further, the bill makes conforming amendments to the statutes governing the bond reimbursement and grant review committee and other statutes that refer to the current program for reimbursement of school construction debt.

Importantly, the bill would add a provision to the duties of The Bond Reimbursement and Grant Review Committee (which would be renamed the Grant Review Committee) requiring that, in developing criteria for cost-effective school construction, the committee would consider multipurpose function and designs. Through creative thinking and multi-use designs, we can bring down school construction costs and better serve the affected communities.

The bill would be effective July 1, 2019.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Michael J. Dunleavy

Governor

### **Consideration of the Calendar**

#### **Citations**

Honoring - Alaska School Activities Association: High School Hall of Fame Class of 2018

Senator Costello

Honoring - Patrick "Jeremy" Pletnikoff

Representative LeBon

Senator Kawasaki

Senator Costello 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 Hughes moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, March 8 through evening plane time, March 10. Without objection, Senator Hughes was excused.

Senator Costello moved and asked unanimous consent Senator Coghill be excused from a call of the Senate from February 18 through evening plane time, February 24. Without objection, Senator Coghill was excused.

Senator Hoffman moved and asked unanimous consent to be excused from a call of the Senate on March 6. Without objection, Senator Hoffman was excused.

**Announcements**

Announcements are at the end of the journal.

**Adjournment**

Senator Costello moved and asked unanimous consent the Senate stand in adjournment until 10:30 a.m., February 19, 2019. Without objection, the Senate adjourned at 11:16 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**

**Feb 19      Tuesday                      Beltz 105 (tsbldg)              3:30 PM**  
 No Meeting Scheduled

**Feb 21      Thursday                      Beltz 105 (tsbldg)              3:30 PM**  
 No Meeting Scheduled

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**EDUCATION**

**Feb 19      Tuesday                      Butrovich 205              9:00 AM**  
 -- MEETING CANCELED --

+      Presentation:  
 University of Alaska: "The Power of University Research" by Dr. Larry Hinzman, UAF Vice Chancellor for Research  
 -- Teleconference Listen Only --  
 -- Testimony <Invitation Only> --  
 \*\*Streamed live on AKL.tv\*\*  
 +      Bills Previously Heard/Scheduled

**Feb 21      Thursday                      Butrovich 205              9:00 AM**  
 +      SB 53      UNIV. REPORTING REQS FOR ACCREDITATION

-- Public Testimony <Time Limit May Be Set> --  
 -- Teleconference Listen Only --  
 \*\*Streamed live on AKL.tv\*\*  
 +      Bills Previously Heard/Scheduled

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**FINANCE**

- Feb 18 Monday Senate Finance 532 9:00 AM**  
 += SB 20 APPROP: OPERATING BUDGET/LOANS/FUNDS  
 + Departmental Review Continued:  
 - Education & Early Development  
 - Statewide  
 - Health & Social Services - Rescheduled to 2/22
- Feb 19 Tuesday Senate Finance 532 9:00 AM**  
 += SB 20 APPROP: OPERATING BUDGET/LOANS/FUNDS  
 + Departmental Review Continued:  
 - Department of Military & Veterans' Affairs  
 - Judiciary  
 <Above Items Added to Agenda>  
 - University of Alaska  
 - Transportation & Public Facilities  
 - Revenue
- Feb 20 Wednesday Senate Finance 532 9:00 AM**  
 += SB 20 APPROP: OPERATING BUDGET/LOANS/FUNDS  
 + Departmental Review Continued:  
 - Fish & Game  
 - Natural Resources  
 - Environmental Conservation  
 + Bills Previously Heard/Scheduled
- Feb 21 Thursday Senate Finance 532 9:00 AM**  
 += SB 20 APPROP: OPERATING BUDGET/LOANS/FUNDS  
 + Departmental Review Continued:  
 - Labor & Workforce Development  
 - Administration  
 - Commerce, Community & Economic Development  
 - Governor  
 + Bills Previously Heard/Scheduled
- Feb 22 Friday Senate Finance 532 9:00 AM**  
 += SB 20 APPROP: OPERATING BUDGET/LOANS/FUNDS  
 + Departmental Review Continued:  
 - Health & Social Services - Rescheduled from 2/18/19  
 - Item Below Removed from Agenda -  
 + Legislative Finance Overview & Analysis by David  
 Teal, Director of Legislative Finance  
 + Bills Previously Heard/Scheduled
-

**HEALTH & SOCIAL SERVICES**

|               |                                  |                      |                |
|---------------|----------------------------------|----------------------|----------------|
| <b>Feb 18</b> | <b>Monday</b>                    | <b>Butrovich 205</b> | <b>1:30 PM</b> |
|               | No Meeting Scheduled             |                      |                |
| <b>Feb 20</b> | <b>Wednesday</b>                 | <b>Butrovich 205</b> | <b>1:30 PM</b> |
| += SB 7       | MED. ASSISTANCE WORK REQUIREMENT |                      |                |
| +             | Bills Previously Heard/Scheduled |                      |                |
| <b>Feb 22</b> | <b>Friday</b>                    | <b>Butrovich 205</b> | <b>1:30 PM</b> |
|               | No Meeting Scheduled             |                      |                |

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**JUDICIARY**

|               |   |                           |                |
|---------------|---|---------------------------|----------------|
| <b>Feb 18</b> | <b>Monday</b>   | <b>Beltz 105 (tsbldg)</b> | <b>1:30 PM</b> |
| += SB 12      | ASSAULT; SEX OFFENSES; SENTENCING CREDIT                  |                           |                |
| += SB 35      | CRIMES;SEX CRIMES;SENTENCING; PAROLE                      |                           |                |
| +             | -Invited Testimony Followed by Public Testimony-          |                           |                |
|               | Bills Previously Heard/Scheduled                          |                           |                |
| <b>Feb 20</b> | <b>Wednesday</b>  | <b>Beltz 105 (tsbldg)</b> | <b>1:30 PM</b> |
| +             | Presentations:  |                           |                |
|               | - Alaska Judicial Council by Suzanne DiPietro             |                           |                |
|               | - Uniform Crime Reporting Annual Report by Kathy Monfreda |                           |                |
| +             | Bills Previously Heard/Scheduled                          |                           |                |
| <b>Feb 22</b> | <b>Friday</b>   | <b>Beltz 105 (tsbldg)</b> | <b>1:30 PM</b> |
| += SB 12      | ASSAULT; SEX OFFENSES; SENTENCING CREDIT                  |                           |                |
| += SB 35      | CRIMES;SEX CRIMES;SENTENCING; PAROLE                      |                           |                |
| +             | Bills Previously Heard/Scheduled                          |                           |                |

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**LABOR & COMMERCE**

|               |  |                           |                |
|---------------|--|---------------------------|----------------|
| <b>Feb 19</b> | <b>Tuesday</b>   | <b>Beltz 105 (tsbldg)</b> | <b>1:30 PM</b> |
| +             | Presentation:  |                           |                |
|               | Innovation in Alaska by Joel Cutcher-Gershenfeld<br>& Asta Kristin Sigurjonsdottir |                           |                |
| += SB 16      | ALCOHOL LIC:FAIRS,THEATRES,CONCERTS;BONDS  |                           |                |
| +             | -- Public Testimony --   |                           |                |
|               | Bills Previously Heard/Scheduled   |                           |                |
| <b>Feb 21</b> | <b>Thursday</b>  | <b>Beltz 105 (tsbldg)</b> | <b>1:30 PM</b> |
|               | No Meeting Scheduled   |                           |                |

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**RESOURCES**

|               |  |                      |                |
|---------------|--|----------------------|----------------|
| <b>Feb 18</b> | <b>Monday</b>  | <b>Butrovich 205</b> | <b>3:30 PM</b> |
| +             | Presentation:<br>"Oil & Mining Solutions at the University of Alaska" by Dr. Bill Schnabel, Dean, UAF College of Engineering & Mines |                      |                |
| <b>Feb 20</b> | <b>Wednesday</b>   | <b>Butrovich 205</b> | <b>3:30 PM</b> |
| + SB 43       | EXTEND BIG GAME COMMERCIAL SERVICES BOARD<br>-- Public Testimony --  |                      |                |
| <b>Feb 22</b> | <b>Friday</b>  | <b>Butrovich 205</b> | <b>3:30 PM</b> |
|               | No Meeting Scheduled   |                      |                |

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**STATE AFFAIRS**

|               |   |                      |                |
|---------------|---|----------------------|----------------|
| <b>Feb 19</b> | <b>Tuesday</b>  | <b>Butrovich 205</b> | <b>3:30 PM</b> |
| += SB 33      | ARREST;RELEASE;SENTENCING;PROBATION   |                      |                |
| += SB 34      | PROBATION; PAROLE; SENTENCES; CREDITS<br>-Public Testimony Estimated to Start at 6:00 pm-<br><Time Limit May Be Set>  |                      |                |
| <b>Feb 21</b> | <b>Thursday</b>   | <b>Butrovich 205</b> | <b>3:30 PM</b> |
| +             | Consideration of Governor's Appointees:<br>Commissioner-Designee Tshibaka, Department of Administration<br>-- Public Testimony <Time Limit May Be Set> --<br>-- Teleconference <Invitation Only> -- |                      |                |
| += SB 34      | PROBATION; PAROLE; SENTENCES; CREDITS   |                      |                |
| += SB 33      | ARREST;RELEASE;SENTENCING;PROBATION   |                      |                |

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**TRANSPORTATION**

|               |                      |                      |                |
|---------------|----------------------|----------------------|----------------|
| <b>Feb 19</b> | <b>Tuesday</b>       | <b>Butrovich 205</b> | <b>1:30 PM</b> |
|               | No Meeting Scheduled |                      |                |
| <b>Feb 21</b> | <b>Thursday</b>      | <b>Butrovich 205</b> | <b>1:30 PM</b> |
|               | No Meeting Scheduled |                      |                |

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**FINANCE SUBCOMMITTEES**

**CORRECTIONS**

**Feb 20**      **Wednesday**                      **Beltz 105 (tsbldg)**                      **5:15 PM**  
 +      Fiscal Situation, FY2020 Budget Overview

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**EDUCATION & EARLY DEVELOPMENT**

**Feb 19**      **Tuesday**                              **Senate Finance 532**                      **1:00 PM**  
 +      FY20 DEED Budget

**Feb 26**      **Tuesday**                              **Senate Finance 532**                      **1:00 PM**  
 +      FY20 DEED Budget

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**ENVIRONMENTAL CONSERVATION**

**Feb 21**      **Thursday**                              **Beltz 105 (tsbldg)**                      **4:00 PM**  
 -- MEETING CANCELED --  
 Agenda to be Announced

**Feb 28**      **Thursday**                              **Beltz 105 (tsbldg)**                      **4:00 PM**  
 Agenda to be Announced

**Mar 07**      **Thursday**                              **Beltz 105 (tsbldg)**                      **4:00 PM**  
 Agenda to be Announced

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**HEALTH & SOCIAL SERVICES**

**Feb 18**      **Monday**                              **Senate Finance 532**                      **7:45 AM**  
 +      -- Meeting Rescheduled to 2/25/19 --  
 FY20 Budget Proposal Overview  
 -- Testimony <Invitation Only> --

**Feb 25**      **Monday**                              **Senate Finance 532**                      **7:45 AM**  
 +      -- Meeting Rescheduled from 2/18/19 --  
 FY20 Budget Proposal Overview  
 -- Testimony <Invitation Only> --

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**JUDICIARY**

**Feb 20**            **Wednesday**                            **Beltz 105 (tsbldg)**            **3:30 PM**  
 +                    Alaska Judiciary Overview Presentations:  
                      - Operations of the Alaska Court System  
                      - The Alaska Judicial Council  
                      - The Alaska Commission on Judicial Conduct

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**LABOR & WORKFORCE DEVELOPMENT**

**Feb 21**            **Thursday**                                **Beltz 105 (tsbldg)**            **3:30 PM**  
 -- MEETING CANCELED --  
 Agenda to be Announced

**Feb 28**            **Thursday**                                **Beltz 105 (tsbldg)**            **3:30 PM**  
 Agenda to be Announced

**Mar 07**            **Thursday**                                **Beltz 105 (tsbldg)**            **3:30 PM**  
 Agenda to be Announced

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**LAW**

**Mar 06**            **Wednesday**                            **Butrovich 205**                **8:00 AM**  
 +                    Continuation of FY 2020 Budget  
                      -- Testimony <Invitation Only> --

**Mar 13**            **Wednesday**                            **Butrovich 205**                **8:00 AM**  
 +                    Continuation of FY 2020 Budget  
                      -- Testimony <Invitation Only> --

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**MILITARY & VETERANS' AFFAIRS**

**Feb 19**            **Tuesday**                                 **Butrovich 205**                **5:15 PM**  
 +                    Fiscal Situation, FY2020 Budget Overview

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**NATURAL RESOURCES**

|               |   |                           |                |
|---------------|---|---------------------------|----------------|
| <b>Feb 21</b> | <b>Thursday</b><br>-- MEETING CANCELED --<br>Agenda to be Announced | <b>Beltz 105 (tsbldg)</b> | <b>4:30 PM</b> |
| <b>Feb 28</b> | <b>Thursday</b><br>Agenda to be Announced                           | <b>Beltz 105 (tsbldg)</b> | <b>4:30 PM</b> |
| <b>Mar 07</b> | <b>Thursday</b><br>Agenda to be Announced                           | <b>Beltz 105 (tsbldg)</b> | <b>4:30 PM</b> |

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**TRANSPORTATION & PUBLIC FACILITIES**

|               |                               |                           |                |
|---------------|-------------------------------|---------------------------|----------------|
| <b>Feb 21</b> | <b>Thursday</b><br>Agenda TBA | <b>Senate Finance 532</b> | <b>7:45 AM</b> |
| <b>Feb 28</b> | <b>Thursday</b><br>Agenda TBA | <b>Senate Finance 532</b> | <b>7:45 AM</b> |
| <b>Mar 07</b> | <b>Thursday</b><br>Agenda TBA | <b>Senate Finance 532</b> | <b>7:45 AM</b> |

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**UNIVERSITY OF ALASKA**

|                    |  |                           |                |
|--------------------|--|---------------------------|----------------|
| <b>Feb 19</b><br>+ | <b>Tuesday</b><br>FY20 University Budget | <b>Senate Finance 532</b> | <b>2:00 PM</b> |
| <b>Feb 26</b><br>+ | <b>Tuesday</b><br>FY20 University Budget | <b>Senate Finance 532</b> | <b>2:00 PM</b> |

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**OTHER MEETINGS****JOINT SESSION**

|               |  |                      |                 |
|---------------|--|----------------------|-----------------|
| <b>Feb 19</b> | <b>Tuesday</b><br>Annual Address by the Honorable<br>Lisa Murkowski, U.S. Senator                    | <b>House Chamber</b> | <b>11:00 AM</b> |
| <b>Feb 20</b> | <b>Wednesday</b><br>State of the Judiciary Address by the Honorable<br>Joel H. Bolger, Chief Justice | <b>House Chamber</b> | <b>11:00 AM</b> |
| <b>Feb 21</b> | <b>Thursday</b><br>Annual Address by the Honorable<br>Dan Sullivan, U.S. Senator                     | <b>House Chamber</b> | <b>11:00 AM</b> |