

SENATE JOURNAL

ALASKA STATE LEGISLATURE

THIRTY-FIRST LEGISLATURE

FIRST SESSION

Juneau, Alaska

Monday

March 25, 2019

Seventieth Day

Pursuant to adjournment the Senate was called to order by President Giessel at 11:01 a.m.

The roll showed eighteen members present. Senators Bishop, Gray-Jackson were excused from a call of the Senate.

The prayer was offered by the Chaplain, Pastor Dani Cherian, Valley Church. Senator Hoffman moved and asked unanimous consent the prayer be spread. Without objection, it was so ordered.

Dear Lord Jesus,

Thank you for this new day and for calling each Senator and their staff here, to accomplish your will today. I ask that you would refresh and bless them and give them energy as they make decisions for Alaska. Lord, give them wisdom, knowledge, discernment, and guidance so that success will come from their effort.

“Where there is no guidance the people fall, but in abundance of counselors there is victory” (Proverbs 11:14). If wisdom is needed, you say to ask you and you will give it to those who ask.

As decisions that need to be made pass through their hands, I pray that you would give them wise counsel to make just decisions for our state.

In Jesus' Name,

Amen.

Senator Shower led the Senate in the Pledge of Allegiance.

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Certification

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

Messages from the Governor

Letter dated March 21 was read stating in accordance with art. III, secs. 26 and 27 of the Alaska Constitution and AS 39.05.080, I submit an appointee for confirmation:

State Board of Registration for Architects, Engineers, and Land Surveyors

Phillip Schneider – Palmer

Appointed: 3/21/2019

Term Expires: 3/1/2022

The appointment was referred to the Labor and Commerce Committee.

The resume for this appointment has been submitted to the Office of the Senate Secretary.

Standing Committee Reports

Report dated March 19 was read stating:

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

Alaska Workers' Compensation Board

Julie Duquette – Fairbanks

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

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

**Introduction and Reference of
Senate Resolutions****SJR 10**

SENATE JOINT RESOLUTION NO. 10 BY SENATORS STEVENS, Costello, Hoffman,

Urging the Alaska delegation in Congress, the United States Department of the Interior, and the Governor to facilitate the completion of a land grant endowment to the University of Alaska.

was read the first time and referred to the Resources Committee.

Introduction and Reference of Senate Bills**SB 97**

SENATE BILL NO. 97 BY SENATOR WILSON, entitled:

"An Act repealing statutes that relate to art works in public buildings and facilities and that require a set percentage of construction costs to be spent on art."

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

SB 98

SENATE BILL NO. 98 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to compensation for certain public officials, officers, and employees not covered by a collective bargaining agreement; establishing a two-week pay period for state employees who are not covered by a collective bargaining agreement; and providing for an effective date."

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

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

Governor's transmittal letter dated March 22:

Dear President Giessel:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to pay for exempt employees.

The bill would amend the exempt service statutes for the Alaska Housing Finance Corporation, the Alaska Gasline Development Corporation, and the Alaska Seafood Marketing Institute to clarify that the executive director and employees of those entities are in the exempt service. The bill also would set a maximum salary for most exempt employees at \$300,000.00, provide that an agency or department with exempt positions may adopt a salary schedule for those positions to submit to the Office of Management and Budget (OMB) Director for approval, and require that any salary increases and bonuses for exempt positions not subject to an approved salary schedule be approved by the OMB Director.

The bill proposes to amend the statute providing for pay increments for classified and partially-exempt employees who are not members of a collective bargaining unit so that employees at the final step of a pay range would be entitled to pay increments based on job performance every three years instead of every two years. The bill would permit the Director of Personnel to establish a bi-weekly pay procedure. The bill would not apply to persons who are members of a collective bargaining unit established under AS 23.40.070 - 23.40.260 (Public Employment Relations Act).

The bill would reduce overall personnel costs and promote a sustainable budget by reducing the number of positions that may receive salaries beyond that authorized by the statutory pay schedule

for exempt and partially-exempt service employees, prohibit bonuses for executive exempt positions without the approval of the OMB Director, and establish a more affordable pay increment policy.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Michael J. Dunleavy

Governor

SB 99

SENATE BILL NO. 99 BY SENATORS KAWASAKI, Hughes, Wilson, Wielechowski, entitled:

"An Act providing priority to personal use fisheries when fishing restrictions are implemented to achieve a management goal."

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

Consideration of the Calendar

Second Reading of Senate Bills

SB 38

SENATE BILL NO. 38 "An Act making supplemental appropriations for fire suppression activities and restoration projects relating to earthquake disaster relief; capitalizing funds; and providing for an effective date" was read the second time.

Senator Stedman, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 580. Senator Begich objected, then withdrew his objection. There being no further objection, CS FOR SENATE BILL NO. 38(FIN) "An Act making supplemental appropriations for unemployment assistance, fire suppression activities, and restoration projects related to earthquake disaster relief; capitalizing funds; and providing for an effective date" was adopted.

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

CS FOR SENATE BILL NO. 38(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 38(FIN) "An Act making supplemental appropriations for unemployment assistance, fire suppression activities, and restoration projects related to earthquake disaster relief; capitalizing funds; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 38(FIN)

Third Reading - Final Passage

Effective Date

YEAS: 18 NAYS: 0 EXCUSED: 2 ABSENT: 0

Yeas: Begich, Birch, Coghill, Costello, Giessel, Hoffman, Hughes, Kawasaki, Kiehl, Micciche, Olson, Reinbold, Shower, Stedman, Stevens, von Imhof, Wielechowski, Wilson

Excused: Bishop, Gray-Jackson

and so, CS FOR SENATE BILL NO. 38(FIN) passed the Senate.

Senator Costello 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.

Citations

Honoring - Jesus "Jesse" Antonio V. Vizcocho
Senators Kawasaki, Gray-Jackson, Olson

Honoring - Thunder Mountain High School Drama, Debate, and Forensics Team
Senator Kiehl
Representatives Story, Hannan

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Honoring - Dimond High School 2018 Girls Swimming and Diving State Champions
Senator Costello
Representative Rasmussen

Honoring - Dr. Timothy Ballard
Representatives Revak, Merrick

In Memoriam - Elgin Jones
Senators Begich, Gray-Jackson
Representative Jackson

In Memoriam - Robert R. Howard
Senator Coghill

In Memoriam - Heinrich "Henry" Springer
Senators Coghill, Birch

In Memoriam - Helen H. "Beaver" Warner
Senator Coghill

In Memoriam - Victor Thomas Stockton III
Representative Wilson
Senator Coghill

In Memoriam - Edward Cartner
Representative Wilson
Senator Coghill

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

SJR 9

Senator Begich moved and asked unanimous consent his name be withdrawn as a cosponsor on SENATE JOINT RESOLUTION NO. 9 Proposing amendments to the Constitution of the State of Alaska

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relating to an appropriation bill funding public education for grades kindergarten through 12. Senator Costello objected, then withdrew her objection. There being no further objection, it was so ordered.

SJR 9

Senators Hoffman, Olson, Stevens moved and asked unanimous consent to be shown as cosponsors on SENATE JOINT RESOLUTION NO. 9 Proposing amendments to the Constitution of the State of Alaska relating to an appropriation bill funding public education for grades kindergarten through 12. Without objection, it was so ordered.

SB 6

Senators Olson, Kiehl moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 6 "An Act relating to early education programs provided by school districts; relating to funding for early education programs; and relating to the duties of the state Board of Education and Early Development." Without objection, it was so ordered.

Announcements

Announcements are at the end of the journal.

Engrossment

SB 38

CS FOR SENATE BILL NO. 38(FIN) "An Act making supplemental appropriations for unemployment assistance, fire suppression activities, and restoration projects related to earthquake disaster relief; capitalizing funds; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Costello moved and asked unanimous consent the Senate stand in adjournment until 11:00 a.m., March 27, 2019. Without objection, the Senate adjourned at 11:34 a.m.

Liz Clark
Secretary of the Senate

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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 26	Tuesday	Beltz 105 (tsbldg)	3:30 PM
+	Presentation: Power Cost Equalization by Meera Kohler, Alaska Village Electric Cooperative		
Mar 28	Thursday	Beltz 105 (tsbldg)	3:30 PM
+	Bills Previously Heard/Scheduled		

EDUCATION

Mar 25	Monday	Capitol 106	8:00 AM
+	-- Please Note Time & Location -- - Joint with House Education Committee - Presentation: Alaska Council of School Administrators **Streamed live on AKL.tv**		
Mar 26	Tuesday	Butrovich 205	8:00 AM
+	SB 79 -- Please Note Time Change -- VIRTUAL ED/TEACHER EXAM./COURSE EXAM. -- Testimony <Invitation Only> -- **Streamed live on AKL.tv**		
+	Bills Previously Heard/Scheduled		

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EDUCATION (continued)

Mar 28	Thursday	Capitol 106	9:00 AM
	-- Please Note Location Change --		
	- Joint with House Education Committee -		
+	Presentation:		
	Alaska Board of Education & Early Development		
	Annual Report		
	Streamed live on AKL.tv		
Mar 29	Friday	Butrovich 205	9:00 AM
+	Bills Previously Heard/Scheduled		
	Streamed live on AKL.tv		

FINANCE

Mar 25	Monday	Senate Finance 532	9:00 AM
+	Overview of Alaska's WWAMI Program		
+	Bills Previously Heard/Scheduled		
Mar 26	Tuesday	Senate Finance 532	9:00 AM
+	K-12 Education Funding Considerations		
+	Bills Previously Heard/Scheduled		
Mar 27	Wednesday	Senate Finance 532	9:00 AM
+	SB 55 TEMP. APPOINTMENTS TO COURT OF APPEALS		
	-- Public Testimony <Time Limit May Be Set> --		
+	SB 61 COMM FISHERMEN'S FUND:VESSEL OWNER CLAIMS		
	-- Public Testimony <Time Limit May Be Set> --		
+	Discussion on Permanent Fund Dividend Calculation		
	<Item Above Added to Agenda>		
+	Bills Previously Heard/Scheduled		
Mar 28	Thursday	Senate Finance 532	9:00 AM
+	Department of Natural Resources:		
	Permitting Leases & Land Conveyances		
+	Bills Previously Heard/Scheduled		
Mar 29	Friday	Senate Finance 532	9:00 AM
+	Bills Previously Heard/Scheduled		

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HEALTH & SOCIAL SERVICES

Mar 25	Monday	Butrovich 205	1:30 PM
+ SB 93	MEDICAL PROVIDER INCENTIVES/LOAN REPAYM'T -Invited Testimony Followed by Public Testimony- <Time Limit May Be Set>		
Mar 27	Wednesday	Butrovich 205	1:30 PM
+ SB 1	REPEAL CERTIFICATE OF NEED PROGRAM -- Testimony <Invitation Only> -- + Bills Previously Heard/Scheduled		
Mar 29	Friday	Butrovich 205	1:30 PM
+ SB 93	MEDICAL PROVIDER INCENTIVES/LOAN REPAYM'T		
+ SB 1	REPEAL CERTIFICATE OF NEED PROGRAM -Invited Testimony Followed by Public Testimony- <Time Limit May Be Set>		

JUDICIARY

Mar 25	Monday	Beltz 105 (tsbldg)	1:30 PM
+ SB 33	ARREST;RELEASE;SENTENCING;PROBATION -- Testimony <Invitation Only> -- + Bills Previously Heard/Scheduled		
Mar 27	Wednesday	Beltz 105 (tsbldg)	1:30 PM
+ SJR 6	CONST AM:APPROP. LIMIT; RESERVE FUND <Pending Referral> -- Testimony <Invitation Only> -- + Bills Previously Heard/Scheduled		
Mar 27	Wednesday	Fahrenkamp 203	6:00 PM
+ SB 23	-- Please Note Time & Location -- APPROP:SUPP. PAYMENTS OF PRIOR YEARS' PFD -- Public Testimony --		
+ SB 24	PFD SUPPLEMENTAL PAYMENTS -- Public Testimony - Sign Up by 7:00 p.m. -- <Time Limit of 1 minute>		

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JUDICIARY (continued)

Mar 29	Friday	Beltz 105 (tsbldg)	1:30 PM
+	Consideration of Appointee: Select Committee on Legislative Ethics - H. Conner Thomas		
+=	SJR 6 CONST AM:APPROP. LIMIT; RESERVE FUND <Pending Referral> -- Public Testimony <Time Limit May Be Set> --		
+	Bills Previously Heard/Scheduled		
Mar 30	Saturday	Beltz 105 (tsbldg)	10:00 AM
+	Bills Previously Heard/Scheduled		

LABOR & COMMERCE

Mar 26	Tuesday	Beltz 105 (tsbldg)	1:30 PM
+=	SB 69 EXEMPT CHARITABLE GAMING FROM PERMIT/FEES <Bill Hearing Canceled> -Invited Testimony Followed by Public Testimony-		
+=	SJR 8 U.S.-MEXICO-CANADA AGREEMENT ON TRADE -Invited Testimony Followed by Public Testimony-		
+	SB 83 TELECOMMUNICATIONS REGULATION/EXEMPTIONS -Invited Testimony Followed by Public Testimony-		
+	SB 52 ALCOHOLIC BEVERAGE CONTROL; ALCOHOL REG -Invited Testimony Followed by Public Testimony-		
+	Bills Previously Heard/Scheduled:		
+=	SB 44 TELEHEALTH: PHYSICIAN ASSISTANTS; DRUGS **Streamed live on AKL.tv**		
Mar 28	Thursday	Beltz 105 (tsbldg)	1:30 PM
+=	SB 52 ALCOHOLIC BEVERAGE CONTROL; ALCOHOL REG -Invited Testimony Followed by Public Testimony-		
+	Bills Previously Heard/Scheduled **Streamed live on AKL.tv**		

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RESOURCES

Mar 25	Monday	Butrovich 205	3:30 PM
+	Consideration of Governor's Appointees: Alaska Oil & Gas Conservation Commission - Jessie Chmielowski		
+	Presentation: The Pebble Partnership: Project Update, Draft EIS & Next Steps by: - Tom Collier, CEO - John Shively, Chairman - James Fueg, VP of Permitting		
Mar 27	Wednesday	Butrovich 205	3:30 PM
+= SB 51	NATL. RES. WATER NOMINATION/DESIGNATION		
+ SB 42	QUITCLAIM LAND TO UNITED STATES -- Testimony <Invitation Only> -- + Bills Previously Heard/Scheduled		
Mar 29	Friday	Butrovich 205	3:30 PM
+ SB 90	COOK INLET: NEW ADMIN AREA;PERMIT BUYBACK -- Public Testimony -- + Bills Previously Heard/Scheduled		

STATE AFFAIRS

Mar 25	Monday	Butrovich 205	5:00 PM
	-- Please Note Date & Time --		
+= SJR 6	CONST AM:APPROP. LIMIT; RESERVE FUND -- Public Testimony - Starts at 5:00 p.m. -- <Time Limit May Be Set>		
Mar 26	Tuesday	Butrovich 205	1:30 PM
	-- Please Note Time Change --		
+= SJR 6	CONST AM:APPROP. LIMIT; RESERVE FUND		
+ SJR 4	CONST. AM: STATE TAX; INTIATIVE Bills Previously Heard/Scheduled		
Mar 27	Wednesday	Butrovich 205	6:00 PM
	-- Please Note Date & Time --		
+= SJR 4	CONST. AM: STATE TAX; INTIATIVE -- Public Testimony - Starts at 6:00 p.m. -- <Time Limit May Be Set>		

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STATE AFFAIRS (continued)

Mar 28	Thursday	Butrovich 205	3:30 PM
+ = SJR 4	CONST. AM: STATE TAX; INTIATIVE		
+ SJR 5	CONST. AM.:PERMANENT FUND & DIVIDEND		
	-- Public Testimony - Starts at 6:00 p.m. --		
	<Time Limit May Be Set>		
+	Bills Previously Heard/Scheduled		

TRANSPORTATION

Mar 26	Tuesday	Butrovich 205	1:30 PM
	No Meeting Scheduled		
Mar 28	Thursday	Butrovich 205	1:30 PM
+ = SB 75	COMMERCIAL VEHICLE LICENSING REQ'S		
	-- Public Testimony --		
+ SB 84	NAMING TROOPER GABE RICH MEMORIAL BRIDGE		
	-- Public Testimony --		

FINANCE SUBCOMMITTEES

ADMINISTRATION

Mar 26	Tuesday	Beltz 105 (tsbldg)	11:15 AM
+	Department Overview of Governor's Amended Budget		
	- Division of Retirement & Benefits		
	-- Testimony <Invitation Only> --		

EDUCATION & EARLY DEVELOPMENT

Mar 26	Tuesday	Senate Finance 532	1:00 PM
+	FY20 Department of Education & Early Development		
	Budget		

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ENVIRONMENTAL CONSERVATION

Mar 26	Tuesday	Beltz 105 (tsbldg)	7:45 AM
+	Update on Budget Changes Since February 7, 2019		
	Meeting		
Apr 02	Tuesday	Beltz 105 (tsbldg)	7:45 AM
	Agenda to be Announced		
Apr 09	Tuesday	Beltz 105 (tsbldg)	7:45 AM
+	Budget Closeout		
Apr 16	Tuesday	Beltz 105 (tsbldg)	7:45 AM
+	Continue Budget Closeout if Needed		

HEALTH & SOCIAL SERVICES

Mar 25	Monday	Senate Finance 532	7:45 AM
+	- Division of Juvenile Justice		
	- Office of Children's Services		
	-- Testimony <Invitation Only> --		
Mar 29	Friday	Senate Finance 532	7:45 AM
+	- Division of Health Care Services		
	- Medicaid Services		
	-- Testimony <Invitation Only> --		

LABOR & WORKFORCE DEVELOPMENT

Apr 05	Friday	Beltz 105 (tsbldg)	7:45 AM
+	Update on Budget Changes Since February 7, 2019		
	Meeting		
Apr 12	Friday	Beltz 105 (tsbldg)	7:45 AM
+	Budget Closeout		
Apr 19	Friday	Beltz 105 (tsbldg)	7:45 AM
+	Continue Budget Closeout if Needed		

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NATURAL RESOURCES

Mar 27	Wednesday	Beltz 105 (tsbldg)	7:45 AM
+	Update on Budget Changes Since February 7, 2019 Meeting		
Apr 03	Wednesday	Beltz 105 (tsbldg)	7:45 AM
	Agenda to be Announced		
Apr 10	Wednesday	Beltz 105 (tsbldg)	7:45 AM
+	Budget Closeout		
Apr 17	Wednesday	Beltz 105 (tsbldg)	7:45 AM
+	Continue Budget Closeout if Needed		

TRANSPORTATION & PUBLIC FACILITIES

Mar 26	Tuesday	Senate Finance 532	7:30 AM
+	-- MEETING CANCELED --		
	Facilities Services		
Mar 28	Thursday	Senate Finance 532	7:30 AM
+	Statewide Transportation Improvement Program (STIP) Process		

UNIVERSITY OF ALASKA

Mar 26	Tuesday	Senate Finance 532	2:00 PM
+	-- MEETING CANCELED --		
	FY20 University Budget		
Mar 28	Thursday	Senate Finance 532	2:00 PM
+	FY20 Budget Overview Continued with University President		

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JOINT COMMITTEES

SELECT COMMITTEE ON LEGISLATIVE ETHICS

Mar 28	Thursday	Fahrenkamp 203	10:30 AM
-- Please Note Location Change --			
+	Welcome New House Legislators		
+	Public Comment		
+	Election of House Committee Chair and Vice-Chair For 2019-2020		
+	Advisory Opinions		
	- AO 19-02		
	- AO 19-03		
	- AO 19-04		
	- AO 19-05		
+	Chair/Staff Report		
	- H 17-3 Complaint Update		
	- 2019 Ethics Training		
+	2019 Legislation Update		
+	Other Business		

OTHER MEETINGS

MISCELLANEOUS MEETINGS

Mar 27	Wednesday	Capitol 106	12:00 PM
Lunch & Learn: Sharing Hope: Stories from Alaskans Affected by Mental Illness by the National Alliance on Mental Illness Board of Directors: Shirley Holloway, Moderator; Dr. Joanne Gartenberg, Physician; Lily Wertz & Jason Lessard from Anchorage Sponsored by Senator Kiehl			
Mar 28	Thursday	Capitol 106	12:00 PM
Lunch & Learn: Expanding Broadband in Alaska by Rob Scott, Senior Manager & Network Engineer & Heather Cavanaugh, Director of External Affairs Sponsored by Senator Gray-Jackson			