

# **SENATE JOURNAL**

## **ALASKA STATE LEGISLATURE**

### **THIRTY-FIRST LEGISLATURE**

#### **FIRST SESSION**

**Juneau, Alaska**

**Wednesday**

**April 24, 2019**

**One Hundredth Day**

Pursuant to adjournment the Senate was called to order by President Giessel at 11:05 a.m.

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

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

Senator Costello moved and asked unanimous consent Senator Shower be excused from a call of the Senate today through evening plane time, April 29. Without objection, Senator Shower was excused.

The prayer was offered by the Chaplain, Pastor Gordon Mills, Glacier Valley Baptist Church. Senator Coghill moved and asked unanimous consent the prayer be spread. Without objection, it was so ordered.

Dear Heavenly Father, the Almighty, the Creator of the heavens, the earth, and all of life. You alone are God. You are from everlasting to everlasting. You have revealed yourself to us through your powerful demonstration in creation, through your Word, and especially through your one and only Son Jesus. I pray Father that we would have clarity of mind and heart with a willingness to lead those we serve to seek your direction and will, that we would make choices and decisions that honor you and would lead

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us on the path of righteousness. We live in difficult times, with challenges and choices that will have significant impact on the lives of all the people in this great state of Alaska, and potentially on our nation at large. We need your wisdom. We need your guidance. We need your direction. We need your healing. Father, give us a heart and desire for the truth that you provide, coupled with an attitude of mutual cooperation and concern. Enable us to recognize your Word to indeed be the truth, that to choose your truth is to stand on the side of truth; with the will and the courage to follow it. In this day and time, it takes courage and commitment to live for you. I pray that we would have that will and courage.

You have declared and demonstrated that all nations and individuals are held accountable before you; that to follow you brings the best of life and blessing. I pray that we would seek that blessing-the blessing that can come only from you that can bring life and peace to those who have a heart for you and for your Word. You are willing to grant us the grace to follow you. I pray that we would be willing to receive it, to live according to it, and to operate in the midst of it.

In the Name of your one and only Son Jesus I offer this prayer. Amen.

Senator Hughes led the Senate in the Pledge of Allegiance.

**Certification**

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

**Messages from the Governor**

A Declaration of Disaster Emergency, dated April 18, with an accompanying letter, amending the 2018 Cook Inlet Declaration to include the Chugach Regional Education Attendance Area was received.

Letter dated April 22 was received requesting legislative approval of the accompanying amended finance plan for the 2012 September Severe Storm Disasters.

The amended declaration and letters had been copied to the Finance Committee Cochairs.

**Standing Committee Reports****SB 33**

The Judiciary Committee considered SENATE BILL NO. 33 "An Act relating to pretrial release; relating to sentencing; relating to treatment program credit toward service of a sentence of imprisonment; relating to electronic monitoring; amending Rules 38.2 and 45(d), Alaska Rules of Criminal Procedure; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 33(JUD) "An Act relating to rights of a prisoner after arrest; relating to pretrial release; relating to sentencing; relating to the duties of a prosecuting attorney; relating to treatment program credit toward service of a sentence of imprisonment; relating to electronic monitoring; amending Rules 38.2 and 45(d), Alaska Rules of Criminal Procedure; and providing for an effective date."

Signing do pass: Senator Hughes, Chair; Senators Reinbold, Micciche.  
Signing no recommendation: Senator Kiehl.

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The following fiscal information was published today:

- Fiscal Note No. 8, Department of Corrections
- Fiscal Note No. 9, Department of Corrections

The following previously published fiscal information applies:

- Fiscal Note No. 1, zero, Department of Law
- Fiscal Note No. 2, zero, Department of Public Safety
- Fiscal Note No. 3, indeterminate, Department of Administration
- Fiscal Note No. 4, indeterminate, Department of Administration
- Fiscal Note No. 7, Alaska Judiciary System

The bill was referred to the Finance Committee.

### **SB 34**

The Judiciary Committee considered SENATE BILL NO. 34 "An Act relating to probation; relating to a program allowing probationers to earn credits for complying with the conditions of probation; relating to early termination of probation; relating to parole; relating to a program allowing parolees to earn credits for complying with the conditions of parole; relating to early termination of parole; relating to eligibility for discretionary parole; relating to good time; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 34(JUD) "An Act relating to probation and parole; relating to early termination of probation and parole; relating to restoration of a driver's license; relating to eligibility for discretionary parole; relating to good time; and providing for an effective date."

Signing do pass: Senator Hughes, Chair; Senators Reinbold, Micciche.  
Signing do not pass: Senator Kiehl.

The following fiscal information was published today:

- Fiscal Note No. 5, indeterminate, Department of Administration
- Fiscal Note No. 6, Department of Corrections
- Fiscal Note No. 7, zero, Department of Corrections
- Fiscal Note No. 8, Department of Corrections
- Fiscal Note No. 9, indeterminate, Department of Administration

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Law

Fiscal Note No. 4, zero, Alaska Judiciary System

The bill was referred to the Finance Committee.

### **SB 95**

The Finance Committee considered SENATE BILL NO. 95 "An Act approving the transfer of certain Alaska Railroad Corporation land; and providing for an effective date." Signing do pass: Senator von Imhof, Cochair; Senators Micciche, Bishop. Signing no recommendation: Senator Stedman, Cochair; Senators Wielechowski, Olson, Wilson.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

### **SJR 3**

The Judiciary Committee considered SENATE JOINT RESOLUTION NO. 3 Proposing an amendment to the Constitution of the State of Alaska relating to the membership of the judicial council. Signing do pass: Senator Hughes, Chair; Senator Reinbold. Signing do not pass: Senator Kiehl. Signing no recommendation: Senator Micciche.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Office of the Governor

The resolution was referred to the Finance Committee.

### **SJR 4**

The Judiciary Committee considered SENATE JOINT RESOLUTION NO. 4 Proposing amendments to the Constitution of the State of Alaska prohibiting the establishment of, or increase to, a state tax without the approval of the voters of the state; and relating to the initiative process, and recommended it be replaced with

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CS FOR SENATE JOINT RESOLUTION NO. 4(JUD) Proposing amendments to the Constitution of the State of Alaska prohibiting the establishment of or increase to a state tax without the approval of the voters of the state, relating to effective dates of laws, and relating to the initiative process.

Signing amend: Senator Hughes, Chair. Signing do not pass: Senator Kiehl. Signing no recommendation: Senators Reinbold, Micciche.

The following previously published fiscal information applies:  
Fiscal Note No. 1, zero, Office of the Governor

The resolution was referred to the Finance Committee.

**Introduction and Reference of Senate Bills**

**SB 115**

SENATE BILL NO. 115 BY SENATOR BISHOP, entitled:

"An Act relating to the motor fuel tax; and providing for an effective date."

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

**SB 116**

SENATE BILL NO. 116 BY SENATOR SHOWER, entitled:

"An Act relating to elections and voter registration; designating as a class C felony the intentional opening or tampering with certain election materials; establishing an election offense hotline; and providing for an effective date."

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

**Consideration of the Calendar****Citations**

Honoring - Jon Van Zyle  
Senator Reinbold

Honoring - The 2019 Senate Floor Staff  
Senator Coghill, Costello, Giessel

Honoring - Mari Jo Parks  
Senator Wilson

Honoring - Juneau Capitals U18 Hockey Team  
Representatives Hannan, Story  
Senator Kiehl

In Memoriam - Willard E. Dunham  
Senator Micciche  
Representative Carpenter

In Memoriam - Ronald James Qaggaq Kanayurak  
Representative Lincoln  
Senator Olson

In Memoriam - Beulah Ballot  
Representative Lincoln  
Senator Olson

In Memoriam - Captain Roxy Kuuguq Oyagak Jr.  
Representative Lincoln  
Senator Olson

In Memoriam - Van Derrick Maasak Edwardsen  
Representative Lincoln  
Senator Olson

In Memoriam - Lela Kiana Oman  
Representative Lincoln  
Senator Olson

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

Senator Costello 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 - Tim Gravel  
Representative Revak

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

### **Unfinished Business**

#### **SB 10**

Senator Bishop moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 10 "An Act extending the termination date of the Statewide Suicide Prevention Council; and providing for an effective date." Without objection, it was so ordered.

Senator Gray-Jackson moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, May 16 through evening plane time, May 20; and from morning plane time, May 27 through evening plane time, June 2. Without objection, Senator Gray-Jackson was excused.

Senator Reinbold moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, April 26 through morning plane time, April 29. Without objection, Senator Reinbold 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., April 26, 2019. Without objection, the Senate adjourned at 11:24 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

<b>Apr 25</b>	<b>Thursday</b>	<b>Beltz 105 (tsbldg)</b>	<b>3:30 PM</b>
+	Presentation: Nuclear Microreactors by: - Marcus Nichol, Director of New Reactor Deployment, Nuclear Energy Institute - John Wagner, Associate Lab Director, Idaho National Laboratory - George Roe & Gwen Holdmann, UAF Alaska Center for Energy & Power - Michael Pawlowski, Chief of Staff, United States Senator Lisa Murkowski		

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### EDUCATION

<b>Apr 24</b>	<b>Wednesday</b>	<b>Capitol 106</b>	<b>8:30 AM</b>
+	-- Please Note Time & Location -- -- Joint Meeting with House Education -- Presentation: "K-12 Funding Considerations" by Mark Foster, Financial Performance Analyst -- Teleconference Listen Only -- **Streamed live on AKL.tv**		

<b>Apr 25</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>9:00 AM</b>
+= SB 114	VIRTUAL ED; COLL CR FOR HS; MISC ED ADMIN -- Testimony <Invitation Only> -- **Streamed live on AKL.tv**		
+	Bills Previously Heard/Scheduled		

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**FINANCE**

<b>Apr 24</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+ SB 10	EXTEND SUICIDE PREVENTION COUNCIL -- Public Testimony <Time Limit May Be Set> --		
+ SB 74	INTERNET FOR SCHOOLS -- Public Testimony <Time Limit May Be Set> --		
+ Bills Previously Heard/Scheduled:			
+ SB 95	SETBACKS, SUBMERGED LAND, LAND TRANSFERS		
+ SB 66	LABOR STANDARDS/SAFETY; WORKER COMP. <Bill Hearing Canceled>		
<b>Apr 24</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>1:30 PM</b>
	-- Please Note Time --		
+ SB 32	CRIMES; SENTENCING; MENT. ILLNESS; EVIDENCE -- Testimony <Invitation Only> --		
+ SB 35	CRIMES; SEX CRIMES; SENTENCING; PAROLE <Bill Hearing Rescheduled to 4/25/19> -- Testimony <Invitation Only> --		
+ Bills Previously Heard/Scheduled			
<b>Apr 25</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+ David Teal, Legislative Finance Director			
+ Bills Previously Heard/Scheduled:			
+ SB 35	CRIMES; SEX CRIMES; SENTENCING; PAROLE <Bill Hearing Rescheduled from 4/24/19>		
<b>Apr 26</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+ HB 39	APPROP: OPERATING BUDGET/LOANS/FUNDS		
+ HB 40	APPROP: MENTAL HEALTH BUDGET		
+ Bills Previously Heard/Scheduled			
<b>Apr 27</b>	<b>Saturday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+ HB 39	APPROP: OPERATING BUDGET/LOANS/FUNDS		
+ HB 40	APPROP: MENTAL HEALTH BUDGET		
+ Bills Previously Heard/Scheduled			

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**HEALTH & SOCIAL SERVICES**

<b>Apr 24</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>Apr 26</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

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**JUDICIARY**

<b>Apr 24</b>	<b>Wednesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>
+= SB 34	PROBATION; PAROLE; SENTENCES; CREDITS <Bill Hearing Canceled>		
+	Bills Previously Heard/Scheduled:		
+= SB 52	ALCOHOLIC BEVERAGE CONTROL; ALCOHOL REG -- Public Testimony --		
+= SB 80	INITIATIVE SEVERABILITY -- Public Testimony --		
<b>Apr 26</b>	<b>Friday</b>	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>
+= SB 52	ALCOHOLIC BEVERAGE CONTROL; ALCOHOL REG		
+= HB 12	PROTECTIVE ORDERS		
+	Bills Previously Heard/Scheduled:		
+= SJR 9	CONST.AM: APPROP. BILL FOR PUBL EDUCATION		

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**LABOR & COMMERCE**

<b>Apr 25</b>	<b>Thursday</b>	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

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**RESOURCES**

<b>Apr 24</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
	No Meeting Scheduled		
<b>Apr 26</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
	No Meeting Scheduled		

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### STATE AFFAIRS

<b>Apr 25</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
+ Bills Previously Heard/Scheduled:			
+= SB 73	SUCCESSOR OF LIEUTENANT GOVERNOR <Bill Hearing Canceled>		
+= SB 75	COMMERCIAL VEHICLE LICENSING REQ'S -- Public Testimony <Time Limit May Be Set> --		
+= HB 48	TEMP STATE EMPLOYEES IN PART EXEMPT SVCE -- Public Testimony <Time Limit May Be Set> --		

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### TRANSPORTATION

<b>Apr 25</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
No Meeting Scheduled			
<b>Apr 30</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
No Meeting Scheduled			
<b>May 02</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
No Meeting Scheduled			

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### JOINT COMMITTEES

#### ARMED SERVICES COMMITTEE

<b>May 09</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>11:30 AM</b>
+ Presentations by: - Brigadier General Torrence Saxe, The Adjutant General, Alaska National Guard Commissioner, Alaska Department of Military & Veterans' Affairs - Name Pending, Representing the Lieutenant General, Alaska North American Aerospace Defense Region, Alaskan Command, Eleventh Air Force - Colonel Adam Lange, Representing the Commanding General, U.S. Army Alaska - Rear Admiral Matthew Bell, Commander, Seventeenth U.S. Coast Guard District			

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**LEGISLATIVE BUDGET & AUDIT**

<b>Apr 25</b>	<b>Thursday</b>	<b>Adams Room 519</b>	<b>7:00 AM</b>
	-- Teleconference <Listen Only> --		
+	Special Audit Requests		
	- Alcoholic Beverage Control Board		
	Executive Session		
	- Legal Guidance Regarding the Opinion on the		
	FY18 Comprehensive Annual Financial Report (CAFR)		
	- Contract Amendments		
	<Item Above Removed from Agenda>		
	Other Committee Business		