

SENATE JOURNAL
ALASKA STATE LEGISLATURE
THIRTY-FIRST LEGISLATURE
FIRST SESSION

Juneau, Alaska

Wednesday

May 8, 2019

One Hundred Fourteenth Day

Pursuant to adjournment the Senate was called to order by President Giessel at 11:12 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, The Reverend Karen Perkins, Resurrection Lutheran Church. Senator Hoffman moved and asked unanimous consent the prayer be spread. Without objection, it was so ordered.

Lord God, you call your people to honor those in authority. Help us elect trustworthy leaders, participate in wise decisions for our common life, and serve our neighbors in local communities. Bless the leaders of our land, that we may be at peace among ourselves and a blessing to other places of the earth; through our Lord. Amen.

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

Certification

Senator Costello moved and asked unanimous consent the journal for the one hundred thirteenth legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the House

Message dated May 7 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills**HB 29**

HOUSE BILL NO. 29 BY REPRESENTATIVES SPOHNHOLZ, Drummond, Lincoln, Tarr, Josephson, Story, entitled:

"An Act relating to insurance coverage for benefits provided through telehealth; and providing for an effective date."

was read the first time and referred to the Health and Social Services Committee.

HB 126

HOUSE BILL NO. 126 BY THE HOUSE SPECIAL COMMITTEE ON TRIBAL AFFAIRS, entitled:

"An Act establishing November as Alaska Native Heritage Month."

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

Standing Committee Reports**SB 19**

The Finance Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 19 "An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and other appropriations; making appropriations to capitalize funds; and providing for an effective date" and recommended it be replaced with

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 19(FIN) "An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and other appropriations; amending appropriations; making appropriations to capitalize funds; and providing for an effective date."

Signing do pass: Senators Stedman, von Imhof, Cochairs; Senators Micciche, Hoffman, Shower, Bishop. Signing no recommendation: Senators Wielechowski, Wilson. Signing amend: Senator Olson.

The bill is on today's calendar.

HJR 9

The Community and Regional Affairs Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 9(STA) Requesting the United States Secretary of the Treasury to mint not less than 5,000,000 \$1 coins honoring Elizabeth Peratrovich under the Native American \$1 Coin Act. Signing do pass: Senator Bishop, Chair; Senators Gray-Jackson, Hoffman, Birch, Costello.

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

The resolution was referred to the Rules Committee.

HJR 10

The Community and Regional Affairs Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 10(RES) Supporting development of the road belt electrical transmission line; and urging members of the Alaska delegation in Congress to pursue the development of this high-voltage electrical line in the interior of the state. Signing do pass: Senator Bishop, Chair; Senators Gray-Jackson, Hoffman, Birch, Costello.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, House Special Committee on Energy

The resolution was referred to the Rules Committee.

HJR 14

The Community and Regional Affairs Committee considered HOUSE JOINT RESOLUTION NO. 14 Urging the Alaska Congressional delegation to pursue infrastructure funding for a deep draft Arctic port in Nome; requesting the Department of Transportation and Public Facilities to send a letter from the state to the Alaska Congressional delegation supporting a deep draft Arctic port in Nome; and requesting the Department of Transportation and Public Facilities to work collaboratively with the City of Nome on a deep draft Arctic port in Nome. Signing do pass: Senator Bishop, Chair; Senators Gray-Jackson, Hoffman, Costello, Birch.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Transportation and Public Facilities

The resolution was referred to the Rules Committee.

Special Committee Reports**HB 39**

May 7, 2019

Madam President:

Mr. Speaker:

The Conference Committee considering:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 39(FIN) am(brf sup maj fld) "An Act making appropriations for the operating and loan program expenses of state government and for certain programs; capitalizing funds; amending appropriations; making supplemental appropriations; and providing for an effective date"

and

SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 39(FIN) am S "An Act making appropriations for the operating and loan program expenses of state government and for

certain programs; capitalizing funds; amending appropriations; making supplemental appropriations and reappropriations; and providing for an effective date"

respectfully requests limited powers of free conference on the appropriations and language that are not identical in the House and Senate versions of HOUSE BILL NO. 39.

Signing the report: Senator Stedman, Chair, Senators von Imhof, Olson; Representative Foster, Chair, Representatives Wilson, Tilton.

President Giessel granted the Senate members limited powers of free conference as requested.

The Secretary was requested to notify the House.

HB 40

May 7, 2019

Madam President:

Mr. Speaker:

The Conference Committee considering:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 40(FIN)
"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

and

SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE
BILL NO. 40(FIN)

respectfully requests limited powers of free conference on the appropriations and language that are not identical in the House and Senate versions of HOUSE BILL NO. 40.

Signing the report: Senator Stedman, Chair, Senators von Imhof, Olson; Representative Foster, Chair, Representatives Wilson, Tilton.

President Giessel granted the Senate members limited powers of free conference as requested.

The Secretary was requested to notify the House.

Introduction and Reference of Senate Bills

SB 121

SENATE BILL NO. 121 BY SENATOR KIEHL, entitled:

"An Act relating to Alaska Native organizations; relating to the village public safety officer program; and relating to the Alaska temporary assistance program."

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

SB 122

SENATE BILL NO. 122 BY SENATOR BIRCH, entitled:

"An Act relating to exemptions to the Pipeline Act; and relating to the calculation of oil and gas royalties."

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

Consideration of the Calendar

Second Reading of Senate Bills

SB 19

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 19 "An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and other appropriations; making appropriations to capitalize funds; and providing for an effective date" was read the second time.

Senator von Imhof, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered today. Senator Begich objected, then withdrew his objection. There being no further objection, CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 19(FIN) "An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and other appropriations; amending appropriations; making appropriations to capitalize funds; and providing for an effective date" was adopted.

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 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 19(FIN) was read the third time.

Senators von Imhof, Begich, Wielechowski moved and asked unanimous consent to abstain from voting due to a conflict of interest. Objections were heard and Senators von Imhof, Begich, Wielechowski were required to vote.

The question being: "Shall CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 19(FIN) "An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and other appropriations; amending appropriations; making appropriations to capitalize funds; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSSSB 19(FIN)

Third Reading - Final Passage

Effective Dates

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

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

and so, CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 19(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 clauses. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

SB 44

SENATE BILL NO. 44 "An Act relating to the prescription of drugs by a physician assistant without physical examination" was read the second time.

Senator von Imhof, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 824. Senator Begich objected, then withdrew his objection. There being no further objection, CS FOR SENATE BILL NO. 44(FIN) "An Act relating to the prescription of drugs by a physician assistant without physical examination; and providing for an effective date" was adopted.

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. 44(FIN) was read the third time.

Senator Hughes moved and asked unanimous consent to abstain from voting due to a conflict of interest. Objections were heard and Senator Hughes was required to vote.

The question being: "Shall CS FOR SENATE BILL NO. 44(FIN) "An Act relating to the prescription of drugs by a physician assistant without physical examination; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 44(FIN)

Third Reading - Final Passage

Effective Dates

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

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

and so, CS FOR SENATE BILL NO. 44(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 clauses. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

Second Reading of House Bills

HB 14

CS FOR HOUSE BILL NO. 14(FIN) "An Act relating to assault in the first degree; relating to harassment; relating to sex offenses; relating to the definition of 'dangerous instrument'; providing for an aggravating factor at sentencing for strangulation that results in unconsciousness; relating to the duties of the prosecuting attorney; and relating to victim notifications" was read the second time.

Senator von Imhof, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 1037. Senator Begich objected, then withdrew his objection. There being no further objection, SENATE CS FOR CS FOR HOUSE BILL NO. 14(FIN) "An Act relating to assault in the first degree; relating to harassment; relating to sex offenses; relating to the definition of 'dangerous instrument'; relating to sentencing; providing for an aggravating factor at sentencing for strangulation that results in unconsciousness; relating to the duties of the prosecuting attorney; and relating to victim notifications" was adopted.

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.

SENATE CS FOR CS FOR HOUSE BILL NO. 14(FIN) was read the third time.

Senators Hughes, Stedman, Bishop, Reinbold, Stevens, Costello, Hoffman, von Imhof, Shower, Coghill, Birch, Olson, Wilson moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 14(FIN) "An Act relating to assault in the first degree; relating to harassment; relating to sex offenses; relating to the definition of 'dangerous instrument'; relating to sentencing; providing for an aggravating factor at sentencing for strangulation that results in unconsciousness; relating to the duties of the prosecuting attorney; and relating to victim notifications" pass the Senate?" The roll was taken with the following result:

SCS CSHB 14(FIN)

Third Reading - Final Passage

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

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

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 14(FIN) passed the Senate and was referred to the Secretary for engrossment.

SCR 5

Senator Costello moved and asked unanimous consent to take up SENATE CONCURRENT RESOLUTION NO. 5 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 14, relating to assault in the first degree; relating to harassment; relating to sex offenses; relating to the definition of "dangerous instrument"; providing for an aggravating factor at sentencing for strangulation that results in unconsciousness; relating to the duties of the prosecuting attorney; and relating to victim notifications, which had been held on the Secretary's desk (page 1049). Without objection, the resolution was before the Senate on final passage.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 5 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 14, relating to assault in the first degree; relating to harassment; relating to sex offenses; relating to the definition of "dangerous instrument"; providing for an aggravating factor at sentencing for strangulation that results in unconsciousness; relating to the duties of the prosecuting attorney; and relating to victim notifications, pass the Senate?" The roll was taken with the following result:

SCR 5

Final Passage

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

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

and so, SENATE CONCURRENT RESOLUTION NO. 5 passed the Senate and was referred to the Secretary for engrossment.

Citations

Honoring - Richard Beneville
Representative Foster
Senator Olson

In Memoriam - Ruth Ann Hentges
Senator Stevens
Representative Stutes

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 Hoffman moved and asked unanimous consent to be excused from a call of the Senate from June 20 to July 5. Without objection, Senator Hoffman was excused.

Recess

Senator Costello moved and asked unanimous consent the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 12:00 p.m.

After Recess

The Senate reconvened at 3:12 p.m.

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 19**

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 19(FIN) "An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and other appropriations; amending appropriations; making appropriations to capitalize funds; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 44

CS FOR SENATE BILL NO. 44(FIN) "An Act relating to the prescription of drugs by a physician assistant without physical examination; and providing for an effective date" was engrossed.

HB 14

SENATE CS FOR CS FOR HOUSE BILL NO. 14(FIN) "An Act relating to assault in the first degree; relating to harassment; relating to sex offenses; relating to the definition of 'dangerous instrument';

relating to sentencing; providing for an aggravating factor at sentencing for strangulation that results in unconsciousness; relating to the duties of the prosecuting attorney; and relating to victim notifications" was engrossed, signed by the President and Secretary and returned to the House for consideration.

SCR 5

SENATE CONCURRENT RESOLUTION NO. 5 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 14, relating to assault in the first degree; relating to harassment; relating to sex offenses; relating to the definition of "dangerous instrument"; providing for an aggravating factor at sentencing for strangulation that results in unconsciousness; relating to the duties of the prosecuting attorney; and relating to victim notifications, 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 10:00 a.m., May 9, 2019. Without objection, the Senate adjourned at 3:12 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

May 09 Thursday Beltz 105 (tsbldg) 3:30 PM
 + HB 126 ALASKA NATIVE HERITAGE MONTH
 -- Public Testimony <Time Limit May Be Set> --
 + Bills Previously Heard/Scheduled

EDUCATION

May 09 Thursday Butrovich 205 9:00 AM
 No Meeting Scheduled

FINANCE

May 08 Wednesday Senate Finance 532 9:00 AM
 + Bills Previously Heard/Scheduled:
 += SB 19 APPROP: CAPITAL BUDGET; SUPPLEMENTAL
 <Bill Hearing Rescheduled from 5/7/19>

May 08 Wednesday Senate Finance 532 1:30 PM
 + SB 23 APPROP:SUPP. PAYMENTS OF PRIOR YEARS' PFD
 -- Public Testimony --
 + SB 24 PFD SUPPLEMENTAL PAYMENTS
 -- Public Testimony --
 + Bills Previously Heard/Scheduled

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HEALTH & SOCIAL SERVICES (continued)

May 17 **Friday** **Butrovich 205** **1:30 PM**
No Meeting Scheduled

May 20 **Monday** **Butrovich 205** **1:30 PM**
No Meeting Scheduled

JUDICIARY

May 08 **Wednesday** **Beltz 105 (tsbldg)** **1:30 PM**
No Meeting Scheduled

May 10 **Friday** **Beltz 105 (tsbldg)** **1:30 PM**
No Meeting Scheduled

LABOR & COMMERCE

May 09 **Thursday** **Beltz 105 (tsbldg)** **1:30 PM**
+= SB 11 MILITARY SPOUSE COURTESY LICENSE
+= SB 106 HOMEOWNER/RENTER INSURANCE RENEWAL
-- Public Testimony --

RESOURCES

May 08 **Wednesday** **Butrovich 205** **3:30 PM**
No Meeting Scheduled

May 10 **Friday** **Butrovich 205** **3:30 PM**
No Meeting Scheduled

RULES

May 08 **Wednesday** **Butrovich 205** **4:00 PM**
-- MEETING CANCELED --
+ HB 78 INSURER & GROUP INSURANCE DISCLOSURE
-- Public Testimony --

RULES (continued)

May 09 Thursday Butrovich 205 9:00 AM
 + HB 78 INSURER & GROUP INSURANCE DISCLOSURE
 -- Public Testimony --

STATE AFFAIRS

May 09 Thursday Butrovich 205 3:30 PM
 + HB 71 STATE PERSONNEL ACT: VETERANS' EXPERIENCE
 -- Public Testimony <Time Limit May Be Set> --
 + Bills Previously Heard/Scheduled

TRANSPORTATION

May 08 Wednesday Beltz 105 (tsbldg) 5:00 PM
 -- Please Note Time & Location --
 + HJR 12 NORTHERN RAIL EXTENSION
 -- Public Testimony --

May 09 Thursday Butrovich 205 1:30 PM
 No Meeting Scheduled

JOINT COMMITTEES

JOINT ARMED SERVICES COMMITTEE

May 09 Thursday Senate Finance 532 11:15 AM
 -- Please Note Time Change --
 + Presentations by:
 - Brigadier General Torrence Saxe, The Adjutant General, Alaska National Guard Commissioner, Alaska Department of Military & Veterans' Affairs
 - Colonel Cory Mendenhall, 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

JOINT COMMITTEES (continued)

LEGISLATIVE BUDGET & AUDIT

May 10	Friday	Adams Room 519	7:00 AM
+	-- Teleconference Listen Only -- Executive Session		
	- Legislative Audit Contracts		
	- Consultant Contract Amendments		
	Other Committee Business		