

SENATE JOURNAL
ALASKA STATE LEGISLATURE
THIRTY-SECOND LEGISLATURE
FIRST SESSION

Juneau, Alaska

Wednesday

March 10, 2021

Fifty-first Day

Pursuant to adjournment the Senate was called to order by President Micciche at 1:48 p.m.

The roll showed nineteen members present. Senator Shower was absent.

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

Baruch atah Adonai, Eloheinu Melech ha-olam,
pokei-ach ivrim.

Blessed are you eternal G-d, Source of the
universe, who opens the eyes of the blind.

Please G-d, open the eyes of those in positions to
make decisions for our state and our communities
– those who keep us safe, care for others, and treat
the sick. Give them the peace of mind to be clear-
eyed in their work.

Baruch atah Adonai, Eloheinu Melech ha-olam,
malbish arumim.

Blessed are you eternal G-d, who provides clothes
for the naked.

In times of worry we are vulnerable. Just as you clothed us as we left the garden, please give all of us the protection we need to stay well – in body and in mind.

Baruch atah Adonai, Eloheinu ruach ha-olam, hameichin mitz-adei gaver.

Blessed are you eternal G-d, breath of the world, who makes firm each person's steps.

Please give the leaders in our state, our nation, and all nations the patience and the resolve to deal with difficult times in the way You would have us act.

Amen.

Senator Gray-Jackson led the Senate in the Pledge of Allegiance.

Certification

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

The presence of Senator Shower was noted.

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

Senator Stevens moved and asked unanimous consent that the Senate move down the calendar to Unfinished Business. Without objection, the Senate advanced to:

Unfinished Business

Senator Stevens cited art. II, sec. 12 of the Alaska Constitution and Mason's Manual of Legislative Procedure Secs. 560 and 561, and moved the Senate enforce Legislative Council's COVID-19 mitigation policies, granting authorization to Senate leadership to equally enforce these policies on all members of the Senate until they are fully compliant. This enforcement authorization includes the use of all Senate space and resources.

Senator Begich objected to the motion, then withdrew his objection.

The question being: "Shall the Senate Allow Leadership to Enforce Legislative Council Policies in All Senate and Capitol Spaces?" The roll was taken with the following result:

Allow Senate Leadership to Enforce
Legislative Council Policies in All
Senate and Common Capitol Spaces?

YEAS: 18 NAYS: 1 EXCUSED: 1 ABSENT: 0

Yeas: Begich, Bishop, Costello, Gray-Jackson, Hoffman, Holland, Hughes, Kawasaki, Kiehl, Micciche, Myers, Olson, Revak, Stedman, Stevens, von Imhof, Wielechowski, Wilson

Nays: Shower

Excused: Reinbold

Hughes changed from "NAY" to "YEA"

and so, the motion was adopted.

Messages from the Governor

Letter dated March 8 was read stating on January 19, 2021, in accordance with Article III, Sections 26 and 27 of the Alaska Constitution and Alaska Statute 39.05.080, I submitted a list of appointees for confirmation.

The following appointee has withdrawn himself from consideration, effective immediately:

Military Appeals Commission

Clinton Campion

Letter dated March 9 was read stating in accordance with Article III, Sections 26 and 27 of the Alaska Constitution and Alaska Statute 39.05.080, I submit the following list of appointees for confirmation:

Alaska Workers' Compensation Board

Pamela Cline – Wasilla

Appointed: 9/12/2012

Term Expired: 3/1/2015

Reappointed: 3/1/2015

Term Expired: 3/1/2018

Reappointed: 3/1/2018

Term Expired: 3/1/2021

Reappointed: 3/8/2021

Term Expires: 3/1/2024

Alcoholic Beverage Control Board

David Koch – Anchorage

Appointed: 3/8/2021

Term Expires: 3/1/2023

Board of Social Work Examiners

Sharon Woodward

Appointed: 3/8/2021

Term Expires: 3/1/2022

The appointments were referred to the Labor and Commerce Committee.

Professional Teaching Practices Commission

Danette Peterson – Fairbanks

Appointed: 3/8/2021

Term Expires: 3/1/2024

The appointment was referred to the Education Committee.

This is a notification that an appointee previously submitted is moving seats from the alternate Judge Advocate General position to a Judge Advocate General position on the Military Appeals Commission. Please find the below details.

Military Appeals Commission

Scott Oravec – Fairbanks

Appointed: 3/8/2021

The resumes for these appointments have been submitted to the Offices of the Senate Secretary and the Chief Clerk.

Standing Committee Reports

Report dated March 8 was read stating:

In accordance with AS 39.05.080, the Judiciary Committee held a hearing on the following appointee(s). A signature on this report does not reflect an intent by any of the members to vote for or against the confirmation of the individual(s) during any further sessions.

Alaska Police Standards Council

Ed Mercer

Joseph White

Jennifer Winkelman

Justin Doll

Gregory Campbell

Larry Nicholson

Signing the report: Senator Reinbold, Chair; Senators Myers, Kiehl.

Report dated March 9 was read stating:

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

State Medical Board

Steve Parker

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 Wilson, Chair; Senators Begich, Reinbold, Hughes.

SB 15

The Community and Regional Affairs Committee considered SENATE BILL NO. 15 "An Act relating to the Open Meetings Act; and establishing a civil penalty for violations of the open meeting requirements by members of governmental bodies" and recommended it be replaced with

CS FOR SENATE BILL NO. 15(CRA) "An Act relating to the Open Meetings Act; establishing a civil penalty for violations of the open meeting requirements by members of governmental bodies; and relating to the duties of the Alaska Public Offices Commission and the attorney general."

Signing do pass: Senator Hughes, Chair. Signing do not pass: Senator Gray-Jackson. Signing no recommendation: Senators Myers, Wilson.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Administration

The bill was referred to the Judiciary Committee.

SB 29

The Resources Committee considered SENATE BILL NO. 29 "An Act relating to the powers of the Alaska Commercial Fisheries Entry Commission; relating to administrative areas for regulation of certain commercial set net entry permits; establishing a buy-back program for certain set net entry permits; providing for the termination of state set net tract leases under the buy-back program; closing certain water to commercial fishing; and providing for an effective date." Signing no recommendation: Senator Revak, Chair; Senators Kiehl, von Imhof, Stevens. Signing do pass: Senator Micciche.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Fish and Game

Fiscal Note No. 2, zero, Department of Fish and Game

Fiscal Note No. 3, indeterminate, Department of Public Safety

Fiscal Note No. 4, indeterminate, Department of Natural Resources

The bill was referred to the Finance Committee.

**Introduction and Reference of
Senate Resolutions**

SJR 10

SENATE JOINT RESOLUTION NO. 10 BY SENATOR COSTELLO,

Proposing an amendment to the Constitution of the State of Alaska relating to in-person public education.

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

Introduction and Reference of Senate Bills

SB 100

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 100 BY SENATOR BEGICH, entitled:

"An Act relating to the taxation of income of individuals; repealing tax credits applied against the tax on individuals under the Alaska Net Income Tax Act; and providing for an effective date."

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

SB 102

SENATE BILL NO. 102 BY SENATOR HUGHES, entitled:

"An Act relating to the Compact for a Balanced Budget."

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

SB 103

SENATE BILL NO. 103 BY THE SENATE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR, entitled:

"An Act repealing the Alaska Marine Transportation Advisory Board; establishing the Alaska Marine Highway System Operation and Planning Board; and providing for an effective date."

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

The following fiscal information was published today:

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

Governor's transmittal letter dated March 9:

Dear President Micciche:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill repealing the Alaska Marine Transportation Advisory Board and establishing the Alaska Marine Highway Systems Operation and Planning Board.

In 2019, I established the Alaska Marine Highway Reshaping Working Group to deliver recommendations that would allow for the Alaska Marine Highway System to provide essential ferry services to Alaskan coastal communities in the future while reducing state General Fund support.

The Alaska Marine Highway Reshaping Working Group suggested starting fresh with the new Alaska Marine Highway Systems Operation and Planning Board. This restructured Board can provide the skills and experience of long-term operators, with an enhanced ability to increase revenue and reduce costs. Upon initial appointment, these members would serve staggered terms of one to five years. These terms will help the new board create and maintain institutional knowledge, as board membership could not be completely changed in a single administrative term after the members' initial appointment. This Board would also have a new duty – to prepare a long-term operations plan and provide an annual report on its implementation to

the governor, the legislature, and the public. The annual reports will address financial information, scheduling, maintenance, regulatory compliance, and other matters. The long-term operations plan should cover long-term marine transportation system objectives, planning assumptions, a timeline for major operations milestones, and new initiatives. The focus will be on initiatives that provide strategic and operational guidance for transportation systems of a similar size and complexity.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Mike Dunleavy

Governor

SB 104

SENATE BILL NO. 104 BY THE SENATE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to geothermal resources; relating to the definition of 'geothermal resources'; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, Department of Natural Resources

Fiscal Note No. 2, zero, Department of Natural Resources

Governor's transmittal letter dated March 9:

Dear President Micciche:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill revising statutes related to the State's geothermal resources.

Alaska's economic prosperity is dependent on our ability to continue to develop our tremendous energy resources. Geothermal is a rising star in Alaska's energy constellation. Geothermal harnesses heat from

the earth's core and can power commercial, industrial, and residential activities in some of Alaska's remotest areas. This bill encourages these activities by removing obstacles to exploration and development of Alaska's geothermal resources.

First, it modifies the definition of "geothermal resources." The current definition is defined as only those fluids hotter than 120 degrees Celsius, which ignores technological advances that make lower-temperature geothermal energy commercially viable. For example, Interior Alaska's Chena Hot Springs generates electrical power and supports a thriving visitor business with geothermal energy at approximately 80 degrees Celsius. The current definition also ignores growing non-commercial uses of heat energy, such as heat pumps relying on shallow subsurface pipes to heat or cool residential structures. This updated definition eliminates such arbitrary temperature and other restrictions, making geothermal development more attractive.

The bill also makes Alaska's geothermal energy a more lucrative target for investment by expanding to five years the current two-to-three-year window during which exploration companies must conduct background research, acquire surface use permits, and perform the field work needed to locate a resource and develop the data needed to convert an exploration permit (or license) to a lease supporting commercial development. This acknowledges the fact that geothermal resources tend to spread over larger acreages, by nearly doubling the acreage limit for geothermal exploration licenses to 100,000 acres. This will likely draw greater interest from developers grateful for the opportunity to economically explore and develop larger parcels.

Enactment will help Alaska continue to responsibly manage its natural resources, provide alternative energy sources in some of our most remote communities, grow the economy, and generate job creation.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Mike Dunleavy

Governor

SB 105

SENATE BILL NO. 105 BY SENATOR MYERS, entitled:

"An Act relating to road service area consolidation."

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

SB 106

SENATE BILL NO. 106 BY SENATOR WIELECHOWSKI, entitled:

"An Act establishing a tax on certain entities producing or transporting oil or gas in the state; and providing for an effective date."

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

SB 107

SENATE BILL NO. 107 BY SENATOR WIELECHOWSKI, entitled:

"An Act relating to the oil and gas production tax; relating to credits against the oil and gas production tax; relating to payments of the oil and gas production tax; relating to lease expenditures and adjustments to lease expenditures; making public certain information related to the oil and gas production tax; relating to the Department of Revenue; and providing for an effective date."

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

Consideration of the Calendar**Second Reading of Senate Bills****SB 22**

SENATE BILL NO. 22 "An Act repealing the termination date for the intensive management hunting license surcharge" was read the second time.

Senator Hughes 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 BILL NO. 22 was read the third time.

The question being: "Shall SENATE BILL NO. 22 "An Act repealing the termination date for the intensive management hunting license surcharge" pass the Senate?" The roll was taken with the following result:

SB 22

Third Reading - Final Passage

YEAS: 18 NAYS: 1 EXCUSED: 1 ABSENT: 0

Yeas: Begich, Bishop, Costello, Gray-Jackson, Hoffman, Holland, Hughes, Kawasaki, Kiehl, Micciche, Myers, Olson, Revak, Shower, Stedman, Stevens, von Imhof, Wilson

Nays: Wielechowski

Excused: Reinbold

and so, SENATE BILL NO. 22 passed the Senate and was referred to the Secretary for engrossment.

Unfinished Business (continued)**SB 106**

Senator Gray-Jackson moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 106 "An Act establishing a tax on certain entities producing or transporting oil or gas in the state; and providing for an effective date." Without objection, it was so ordered.

SB 107

Senator Gray-Jackson moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 107 "An Act relating to the oil and gas production tax; relating to credits against the oil and gas production tax; relating to payments of the oil and gas production tax; relating to lease expenditures and adjustments to lease expenditures; making public certain information related to the oil and gas production tax; relating to the Department of Revenue; and providing for an effective date." Without objection, it was so ordered.

SB 32

Senator Hughes moved and asked unanimous consent President Micciche be shown as a cosponsor on SENATE BILL NO. 32 "An Act establishing the Alaska middle college program for public school students; and relating to the powers of the University of Alaska." Without objection, it was so ordered.

Senator Gray-Jackson moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 32 "An Act establishing the Alaska middle college program for public school students; and relating to the powers of the University of Alaska." Without objection, it was so ordered.

SB 36

Senators Hughes, Micciche moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 36 "An Act relating to reporting requirements of the Board of Regents of the University of Alaska." Without objection, it was so ordered.

Senator Wilson moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, March 26 through evening plane time, March 28. Without objection, Senator Wilson was excused.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 22**

SENATE BILL NO. 22 "An Act repealing the termination date for the intensive management hunting license surcharge" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Hughes moved and asked unanimous consent the Senate stand in adjournment until 10:30 a.m., March 12, 2021. Without objection, the Senate adjourned at 2:15 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

Mar 11 Thursday Beltz 105 (tsbldg) 3:30 PM
 No Meeting Scheduled

EDUCATION

Mar 10 Wednesday Butrovich 205 9:00 AM
 + SB 72 SEC. SCHOOL CIVICS EDUCATION
 -- Testimony <Invitation Only> --
 + SB 80 PUBLIC SCHOOLS: MENTAL HEALTH EDUCATION
 -- Testimony <Invitation Only> --
 Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

Mar 12 Friday Butrovich 205 9:00 AM
 No Meeting Scheduled

FINANCE

Mar 10 Wednesday Senate Finance 532 9:00 AM
 + Alaska Energy Authority - Update on Assets, Projects, Grants & Loans
 Bills Previously Heard/Scheduled

FINANCE (continued)

Mar 11 Thursday Senate Finance 532 9:00 AM
 + SB 55 EMPLOYER CONTRIBUTIONS TO PERS
 -- Invited & Public Testimony --
 <Time Limit May Be Set>
 + Follow up: Executive Order 119 - Reorganization of DH&SS:
 - Department of Health & Social Services
 - Department of Law
 <Above Item Rescheduled from 3/9/21>
 Bills Previously Heard/Scheduled

Mar 12 Friday Senate Finance 532 9:00 AM
 + Centralized Services Initiative:
 - Office of Management & Budget
 - Department of Administration
 - Department of Transportation
 Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

Mar 11 Thursday Butrovich 205 1:30 PM
 + Consideration of Governor's Appointees to the State Medical Board - Sarah Bigelow-Hood
 -- Invited & Public Testimony --
 + SB 93 HEALTH INS. ALL-PAYER CLAIMS DATABASE
 <Bill Hearing Rescheduled to 3/16/21>
 + -- Invited & Public Testimony --
 + Bills Previously Heard/Scheduled

Mar 16 Tuesday Butrovich 205 1:30 PM
 += SB 93 HEALTH INS. ALL-PAYER CLAIMS DATABASE
 <Bill Hearing Rescheduled from 3/11/21>
 -- Invited and Public Testimony --

JUDICIARY

- Mar 10 Wednesday Butrovich 205 1:30 PM**
 -- MEETING CANCELED --
 -- Delayed to a Call of the Chair --
 + Bills Previously Heard/Scheduled
 Governor's Appointees
- Mar 12 Friday Butrovich 205 1:30 PM**
 + Leg Legal Lawsuit on Governor's Appointees
 -- Testimony <Invitation Only> --
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

- Mar 10 Wednesday Beltz 105 (tsbldg) 1:30 PM**
 -- MEETING CANCELED --
 += SB 9 ALCOHOLIC BEVERAGE CONTROL; ALCOHOL REG
 -- Invited & Public Testimony --
 + SB 88 STATE INSUR. CATASTROPHE RESERVE ACCT.
 -- Testimony <Invitation Only> --
 + SB 11 COMMUNITY PROPERTY TRUSTS
 -- Testimony <Invitation Only> --
 Bills Previously Heard/Scheduled
 Streamed live on AKL.tv
- Mar 12 Friday Beltz 105 (tsbldg) 1:30 PM**
 Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

RESOURCES

- Mar 10 Wednesday Butrovich 205 3:30 PM**
 += SB 61 OIL/GAS LEASE:DNR MODIFY NET PROFIT SHARE
 -- Invited & Public Testimony --
 + SB 62 GAS LEASES; RENEWABLE ENERGY GRANT FUND
 -- Invited & Public Testimony --
 Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

RESOURCES (continued)

Mar 12 Friday Butrovich 205 3:30 PM
 + SJR 8 COMPLETION OF UNIVERSITY LAND GRANT
 -- Invited & Public Testimony --
 Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

STATE AFFAIRS

Mar 11 Thursday Butrovich 205 3:30 PM
 += SB 83 ELECTIONS; VOTING; BALLOT REQS
 -- Public Testimony --
 += SB 84 LAND VOUCHERS; PFDS
 -- Public Testimony --
 += SB 7 STATE TROOPER POLICIES: PUBLIC ACCESS
 -- Public Testimony --
 += SB 12 MILITARY SPOUSE COURTESY LICENSE
 -- Public Testimony --
 += SB 40 VETERANS' BENEFITS SERVICES; DISCLOSURE
 -- Public Testimony --
 Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

TRANSPORTATION

Mar 11 Thursday Beltz 105 (tsbldg) 1:30 PM
 += SB 74 G.O. BONDS: STATE INFRASTRUCTURE PROJECTS
 -- Public Testimony --
 Streamed live on AKL.tv

FINANCE SUBCOMMITTEES

EDUCATION & EARLY DEVELOPMENT

Mar 11 Thursday Senate Finance 532 1:00 PM
 -- MEETING CANCELED --
 + FY22 Department of Education & Early Development
 Budget
 Streamed live on AKL.tv

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HEALTH & SOCIAL SERVICES

Mar 12 **Friday** **Senate Finance 532** **7:45 AM**
-- MEETING CANCELED --
+ Close Out

Mar 15 **Monday** **Senate Finance 532** **7:45 AM**
-- Agenda to be Announced --

TRANSPORTATION & PUBLIC FACILITIES

Mar 10 **Wednesday** **Senate Finance 532** **7:30 AM**
COVID-19 Related Federal Funds: current federal revenues, anticipated revenue, restrictions on the use of these funds and planned/budgeted expenditures