

SENATE JOURNAL
ALASKA STATE LEGISLATURE
THIRTY-SECOND LEGISLATURE
FIRST SESSION

Juneau, Alaska

Monday

April 12, 2021

Eighty-fourth Day

Pursuant to adjournment the Senate was called to order by President Micciche at 11:06 a.m.

The roll showed twenty members present.

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.

Y'hi ratzon milfanecha Adonai Eloheinu
v'Elohei avoteinu v'imoteinu,
shetolicheinu l'shalom
v'taazreinu l'hagia limchoz cheftzeinu
l'chayim ul'simchah ul'shalom.
Ushmor tzeiteinu uvo-einu
v'tatzileinu mikol tzarah
v'tishlach b'rachah b'chol maasei yadeinu,
umaaseinu y'chabdu et sh'mecha.

May it be Your will, our G-d and G-d of our
ancestors, that You lead us in peace and help us reach
our destination safely, joyfully and peacefully.

May You protect us on our leaving and on our return,
and rescue us from any harm, and may You bless the
work of our hands, and may our deeds merit honor
for You.

The Talmud, in Pirke Avot, taught: kol machaloket sh'he l'shem shamayim, sofah l'hitkayem: "every deliberation conducted for the sake of Heaven will have lasting value."

May our deliberations today and in the week to come truly be for the sake of Heaven.

And may our deliberations truly be of lasting value.

Cain y'hi ratzon, so may it be G-d's will.

Senator Stevens led the Senate in the Pledge of Allegiance.

Certification

Senator Hughes moved and asked unanimous consent the journals for the eighty-first through eighty-third legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the House

Message dated April 9 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 10

HOUSE BILL NO. 10 BY REPRESENTATIVES HANNAN, Kreiss-Tomkins, Fields, Hopkins, Story, Josephson, Spohnholz, Tarr, Ortiz, Drummond, Zulkosky, Edgmon, entitled:

"An Act relating to the Funter Bay marine park unit of the state park system; relating to protection of the social and historical significance of the Unangax cemetery located in Funter Bay; providing for the amendment of the management plan for the Funter Bay marine park unit; and providing for an effective date."

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

HB 27

HOUSE BILL NO. 27 BY REPRESENTATIVE STUTES, entitled:

"An Act naming the irene Webber Bridge."

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

Introduction and Reference of Senate Bills

SB 124

SENATE BILL NO. 124 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to admission to and detention at a subacute mental health facility; establishing a definition for 'subacute mental health facility'; establishing a definition for 'crisis residential center'; relating to the definitions for 'crisis stabilization center'; relating to the administration of psychotropic medication in a crisis situation; relating to licensed facilities; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, Department of Health and Social Services

Fiscal Note No. 2, Department of Health and Social Services

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

Governor's transmittal letter dated April 9:

Dear President Micciche:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to subacute mental health facilities (AS 47.30).

Subacute mental health facilities are facilities designed to evaluate, stabilize, and treat an individual experiencing behavioral health crisis in a short-term, intensive, and recovery-oriented way so that the individual has the chance to avoid inpatient hospitalization. Although two such facilities exist in current law – a crisis stabilization center and a crisis residential center - this bill would further define those facility types and set out what each may do in relationship to existing in-hospital evaluation and treatment options in the context of involuntary commitment.

Currently, law enforcement, emergency medical services, and hospitals are being relied on to serve individuals experiencing a behavioral health crisis. Expanding subacute facilities and crisis stabilization services will allow law enforcement to focus on crime prevention and public safety, rather than psychiatric crises and provide an opportunity to divert these individuals to the appropriate level of behavioral health treatment.

Without these services, law enforcement is often the first to respond to individuals having a behavioral health crisis, which is largely outside of their primary scope of training. Increasing the availability of crisis stabilization services will also help to better align public safety resources within the Department of Corrections, and the Alaska Court System.

This bill adds a new section to AS 47.30 that would solely address subacute mental health facilities, including how an individual may be admitted and detained, the rights and notification available to an individual, and how a facility may administer psychotropic medication to an individual.

Specifically, this bill allows for admission to, and a stabilization hold, of an individual at a crisis stabilization center for up to 23 hours and 59 minutes. It also requires that a mental health professional examine an individual within three hours of the individual's arrival at the center. If the professional person in charge has a probable cause belief that a detained individual's crisis will be resolved during admission to a crisis residential center, a mental health professional would have to apply to the court for permission for the crisis residential center to detain the individual for a period of up to 120 hours. The stay at the facility would be for evaluation, stabilization, and treatment.

If the professional person in charge at a crisis residential center has a probable cause belief that an individual's behavioral health crisis requires hospitalization for evaluation, a mental health professional would be required to apply to the court for an order authorizing hospitalization for evaluation. In this way, the bill would lay out the role of each subacute mental health facility and the terms by which an individual receives progressive care.

To achieve the benefit of using subacute mental health facilities as a diversion to hospitalization, this bill refines AS 47.30.705(c) by requiring a peace officer to take an individual to a crisis stabilization center if one exists in the service area served by the peace officer, even if an evaluation facility is available. "Service area" helps define the reach of this section now that emergency medical technicians, paramedics, and firefighters are added to the definition of "peace officer" in Section 12.

This bill would make subacute mental health facilities a new type of licensed facility, and it directs the Department of Health and Social Services to adopt regulations to implement the provisions of this bill and existing statutes in AS 47.30.700 – 47.30.915.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Mike Dunleavy
Governor

Consideration of the Calendar

Second Reading of Senate Bills

SB 65

SENATE BILL NO. 65 "An Act relating to immunity for consulting physicians, podiatrists, osteopaths, advanced practice registered nurses, physician assistants, dentists, optometrists, and pharmacists" was read the second time.

Senator Reinbold, Chair, moved and asked unanimous consent for the adoption of the Judiciary Committee Substitute offered on page 621. Senator Begich objected, then withdrew his objection. There being no further objection, CS FOR SENATE BILL NO. 65(JUD) "An Act relating to immunity for consulting physicians, podiatrists, osteopaths, advanced practice registered nurses, physician assistants, chiropractors, dentists, optometrists, and pharmacists" was adopted.

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.

CS FOR SENATE BILL NO. 65(JUD) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 65(JUD) "An Act relating to immunity for consulting physicians, podiatrists, osteopaths, advanced practice registered nurses, physician assistants, chiropractors, dentists, optometrists, and pharmacists" pass the Senate?" The roll was taken with the following result:

#AKS00060 04-12-2021 11:17:27

CSSB 65(JUD)

Third Reading - Final Passage

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

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

#AKS00060 END

and so, CS FOR SENATE BILL NO. 65(JUD) passed the Senate and was referred to the Secretary for engrossment.

Citations

Honoring - Wendy Charmaine Dominique
Representative(s) Hopkins
Senator(s) Kawasaki

Honoring - Chief Douglas Schrage
Representative(s) Hopkins, Schrage

Honoring - Alaska Women's Hall of Fame 2021 Honorees

Representative(s) Tarr, Drummond

Senator(s) Gray-Jackson

Honoring - Abner Hoage

Representative(s) Ortiz

Senator(s) Stedman

Honoring - Steve Corporon

Representative(s) Ortiz

Senator(s) Stedman

Honoring - Cecilia Lorraine Christiansen

Representative(s) Ortiz

Senator(s) Stedman

Honoring - Dennis Spurgeon

Representative(s) Ortiz

Senator(s) Stedman

Honoring - Judith Anne Slajer

Representative(s) Ortiz

Senator(s) Stedman, Gray-Jackson

Honoring - Adam Crum

Representative(s) Tilton

Honoring - District 39 Schools

Representative(s) Foster

Senator(s) Olson

Honoring - AnnaBell Stevens

Representative(s) Tarr, Claman

Senator(s) Begich

Honoring - Victoria McKenzie

Representative(s) Tarr, Drummond

Honoring - Delta Huskies Youth Hockey Team 2020-2021 10UA

State Champions

Representative(s) Rauscher

Senator(s) Shower

Honoring - Karlin Itchoak
Representative(s) Claman

Honoring - Molly of Denali
Representative(s) Tarr, Foster, Zulkosky

In Memoriam - John Bringhurst
Senator(s) Myers
Representative(s) Wool

In Memoriam - William "Bill" Pelke
Senator(s) Wielechowski
Representative(s) Josephson, Claman

In Memoriam - Esther Pearl Cunningham
Representative(s) Hopkins
Senator(s) Kawasaki

In Memoriam - Ignatius "Iggy" Chayalkun
Representative(s) Foster, Story
Senator(s) Olson

In Memoriam - Trefon Angasan, Jr.
Representative(s) Rasmussen
Senator(s) Costello

In Memoriam - Wesley Loe
Representative(s) Ortiz

In Memoriam - George Woodbury
Representative(s) Ortiz
Senator(s) Stedman

In Memoriam - Kent Colby
Representative(s) Ortiz
Senator(s) Stedman

In Memoriam - Helen Francis Decker
Representative(s) Ortiz
Senator(s) Stedman

In Memoriam - Siguard Decker
Representative(s) Ortiz
Senator(s) Stedman

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

Unfinished Business

HB 10

Senators Kiehl, Kawasaki moved and asked unanimous consent to be shown as cross sponsors on HOUSE BILL NO. 10 "An Act relating to the Funter Bay marine park unit of the state park system; relating to protection of the social and historical significance of the Unangax cemetery located in Funter Bay; providing for the amendment of the management plan for the Funter Bay marine park unit; and providing for an effective date." Without objection, it was so ordered.

#END

Senator Stevens moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, April 23 through evening plane time, April 28. Without objection, Senator Stevens was excused.

Senator Holland moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, April 16 through evening plane time, April 18. Without objection, Senator Holland was excused.

Announcements

SB 123

Senator Costello, Chair, moved and asked unanimous consent Uniform Rule 23 be waived on SENATE BILL NO. 123 "An Act establishing the Alaska energy independence program and the Alaska energy independence fund in the Alaska Industrial Development and Export Authority; and providing for an effective date" for the Labor and Commerce Committee meeting on April 14. Without objection, it was so ordered.

Announcements are at the end of the journal.

Engrossment**SB 65**

CS FOR SENATE BILL NO. 65(JUD) "An Act relating to immunity for consulting physicians, podiatrists, osteopaths, advanced practice registered nurses, physician assistants, chiropractors, dentists, optometrists, and pharmacists" 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 11:00 a.m., April 14, 2021. Without objection, the Senate adjourned at 11:21 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

Apr 13 Tuesday Beltz 105 (tsbldg) 3:30 PM
No Meeting Scheduled

Apr 15 Thursday Beltz 105 (tsbldg) 3:30 PM
+ Presentation - Assessing the Present and Looking to the Future, What are the Broadband Gaps in Alaska?
by: University of Alaska - Mike Brase, Executive Director of Infrastructure & Cloud Services
Denali Commission
- Chad Stovall, Director of Programs
- Erik Obrien, Community and Economic Development Program Manager
Alaska Telecom Association - Christine O'Connor, Executive Director
One Web - Lesil McGuire
Pacific Dataport, Inc. - Shawn Williams
SpaceX Starlink
Streamed live on AKL.tv

EDUCATION

Apr 12 Monday Butrovich 205 9:00 AM
-- MEETING CANCELED --
+= SB 111 EARLY EDUCATION; READING INTERVENTION
-- Testimony <Invitation Only> --
+ Bills Previously Heard/Scheduled
Streamed live on AKL.tv

EDUCATION (continued)

Apr 14 Wednesday Butrovich 205 9:00 AM
 += SB 111 EARLY EDUCATION; READING INTERVENTION
 + SJR 10 CONST. AM: IN-PERSON PUBLIC EDUCATION
 <Bill Hearing Canceled>
 + Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

Apr 16 Friday Butrovich 205 9:00 AM
 += SB 111 EARLY EDUCATION; READING INTERVENTION
 + Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

FINANCE

Apr 12 Monday Senate Finance 532 9:00 AM
 += SB 89 ASSISTED LIVING HOMES: HOUSE RULES
 <Bill Hearing Rescheduled to 4/14/21>
 += HB 76 EXTENDING COVID 19 DISASTER EMERGENCY
 + Bills Previously Heard/Scheduled

Apr 12 Monday Senate Finance 532 1:00 PM
 + -- MEETING CANCELED --
 Bills Previously Heard/Scheduled

Apr 13 Tuesday Senate Finance 532 9:00 AM
 Bills Previously Heard/Scheduled

Apr 13 Tuesday Senate Finance 532 1:00 PM
 + Bills Previously Heard/Scheduled

Apr 14 Wednesday Senate Finance 532 9:00 AM
 += SB 55 EMPLOYER CONTRIBUTIONS TO PERS
 += SB 89 ASSISTED LIVING HOMES: HOUSE RULES
 <Bill Hearing Rescheduled from 04/12/21>

Apr 14 Wednesday Senate Finance 532 1:00 PM
 + Bills Previously Heard/Scheduled

Apr 15 Thursday Senate Finance 532 9:00 AM
 + Workforce Development Overview: COVID-19 Funding
 + Bills Previously Heard/Scheduled

FINANCE (continued)

Apr 15	Thursday	Senate Finance 532	1:00 PM
+	Bills Previously Heard/Scheduled		
Apr 16	Friday	Senate Finance 532	9:00 AM
+	Bills Previously Heard/Scheduled		

HEALTH & SOCIAL SERVICES

Apr 13	Tuesday	Butrovich 205	1:30 PM
+= SB 93	HEALTH INS. ALL-PAYER CLAIMS DATABASE		
+	Bills Previously Heard/Scheduled		
Apr 15	Thursday	Butrovich 205	1:30 PM
+= SB 38	NATUROPATHS; LICENSING; PRACTICE		
+= SB 67	NURSING; LICENSURE; MULTISTATE COMPACT		
+= SB 78	HEALTH CARE SERVICES BY TELEHEALTH		
+= SB 80	PUBLIC SCHOOLS; MENTAL HEALTH EDUCATION		
+	Bills Previously Heard/Scheduled		

JUDICIARY

Apr 12	Monday	Butrovich 205	1:30 PM
+= SB 15	OPEN MEETINGS ACT; PENALTY		
	Amendments		
+= SB 82	ELECTIONS; ELECTION INVESTIGATIONS		
+= SB 9	ALCOHOLIC BEVERAGE CONTROL; ALCOHOL REG		
	-- Public Testimony --		
+	Bills Previously Heard/Scheduled		
	Streamed live on AKL.tv		
Apr 14	Wednesday	Butrovich 205	1:30 PM
+	Consideration of Governor's Appointees:		
	Workers' Compensation Appeals Commission		
	Board of Governors of the Alaska Bar		
+ SB 122	VICTIM DEFINITION		
	-- Invited & Public Testimony --		
+= SJR 1	CONST AM: GUARANTEE PERM FUND DIVIDEND		
+	Bills Previously Heard/Scheduled		
	Streamed live on AKL.tv		

JUDICIARY (continued)

Apr 16 Friday Butrovich 205 1:30 PM
 + SJR 4 CONST. AM: ABORTION/FUNDING
 -- Invited & Public Testimony --
 + Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

LABOR & COMMERCE

Apr 12 Monday Beltz 105 (tsbldg) 1:30 PM
 -- MEETING CANCELED --
 + Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

Apr 14 Wednesday Beltz 105 (tsbldg) 1:30 PM
 + SB 123 ENERGY INDEPENDENCE PROGRAM & FUND: AIDEA
 -- Invited & Public Testimony --
 Uniform Rule 23 Waived
 + Bills Previously Heard/Scheduled:
 += SB 6 RIP FOR PUBLIC EMPLOYEES/TEACHERS
 -- Testimony <Invitation Only> --
 Streamed live on AKL.tv

Apr 16 Friday Beltz 105 (tsbldg) 1:30 PM
 + Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

RESOURCES

Apr 12 Monday Butrovich 205 3:30 PM
 += SB 101 ADVISORY COMMISSION ON FEDERAL MGT AREAS
 + Bills Previously Heard/Scheduled
 + SB 60 SPT FSH HATCHERY FACIL ACCT; SURCHARGE
 -- Invited & Public Testimony --
 Streamed live on AKL.tv

RESOURCES (continued)

Apr 14	Wednesday	Butrovich 205	3:30 PM
+	Consideration of Governor's Appointees		
	Big Game Commercial Services Board:		
	Ely Cyrus, Martin Boniek		
	Board of Game:		
	Jerry Burnett, Stanley Hoffman, Jacob Fletcher, Lynn Keogh Jr.		
	-- Invited & Public Testimony --		
+	Bills Previously Heard/Scheduled		
	Streamed live on AKL.tv		
Apr 16	Friday	Butrovich 205	3:30 PM
+	Consideration of Governor's Appointees		
	Board of Fisheries:		
	John Jensen, Abe Williams, McKenzie Mitchell,		
	John Wood, Marit Carlson-Van Dort		
	Alaska Commercial Fisheries Entry Commission:		
	Melvin Smith		
	-- Invited & Public Testimony --		
	Streamed live on AKL.tv		
+	Bills Previously Heard/Scheduled		

STATE AFFAIRS

Apr 13	Tuesday	Butrovich 205	3:30 PM
+	Bills Previously Heard/Scheduled		
+= SB 23	INITIATIVE SEVERABILITY		
	-- Public Testimony --		
+= SB 77	USE OF INTERNET FOR CHARITABLE GAMING		
	-- Public Testimony --		
+	CMTE ON NULLIFICATION OF FEDERAL LAWS		
	-- Invited & Public Testimony --		
+	ADMIN. REGULATION REVIEW COMMITTEE		
	-- Invited & Public Testimony --		
Apr 15	Thursday	Butrovich 205	3:30 PM
+	Governor Appointees		
	-- Invited & Public Testimony --		
+= SB 39	BALLOT CUSTODY/TAMPERING; VOTER REG; MAIL		
	-- Testimony <Invitation Only> --		
+	Bills Previously Heard/Scheduled		
	Streamed live on AKL.tv		

TRANSPORTATION

Apr 13 Tuesday Beltz 105 (tsbldg) 1:30 PM
 + HB 36 MOTOR VEHICLE DEALERS: APPLIC.; INSURANCE
 -- Invited & Public Testimony --
 + Bills Previously Heard/Scheduled

Apr 15 Thursday Beltz 105 (tsbldg) 1:30 PM
 += HB 36 MOTOR VEHICLE DEALERS: APPLIC.; INSURANCE
 += SB 103 AMHS OPERATION & PLANNING BOARD

FINANCE SUBCOMMITTEES**ADMINISTRATION**

Apr 20 Tuesday Senate Finance 532 12:30 PM
 + Close-out

EDUCATION & EARLY DEVELOPMENT

Apr 20 Tuesday Senate Finance 532 1:00 PM
 + FY22 Department of Education and Early
 Development Budget Closeout
 Streamed live on AKL.tv

Apr 22 Thursday Senate Finance 532 1:00 PM
 + FY22 Department of Education and Early
 Development Budget Closeout
 Streamed live on AKL.tv

FISH & GAME

Apr 20 Tuesday Senate Finance 532 1:15 PM
 + Close-out

JUDICIARY

Apr 13 Tuesday Butrovich 205 5:15 PM
 + Budget Closeout
 -- Testimony <Invitation Only> --

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LAW

Apr 15	Thursday	Butrovich 205	5:30 PM
+	FY 2022 Budget - Close Out		
	-- Testimony <Invitation Only> --		

Apr 22	Thursday	Butrovich 205	5:30 PM
+	FY 2022 Budget - Close out		
	-- Testimony <Invitation Only> --		

MILITARY & VETERANS' AFFAIRS

Apr 13	Tuesday	Butrovich 205	11:30 AM
+	Department of Military & Veterans Affairs:		
	Agency Responses		
	- Craig Christenson, Deputy Commissioner, DMVA		
	- Stephanie Richard, Administrative Service		
	Director, Office of Management & Budget		
	-- Testimony <Invitation Only> --		

PUBLIC SAFETY

Apr 14	Wednesday	Beltz 105 (tsbldg)	4:00 PM
+	FY 2022 Budget - Sub-committee Closeout		
	-- Testimony <Invitation Only> --		

Apr 21	Wednesday	Beltz 105 (tsbldg)	4:00 PM
+	FY 2022 Budget - Sub-committee Closeout		
	-- Testimony <Invitation Only> --		

JOINT COMMITTEES

LEGISLATIVE BUDGET & AUDIT

Apr 28	Wednesday	Senate Finance 532	5:00 PM
	-- Teleconference <Listen Only> --		
	Executive Session		
	- Preliminary Audit: Statewide Single Audit		
	- Oil and Gas Consultants Contract Amendments		
	Legislative Audit IT Audit Procurement		

SELECT COMMITTEE ON LEGISLATIVE ETHICS

Apr 13 +	Tuesday Approval of Minutes: - September 22, 2020 Full Committee - September 22, 2020 Senate Subcommittee Public Comment Election of Committee Chairs for 2021-2022 - Article 3 Ethics Committee Election Procedure Chair Staff Report - Management Log Review - Public Member Committee Appointment Update: Resume Skip Cook Resume Gerald McBeath - Ethics Disclosures: Total Disclosures by Type in 2020 Yearly Comparison of Total Disclosures 2017-2020 Total Disclosures by Type to March 31, 2021 - Update: Collection of Unpaid Fines - New Internship Program: Seattle University School of Law - Publications: 2020 Public Decisions Booklet AS 24.60.150(a)(3) 2021 Standards of Conduct Handbook Rev 2/12/2021 2021 Ethics Training - Budget: FY21 Budget Summary, FY22 Budget Request Detail Contract Report: Outside Counsel, Investigator Meeting will be teleconferenced: - Anchorage Only: (907) 563-9085 - Juneau Only: (907) 586-9085 - Outside Anchorage or Juneau: 1-844-586-9085	By Teleconference	9:00 AM
Apr 13 +	Tuesday Senate Subcommittee - Executive Session - Public Session - Other Business Meeting will Be Teleconferenced: - Anchorage Only: (907) 563-9085 - Juneau Only: (907) 586-9085 - Outside Anchorage or Juneau: 1-844-586-9085	By Teleconference	9:45 AM