

SENATE JOURNAL

ALASKA STATE LEGISLATURE

THIRTY-SECOND LEGISLATURE

SECOND SESSION

Juneau, Alaska

Wednesday

March 23, 2022

Sixty-fifth 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, Pastor Dan Wiese, Church of the Nazarene. Senator Hoffman moved and asked unanimous consent the prayer be spread. Without objection, it was so ordered.

Holy God, it is with gratitude and humility that I come before you on behalf of this group of men and women, public servants for the great state of Alaska. I pray for their day of work and meeting together, that you would continue to grant them Your help and wisdom. I pray for wisdom in the issues that come before them. I pray for their health and well-being. I pray for different burdens and struggles they might be carrying that You would intervene on their behalf. I pray for their families that you would bless and help them. And I again pray for the communities they represent. So many people have had a hard winter with COVID, challenging weather and rising costs of living and various other challenges. I pray that you would guide and help those in need. May your blessing be upon each person here this day, as well as people all across our great state. I pray this in the name of Jesus,

Amen.

Senator Hoffman led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House

Messages dated March 21 and March 22 were read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills**HB 30**

CS FOR HOUSE BILL NO. 30(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to the payment of workers' compensation benefits in the case of permanent partial impairment; relating to the payment of workers' compensation death benefits; and providing for an effective date."

was read the first time and referred to the Labor and Commerce and Finance Committees.

HB 128

CS FOR HOUSE BILL NO. 128(FIN) am BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to charitable gaming online ticket sales and activities; and providing for an effective date."

was read the first time and referred to the Labor and Commerce and Finance Committees.

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HB 209

CS FOR HOUSE BILL NO. 209(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to emergency firefighters; and providing for an effective date."

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

HB 304

HOUSE BILL NO. 304 BY REPRESENTATIVES MERRICK, Fields, McCarty, Tilton, Schrage, Josephson, McCabe, Johnson, Cronk, entitled:

"An Act modifying the boundary of Chugach State Park; directing the sale of land to the Eagle River Lions Club; and providing for an effective date."

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

Communications

The following report is on file in the Office of the Secretary of the Senate:

Department of Revenue
Alaska Salmon Price and Production Report
Calendar Year 2021
in accordance with AS 43.80.060

Standing Committee Reports

SB 34

Forthcoming fiscal information (page 2049) for CS FOR SENATE BILL NO. 34(EDC) "An Act relating to a demonstration state-tribal education compact; relating to demonstration state-tribal education compact schools; and providing for an effective date" was published today:

Fiscal Note No. 1, zero, Department of Education & Early Development

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SB 81

The Finance Committee considered SENATE BILL NO. 81 "An Act requiring background investigations of village public safety officer applicants by the Department of Public Safety; relating to the village public safety officer program; and providing for an effective date" and recommended the adoption of the Community and Regional Affairs Committee Substitute offered on page 982.

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

The following previously published fiscal information applies:

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

Fiscal Note No. 4, Department of Public Safety

The bill was referred to the Rules Committee.

SB 132

The Finance Committee considered SENATE BILL NO. 132 "An Act exempting veterinarians from the requirements of the controlled substance prescription database."

Signing do pass: Senators Stedman, Bishop, Cochairs; Senators Hoffman, Wilson, Wielechowski, Olson, von Imhof.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

SB 142

The State Affairs Committee considered SENATE BILL NO. 142 "An Act relating to the sovereignty of state elections."

Signing do pass: Senator Shower, Chair. Signing no recommendation: Senators Holland, Costello, Reinbold. Signing amend: Senator Kawasaki.

The following fiscal information was published today:

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

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The bill was referred to the Rules Committee.

SB 193

The Labor and Commerce Committee considered SENATE BILL NO. 193 "An Act extending the termination date of the Board of Chiropractic Examiners; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 193(L&C) "An Act extending the termination date of the Board of Chiropractic Examiners; requiring a report on audit compliance by the Board of Chiropractic Examiners; and providing for an effective date."

Signed do pass: Senator Costello, Chair; Senators Gray-Jackson, Stevens, Micciche.

The following fiscal information was published today:

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

The bill was referred to the Finance Committee.

SB 214

The State Affairs Committee considered SENATE BILL NO. 214 "An Act relating to civil liability for censorship of speech by a social media platform" and recommended it be replaced with

CS FOR SENATE BILL NO. 214(STA)

Signed do pass: Senator Shower, Chair; Senators Holland, Costello, Reinbold. Signed amend: Senator Kawasaki.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Law

The bill was referred to the Judiciary Committee.

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HB 19

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 19(EDC) "An Act relating to instruction in a language other than English; and establishing limited language immersion teacher certificates."

Signing do pass: Senator Costello, Chair; Senators Gray-Jackson, Stevens, Micciche.

The following previously published fiscal information applies:

Fiscal Note No. 2, Department of Education and Early Development

The bill was referred to the Finance Committee.

HB 79

The Resources Committee considered CS FOR HOUSE BILL NO. 79(FIN) "An Act relating to sport fishing operators and sport fishing guides; requiring the Department of Fish and Game to prepare and submit a report; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 79(RES) "An Act relating to salt water sport fishing operators and salt water sport fishing guides; requiring the Department of Fish and Game to prepare and submit a report; and providing for an effective date."

(Title Change SCR 11)

Signing no recommendation: Senator Micciche, Vice Chair; Senators Kawasaki, Stevens, von Imhof, Kiehl.

The following fiscal information was published today:

Fiscal Note No. 3, Department of Fish and Game

The bill was referred to the Finance Committee.

Introduction and Reference of Senate Bills**SB 237**

SENATE BILL NO. 237 BY THE SENATE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR, entitled:

"An Act exempting certain ambulatory surgical center employees from overtime pay requirements; and providing for an effective date."

was read the first time and referred to the Labor and Commerce Committee.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Labor and Workforce Development

Dear President Micciche:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to State of Alaska overtime law and ambulatory surgical centers.

Alaska law requires overtime pay for eligible workers to begin after eight working hours in a day or forty cumulative hours in a week. Certain employers, such as hospitals, have an exemption from the eight-hour requirement, allowing critical healthcare workers to be on staff to meet the needs of patients.

The use of ambulatory surgical centers has grown nationally as many procedures do not require hospital admissions. However, these centers are not treated the same as hospitals for purposes of overtime rules which creates significant management challenges. The result has been a noticeable migration of nurses and other critical health staff to hospitals where a more flexible schedule allows the worker a greater say in their work scheduling.

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This bill would place ambulatory surgical centers on an equal footing with hospitals in relation to overtime rules. Like hospitals, ambulatory surgical centers would still be bound by the federal forty-hour weekly overtime rule. This change is one step toward greater flexibility for healthcare workers and stability for Alaska's healthcare system.

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 161

SENATE BILL NO. 161 "An Act relating to the definition of 'political party'; and providing for an effective date" was read the second time.

Senator Holland, Chair, moved and asked unanimous consent for the adoption of the Judiciary Committee Substitute offered on page 2050. Senator Begich objected, then withdrew his objection. There being no further objection, CS FOR SENATE BILL NO. 161(JUD) was adopted.

President Micciche stated CS FOR SENATE BILL NO. 161(JUD) will advance to third reading on the March 25 calendar.

Citations

Honoring - Kuskokwim Campus Fiftieth Anniversary

Senator(s) Hoffman

Representative(s) Zulkosky

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

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Unfinished Business

Senator Gray-Jackson moved and asked unanimous consent to withdraw a prior excusal (page 2020). Without objection, the excusal was withdrawn.

HJR 34

Senators Revak, Costello, Myers, Shower, Hughes, Reinbold, Kawasaki, Holland, von Imhof, Stevens, Bishop, Wilson, Micciche moved and asked unanimous consent to be shown as cross sponsors on HOUSE JOINT RESOLUTION NO. 34 Supporting oil and gas leasing and development within the National Petroleum Reserve in Alaska. Without objection, it was so ordered.

Senator Revak moved and asked unanimous consent to be excused from a call of the Senate from March 27 through April 5. Without objection, Senator Revak was excused.

SB 26

Senators Costello, Hughes, Reinbold, Holland, Shower moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 26 "An Act repealing the certificate of need program for health care facilities; making conforming amendments; and providing for an effective date." Without objection, it was so ordered.

Senator Hoffman moved and asked unanimous consent to be excused from a call of the Senate on April 1. Without objection, Senator Hoffman was excused.

Senator Kawasaki moved and asked unanimous consent to be excused from a call of the Senate on April 1. Without objection, Senator Kawasaki was excused.

HB 30

Senator Kawasaki moved and asked unanimous consent to be shown as a cross sponsor on CS FOR HOUSE BILL NO. 30(FIN) "An Act relating to the payment of workers' compensation benefits in the case of permanent partial impairment; relating to the payment of workers' compensation death benefits; and providing for an effective date." Without objection, it was so ordered.

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HB 209

Senator Kawasaki moved and asked unanimous consent to be shown as a cross sponsor on CS FOR HOUSE BILL NO. 209(FIN) "An Act relating to emergency firefighters; and providing for an effective date." Without objection, it was so ordered.

SB 207

Senator Begich moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 207 "An Act restricting the release of certain records of convictions; and providing for an effective date." Without objection, it was so ordered.

Senator Olson moved and asked unanimous consent to be excused from a call of the Senate on March 25. Without objection, Senator Olson was excused.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Hughes moved and asked unanimous consent the Senate stand in adjournment until 10:30 a.m., March 25, 2022. Without objection, the Senate adjourned at 11:31 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 24	Thursday	Beltz 105 (tsbldg)	3:30 PM
		-- Rescheduled from 03/17/2022 --	
		Streamed live on AKL.tv	
+	Opening Remarks: Julie Sande, Commissioner-designee, DCCED		
+	Presentation: Recommendations of the Broadband Taskforce by Hallie Bissett, Taskforce Chair		
	Christine O'Connor, Technical Committee Chair		
+	Presentation: DCCED on the Preliminary Plans for the Office of Broadband & Broadband Infrastructure Deployment by		
	Micaela Fowler, Acting Deputy Commissioner, DCCED		
	Lisa Von Bargen, Senior Project Manager, DCCED		
+	Bills Previously Heard/Scheduled		

EDUCATION

Mar 23	Wednesday	Butrovich 205	9:00 AM
+= SB 225	TEACHER REGISTERED APPRENTICE PROGRAMS		
	-- Testimony <Invitation Only> --		
+	Bills Previously Heard/Scheduled		
	Streamed live on AKL.tv		
Mar 25	Friday	Butrovich 205	9:00 AM
+	SB 236 FACILITIES CONSTITUTING A SCHOOL		
	SB 196 PUBLIC ED: SPEECH, DISCLOSE INST MATERIAL		
+	Bills Previously Heard/Scheduled		
	Streamed live on AKL.tv		

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FINANCE

Mar 23	Wednesday	Senate Finance 532	9:00 AM
+ SB 94	EDUCATION & SUPPLEMENTAL LOAN PROGRAMS		
	-- Invited & Public Testimony --		
	-- Testimony <Time Limit May Be Set> --		
+= SB 45	AGE FOR NICOTINE/E-CIG; TAX E-CIG. <Bill Hearing Canceled>		
+	Bills Previously Heard/Scheduled:		
+= SB 81	VILLAGE PUBLIC SAFETY OFFICER GRANTS **Streamed live on AKL.tv**		
Mar 23	Wednesday	Senate Finance 532	1:00 PM
+	Bills Previously Heard/Scheduled:		
+= SB 186	EXTEND BOARD OF EXAMINERS IN OPTOMETRY		
+= SB 222	EXTEND PT & OCCUPATIONAL THERAPY BOARD		
+= SB 190	EXTEND REGULATORY COMMISSION OF ALASKA		
+= SB 203	PURPLE HEART TRAIL		
Mar 24	Thursday	Senate Finance 532	9:00 AM
+	Bills Previously Heard/Scheduled		
Mar 25	Friday	Senate Finance 532	9:00 AM
+	Bills Previously Heard/Scheduled		

HEALTH & SOCIAL SERVICES

Mar 24	Thursday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

JUDICIARY

Mar 23	Wednesday	Butrovich 205	1:30 PM
+ SB 34	STATE-TRIBAL EDUCATION COMPACT SCHOOLS		
+ SB 124	MENTAL HEALTH FACILITIES & MEDS <Bill Hearing Canceled>		
+ SB 229	STATE HISTORICAL ARTIFACTS; CRIMES <Bill Hearing Canceled>		
+	Bills Previously Heard/Scheduled **Streamed live on AKL.tv**		

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JUDICIARY (continued)

Mar 25	Friday	Butrovich 205	1:30 PM
+=	SB 189	CRIME OF SEX/HUMAN TRAFFICKING	
+=	SB 124	MENTAL HEALTH FACILITIES & MEDS <Bill Hearing Canceled>	
+		Bills Previously Heard/Scheduled **Streamed live on AKL.tv**	

LABOR & COMMERCE

Mar 23	Wednesday	Beltz 105 (tsbldg)	1:30 PM
+	SB 160	FLOOD INSURANCE -- Invited & Public Testimony --	
+	SB 234	BROADBAND: OFFICE, GRANTS, PARITY -- Invited & Public Testimony --	
+	HB 133	AK ED SAVINGS PROGRAMS/ELIGIBILITY -- Invited & Public Testimony --	
+	SB 233	PFD ALLOWABLE ABSENCE/MERCHANT MARINE -- Invited & Public Testimony --	
+		Bills Previously Heard/Scheduled:	
+=	SB 174	ALLOW NATURAL HAIRSTYLES **Streamed live on AKL.tv**	

Mar 25	Friday	Beltz 105 (tsbldg)	1:30 PM
+		Consideration of Governor's Appointees: Board of Massage Therapists -- Kelli Shew -- Amanda Nosich Board of Chiropractic Examiners -- Dr. Walter Campbell -- Invited & Public Testimony --	
+	SB 232	INTELLECTUAL PROPERTY OF EMPLOYEES -- Invited & Public Testimony --	
+		Bills Previously Heard/Scheduled **Streamed live on AKL.tv**	

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RESOURCES

Mar 23	Wednesday	Butrovich 205	3:30 PM
+ SB 230	TRAPPING CABINS: FEE FOR CONSTRUCTION		
	-- Invited & Public Testimony --		
+	Bills Previously Heard/Scheduled		
	Streamed live on AKL.tv		
Mar 25	Friday	Butrovich 205	3:30 PM
+	Department of Law Presentation		
+	Senate Bill: ROYALTY IN KIND		
	<Pending Introduction & Referral>		
+	-- Public & Invited Testimony --		
+	Bills Previously Heard/Scheduled		
	Streamed live on AKL.tv		

STATE AFFAIRS

Mar 24	Thursday	Butrovich 205	3:30 PM
	Consideration of Governor's Appointees:		
	Alaska Police Standards Council		
	Michael Craig		
	David Knapp		
	Jeff Brown		
	David Ross		
	Lanette Blodgett		
+ =	HB 157 APOC; REPORT REFERENDA/RECALL CONTRIBUTOR		
+ =	SB 126 REPEAL 90 DAY SESSION LIMIT		
+	Bills Previously Heard/Scheduled:		
+ =	SB 129 ELECTION PAMPHLET INFORMATION RE: JUDGES		
	<Bill Hearing Rescheduled from 03/22/22>		
	Streamed live on AKL.tv		

TRANSPORTATION

Mar 24	Thursday	Beltz 105 (tsbldg)	1:30 PM
+ =	SB 170 MARINE HIGHWAY CORPORATION		
+	AK RAILROAD CORP; EXEC BUDGET ACT		
+	Bills Previously Heard/Scheduled		
	Streamed live on AKL.tv		

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FINANCE SUBCOMMITTEES

JUDICIARY

Mar 28	Monday	Senate Finance 532	5:15 PM
+	FY23 Budget Request: Retention & Recruitment Plan -- Testimony <Invitation Only> -- Doug Wooliver, Deputy Administrative Director, Alaska Court System Rhonda McLeod, Chief Financial Officer, Alaska Court System **Streamed live on AKL.tv**		
Apr 04	Monday	Senate Finance 532	5:15 PM
+	FY23 Budget Closeout -- Testimony <Invitation Only> -- Doug Wooliver, Deputy Administrative Director, Alaska Court System Rhonda McLeod, Chief Financial Officer, Alaska Court System **Streamed live on AKL.tv**		

LAW

Mar 29	Tuesday	Butrovich 205	7:30 AM
+	FY 2023 Budget Overview - Subcommittee Closeout **Streamed live on AKL.tv**		

MILITARY & VETERANS' AFFAIRS

Mar 31	Thursday	Beltz 105 (tsbldg)	11:30 AM
+	FY23 Budget Closeout -- Testimony <Invitation Only> -- Craig Christenson, Deputy Commissioner, DMVA Robert Ernissee, Administrative Services Director, Office of Management & Budget **Streamed live on AKL.tv**		

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NATURAL RESOURCES

Mar 24 **Thursday** **Senate Finance 532** **7:30 AM**
+ Overview of FY23 Operating Budget
 Streamed live on AKL.tv

PUBLIC SAFETY

Mar 24 **Thursday** **Senate Finance 532** **5:00 PM**
+ Department Overview
 -- Testimony <Invitation Only> --
 Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

Mar 31 **Thursday** **Senate Finance 532** **5:00 PM**
+ FY 2023 Budget
 -- Testimony <Invitation Only> --
 Streamed live on AKL.tv

TRANSPORTATION & PUBLIC FACILITIES

Mar 30 **Wednesday** **Senate Finance 532** **7:30 AM**
+ DOT Operating Budget Closeout

JOINT COMMITTEES

LEGISLATIVE COUNCIL

Mar 23 **Wednesday** **Adams 519** **7:30 AM**
+ -- Testimony <Invitation Only> --
 -- Teleconference <Listen Only> --
 Streamed live on AKL.tv
 I. Committee Business-Executive Session
 a. RFP 651-Alaska State Capital Roof Replacement
 b. Bid Preparation Discussion-Telephone Replacement
 c. Cyber Security Briefing
 II. Committee Business
 a. Sanctioning of Charitable Events:
 -Sham Jam, Legislative Skits, Kenai River Junior
 Classic, Ted Stevens Kenai River Classic, Kenai
 River Women's Classic
 b. FY23 Computer Hardware Refresh

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SELECT COMMITTEE ON LEGISLATIVE ETHICS

Mar 24	Thursday	By Teleconference	1:00 PM
+	Ethics Committee Meeting		
	Meeting will be teleconferenced		
	Anchorage Only: 907-563-9085		
	Juneau Only: 907-586-9085		
	Outside Anchorage or Juneau: 1-844-586-9085		
	APPROVAL OF AGENDA		
	EXECUTIVE SESSION		
	PUBLIC SESSION		
	OTHER BUSINESS		