

SENATE JOURNAL
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SECOND SESSION

Juneau, Alaska

Wednesday

May 11, 2022

One Hundred Fourteenth Day

Pursuant to adjournment the Senate was called to order by President Micciche at 11:14 a.m.

The roll showed seventeen members present. Senators Bishop, Revak were excused from a call of the Senate. Senator von Imhof was absent.

The prayer was offered by the Chaplain, Pastor Brian Ewing, Calvary Fellowship. Senator Hoffman moved and asked unanimous consent the prayer be spread. Without objection, it was so ordered.

Father, these men and women understand as lawmakers the power of good laws. They have seen how they have the power to bring restored hope and fresh life to a community or individual, and conversely, they have the capacity to put them under a bondage and heavy burden or worse, to give them a false freedom that only confuses and frustrates them in their search for guardrails in their lives and real meaning.

You have said, "The precepts of the Lord are right, making the heart glad; the command of the Lord is radiant, making the eyes light up. The fear of the Lord is pure, enduring forever; the ordinances of the Lord are reliable and altogether righteous. They are more desirable than gold - than an abundance of pure gold; and sweeter than honey dripping from a honeycomb. In addition, your servant is warned by them, and in keeping them there is an abundant reward." - Psalms 19:8-11 CSB

Father there is a standard, an absolute unchanging truth that is reliable and is derived not from the human heart but from our Creator who designed us for himself and will give us true lasting gladness.

Give these men and women gathered here today the wisdom that comes from lining up with you today. In Jesus' name I ask this, Amen.

Senator Hughes led the Senate in the Pledge of Allegiance.

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

Certification

Senator Hughes 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

SB 11

Message dated May 10 was read stating the House passed and returned:

CS FOR SENATE BILL NO. 11(JUD) "An Act relating to community property and to community property trusts; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

Message dated May 10 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 64

CS FOR HOUSE BILL NO. 64(FSH) BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES, entitled:

"An Act relating to regional fishery development associations; and relating to developing fishery management assessments."

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

HB 172

CS FOR HOUSE BILL NO. 172(FIN) am BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to crisis stabilization centers, crisis residential centers, and subacute mental health facilities; relating to representation by an attorney; relating to the administration of psychotropic medication in a crisis situation; relating to hospitalizations for mental health evaluation; relating to licensed facilities; relating to a report to the legislature on psychiatric patients and patient rights; and providing for an effective date."

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

Concur Messages

SB 174

Message dated May 10 was read stating the House passed and returned for consideration CS FOR SENATE BILL NO. 174(EDC) "An Act relating to dress codes and natural hairstyles" with the following amendment(s):

HOUSE CS FOR CS FOR SENATE BILL
NO. 174(L&C) am H

Senator Hughes moved the Senate concur in the House amendment(s).

The question being: "Shall the Senate concur in the House amendment(s)?" The roll was taken with the following result:

HCS CSSB 174(L&C) am H

Shall the Senate Concur in the House Amendments
to CSSB 174(EDC)?

YEAS: 17 NAYS: 0 EXCUSED: 3 ABSENT: 0

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

Excused: Bishop, Revak, von Imhof

and so, the Senate concurred in the House amendment(s), thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 174(L&C) am H "An Act relating to dress codes and natural hairstyles."

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

Standing Committee Reports

SB 124

Forthcoming Judiciary Committee Substitute (page 2535) for SENATE BILL NO. 124 "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 received today:

CS FOR SENATE BILL NO. 124(JUD) "An Act relating to crisis stabilization centers, crisis residential centers, and subacute mental health facilities; relating to evaluation facilities; relating to representation by an attorney; relating to the administration of psychotropic medication in a crisis situation; relating to the use of psychotropic medication; relating to licensed facilities; relating to psychiatric patient rights; and providing for an effective date."

Forthcoming fiscal information (page 2535) was published today:

Fiscal Note No. 8, Department of Administration

Fiscal Note No. 9, Alaska Judiciary System

Fiscal Note No. 10, Department of Health and Social

Services/Department of Family and Community Services

HB 133

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 133(L&C) "An Act relating to the Alaska savings program for eligible individuals; relating to education savings programs; relating to the Education Trust of Alaska; relating to the Alaska advance college tuition savings fund; relating to the Alaska education savings program for children; and relating to the Governor's Council on Disabilities and Special Education."

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

The following previously published fiscal information applies:

Fiscal Note No. 3, zero, University of Alaska

The bill was referred to the Rules Committee.

HB 145

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 145(HSS) "An Act relating to the Board of Pharmacy; relating to health care services provided by pharmacists and pharmacy technicians; and relating to the practice of pharmacy."

Signing no recommendation: Senator Costello, Chair; Senators Micciche, Revak. Signing do pass: Senator Gray-Jackson.

The following previously published fiscal information applies:

Fiscal Note No. 3, zero, Department of Commerce, Community, and Economic Development

The bill was referred to the Rules Committee.

HB 227

The Labor and Commerce Committee considered HOUSE BILL NO. 227 "An Act relating to municipal energy and resilience improvement assessment programs; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR HOUSE BILL NO. 227(L&C)
"An Act relating to municipal energy and resilience improvement assessment programs; relating to the planning commission membership apportionment requirement for first and second class boroughs; and providing for an effective date."
(Title Change SCR 18)

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

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.

HB 289

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 289(FIN) "An Act establishing the Alaska marijuana industry task force; and providing for an effective date."

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

The following previously published fiscal information applies:
Fiscal Note No. 2, Department of Commerce, Community, and
Economic Development

The bill was referred to the Finance Committee.

Consideration of the Calendar

Senate Bills in Third Reading

SB 140

CS FOR SENATE BILL NO. 140(JUD) "An Act relating to school athletics, recreation, athletic teams, and sports" was before the Senate in third reading on final passage.

Senator Begich moved and asked unanimous consent the bill be returned to second reading for the purpose of all amendments offered today. Senator Reinbold objected.

The question being: "Shall CS FOR SENATE BILL NO. 140(JUD) "An Act relating to school athletics, recreation, athletic teams, and sports" be returned to second reading?" The roll was taken with the following result:

CSSB 140(JUD)

Third Reading - Final Passage

Return to Second for Amendments?

YEAS: 16 NAYS: 1 EXCUSED: 3 ABSENT: 0

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

Nays: Reinbold

Excused: Bishop, Revak, von Imhof

and so, CS FOR SENATE BILL NO. 140(JUD) was returned to second reading.

Senator Begich offered Amendment No. 3:

Page 2, following line 18:

Insert a new subsection to read:

"(c) A school district that collects federally protected health information under this section shall encrypt all collected data through an advanced encryption standard or similar encryption standard. In this subsection, "advanced encryption standard" means the encryption standard used to protect electronic data established by the National Institute of Standards and Technology."

Senator Begich moved for the adoption of Amendment No. 3. Senator Reinbold objected.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

CSSB 140(JUD)

Second Reading

Amendment No. 3?

YEAS: 9 NAYS: 8 EXCUSED: 3 ABSENT: 0

Yeas: Begich, Gray-Jackson, Hoffman, Kawasaki, Kiehl, Reinbold, Stedman, Stevens, Wielechowski

Nays: Costello, Holland, Hughes, Micciche, Myers, Olson, Shower, Wilson

Excused: Bishop, Revak, von Imhof

and so, Amendment No. 3 was adopted.

Senator Begich offered Amendment No. 4:

Page 3, following line 18:

Insert a new bill section to read:

**** Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to read:

REPORT TO LEGISLATURE. The Department of Education and Early Development shall conduct a study to determine whether AS 14.18.150 - 14.18.190, enacted by sec. 2 of this Act, will result in

an increase in suicide and self-harm by public school students in the state. Not later than the first day of the First Regular Session of the Thirty-Third Alaska State Legislature, the department shall submit the report required under this section to the senate secretary and the chief clerk of the house of representatives and notify the legislature that the report is available."

Senator Begich moved for the adoption of Amendment No. 4. Senator Reinbold objected.

The question being: "Shall Amendment No. 4 be adopted?" The roll was taken with the following result:

CSSB 140(JUD) am
Second Reading
Amendment No. 4?

YEAS: 7 NAYS: 10 EXCUSED: 3 ABSENT: 0

Yeas: Begich, Gray-Jackson, Hoffman, Kawasaki, Kiehl, Stevens, Wielechowski

Nays: Costello, Holland, Hughes, Micciche, Myers, Olson, Reinbold, Shower, Stedman, Wilson

Excused: Bishop, Revak, von Imhof

and so, Amendment No. 4 failed.

Senator Wielechowski offered Amendment No. 5:

Page 3, line 7:

Delete "AS 14.18.150 - 14.18.190"

Insert "AS 14.18.150 - 14.18.200"

Page 3, line 10:

Delete "AS 14.18.150 - 14.18.190"

Insert "AS 14.18.150 - 14.18.200"

Page 3, line 11:

Delete "AS 14.18.150 - 14.18.190"

Insert "AS 14.18.150 - 14.18.200"

Page 3, following line 13:

Insert a new section to read:

"Sec. 14.18.190. Costs of compliance. If a court awards monetary damages or attorney fees and costs against a school or school district arising from the school's or school district's compliance with AS 14.18.150 - 14.18.200, the state shall pay all the monetary damages and attorney fees and costs awarded against the school or school district."

Page 3, line 14:

Delete "**Sec. 14.18.190**"

Insert "**Sec. 14.18.200**"

Delete "AS 14.18.150 - 14.18.190"

Insert "AS 14.18.150 - 14.18.200"

Senator Wielechowski moved for the adoption of Amendment No. 5.
Senator Hughes objected.

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

SB140

Senator Hughes moved and asked unanimous consent to table CS FOR SENATE BILL NO. 140(JUD) am. There being no objection, it was so ordered.

Citations

Commemorating - Law Enforcement Memorial Day May 13, 2022
Representative(s) Stutes

Honoring - Mila Cosgrove
Senator(s) Kiehl
Representative(s) Hannan, Story

Honoring - Dr. Bridget Weiss Superintendent of the Year
Senator(s) Kiehl
Representative(s) Hannan, Story

Honoring - Reverend Caroline Malseed
Senator(s) Kiehl
Representative(s) Story, Hannan

Honoring - Heather Lende
Senator(s) Kiehl
Representative(s) Hannan, Story

Honoring - Sara Kinjo-Hischer 2021 Tribal Administrator of the Year
Senator(s) Kiehl
Representative(s) Hannan, Story

Honoring - Qacung Stephen Blanchett Kennedy Center Next 50 &
2022 US Artist Fellow
Senator(s) Kiehl
Representative(s) Story, Hannan

Honoring - Rich Sivils
Representative(s) Cronk
Senator(s) Bishop

In Memoriam - Ann Wilson Swift
Senator(s) Kawasaki
Representative(s) Thompson, LeBon

In Memoriam - James Kowalsky
Senator(s) Kawasaki
Representative(s) Wool, Hopkins

In Memoriam - James P. "Pat" Wellington
Senator(s) Kiehl
Representative(s) Hannan, Story

In Memoriam - Lawrence Lee Oldaker
Senator(s) Kiehl
Representative(s) Hannan, Story

In Memoriam - Deborah Kathleen Smith
Senator(s) Kiehl
Representative(s) Hannan, Story

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

Senator Stevens moved and asked unanimous consent to be excused from a call of the Senate from July 8 through July 18. Without objection, Senator Stevens was excused.

Recess

Senator Hughes moved and asked unanimous consent the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 12:34 p.m.

After Recess

The Senate reconvened at 6:48 p.m.

Announcements

Announcements are at the end of the journal.

Engrossment

HB 281

SENATE CS FOR CS FOR HOUSE BILL NO. 281(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 capital appropriations, supplemental appropriations, and reappropriations; and providing for an effective date" which passed the Senate May 10 (page 2670) with engrossment waived, was engrossed and returned to the House on May 11.

Adjournment

Senator Costello, Acting Majority Leader, moved and asked unanimous consent the Senate stand in adjournment until 10:30 a.m., May 12, 2022. Without objection, the Senate adjourned at 6:49 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 12 **Thursday** **Beltz 105 (tsbldg)** **3:30 PM**
 + Bills Previously Heard/Scheduled

EDUCATION

May 11 **Wednesday** **Butrovich 205** **9:00 AM**
 No Meeting Scheduled

May 13 **Friday** **Butrovich 205** **9:00 AM**
 No Meeting Scheduled

FINANCE

May 11 **Wednesday** **Senate Finance 532** **9:00 AM**
 -- MEETING CANCELED --
 + Bills Previously Heard/Scheduled

May 11 **Wednesday** **Senate Finance 532** **1:00 PM**
 + Bills Previously Heard/Scheduled:
 += HB 99 PHYSICAL/OCCUPATIONAL THERAPY BD/PRACTICE
 += HB 155 COURT SYSTEM PROVIDE VISITORS & EXPERTS
 += HB 307 EXTEND BOND AUTH FOR INTERIOR ENERGY PROJ
 += HB 168 ELECTRONIC APPLICATION FOR STATE BENEFITS

JUDICIARY (continued)

May 13 Friday Butrovich 205 1:30 PM
 += HB 62 MARRIAGE: WITNESSES/SOLEMNIZATION/CONSENT
 -- Public Testimony --
 += HB 325 DOMESTIC VIOLENCE
 -- Public Testimony --
 <Pending Introduction & Referral>
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

May 11 Wednesday Beltz 105 (tsbldg) 1:30 PM
 -- Recessed to a Call of the Chair --
 += SB 232 INTELLECTUAL PROPERTY OF EMPLOYEES
 -- Invited & Public Testimony --
 + Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

May 12 Thursday Beltz 105 (tsbldg) 9:00 AM
 -- Please Note Time Change --
 + Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

May 13 Friday Beltz 105 (tsbldg) 1:30 PM
 + Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

RESOURCES

May 11 Wednesday Butrovich 205 3:30 PM
 -- MEETING CANCELED --
 -- Rescheduled from 05/09/22 --
 + SB 106 TAX ON INCOME: O&G S-CORP, P'SHIP
 <Rescheduled from 05/09/22>
 -- Testimony <Invitation Only> --
 + SB 244 HEARING ESTABLISH DRILLING UNITS/SPACING
 <Rescheduled from 05/09/22>
 -- Invited & Public Testimony --
 += SJR 11 SUPPORTING ROAD BELT ELECTRICAL LINE
 <Rescheduled from 05/09/22>
 Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

RESOURCES (continued)

May 13	Friday	Butrovich 205	3:30 PM
+	Bills Previously Heard/Scheduled		
	Streamed live on AKL.tv		

STATE AFFAIRS

May 12	Thursday	Butrovich 205	3:30 PM
+ =	HB 234	POLITICAL CONTRIBUTION LIMITS	
+ =	HB 123	STATE RECOGNITION OF TRIBES	
+ =	HB 297	MILITARY MEMBER CHILD PROTECTION	
+	Bills Previously Heard/Scheduled		
	Streamed live on AKL.tv		

TRANSPORTATION

May 12	Thursday	Beltz 105 (tsbldg)	1:30 PM
+	Bills Previously Heard/Scheduled		
	Streamed live on AKL.tv		

JOINT COMMITTEES

LEGISLATIVE COUNCIL

May 12	Thursday	Adams 519	7:00 AM
+	Committee Business		
	a. Mat-Su Office Space Lease Renewal		
	b. Fairbanks Office Space Lease Renewal		
	c. FY2023 Software House International/Microsoft Enterprise Software Renewal Agreement		
	Committee Business - Executive Session		
	a. FY2023 Software House International/Microsoft "Enterprise Mobility + Security E5" Cybersecurity Enhancement Renewal		