

SENATE JOURNAL
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SECOND SESSION

Juneau, Alaska

Wednesday

May 18, 2022

One Hundred Twenty-first 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, Hannah Vance, Senate Page. Senator Hoffman moved and asked unanimous consent the prayer be spread. Without objection, it was so ordered.

Dear Lord,

I pray today for our government leaders. I pray for the leaders of our state to know you first, to lead through your wise council and guidance. I pray for our leaders to lay aside selfish desire and petty grievances, instead focusing on the best interest of the people. May they lead through humility and love, leading us to peace and unity. Lord, keep our leaders grounded in what is good and true, protecting them from temptations and distractions of power and influence. Amen.

Senator Stedman led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the Governor

A Declaration of Disaster Emergency and initial finance plan dated May 17, 2022, authorizing public assistance for the City of Galena Fire Hall collapse which occurred on February 24, 2022, with an accompanying letter, was received pursuant to AS 26.23.020. The declaration, letter and finance plan had been copied to the Finance Committee Cochairs.

A Declaration of Disaster Emergency and initial finance plan dated May 18, 2022, authorizing public assistance for the Kenai Peninsula Borough, including the City of Seward, due to a major landslide which occurred on May 7, 2022, with an accompanying letter, was received pursuant to AS 26.23.020. The declaration, letter and finance plan had been copied to the Finance Committee Cochairs.

Messages from the House**HB 62**

Message dated May 18 was received stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 62(JUD) am, thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 62(JUD) "An Act relating to the Legislative Ethics Act; relating to solemnization of marriage; and relating to consent to marriage."

HB 102

Message dated May 18 was received stating the House concurred in the Senate amendment to HOUSE BILL NO. 102, thus adopting:

SENATE CS FOR HOUSE BILL NO. 102(FIN) "An Act relating to the state insurance catastrophe reserve account; and providing for an effective date."

HB 123

Message dated May 17 was read stating the House concurred in the Senate amendment to HOUSE BILL NO. 123, thus adopting:

SENATE CS FOR HOUSE BILL NO. 123(STA)"An Act providing for state recognition of federally recognized tribes; and providing for an effective date."

HB 127

Message dated May 18 was received stating the House concurred in the Senate amendment to HOUSE BILL NO. 127 "An Act relating to the Alaska Municipal Bond Bank Authority", thus adopting:

SENATE CS FOR HOUSE BILL NO. 127(FIN) "An Act relating to the Alaska Municipal Bond Bank Authority; authorizing the Alaska Railroad Corporation to issue revenue bonds to finance the replacement of the Alaska Railroad Corporation's passenger dock and related terminal facility in Seward, Alaska; and providing for an effective date."

HB 155

Message dated May 17 was read stating the House concurred in the Senate amendment to HOUSE BILL NO. 155, thus adopting:

SENATE CS FOR HOUSE BILL NO. 155(JUD)
"An Act relating to court-appointed visitors and experts; relating to the powers and duties of the office of public advocacy; relating to the powers and duties of the Alaska Court System; and providing for an effective date."

HB 168

Message dated May 18 was received stating the House concurred in the Senate amendment to HOUSE BILL NO. 168 "An Act requiring the Department of Health and Social Services to provide and allow submission of an electronic application for certain state benefits; and providing for an effective date", thus adopting:

SENATE CS FOR HOUSE BILL NO. 168(FIN) "An Act requiring the Department of Health to provide and allow submission of an electronic application for certain state benefits; and providing for an effective date."

HB 172

Message dated May 17 was received stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 172(FIN) am "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", thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 172(FIN) "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; amending Rule 6(a), Alaska Rules of Civil Procedure; and providing for an effective date."

HB 184

Message dated May 17 was read stating the House concurred in the Senate amendment to HOUSE BILL NO. 184 "An Act requiring state participation in a tribal child welfare compact", thus adopting:

SENATE CS FOR HOUSE BILL NO. 184(HSS) "An Act relating to state participation in a tribal child welfare compact."

HB 226

Message dated May 18 was received stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 226(FIN) am (efd fld), thus adopting:

CS FOR HOUSE BILL NO. 226(FIN) am(efd fld) am S "An Act relating to the compensation of certain employees of the executive branch, judicial branch, and University of Alaska; relating to the compensation of certain employees of the legislative branch; and increasing the salaries of certain attorneys and administrative law judges employed by the state."

HB 227

Message dated May 17 was read stating the House concurred in the Senate amendment to HOUSE BILL NO. 227 "An Act relating to municipal energy and resilience improvement assessment programs; and providing for an effective date", thus adopting:

SENATE CS FOR HOUSE BILL NO. 227(L&C) am S "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."

HB 265

Message dated May 18 was received stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 265(FIN), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 265(FIN) "An Act relating to telehealth; relating to the practice of medicine and the practice of nursing; relating to medical assistance coverage for services provided by telehealth; and providing for an effective date."

HB 297

Message dated May 17 was read stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 297(HSS)(title am) "An Act relating to the duties of the Department of Family and Community Services; relating to child protection; and relating to children of active duty military members", thus adopting:

CS FOR HOUSE BILL NO. 297(HSS)(title am)
am S "An Act relating to adult adoption; relating to the duties of the Department of Family and Community Services; relating to child protection; and relating to children of active duty military members."

HB 298

Message dated May 17 was read stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 298(CRA) am "An Act establishing the Alaska Food Strategy Task Force; and providing for an effective date", thus adopting:

SENATE CS FOR CS FOR HOUSE BILL
NO. 298(CRA) am S "An Act establishing forgivable loan programs for farm development and improvement and for certain meat processing facilities; relating to a program of state inspection for certain meat processing facilities; establishing the Alaska Food Strategy Task Force; and providing for an effective date."

HB 363

Message dated May 18 was read stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 363(FIN), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL
NO. 363(FIN) "An Act establishing the office of broadband; creating the broadband parity adjustment fund; establishing the Statewide Broadband Advisory Board; and providing for an effective date."

HB 392

Message dated May 17 was read stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 392(HSS) am, thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 392(HSS) "An Act relating to advanced practice registered nurses and physician assistants; and relating to death certificates, do not resuscitate orders, and life sustaining treatment."

HB 411

Message dated May 17 was read stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 411(CRA) "An Act relating to municipal economic development; relating to municipal tax exemptions and deferrals on economic development property; and relating to economic development", thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 411(CRA) am S "An Act relating to municipal economic development; increasing the residential property tax exemption; relating to municipal tax exemptions and deferrals on economic development property; relating to economic development; and relating to a municipal tax exemption for certain farm structures."

SB 161

Message dated May 17 was received stating the House passed and returned:

CS FOR SENATE BILL NO. 161(JUD) "An Act relating to the definition of 'political party'; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

SB 193

Message dated May 17 was received stating the House passed and returned:

CS FOR SENATE BILL NO. 193(FIN) "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."

The bill was referred to the Secretary for enrollment.

SJR 12

Message dated May 18 was received stating the House passed and returned:

SENATE JOINT RESOLUTION NO. 12 Urging the United States Congress to repeal the Windfall Elimination Provision and Government Pension Offset of the Social Security Act.

The resolution was referred to the Secretary for enrollment.

SCR 13

Message dated May 17 was received stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 13 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 184, requiring state participation in a tribal child welfare compact.

The resolution was referred to the Secretary for enrollment.

SCR 17

Message dated May 17 was received stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 17
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 411, relating to municipal
economic development; relating to municipal tax
exemptions and deferrals on economic development
property; and relating to economic development.

The resolution was referred to the Secretary for enrollment.

SCR 18

Message dated May 17 was received stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 18
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 227, relating to municipal
energy and resilience improvement assessment
programs.

The resolution was referred to the Secretary for enrollment.

SCR 19

Message dated May 18 was received stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 19
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 168, requiring the state to
provide and allow submission of an electronic
application for certain state benefits.

The resolution was referred to the Secretary for enrollment.

SCR 22

Message dated May 17 was received stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 22
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 127, relating to the Alaska
Municipal Bond Bank Authority.

The resolution was referred to the Secretary for enrollment.

SCR 23

Message dated May 17 was received stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 23
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 172, 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; and
relating to a report to the legislature on psychiatric
patients and patient rights.

The resolution was referred to the Secretary for enrollment.

SCR 24

Message dated May 18 was received stating the House failed and returned:

SENATE CONCURRENT RESOLUTION NO. 24
(fld H) Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 114, relating to the
education loan program and Alaska supplemental
education loan program.

The resolution was referred to the Secretary for permanent filing.

SCR 25

Message dated May 17 was received stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 25
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 298, establishing the
Alaska Food Strategy Task Force.

The resolution was referred to the Secretary for enrollment.

SCR 26

Message dated May 17 was received stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 26
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 297, relating to the duties
of the Department of Family and Community
Services; relating to child protection; and relating to
children of active duty military members.

The resolution was referred to the Secretary for enrollment.

SCR 27

Message dated May 18 was received stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 27
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 325, relating to domestic
violence.

The resolution was referred to the Secretary for enrollment.

SCR 28

Message dated May 18 was received stating the House failed and returned:

SENATE CONCURRENT RESOLUTION NO. 28
(fld H) Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 291, relating to the
Council on Domestic Violence and Sexual Assault;
and extending the termination date of the Council on
Domestic Violence and Sexual Assault.

The resolution was referred to the Secretary for permanent filing.

Concur Messages**SB 25**

Message dated May 17 was read stating the House passed and returned for consideration CS FOR SENATE BILL NO. 25(FIN) "An Act relating to the establishment and maintenance of an Internet website providing information on state government financial transactions and specifying the information to be made available on the website; and relating to the Alaska Checkbook Online Internet website" with the following amendment(s):

HOUSE CS FOR CS FOR SENATE BILL
NO. 25(STA)

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 25(STA)

Shall the Senate Concur in the House Amendment
to CSSB 25(FIN)?

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

and so, the Senate concurred in the House amendment(s), thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 25(STA) "An Act relating to the establishment and maintenance of an Internet website providing information on state government financial transactions and specifying the information to be made available on the website; and relating to the Alaska Checkbook Online Internet website."

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

SB 173

Message dated May 17 was read stating the House passed and returned for consideration CS FOR SENATE BILL NO. 173(FIN) "An Act relating to the practice of dentistry; relating to dental radiological equipment; and providing for an effective date" with the following amendment(s):

CS FOR SENATE BILL NO. 173(FIN) am H "An Act relating to the practice of dentistry; relating to dental radiological equipment; relating to the practice of dental hygiene; relating to advanced practice permits for dental hygienists; relating to dental assistants; prohibiting unfair discrimination under group health insurance against a dental hygienist who holds an advanced practice permit; relating to medical assistance for dental hygiene services; and providing for an effective date."

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:

CSSB 173(FIN) am H

Shall the Senate Concur in the House Amendment(s)
to CSSB 173(FIN)?

Effective Date(s)

YEAS: 19 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Stevens

and so, the Senate concurred in the House amendment(s), thus adopting CS FOR SENATE BILL NO. 173(FIN) am H "An Act relating to the practice of dentistry; relating to dental radiological equipment; relating to the practice of dental hygiene; relating to advanced practice permits for dental hygienists; relating to dental assistants; prohibiting unfair discrimination under group health insurance against a dental hygienist who holds an advanced practice permit; relating to medical assistance for dental hygiene services; and providing for an effective date."

Senator Hughes moved and asked unanimous consent the vote on concurrence be considered the vote on the effective date clause(s). Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

HCR 21

Senator Hughes moved and asked unanimous consent to take up HOUSE CONCURRENT RESOLUTION NO. 21 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 173, relating to the practice of dentistry; and relating to dental radiological equipment. Without objection, the resolution was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 21 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 173, relating to the practice of dentistry; and relating to dental radiological equipment, pass the Senate?" The roll was taken with the following result:

HCR 21

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

and so, HOUSE CONCURRENT RESOLUTION NO. 21 passed the Senate, was signed by the President and Secretary and returned to the House.

SB 203

Message dated May 17 was read stating the House passed and returned for consideration CS FOR SENATE BILL NO. 203(FIN) "An Act designating the Alaska marine highway system and portions of the Parks, Glenn, Seward, and Sterling Highways as a part of the State's Purple Heart Trail and relating to signage and informational displays for the trail" with the following amendment(s):

HOUSE CS FOR CS FOR SENATE BILL
NO. 203(FIN) 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 203(FIN) am H

Shall the Senate Concur in the House Amendments
to CSSB 203(FIN)?

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

and so, the Senate concurred in the House amendment(s), thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 203(FIN) am H "An Act designating the Alaska marine highway system and portions of the Parks, Glenn, Seward, and Sterling Highways as a part of the State's Purple Heart Trail and relating to signage and informational displays for the trail."

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

SB 204

Message dated May 17 was read stating the House passed and returned for consideration CS FOR SENATE BILL NO. 204(RES) "An Act relating to auctions or raffles for hunting harvest permits and big game tags; and providing for an effective date" with the following amendment(s):

HOUSE CS FOR CS FOR SENATE BILL NO. 204(FIN) am H "An Act relating to charitable gaming online ticket sales and activities; relating to charitable gaming proceeds; establishing the Kenai River Freeze-Up Classic; relating to displaying fishing, hunting, and trapping licenses on an electronic device; relating to auctions or raffles for hunting harvest permits, bear viewing permits, and big game tags; and providing for an effective date."

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 204(FIN) am H

Shall the Senate Concur in the House Amendments to CSSB 204(RES)?

Effective Date(s)

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

and so, the Senate concurred in the House amendment(s), thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 204(FIN) am H "An Act relating to charitable gaming online ticket sales and activities; relating to charitable gaming proceeds; establishing the Kenai River Freeze-Up Classic; relating to displaying fishing, hunting, and trapping licenses on an electronic device; relating to auctions or raffles for hunting harvest permits, bear viewing permits, and big game tags; and providing for an effective date."

Senator Hughes moved and asked unanimous consent the vote on concurrence be considered the vote on the effective date clause(s). Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

HCR 20

Senator Hughes moved and asked unanimous consent to take up HOUSE CONCURRENT RESOLUTION NO. 20 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 204, relating to auctions or raffles for hunting harvest permits and big game tags. Without objection, the resolution was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 20 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 204, relating to auctions or raffles for hunting harvest permits and big game tags, pass the Senate?" The roll was taken with the following result:

HCR 20

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

and so, HOUSE CONCURRENT RESOLUTION NO. 20 passed the Senate, was signed by the President and Secretary and returned to the House.

Special Committee Reports

HB 281

The following report was received and distributed at 12:32 a.m., May 18:

May 17, 2022

Mr. President:
Madam Speaker:

The Conference Committee considered SENATE CS FOR CS FOR HOUSE BILL NO. 281(FIN) am S

and

CS FOR HOUSE BILL NO. 281(FIN) am(brf sup maj fld) (efd fld)

and recommends

CONFERENCE CS FOR HOUSE BILL NO. 281
"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; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

be adopted.

A fiscal note packet was attached.

Signing the report: Senator Stedman, Chair, Senators Bishop, Wielechowski; Representative Merrick, Chair, Representatives Ortiz, LeBon.

HB 282

The following report was received and distributed at 12:32 a.m., May 18:

May 17, 2022

Mr. President:

Madam Speaker:

The Conference Committee considered SENATE CS FOR CS FOR HOUSE BILL NO. 282(FIN) am S

and

CS FOR HOUSE BILL NO. 282(FIN)

and recommends

CONFERENCE CS FOR HOUSE BILL NO. 282
"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."

be adopted.

A fiscal note packet was attached.

Signing the report: Senator Stedman, Chair, Senators Bishop, Wielechowski; Representative Merrick, Chair, Representatives Ortiz, LeBon.

Consideration of the Calendar**Third Reading of House Bills****HB 111**

CS FOR HOUSE BILL NO. 111(FIN) "An Act relating to the practice of dental hygiene; relating to advanced practice permits for dental hygienists; relating to dental assistants; prohibiting unfair discrimination under group health insurance against a dental hygienist who holds an advanced practice permit; relating to medical assistance for dental hygiene services; and providing for an effective date" was not taken up this legislative day and the bill was returned to the House for permanent filing.

Concur Messages**SB 34**

Senator Stevens moved and asked unanimous consent to take up the Concur Message for SENATE BILL NO. 34, which had been read today. Without objection, it was so ordered.

Message dated May 17 was read stating the House passed and returned for consideration CS FOR SENATE BILL NO. 34(JUD) "An Act relating to a demonstration state-tribal education compact; relating to demonstration state-tribal education compact schools; and providing for an effective date" with the following amendment(s):

HOUSE CS FOR CS FOR SENATE BILL
NO. 34(TRB)

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 34(TRB)

Shall the Senate Concur in the House Amendment
to CSSB 34(JUD)?

Effective Date(s)

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

and so, the Senate concurred in the House amendment(s), thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 34(TRB) "An Act relating to a demonstration state-tribal education compact; relating to demonstration state-tribal education compact schools; and providing for an effective date."

Senator Hughes moved and asked unanimous consent the vote on concurrence be considered the vote on the effective date clause(s). Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

Consideration of the Calendar (continued)

Third Reading of House Bills (continued)

HB 157

SENATE CS FOR CS FOR HOUSE BILL NO. 157(FIN) "An Act requiring the disclosure of the identity of certain persons, groups, and nongroup entities that expend money in support of or in opposition to an application filed for a state referendum or recall election; relating to political contributions; relating to the location of offices for the Alaska Public Offices Commission and the locations at which certain statements and reports filed with the commission are made available; clarifying the limits on making, accepting, and reporting certain cash campaign contributions; relating to campaign finance reporting by certain groups; changing the date a legislator is required to report certain campaign contributions and expenditures; increasing the time the Alaska Public Offices Commission has to respond to a request for an advisory opinion; relating to penalties assessed for campaign finance violations; relating to complaints alleging campaign finance violations; repealing a reporting requirement for certain contributions; relating to contribution limits and recall campaigns; relating to

campaign signs on private property; relating to the reporting of financial and business interests by municipal officers, former municipal officers, and candidates for municipal office; relating to reporting of contributions made after the date of the election by a candidate for the legislature; and providing for an effective date" was read the third time.

President Micciche stated the bill would be moved to the bottom of today's calendar. There being no objection, it was so ordered.

HB 291

CS FOR HOUSE BILL NO. 291(STA) "An Act relating to the Council on Domestic Violence and Sexual Assault; extending the termination date of the Council on Domestic Violence and Sexual Assault; and providing for an effective date" was read the third time.

Senator Bishop moved the bill be returned to second reading for the purpose of a specific amendment, that being the Finance Senate Committee Substitute offered on page 2895. Objections were heard.

The question being: "Shall the bill be returned to second reading for the purpose of considering the Finance Senate Committee Substitute?" The roll was taken with the following result:

CSHB 291(STA)

Third Reading - Final Passage

Return to Second for Specific Amendment?

YEAS: 11 NAYS: 7 EXCUSED: 0 ABSENT: 2

Yeas: Begich, Bishop, Gray-Jackson, Hoffman, Kiehl, Micciche, Olson, Revak, Stevens, von Imhof, Wielechowski

Nays: Costello, Holland, Hughes, Myers, Reinbold, Shower, Wilson

Absent: Kawasaki, Stedman

and so, the bill was returned to second reading.

Senator Bishop, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 2895. Objections were heard.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 291(FIN) be adopted?" The roll was taken with the following result:

CSHB 291(STA)

Second Reading

Adopt Finance Senate Committee Substitute?

YEAS: 11 NAYS: 9 EXCUSED: 0 ABSENT: 0

Yeas: Begich, Bishop, Gray-Jackson, Hoffman, Kawasaki, Kiehl, Olson, Stedman, Stevens, von Imhof, Wielechowski

Nays: Costello, Holland, Hughes, Micciche, Myers, Reinbold, Revak, Shower, Wilson

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 291(FIN) "An Act relating to the Council on Domestic Violence and Sexual Assault; establishing the Alaska Criminal Justice Data Analysis Commission; relating to the membership, powers, and duties of the Alaska Criminal Justice Data Analysis Commission; relating to the duties of the Judicial Council; extending the termination date of the Council on Domestic Violence and Sexual Assault; and providing for an effective date" was adopted.

SENATE CS FOR CS FOR HOUSE BILL NO. 291(FIN) was automatically in third reading.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 291(FIN) "An Act relating to the Council on Domestic Violence and Sexual Assault; establishing the Alaska Criminal Justice Data Analysis Commission; relating to the membership, powers, and duties of the Alaska Criminal Justice Data Analysis Commission; relating to the duties of the Judicial Council; extending the termination date of the Council on Domestic Violence and Sexual Assault; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 291(FIN)

Third Reading - Final Passage

Effective Date(s)

YEAS: 14 NAYS: 5 EXCUSED: 0 ABSENT: 1

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

Nays: Holland, Hughes, Reinbold, Shower, Wilson

Absent: Myers

Costello changed from "NAY" to "YEA"

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 291(FIN) passed the Senate.

Senator Hughes moved and asked unanimous consent the vote on the passage of the bill be considered the vote on the effective date clause(s). Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

SCR 28

Senator Hughes moved and asked unanimous consent to take up SENATE CONCURRENT RESOLUTION NO. 28 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 291, relating to the Council on Domestic Violence and Sexual Assault; and extending the termination date of the Council on Domestic Violence and Sexual Assault. Without objection, the resolution was before the Senate on final passage.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 28 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 291, relating to the Council on Domestic Violence and Sexual Assault; and extending the termination date of the Council on Domestic Violence and Sexual Assault, pass the Senate?" The roll was taken with the following result:

SCR 28

Final Passage

YEAS: 19 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Myers

and so, SENATE CONCURRENT RESOLUTION NO. 28 passed the Senate and was referred to the Secretary for engrossment.

President Micciche stated in accordance with Rule 43(b), Alaska State Legislature Uniform Rules, engrossment may be waived on all bills and resolutions transmitted to the House this legislative day.

President Micciche stated in accordance with Uniform Rule 30, reconsideration is not available today.

HB 281

President Micciche cited Art. II, Sec. 8 of the Alaska Constitution, historical precedence for considering appropriations after fewer than 24 hours on members' desks, and the constitutional duty of the legislature to pass a budget and ruled that HB 281 may be considered by the Senate today.

HB 282

President Micciche cited Art. II, Sec. 8 of the Alaska Constitution, historical precedence for considering appropriations after fewer than 24 hours on members' desks, and the constitutional duty of the legislature to pass a budget and ruled that HB 282 may be considered by the Senate today.

HB 308

CS FOR HOUSE BILL NO. 308(FIN) "An Act relating to dementia awareness and health care capacity; and providing for an effective date" was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 308(FIN) "An Act relating to dementia awareness and health care capacity; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 308(FIN)

Third Reading - Final Passage

Effective Date(s)

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

and so, CS FOR HOUSE BILL NO. 308(FIN) passed the Senate.

Senator Hughes moved and asked unanimous consent the vote on the passage of the bill be considered the vote on the effective date clause(s). Without objection, it was so ordered and the bill was signed by the President and Secretary and returned to the House.

Recess

Senator Hughes moved and asked unanimous consent the Senate stand in recess. Without objection, the Senate recessed at 12:19 pm.

After Recess

The Senate reconvened at 1:32 p.m.

Consideration of the Calendar (continued)

Third Reading of House Bills (continued)

HB 322

CS FOR HOUSE BILL NO. 322(TRA) am "An Act relating to the Alaska marine highway system fund; relating to the Alaska marine highway system vessel replacement fund; relating to the Alaska higher education investment fund; and providing for an effective date" was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 322(TRA) am "An Act relating to the Alaska marine highway system fund; relating to the Alaska marine highway system vessel replacement fund; relating to the Alaska higher education investment fund; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 322(TRA) am
Third Reading - Final Passage
Effective Date(s)

YEAS: 14 NAYS: 4 EXCUSED: 0 ABSENT: 2

Yeas: Begich, Bishop, Costello, Gray-Jackson, Kawasaki, Kiehl, Micciche, Reinbold, Revak, Stedman, Stevens, von Imhof, Wielechowski, Wilson

Nays: Holland, Hughes, Myers, Shower

Absent: Hoffman, Olson

and so, CS FOR HOUSE BILL NO. 322(TRA) am passed the Senate.

Senator Hughes moved and asked unanimous consent the vote on the passage of the bill be considered the vote on the effective date clause(s). Without objection, it was so ordered and the bill was signed by the President and Secretary and returned to the House.

HB 325

HOUSE BILL NO. 325 "An Act relating to domestic violence" was read the third time.

Senator Begich moved the bill be returned to second reading for all amendments offered today. Without objection, the bill was returned to second reading.

Senator Begich offered Amendment No. 1:

Page 1, line 1, following "Act":

Insert "**relating to aggravating factors considered at sentencing; and**"

Page 1, following line 2:

Insert a new bill section to read:

**** Section 1.** AS 12.55.155(c) is amended to read:

(c) The following factors shall be considered by the sentencing court if proven in accordance with this section, and may allow imposition of a sentence above the presumptive range set out in AS 12.55.125:

(1) a person, other than an accomplice, sustained physical

injury as a direct result of the defendant's conduct;

(2) the defendant's conduct during the commission of the offense manifested deliberate cruelty to another person;

(3) the defendant was the leader of a group of three or more persons who participated in the offense;

(4) the defendant employed a dangerous instrument in furtherance of the offense;

(5) the defendant knew or reasonably should have known that the victim of the offense was particularly vulnerable or incapable of resistance due to advanced age, disability, ill health, homelessness, consumption of alcohol or drugs, or extreme youth or was for any other reason substantially incapable of exercising normal physical or mental powers of resistance;

(6) the defendant's conduct created a risk of imminent physical injury to three or more persons, other than accomplices;

(7) a prior felony conviction considered for the purpose of invoking a presumptive range under this chapter was of a more serious class of offense than the present offense;

(8) the defendant's prior criminal history includes conduct involving aggravated assaultive behavior, repeated instances of assaultive behavior, repeated instances of cruelty to animals proscribed under AS 11.61.140(a)(1) and (3) - (5), or a combination of assaultive behavior and cruelty to animals proscribed under AS 11.61.140(a)(1) and (3) - (5); in this paragraph, "aggravated assaultive behavior" means assault that is a felony under AS 11.41, or a similar provision in another jurisdiction;

(9) the defendant knew that the offense involved more than one victim;

(10) the conduct constituting the offense was among the most serious conduct included in the definition of the offense;

(11) the defendant committed the offense under an agreement that the defendant either pay or be paid for the commission of the offense, and the pecuniary incentive was beyond that inherent in the offense itself;

(12) the defendant was on release under AS 12.30 for another felony charge or conviction or for a misdemeanor charge or conviction having assault as a necessary element;

(13) the defendant knowingly directed the conduct constituting the offense at an active officer of the court or at an active or former judicial officer, prosecuting attorney, law enforcement officer,

correctional employee, firefighter, emergency medical technician, paramedic, ambulance attendant, or other emergency responder during or because of the exercise of official duties;

(14) the defendant was a member of an organized group of five or more persons, and the offense was committed to further the criminal objectives of the group;

(15) the defendant has three or more prior felony convictions;

(16) the defendant's criminal conduct was designed to obtain substantial pecuniary gain and the risk of prosecution and punishment for the conduct is slight;

(17) the offense was one of a continuing series of criminal offenses committed in furtherance of illegal business activities from which the defendant derives a major portion of the defendant's income;

(18) the offense was a felony

(A) specified in AS 11.41 and was committed against a spouse, a former spouse, or a member of the social unit made up of those living together in the same dwelling as the defendant;

(B) specified in AS 11.41.410 - 11.41.458 and the defendant has engaged in the same or other conduct prohibited by a provision of AS 11.41.410 - 11.41.460 involving the same or another victim;

(C) specified in AS 11.41 that is a crime involving domestic violence and was committed in the physical presence or hearing of a child under 16 years of age who was, at the time of the offense, living within the residence of the victim, the residence of the perpetrator, or the residence where the crime involving domestic violence occurred;

(D) specified in AS 11.41 and was committed against a person with whom the defendant has a dating relationship or with whom the defendant has engaged in a sexual relationship; or

(E) specified in AS 11.41.434 - 11.41.458 or AS 11.61.128 and the defendant was 10 or more years older than the victim;

(19) the defendant's prior criminal history includes an adjudication as a delinquent for conduct that would have been a felony if committed by an adult;

(20) the defendant was on furlough under AS 33.30 or on parole or probation for another felony charge or conviction that would be considered a prior felony conviction under AS 12.55.145(a)(1)(B);

(21) the defendant has a criminal history of repeated instances of conduct violative of criminal laws, whether punishable as felonies or misdemeanors, similar in nature to the offense for which the defendant is being sentenced under this section;

(22) the defendant knowingly directed the conduct constituting the offense at a victim because of that person's race, sex, **sexual orientation or gender identity**, color, creed, physical or mental disability, ancestry, **citizenship, religion**, or national origin;

(23) the defendant is convicted of an offense specified in AS 11.71 and

(A) the offense involved the delivery of a controlled substance under circumstances manifesting an intent to distribute the substance as part of a commercial enterprise; or

(B) at the time of the conduct resulting in the conviction, the defendant was caring for or assisting in the care of a child under 10 years of age;

(24) the defendant is convicted of an offense specified in AS 11.71 and the offense involved the transportation of controlled substances into the state;

(25) the defendant is convicted of an offense specified in AS 11.71 and the offense involved large quantities of a controlled substance;

(26) the defendant is convicted of an offense specified in AS 11.71 and the offense involved the distribution of a controlled substance that had been adulterated with a toxic substance;

(27) the defendant, being 18 years of age or older,

(A) is legally accountable under AS 11.16.110(2) for the conduct of a person who, at the time the offense was committed, was under 18 years of age and at least three years younger than the defendant; or

(B) is aided or abetted in planning or committing the offense by a person who, at the time the offense was committed, was under 18 years of age and at least three years younger than the defendant;

(28) the victim of the offense is a person who provided testimony or evidence related to a prior offense committed by the defendant;

(29) the defendant committed the offense for the benefit of, at the direction of, or in association with a criminal street gang;

(30) the defendant is convicted of an offense specified in

AS 11.41.410 - 11.41.455, and the defendant knowingly supplied alcohol or a controlled substance to the victim in furtherance of the offense with the intent to make the victim incapacitated; in this paragraph, "incapacitated" has the meaning given in AS 11.41.470;

(31) the defendant's prior criminal history includes convictions for five or more crimes in this or another jurisdiction that are class A misdemeanors under the law of this state, or having elements similar to a class A misdemeanor; two or more convictions arising out of a single continuous episode are considered a single conviction; however, an offense is not a part of a continuous episode if committed while attempting to escape or resist arrest or if it is an assault on a uniformed or otherwise clearly identified peace officer or correctional employee; notice and denial of convictions are governed by AS 12.55.145(b) - (d);

(32) the offense is a violation of AS 11.41 or AS 11.46.400 and the offense occurred on school grounds, on a school bus, at a school-sponsored event, or in the administrative offices of a school district if students are educated at that office; in this paragraph,

(A) "school bus" has the meaning given in AS 11.71.900;

(B) "school district" has the meaning given in AS 47.07.063;

(C) "school grounds" has the meaning given in AS 11.71.900;

(33) the offense was a felony specified in AS 11.41.410 - 11.41.455, the defendant had been previously diagnosed as having or having tested positive for HIV or AIDS, and the offense either (A) involved penetration, or (B) exposed the victim to a risk or a fear that the offense could result in the transmission of HIV or AIDS; in this paragraph, "HIV" and "AIDS" have the meanings given in AS 18.15.310;

(34) the defendant committed the offense on, or to affect persons or property on, the premises of a recognized shelter or facility providing services to victims of domestic violence or sexual assault;

(35) the defendant knowingly directed the conduct constituting the offense at a victim because that person was 65 years of age or older;

(36) the defendant committed the offense at a health care facility and knowingly directed the conduct constituting the offense at a medical professional during or because of the medical professional's exercise of professional duties; in this paragraph,

(A) "health care facility" has the meaning given in AS 18.07.111;

(B) "medical professional" has the meaning given in AS 12.55.135(k);

(37) the defendant knowingly caused the victim to become unconscious by means of a dangerous instrument; in this paragraph, "dangerous instrument" has the meaning given in AS 11.81.900(b)(15)(B)."

Page 1, line 3:

Delete "**Section 1**"

Insert "**Sec. 2**"

Page 2, following line 3:

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:

APPLICABILITY. AS 12.55.155(c), as amended by sec. 1 of this Act, applies to offenses committed on or after the effective date of this Act."

Senator Begich moved for the adoption of Amendment No. 1. Senator Reinbold objected.

Senator Reinbold moved to table amendment No. 1. Objections were heard.

The question being: "Shall Amendment No. 1 be tabled?" The roll was taken with the following result:

HB 325

Second Reading

Shall Amendment No. 1 be tabled?

YEAS: 11 NAYS: 8 EXCUSED: 0 ABSENT: 1

Yeas: Costello, Holland, Hughes, Micciche, Myers, Olson, Reinbold, Revak, Shower, Stevens, Wilson

Nays: Begich, Bishop, Gray-Jackson, Kawasaki, Kiehl, Stedman, von Imhof, Wielechowski

Absent: Hoffman

and so, Amendment No. 1 was tabled.

Senator Holland offered Amendment No. 2:

Page 1, line 1:

Following "Act":

Insert **"relating to petitions for a change of name for certain persons; relating to the duty to register as a sex offender;"**

Following "violence":

Insert **"; and amending Rule 84, Alaska Rules of Civil Procedure"**

Page 1, following line 2:

Insert new bill sections to read:

*** Section 1.** AS 09.55.010 is amended by adding new subsections to read:

(b) A person seeking a change of name under this section shall notify the court if the person is

(1) committed to the custody of the Department of Corrections, on probation under AS 33.05, or on parole under AS 33.16; a person subject to this paragraph shall provide proof satisfactory to the court that notice of the petition has been served on the person's assigned probation or parole officer;

(2) required to register as a sex offender under AS 12.63; a person subject to this paragraph shall provide proof satisfactory to the court that notice of the petition has been served on the Department of Public Safety; or

(3) charged with an offense; a person subject to this paragraph shall provide the court with the case number associated with the offense.

(c) In addition to the requirements provided under (a) of this section, a court may not grant a change of name of a person subject to (b) of this section unless the court finds that the change

(1) does not have a fraudulent purpose;

(2) is not intended to hinder or obstruct law enforcement purposes; and

(3) would not interfere with the rights of others.

*** Sec. 2.** AS 11.56.840(a) is amended to read:

(a) A person commits the crime of failure to register as a sex offender or child kidnapper in the second degree if the person

- (1) is required to register under AS 12.63.010;
- (2) knows that the person is required to register under AS 12.63.010; and
- (3) fails to
 - (A) register;
 - (B) file written notice of
 - (i) change of residence;
 - (ii) change of mailing address;
 - (iii) establishment of an electronic or messaging address or any change to an electronic or messaging address; [OR]
 - (iv) establishment of an Internet communication identifier or any change to an Internet communication identifier; or
 - (v) change of name;
 - (C) file the annual or quarterly written verification; or
 - (D) supply accurate and complete information required to be submitted under this paragraph.

* **Sec. 3.** AS 12.63.010(c) is amended to read:

(c) If a sex offender or child kidnapper changes residence or obtains a change of name under AS 09.55.010 after having registered under (a) of this section, the sex offender or child kidnapper shall provide written notice of the change by the next working day following the change to the Alaska state trooper post or municipal police department located nearest to the new residence or, if the residence change is out of state, to the central registry. If a sex offender or child kidnapper establishes or changes an electronic mail address, instant messaging address, or other Internet communication identifier, the sex offender or child kidnapper shall, by the next working day, notify the department in writing of the changed or new address or identifier."

Page 1, line 3:

Delete "**Section 1**"

Insert "**Sec. 4**"

Page 2, following line 3:

Insert new bill sections to read:

** **Sec. 5.** AS 25.24.165 is amended by adding a new subsection to read:

(c) This section does not apply to a person who is committed to the custody of the Department of Corrections, on probation under

AS 33.05, on parole under AS 33.16, or required to register as a sex offender under AS 12.63.

* **Sec. 6.** AS 33.05.020 is amended by adding a new subsection to read:

(j) The commissioner shall notify the victim of a crime upon receiving notice that a probationer has filed a petition for a change of name under AS 09.55.010.

* **Sec. 7.** AS 33.16.180 is amended to read:

Sec. 33.16.180. Duties of the commissioner. The commissioner shall

(1) conduct investigations of prisoners eligible for discretionary parole, as requested by the board and as provided in this section;

(2) supervise the conduct of parolees;

(3) appoint and assign parole officers and personnel;

(4) notify the board and provide information on a prisoner 120 days before the prisoner's mandatory release date, if the prisoner is to be released on mandatory parole;

(5) maintain records, files, and accounts as requested by the board;

(6) prepare preparole reports under AS 33.16.110(a);

(7) notify the board in writing of a prisoner's compliance or noncompliance with the prisoner's case plan created under AS 33.30.011(a)(8) not less than 30 days before the prisoner's next parole eligibility date or the prisoner's parole hearing date, whichever is earlier;

(8) establish an administrative sanction and incentive program to facilitate a swift and certain response to a parolee's compliance with or violation of the conditions of parole and shall adopt regulations to implement the program; at a minimum, the regulations must include

(A) a decision-making process to guide parole officers in determining the suitable response to positive and negative offender behavior that includes a list of sanctions for the most common types of negative behavior, including technical violations of conditions of parole, and a list of incentives for compliance with conditions and positive behavior that exceeds those conditions;

(B) policies and procedures that ensure

(i) a process for responding to negative behavior that includes a review of previous violations and sanctions;

(ii) that enhanced sanctions for certain negative conduct are approved by the commissioner or the commissioner's designee; and

(iii) that appropriate due process protections are included in the process, including notice of negative behavior, an opportunity to dispute the accusation and the sanction, and an opportunity to request a review of the accusation and the sanction; [AND]

(9) within 30 days after sentencing of an offender, provide the victim of a crime information on the earliest dates the offender could be released on furlough, probation, or parole, including deductions or reductions for good time or other good conduct incentives, and the process for release, including contact information for the decision-making bodies; **and**

(10) notify the board and the victim of a crime upon receiving notice that a parolee has filed a petition for a change of name under AS 09.55.010.

* **Sec. 8.** AS 33.30.013(a) is amended to read:

(a) The commissioner shall notify the victim if [THE OFFENDER]

(1) **the offender** escapes from custody;

(2) **the offender** is discharged from parole under AS 33.16; or

(3) **the offender** is released to the community on a furlough, on an early release program, or for any other reason; **or**

(4) the commissioner receives notice that the offender has filed a petition for a change of name under AS 09.55.010.

* **Sec. 9.** The uncodified law of the State of Alaska is amended by adding a new section to read:

INDIRECT COURT RULE AMENDMENT. AS 09.55.010, as amended by sec. 1 of this Act, has the effect of changing Rule 84, Alaska Rules of Civil Procedure, by establishing specific parties that must be notified and findings that must be made by the court when certain persons petition for a change of name.

* **Sec. 10.** The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. (a) AS 11.56.840(a), as amended by sec. 2 of this Act, applies to offenses committed on or after the effective date of this Act.

(b) AS 12.63.010(c), as amended by sec. 3 of this Act, applies to the duty to register as a sex offender or child kidnapper for offenses

committed before, on, or after the effective date of this Act.

* **Sec. 11.** The uncodified law of the State of Alaska is amended by adding a new section to read:

CONDITIONAL EFFECT. AS 09.55.010(b) and (c), enacted by sec. 1 of this Act, take effect only if sec. 9 of this Act receives the two-thirds majority vote of each house required by art. IV, sec. 15, Constitution of the State of Alaska."

Senator Holland moved for the adoption of Amendment No. 2. Senator Kiehl objected.

Senator Kiehl moved for the adoption of the following amendment to Amendment No. 2:

Page 1, line 16:

Delete "served on"

Insert "provided to"

Page 1, line 19:

Delete "served on"

Insert "provided to"

Page 2, line 26, following "AS 09.55.010":

Insert "or AS 25.24.165"

Pg. 3, line 12, following "person":

Insert "who seeks a change of name to a name other than a prior name and"

Pg. 3, following line 14:

Insert "(d) A person seeking a change of name to a prior name under this section shall notify the court if the person is

(1) Committed to the custody of the Department of Corrections, on probation under AS 33.05, or on parole under AS 33.16; a person subject to this paragraph shall provide proof satisfactory to the court that notice of the petition has been provided to the person's assigned probation or parole officer;

(2) Required to register as a sex offender under AS 12.63; a person subject to this paragraph shall provide proof satisfactory to the court that notice of the petition has been provided to the

Department of Public Safety; or

(3) Charged with an offense; a person subject to this paragraph shall provide the court with the case number associated with the offense."

Page 4, line 29, following "AS 09.55.010":

Insert "or AS 25.24.165"

Page 5, line 6, following "AS 09.55.010":

Insert "or AS 25.24.165"

Page 5, line 10, following "Act":

Insert "and AS 25.24.165, as amended by sec. 5 of this Act"

Page 5, line 22, following "Act":

Insert "and AS 25.24.165 (c) and (d), enacted by sec. 5 of this Act"

Senator Reinbold objected to the amendment to Amendment No. 2, then withdrew her objection. There being no further objection, Amendment No. 2 was amended.

There being no further objection to Amendment No. 2, Amendment No. 2 as amended was adopted.

Senator Holland offered Amendment No. 3:

Page 1, line 1, following "Act":

Insert "**relating to lifetime revocation of a teaching certificate for certain offenses; and**"

Page 1, following line 2:

Insert a new bill section to read:

**** Section 1.** AS 14.20.030(b) is amended to read:

(b) The commissioner or the Professional Teaching Practices Commission shall revoke for life the certificate of a person who has been convicted of a crime, or an attempt, solicitation, or conspiracy to commit a crime, involving a minor under AS 11.41.410 - 11.41.460, **AS 11.61.125 or 11.61.127**, or a law or ordinance in another jurisdiction with elements similar to an offense described in this subsection."

Page 1, line 3:

Delete "**Section 1**"

Insert "**Sec. 2**"

Page 2, following line 3:

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:

APPLICABILITY. AS 14.20.030(b), as amended by sec. 1 of this Act, applies to offenses committed on or after the effective date of this Act."

Senator Holland moved for the adoption of Amendment No. 3. Senator Wielechowski objected, then withdrew his objection. There being no further objection, Amendment No. 3 was adopted.

Senators Hughes, Kiehl, Myers, Olson, Holland, Gray-Jackson, Shower, Kawasaki offered Amendment No. 4:

Page 1, line 1:

Delete all material and insert:

""An Act relating to sexual offenses; relating to domestic violence; relating to the code of military justice; relating to consent; relating to the testing of sexual assault examination kits; and providing for an effective date.""

Page 1, following line 2:

Insert new bill sections to read:

**** Section 1.** AS 11.41.410 is amended to read:

Sec. 11.41.410. Sexual assault in the first degree. (a) An offender commits the crime of sexual assault in the first degree if

(1) the offender engages in sexual penetration with another person

(A) without consent of that person by

(i) the use of force or the express or implied threat of force against any person or property; or

(ii) causing the person to become incapacitated;

(B) by impersonating someone known to the person for the purpose of obtaining consent;

(2) the offender attempts to engage in sexual penetration with

another person without consent of that person and causes serious physical injury to that person;

(3) the offender engages in sexual penetration with another person

(A) who the offender knows is mentally incapable; and

(B) who is in the offender's care

(i) by authority of law; or

(ii) in a facility or program that is required by law to be licensed by the state; or

(4) the offender engages in sexual penetration with a person who the offender knows is unaware that a sexual act is being committed and

(A) the offender is a health care worker; and

(B) the offense takes place during the course of professional treatment of the victim.

(b) Sexual assault in the first degree [IS AN UNCLASSIFIED FELONY AND] is punishable as provided in AS 12.55 **and is**

(1) an unclassified felony if the offender violates (a)(1)(A), (2), (3), or (4) of this section;

(2) a class A felony if the offender violates (a)(1)(B) of this section.

* **Sec. 2.** AS 11.41.420(a) is amended to read:

(a) An offender commits the crime of sexual assault in the second degree if

(1) the offender engages in sexual contact with another person

(A) without consent of that person by

(i) the use of force or the express or implied threat of force against any person or property; or

(ii) causing the person to become incapacitated;

(B) by impersonating someone known to the person for the purpose of obtaining consent;

(2) the offender engages in sexual contact with a person

(A) who the offender knows is mentally incapable; and

(B) who is in the offender's care

(i) by authority of law; or

(ii) in a facility or program that is required by law to be licensed by the state;

(3) the offender engages in sexual penetration with a person who is

(A) mentally incapable;

- (B) incapacitated; or
- (C) unaware that a sexual act is being committed; [OR]
- (4) the offender engages in sexual contact with a person who the offender knows is unaware that a sexual act is being committed and

- (A) the offender is a health care worker; and
- (B) the offense takes place during the course of professional treatment of the victim; **or**

(5) under circumstances not proscribed under AS 11.41.410, the offender engages in sexual penetration with another person without consent of that person.

* **Sec. 3.** AS 11.41.425(a) is amended to read:

(a) An offender commits the crime of sexual assault in the third degree if the offender

- (1) engages in sexual contact with a person who is
 - (A) mentally incapable;
 - (B) incapacitated; or
 - (C) unaware that a sexual act is being committed;
- (2) while employed in a state correctional facility or other placement designated by the commissioner of corrections for the custody and care of prisoners, engages in sexual penetration with a person who the offender knows is committed to the custody of the Department of Corrections to serve a term of imprisonment or period of temporary commitment;
- (3) engages in sexual penetration with a person 18 or 19 years of age who the offender knows is committed to the custody of the Department of Health and Social Services under AS 47.10 or AS 47.12 and the offender is the legal guardian of the person;
- (4) while employed in the state by a law enforcement agency as a peace officer, or while acting as a peace officer in the state, engages in sexual penetration with a person with reckless disregard that the person is in the custody or the apparent custody of the offender, or is committed to the custody of a law enforcement agency;
- (5) while employed by the state or a municipality of the state as a probation officer or parole officer, or while acting as a probation officer or parole officer in the state, engages in sexual penetration with a person with reckless disregard that the person is on probation or parole; [OR]
- (6) while employed as a juvenile probation officer or as a

juvenile facility staff, engages in sexual penetration with a person 18 or 19 years of age with reckless disregard that the person is committed to the custody or probationary supervision of the Department of Health and Social Services; **or**

(7) under circumstances not proscribed under AS 11.41.420, the offender engages in sexual contact with another person without consent of that person; in this paragraph, "sexual contact" does not include an offender knowingly causing a person to come into contact with semen.

* **Sec. 4.** AS 11.41.445 is amended by adding a new subsection to read:

(c) In a prosecution under AS 11.41.410 - 11.41.427, where consent is at issue,

(1) an expression of lack of consent through words or conduct means there is no consent; an expression of lack of consent under this paragraph does not require verbal or physical resistance and may include inaction;

(2) a current or previous dating, social, or sexual relationship between the defendant and the person involved with the defendant in the conduct at issue may not by itself constitute consent;

(3) a person cannot consent if the person is fraudulently made to believe that the sexual act serves a professional purpose; in this paragraph, "professional purpose" means an act the defendant has represented as a necessary part or component of a provided service, part of the routine course of a procedure, or a component of the defendant's profession that would occur if a person sought services from another practitioner in the same field as the defendant.

* **Sec. 5.** AS 11.41.470(10) is repealed and reenacted to read:

(10) "without consent" means that, under the totality of the circumstances surrounding the offense, there was not a freely given, reversible agreement specific to the conduct at issue; in this paragraph, "freely given" means agreement to cooperate in the act was positively expressed by word or action.

* **Sec. 6.** AS 11.41.530(a) is amended to read:

(a) A person commits the crime of coercion if, **under circumstances not proscribed under AS 11.41.410 - 11.41.427,** the person compels another to engage in conduct from which there is a legal right to abstain or abstain from conduct in which there is a legal right to engage, by means of instilling in the person who is compelled a fear that, if the demand is not complied with, the person

who makes the demand or another may

(1) inflict physical injury on anyone, except under circumstances constituting robbery in any degree, or commit any other crime;

(2) accuse anyone of a crime;

(3) expose confidential information or a secret, whether true or false, tending to subject a person to hatred, contempt, or ridicule or to impair the person's credit or business repute;

(4) take or withhold action as a public servant or cause a public servant to take or withhold action;

(5) bring about or continue a strike, boycott, or other collective unofficial action, if the property is not demanded or received for the benefit of the group in whose interest the person making the threat or suggestion purports to act;

(6) testify or provide information or withhold testimony or information with respect to a person's legal claim or defense.

* **Sec. 7.** AS 11.61.118(a) is amended to read:

(a) A person commits the crime of harassment in the first degree if, under circumstances not proscribed under **AS 11.41.410 - 11.41.427 or 11.41.434 - 11.41.440** [AS 11.41.434 - 11.41.440], the person violates AS 11.61.120(a)(5) and the offensive physical contact is contact

(1) with human or animal blood, mucus, saliva, semen, urine, vomitus, or feces; or

(2) by the person touching through clothing another person's genitals, buttocks, or female breast.

* **Sec. 8.** AS 12.55.035(b) is amended to read:

(b) Upon conviction of an offense, a defendant who is not an organization may be sentenced to pay, unless otherwise specified in the provision of law defining the offense, a fine of not more than

(1) \$500,000 for murder in the first or second degree, attempted murder in the first degree, murder of an unborn child, sexual assault in the first degree **under AS 11.41.410(a)(1)(A), (2), (3), or (4)**, sexual abuse of a minor in the first degree, kidnapping, sex trafficking in the first degree under AS 11.66.110(a)(2), or misconduct involving a controlled substance in the first degree;

(2) \$250,000 for a class A felony;

(3) \$100,000 for a class B felony;

(4) \$50,000 for a class C felony;

(5) \$25,000 for a class A misdemeanor;

(6) \$2,000 for a class B misdemeanor;

(7) \$500 for a violation.

* **Sec. 9.** AS 12.55.125(i) is amended to read:

(i) A defendant convicted of

(1) sexual assault in the first degree **under AS 11.41.410(a)(1)(A), (2), (3), or (4)**, sexual abuse of a minor in the first degree, unlawful exploitation of a minor under AS 11.41.455(c)(2), or sex trafficking in the first degree under AS 11.66.110(a)(2) may be sentenced to a definite term of imprisonment of not more than 99 years and shall be sentenced to a definite term within the following presumptive ranges, subject to adjustment as provided in AS 12.55.155 - 12.55.175:

(A) if the offense is a first felony conviction, the offense does not involve circumstances described in (B) of this paragraph, and the victim was

(i) less than 13 years of age, 25 to 35 years;

(ii) 13 years of age or older, 20 to 30 years;

(B) if the offense is a first felony conviction and the defendant possessed a firearm, used a dangerous instrument, or caused serious physical injury during the commission of the offense, 25 to 35 years;

(C) if the offense is a second felony conviction and does not involve circumstances described in (D) of this paragraph, 30 to 40 years;

(D) if the offense is a second felony conviction and the defendant has a prior conviction for a sexual felony, 35 to 45 years;

(E) if the offense is a third felony conviction and the defendant is not subject to sentencing under (F) of this paragraph or (I) of this section, 40 to 60 years;

(F) if the offense is a third felony conviction, the defendant is not subject to sentencing under (I) of this section, and the defendant has two prior convictions for sexual felonies, 99 years;

(2) **sexual assault in the first degree under AS 11.41.410(a)(1)(B)**, unlawful exploitation of a minor under AS 11.41.455(c)(1), enticement of a minor under AS 11.41.452(e), or attempt, conspiracy, or solicitation to commit sexual assault in the first degree **under AS 11.41.410(a)(1)(A), (2), (3), or (4)**, sexual abuse of a minor in the first degree, or sex trafficking in the first degree under AS 11.66.110(a)(2) may be sentenced to a definite

term of imprisonment of not more than 99 years and shall be sentenced to a definite term within the following presumptive ranges, subject to adjustment as provided in AS 12.55.155 - 12.55.175:

(A) if the offense is a first felony conviction, the offense does not involve circumstances described in (B) of this paragraph, and the victim was

(i) under 13 years of age, 20 to 30 years;

(ii) 13 years of age or older, 15 to 30 years;

(B) if the offense is a first felony conviction and the defendant possessed a firearm, used a dangerous instrument, or caused serious physical injury during the commission of the offense, 25 to 35 years;

(C) if the offense is a second felony conviction and does not involve circumstances described in (D) of this paragraph, 25 to 35 years;

(D) if the offense is a second felony conviction and the defendant has a prior conviction for a sexual felony, 30 to 40 years;

(E) if the offense is a third felony conviction, the offense does not involve circumstances described in (F) of this paragraph, and the defendant is not subject to sentencing under (I) of this section, 35 to 50 years;

(F) if the offense is a third felony conviction, the defendant is not subject to sentencing under (I) of this section, and the defendant has two prior convictions for sexual felonies, 99 years;

(3) sexual assault in the second degree, sexual abuse of a minor in the second degree, enticement of a minor under AS 11.41.452(d), indecent exposure in the first degree under AS 11.41.458(b)(2), [OR] distribution of child pornography under AS 11.61.125(e)(2), **or attempt, conspiracy, or solicitation to commit sexual assault in the first degree under AS 11.41.410(a)(1)(B)** may be sentenced to a definite term of imprisonment of not more than 99 years and shall be sentenced to a definite term within the following presumptive ranges, subject to adjustment as provided in AS 12.55.155 - 12.55.175:

(A) if the offense is a first felony conviction, five to 15 years;

(B) if the offense is a second felony conviction and does not involve circumstances described in (C) of this paragraph, 10 to 25 years;

(C) if the offense is a second felony conviction and the defendant has a prior conviction for a sexual felony, 15 to 30 years;

(D) if the offense is a third felony conviction and does not involve circumstances described in (E) of this paragraph, 20 to 35 years;

(E) if the offense is a third felony conviction and the defendant has two prior convictions for sexual felonies, 99 years;

(4) sexual assault in the third degree, sexual abuse of a minor in the third degree under AS 11.41.438(c), incest, indecent exposure in the first degree under AS 11.41.458(b)(1), indecent viewing or production of a picture under AS 11.61.123(f)(1) or (2), possession of child pornography, distribution of child pornography under AS 11.61.125(e)(1), or attempt, conspiracy, or solicitation to commit sexual assault in the second degree, sexual abuse of a minor in the second degree, unlawful exploitation of a minor, or distribution of child pornography, may be sentenced to a definite term of imprisonment of not more than 99 years and shall be sentenced to a definite term within the following presumptive ranges, subject to adjustment as provided in AS 12.55.155 - 12.55.175:

(A) if the offense is a first felony conviction and does not involve the circumstances described in (B) or (C) of this paragraph, two to 12 years;

(B) if the offense is a first felony conviction under AS 11.61.125(e)(1) and does not involve circumstances described in (C) of this paragraph, four to 12 years;

(C) if the offense is a first felony conviction under AS 11.61.125(e)(1), and the defendant hosted, created, or helped host or create a mechanism for multi-party sharing or distribution of child pornography, or received a financial benefit or had a financial interest in a child pornography sharing or distribution mechanism, six to 14 years;

(D) if the offense is a second felony conviction and does not involve circumstances described in (E) of this paragraph, eight to 15 years;

(E) if the offense is a second felony conviction and the defendant has a prior conviction for a sexual felony, 12 to 20 years;

(F) if the offense is a third felony conviction and does not involve circumstances described in (G) of this paragraph, 15 to 25

years;

(G) if the offense is a third felony conviction and the defendant has two prior convictions for sexual felonies, 99 years."

Page 1, line 3:

Delete "**Section 1**"

Insert "**Sec. 10**"

Page 2, following line 3:

Insert new bill sections to read:

"* **Sec. 11.** AS 26.05.900(e) is amended by adding a new paragraph to read:

(9) "consent" has the meaning given in AS 26.05.890(h).

* **Sec. 12.** AS 44.41.065(a) is amended to read:

(a) When a law enforcement agency collects a sexual assault examination kit under AS 18.68.010, the agency shall

(1) within 30 days after the agency collects the sexual assault examination kit, send the sexual assault examination kit to an accredited laboratory in coordination with the Department of Public Safety or a laboratory operated by the Department of Public Safety;

(2) ensure that the laboratory to which the sexual assault examination kit is sent under (1) of this subsection conducts a serological or DNA test on the sexual assault examination kit within **six months** [ONE YEAR] after the laboratory receives the sexual assault examination kit; and

(3) within two weeks after the laboratory that receives the sexual assault examination kit under (1) of this subsection completes serological or DNA testing, make a reasonable effort to notify the victim from whom the sexual assault examination kit was collected that the sexual assault examination kit has been tested.

* **Sec. 13.** AS 26.05.900(e)(8) is repealed.

* **Sec. 14.** The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. AS 11.41.410, as amended by sec. 1 of this Act, AS 11.41.420(a), as amended by sec. 2 of this Act, AS 11.41.425(a), as amended by sec. 3 of this Act, AS 11.41.445(c), enacted by sec. 4 of this Act, AS 11.41.470(10), as repealed and reenacted by sec. 5 of this Act, AS 11.41.530(a), as amended by sec. 6 of this Act, AS 11.61.118(a), as amended by sec. 7 of this Act, AS 12.55.035(b), as amended by sec. 8 of this Act, AS 12.55.125(i), as amended by sec.

9 of this Act, AS 26.05.900(e), as amended by sec. 11 of this Act, and the repeal of AS 26.05.900(e)(8) by sec. 13 of this Act, apply to offenses committed on or after the effective date of secs. 1 - 9, 11, and 13 of this Act.

* **Sec. 15.** Section 12 of this Act takes effect July 1, 2023.

* **Sec. 16.** Except as provided in sec. 15 of this Act, this Act takes effect January 1, 2023."

Senator Hughes moved for the adoption of Amendment No. 4. Objections were heard.

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

HB 325 am S
Second Reading
Amendment No. 4?

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

and so, Amendment No. 4 was adopted.

HOUSE BILL NO. 325 am S(efd add S) was automatically in third reading.

Senators Begich, Wielechowski, Olson, Revak, Costello, Reinbold, Bishop, von Imhof, Stevens, Hoffman, Micciche moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

The question being: "Shall HOUSE BILL NO. 325 am S(efd add S) "An Act relating to petitions for a change of name for certain persons; relating to the duty to register as a sex offender; relating to sexual offenses; relating to domestic violence; relating to the code of military justice; relating to consent; relating to the testing of sexual assault examination kits; relating to lifetime revocation of a teaching certificate for certain offenses; amending Rule 84, Alaska Rules of Civil Procedure; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

HB 325 am S(efd add S)
Third Reading - Final Passage
Effective Date(s) Court Rule(s)

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

and so, HOUSE BILL NO. 325 am S(efd add S) passed the Senate.

Senator Hughes moved and asked unanimous consent the vote on the passage of the bill be considered the vote on the effective date clause(s). Without objection, it was so ordered.

Senator Hughes moved and asked unanimous consent the vote on the passage of the bill be considered the vote on the court rule change(s). Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

SCR 27

Senator Hughes moved and asked unanimous consent to take up SENATE CONCURRENT RESOLUTION NO. 27 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 325, relating to domestic violence. Without objection, the resolution was before the Senate on final passage.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 27 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 325, relating to domestic violence, pass the Senate?" The roll was taken with the following result:

SCR 27
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

and so, SENATE CONCURRENT RESOLUTION NO. 27 passed the Senate and was referred to the Secretary for engrossment.

HB 163

Senator Shower, Chair, moved and asked unanimous consent HOUSE BILL NO. 163 "An Act relating to vehicle title applications" be waived from the State Affairs Committee. Without objection, the bill was waived from the State Affairs Committee.

HB 87

In accordance with Uniform Rule 48(d), Senator Kawasaki moved and asked unanimous consent CS FOR HOUSE BILL NO. 87(JUD) "An Act relating to electric-assisted bicycles" be discharged from the State Affairs Committee. Senator Stedman objected.

Senator Kawasaki moved and asked unanimous consent to withdraw his previous motion. Without objection, the motion was withdrawn.

Special Committee Reports (continued)**HB 281**

Senator Hughes moved the Senate adopt the Conference Committee Report on HB 281, which had been read today. Senator Begich objected.

The question being: "Shall the Senate adopt the Conference Committee Report?" The roll was taken with the following result:

CCS HB 281

Shall the Senate Adopt the Conference Committee Report?

Effective Date(s)

YEAS: 19 NAYS: 1 EXCUSED: 0 ABSENT: 0

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

Nays: Reinbold

and so, the report was adopted, thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 281
"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; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

Senator Hughes moved for the adoption of the constitutional budget reserve fund section(s).

The question being: "Shall the constitutional budget reserve fund section (Article IX, Section 17(c) Constitution of the State of Alaska) be adopted?" The roll was taken with the following result:

CCS HB 281

Adopt Constitutional Budget Reserve Fund Section(s)?

YEAS: 15 NAYS: 5 EXCUSED: 0 ABSENT: 0

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

Nays: Bishop, Hoffman, Reinbold, Stedman, von Imhof

and so, the Constitutional Budget Reserve Fund Section(s) were adopted.

Senator Hughes moved and asked unanimous consent the vote on the adoption of the Conference Committee Report be considered the vote on the effective date clause(s). Without objection, it was so ordered.

The Secretary was requested to notify the House.

HB 282

Senator Hughes moved the Senate adopt the Conference Committee Report on HB 282, which had been read today.

The question being: "Shall the Senate adopt the Conference Committee Report?" The roll was taken with the following result:

CCS HB 282

Shall the Senate Adopt the Conference Committee Report?

Effective Date(s)

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

and so, the report was adopted, thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 282
"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."

Senator Hughes moved and asked unanimous consent the vote on the adoption of the Conference Committee Report be considered the vote on the effective date clause(s). Without objection, it was so ordered.

The Secretary was requested to notify the House.

Senator Hughes moved and asked unanimous consent to adopt the first supplemental calendar. Without objection, the first supplemental calendar was adopted.

Senator Hughes moved and asked unanimous consent the Senate return to Messages from the House. Without objection, the Senate returned to:

Messages from the House (continued)**Concur Messages (continued)****SB 20**

Message dated May 18 was read stating the House passed and returned for consideration CS FOR SENATE BILL NO. 20(FIN) "An Act relating to teaching certificates for teachers holding out-of-state certificates" with the following amendment(s):

HOUSE CS FOR CS FOR SENATE BILL
NO. 20(EDC)

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 20(EDC)

Shall the Senate Concur in the House Amendment
to CSSB 20(FIN)?

YEAS: 19 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Begich

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 20(EDC) "An Act relating to teaching certificates for teachers holding out-of-state certificates."

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

SB 45

Message dated May 18 was read stating the House passed and returned for consideration CS FOR SENATE BILL NO. 45(FIN) "An Act raising the minimum age to purchase, sell, exchange, or possess tobacco, a product containing nicotine, or an electronic smoking

product; relating to selling a tobacco product; relating to possession of tobacco, electronic smoking products, or products containing nicotine by a person under 21 years of age; relating to the definition of 'nicotine'; relating to transporting tobacco, a product containing nicotine, or an electronic smoking product; relating to the taxation of electronic smoking products; relating to electronic smoking products; relating to the marketing of electronic smoking products; relating to tobacco products; and providing for an effective date" with the following amendment(s):

HOUSE CS FOR CS FOR SENATE BILL NO. 45(FIN) am H "An Act raising the minimum age to purchase, sell, exchange, or possess tobacco, a product containing nicotine, or an electronic smoking product; relating to selling a tobacco product; relating to possession of tobacco, electronic smoking products, or products containing nicotine by an underaged person; relating to the definition of 'nicotine'; relating to transporting tobacco, a product containing nicotine, or an electronic smoking product; relating to the taxation of electronic smoking products; relating to electronic smoking products; relating to the marketing of electronic smoking products; relating to tobacco products; and providing for an effective date."

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 45(FIN) am H

Shall the Senate Concur in the House Amendments

to CSSB 45(FIN)?

Effective Date(s)

YEAS: 18 NAYS: 2 EXCUSED: 0 ABSENT: 0

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

Nays: Shower, Wilson

and so, the Senate concurred in the House amendment(s), thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 45(FIN) am H "An Act raising the minimum age to purchase, sell, exchange, or possess tobacco, a product containing nicotine, or an electronic smoking product; relating to selling a tobacco product; relating to possession of tobacco, electronic smoking products, or products containing nicotine by an underaged person; relating to the definition of 'nicotine'; relating to transporting tobacco, a product containing nicotine, or an electronic smoking product; relating to the taxation of electronic smoking products; relating to electronic smoking products; relating to the marketing of electronic smoking products; relating to tobacco products; and providing for an effective date."

Senator Hughes moved and asked unanimous consent the vote on concurrence be considered the vote on the effective date clause(s). Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

HCR 16

Senator Hughes moved and asked unanimous consent to take up HOUSE CONCURRENT RESOLUTION NO. 16 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 45, raising the minimum age to purchase, sell, exchange, or possess tobacco, a product containing nicotine, or an electronic smoking product; relating to selling a tobacco product; relating to possession of tobacco, electronic smoking products, or products containing nicotine by a person under 21 years of age; relating to the definition of 'nicotine'; relating to transporting tobacco, a product containing nicotine, or an electronic smoking product; relating to the taxation of electronic smoking products; relating to electronic smoking products; relating to the marketing of electronic smoking products; and relating to tobacco products. Without objection, the resolution was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 16 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 45, raising the minimum age to purchase, sell, exchange, or possess tobacco, a product containing nicotine, or an electronic smoking product; relating to selling a tobacco product; relating to possession of tobacco, electronic smoking products, or products containing nicotine by a person under 21 years of age; relating to the definition of 'nicotine'; relating to transporting tobacco, a product containing nicotine, or an electronic smoking product; relating to the taxation of electronic smoking products; relating to electronic smoking products; relating to the marketing of electronic smoking products; and relating to tobacco products, pass the Senate?" The roll was taken with the following result:

HCR 16

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

and so, HOUSE CONCURRENT RESOLUTION NO. 16 passed the Senate, was signed by the President and Secretary and returned to the House.

SB 185

Message dated May 18 was read stating the House passed and returned for consideration CS FOR SENATE BILL NO. 185(L&C) "An Act relating to exemptions from minimum wage" with the following amendment(s):

HOUSE CS FOR CS FOR SENATE BILL
NO. 185(L&C)

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 185(L&C)

Shall the Senate Concur in the House Amendment to CSSB 185(L&C)?

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

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

Nays: Begich, Stedman, Wielechowski

and so, the Senate concurred in the House amendment(s), thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 185(L&C) "An Act relating to exemptions from minimum wage."

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

SB 190

Message dated May 18 was read stating the House passed and returned for consideration CS FOR SENATE BILL NO. 190(FIN) "An Act extending the termination date of the Regulatory Commission of Alaska; relating to Regulatory Commission of Alaska regulations regarding refuse utilities; relating to the powers and duties of the legislative audit division; and providing for an effective date" with the following amendment(s):

HOUSE CS FOR CS FOR SENATE BILL NO. 190(FIN) "An Act extending the termination date of the Regulatory Commission of Alaska; relating to the powers and duties of the legislative audit division; and providing for an effective date."

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 190(FIN)

Shall the Senate Concur in the House Amendment
to CSSB 190(FIN)?

Effective Date(s)

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

and so, the Senate concurred in the House amendment(s), thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 190(FIN) "An Act extending the termination date of the Regulatory Commission of Alaska; relating to the powers and duties of the legislative audit division; and providing for an effective date."

Senator Hughes moved and asked unanimous consent the vote on concurrence be considered the vote on the effective date clause(s). Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

HCR 17

Senator Hughes moved and asked unanimous consent to take up HOUSE CONCURRENT RESOLUTION NO. 17 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 190, extending the termination date of the Regulatory Commission of Alaska; relating to Regulatory Commission of Alaska regulations regarding refuse utilities; and relating to the powers and duties of the legislative audit division. Without objection, the resolution was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 17 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 190, extending the termination date of the Regulatory Commission of Alaska; relating to Regulatory Commission of Alaska regulations regarding refuse utilities; and relating to the powers and duties of the legislative audit division, pass the Senate?" The roll was taken with the following result:

HCR 17

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

and so, HOUSE CONCURRENT RESOLUTION NO. 17 passed the Senate, was signed by the President and Secretary and returned to the House.

Senator Hughes moved and asked unanimous consent to take up the First Supplemental Calendar. Without objection, it was so ordered.

Consideration of the First Supplemental Calendar

Second Reading of House Bills

HB 163

HOUSE BILL NO. 163 "An Act relating to vehicle title applications" was read the second time.

Senators Kawasaki, Hughes offered Amendment No. 1:

Page 1, line 1, following "**applications**":

Insert "**; relating to driver's license renewal**"

Page 1, following line 8:

Insert a new bill section to read:

**** Sec. 2.** AS 28.15.101(a) is amended to read:

(a) Except as otherwise provided in this chapter, a driver's license expires on the licensee's birthday in the eighth year following **the** issuance of **a new** [THE] license **or on the expiration date of a license being renewed**. A license may be renewed within one year of its expiration upon proper application, payment of the required fee, and except when a license is renewed under (c) of this section, successful completion of a test of the licensee's eyesight."

Senator Kawasaki moved for the adoption of Amendment No. 1. Senator Hoffman objected, then withdrew his objection. There being no further objection, Amendment No. 1 was adopted.

Senator Hughes, Kawasaki offered Amendment No. 2:

Page 1, line 1, following "Act":

Insert "**relating to the issuance of vehicle registration plates;**"

Following "**applications**":

Insert "**; and providing for an effective date**"

Page 1, following line 2:

Insert new bill sections to read:

**** Section 1.** AS 28.10.108(g) is amended to read:

(g) The department shall issue to the registered owner, upon receipt of the proper application and fees, **one** registration **plate** [PLATES], tabs, and **a** registration form displaying the month and year in which the registration expires.

*** Sec. 2.** AS 28.10.108(h) is amended to read:

(h) The department shall mail or deliver notice of registration expiration to the registered owner of record at the owner's mailing address or electronic mail address as shown in the records of the department. An owner of a vehicle subject to registration who has received notice under this subsection may renew registration of the vehicle on the department's Internet website or by returning the notice form, together with appropriate fees, to the department by mail postmarked not later than the fifth day of the registration renewal period shown on the vehicle's current registration or notice form. Upon receipt of a timely registration renewal application and the appropriate fees and taxes, the department shall renew the

registration and mail the current registration card and registration **plate** [PLATES] or tabs to the owner at the owner's mailing address as shown in the department's records.

* **Sec. 3.** AS 28.10.155(a) is amended to read:

(a) The owner of a motor vehicle, other than a commercial motor vehicle, that is required to be registered under this chapter may elect to register the motor vehicle permanently in lieu of registration under AS 28.10.108 if the vehicle is at least eight years old and the owner resides in the unorganized borough or in a municipality that elects, by passage of an appropriate ordinance, to allow the permanent registration of motor vehicles. The permanent registration expires when the owner transfers or assigns the owner's title or interest in the vehicle. A permanent registration may not be renewed. **Upon** [ON] receiving the proper application and fees, the department shall issue to the registered owner **one** registration **plate** [PLATES], tabs, and a permanent registration form.

* **Sec. 4.** AS 28.10.161(a) is amended to read:

(a) Except for a vehicle registered under AS 28.10.152, the department, upon registering a vehicle, shall issue the owner one fully reflectorized registration plate for **the** [A TRAILER OR A MOTORCYCLE AND TWO FULLY REFLECTORIZED REGISTRATION PLATES FOR EVERY OTHER] vehicle. Except as specifically provided in AS 28.10.181, the plate [OR PLATES] must remain with the vehicle as long as the vehicle is subject to registration under this chapter.

* **Sec. 5.** AS 28.10.161(b) is amended to read:

(b) Every passenger vehicle registration plate, except as specifically provided in AS 28.10.181, shall have displayed on it

(1) one of the following designs:

(A) the Alaska flag design, consisting of the Alaska flag, the traditional colors of yellow-gold and blue, and the slogan "The Last Frontier";

(B) the bear design, consisting of a standing grizzly bear in the center of the plate; the bear design shall be modeled after the 1976 bicentennial plate without the bicentennial symbol; or

(C) the design celebrating the arts chosen by the commissioner through consultation with the Alaska State Council on the Arts; the commissioner shall choose a new design for the plates celebrating the arts every four years and discontinue issuance of the previous design;

(2) the registration number assigned to the vehicle for which it is issued;

(3) the name of this state, which may be abbreviated; and

(4) the registration year number or expiration date for which time it is validated; the registration year number or expiration date may be part of the license plate or contained on a suitable sticker or tab device issued by the department; however, only one sticker or tab device may be issued for each **plate or** pair of plates, and the sticker or tab device must be affixed to the

(A) rear plate for noncommercial vehicles; or

(B) front plate for commercial vehicles.

* **Sec. 6.** AS 28.10.161 is amended by adding a new subsection to read:

(e) A person or organization owning a vehicle that is issued two registration plates by the department may elect to return one registration plate to the department. The registration plate that is not returned to the department shall be attached to the

(1) rear of the vehicle for which it is issued for a noncommercial vehicle; or

(2) front of the vehicle for which it is issued if the vehicle is a commercial vehicle.

* **Sec. 7.** AS 28.10.171(a) is amended to read:

(a) When two registration plates are issued for a vehicle, they shall be attached to the vehicle for which issued, one in front and the other in the rear. When one registration plate is issued, it shall be attached to the

(1) rear of the vehicle for which issued for a noncommercial vehicle; or

(2) front of the vehicle for which issued if the vehicle is a commercial vehicle; in this paragraph, "commercial vehicle" has the meaning given to "commercial motor vehicle" in AS 19.10.399.

* **Sec. 8.** AS 28.10.181(b) is amended to read:

(b) Historic vehicles. The owner of a historic vehicle may make application for special registration under this subsection. The department, when satisfied that the vehicle meets the requirements for historic vehicle registration under regulations adopted by the commissioner, shall register the vehicle and (1) issue **one** [TWO] permanent registration **plate** [PLATES] of distinctive design and color bearing no date; **a vehicle** [VEHICLES] qualifying for

registration under this paragraph shall be issued a registration plate [PLATES] numbered in a separate numerical series beginning with "Historic Vehicle No. 1"; or (2) allow the vehicle to use a registration plate [PLATES] of this state supplied by the vehicle owner that corresponds [CORRESPOND] to the year the vehicle was manufactured if the vehicle was manufactured 30 or more years before the year of application. A registration plate [REGISTRATION PLATES] issued under this subsection remains [REMAIN] with the vehicle as long as the vehicle is registered under this subsection.

* **Sec. 9.** AS 28.10.181(j) is amended to read:

(j) Vehicles owned by dealers. A state-registered and bonded vehicle dealer may apply for a dealer registration plate [PLATES]. A plate issued under this subsection may be used only on dealer-owned vehicles during the routine and normal course of the dealer's business, excluding service vehicles, or for transporting an unregistered vehicle from a port of entry to the dealer's facilities or from one dealer to another or, in the case of a house trailer, from the retail facility to a trailer space. A vehicle permitted to have a dealer plate [PLATES] must be affixed with one plate [TWO PLATES] issued under this subsection. If the dealer sells or transfers the vehicle, the dealer plate [PLATES] may be used on the vehicle by the new owner or transferee for a period of not more than five days after the sale or transfer. The department may seize the dealer plate [PLATES] if it has reason to believe that the plate is [PLATES ARE] being used to defeat the purposes of, or is [ARE] in violation of, this chapter."

Page 1, line 3:

Delete "**Section 1**"

Insert "**Sec. 10**"

Page 1, following line 8:

Insert new bill sections to read:

** **Sec. 11.** AS 28.10.421(d)(9) is amended to read:

(9) dealer registration plates

(A) the initial plate [SET OF PLATES]

\$88;

(B) each subsequent plate [SET OF PLATES]

\$50;

* **Sec. 12.** AS 28.10.441 is amended to read:

Sec. 28.10.441. Schedule of other fees and charges. The

following fees and charges are imposed by the department for the stated services that it provides:

- (1) title fee, including transfer of title \$15;
- (2) lien filing fee \$15;
- (3) replacement of any registration plate [SET], including a special request **plate** [PLATES] \$5;
- (4) duplicate of original certificate of title \$15;
- (5) duplicate of certificate of registration \$2;
- (6) temporary preregistration permit issued under AS 28.10.031 none;
- (7) special transport permit issued under AS 28.10.151 \$5;
- (8) special permit for vehicle used for transport of a person with a disability issued under AS 28.10.495 none.

* **Sec. 13.** Sections 1 - 9, 11, and 12 of this Act take effect immediately under AS 01.10.070(c)."

Senator Hughes moved for the adoption of Amendment No. 2. Without objection, Amendment No. 2 was adopted.

Senator Hughes moved and asked unanimous consent the bill be considered engrossed, advanced to third reading and placed on final passage. Senator Wielechowski objected, then withdrew his objection. There being no further objection, it was so ordered.

HOUSE BILL NO. 163 am S(efd add S) "An Act relating to the issuance of vehicle registration plates; relating to vehicle title applications; relating to driver's license renewal; and providing for an effective date" was read the third time.

The question being: "Shall HOUSE BILL NO. 163 am S(efd add S) "An Act relating to the issuance of vehicle registration plates; relating to vehicle title applications; relating to driver's license renewal; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

HB 163 am S(efd add S)
 Third Reading - Final Passage
 Effective Date(s)

YEAS: 19 NAYS: 1 EXCUSED: 0 ABSENT: 0

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

Nays: Reinbold

and so, HOUSE BILL NO. 163 am S(efd add S) passed the Senate.

Senator Hughes moved and asked unanimous consent the vote on the passage of the bill be considered the vote on the effective date clause(s). Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

SCR 30

Senator Hughes moved and asked unanimous consent to take up SENATE CONCURRENT RESOLUTION NO. 30 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 163, relating to vehicle title applications. Without objection, the resolution was before the Senate on final passage.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 30 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 163, relating to vehicle title applications, pass the Senate?" The roll was taken with the following result:

SCR 30

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

and so, SENATE CONCURRENT RESOLUTION NO. 30 passed the Senate and was referred to the Secretary for engrossment.

Senator Hughes moved and asked unanimous consent the Senate return to Messages from the House. Without objection, the Senate returned to:

Messages from the House (continued)**Concur Messages (continued)****SB 131**

Message dated May 18 was read stating the House passed and returned for consideration SENATE BILL NO. 131(title am) "An Act relating to the presumption of compensability for a disability resulting from certain cancers in firefighters" with the following amendment(s):

HOUSE CS FOR SENATE BILL NO. 131(FIN)

Senator Hughes moved the Senate concur in the House amendment(s), and recommended the body vote no.

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

HCS SB 131(FIN)

Shall the Senate Concur in the House Amendment to SB 131(title am)?

YEAS: 6 NAYS: 14 EXCUSED: 0 ABSENT: 0

Yeas: Begich, Gray-Jackson, Kawasaki, Kiehl, Olson, Wielechowski

Nays: Bishop, Costello, Hoffman, Holland, Hughes, Micciche, Myers, Reinbold, Revak, Shower, Stedman, Stevens, von Imhof, Wilson

Begich changed from "NAY" to "YEA"

Gray-Jackson changed from "NAY" to "YEA"

and so, the Senate failed to concur.

Senators Wielechowski, Shower offered the following:

Sense of the Senate

It is the sense of the Senate that:

The Alaska State Senate respectfully encourages the United States Congress to introduce and pass legislation requiring each offeror for a domestic United States Department of Defense construction project to

establish a goal that not less than 10 percent of the total workforce employed in the performance of the project are participants in qualified apprenticeship or postsecondary programs; and

The Alaska State Senate respectfully encourages the United States Congress to introduce and pass legislation requiring each contractor and subcontractor for a domestic United States Department of Defense construction project that employs apprentices or postsecondary students in a particular classification to ensure that not less than 10 percent of the apprentices or postsecondary students are veterans of the armed forces of the United States; and

The Alaska State Senate supports CS FOR HOUSE JOINT RESOLUTION NO. 32(MLV).

Senators Hughes, Begich, Gray-Jackson, Kiehl, Revak, Olson, Costello, Kawasaki, Holland, von Imhof, Stevens, Bishop, Hoffman, Micciche moved and asked unanimous consent to be shown as cosponsors on the Sense of the Senate. Without objection, it was so ordered.

Senator Wielechowski moved and asked unanimous consent to adopt the Sense of the Senate. Senator Begich objected, then withdrew his objection.

The question being: "Shall the Senate adopt the Sense of the Senate?"
The roll was taken with the following result:

Adopt Sense of the Senate?

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

and so, the Sense of the Senate was adopted.

Third Reading of House Bills (continued)**HB 157**

SENATE CS FOR CS FOR HOUSE BILL NO. 157(FIN) "An Act requiring the disclosure of the identity of certain persons, groups, and nongroup entities that expend money in support of or in opposition to an application filed for a state referendum or recall election; relating to political contributions; relating to the location of offices for the Alaska Public Offices Commission and the locations at which certain statements and reports filed with the commission are made available; clarifying the limits on making, accepting, and reporting certain cash campaign contributions; relating to campaign finance reporting by certain groups; changing the date a legislator is required to report certain campaign contributions and expenditures; increasing the time the Alaska Public Offices Commission has to respond to a request for an advisory opinion; relating to penalties assessed for campaign finance violations; relating to complaints alleging campaign finance violations; repealing a reporting requirement for certain contributions; relating to contribution limits and recall campaigns; relating to campaign signs on private property; relating to the reporting of financial and business interests by municipal officers, former municipal officers, and candidates for municipal office; relating to reporting of contributions made after the date of the election by a candidate for the legislature; and providing for an effective date" was read the third time.

Senator Wilson moved and asked unanimous consent the bill be returned to second reading for the purpose of all amendments offered today. Without objection, the bill was returned to second reading.

Senator Wilson offered Amendment No. 1:

Page 1, line 3:

Delete "**relating to political contributions;**"

Page 4, line 11, through page 5, line 18:

Delete all material.

ReNUMBER the following bill sections accordingly.

Page 5, line 24, through page 6, line 5:
Delete all material.

Renumber the following bill sections accordingly.

Page 7, lines 12 - 19:
Delete all material.

Renumber the following bill sections accordingly.

Page 12, line 31, through page 13, line 3:
Delete all material.

Renumber the following bill sections accordingly.

Page 14, line 25:
Delete "(a)"

Page 14, line 27:
Delete "sec. 1 of"

Page 14, line 28, through page 15, line 8:
Delete all material.

Renumber the following bill section accordingly.

Page 15, line 9:
Delete "Except as provided in sec. 34 of this Act, this"
Insert "This"

Senator Wilson moved for the adoption of Amendment No. 1. Senator Bishop objected.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

SCS CSHB 157(FIN)
Second Reading
Amendment No. 1?

YEAS: 7 NAYS: 13 EXCUSED: 0 ABSENT: 0

Yeas: Costello, Holland, Hughes, Myers, Revak, Shower, Wilson

Nays: Begich, Bishop, Gray-Jackson, Hoffman, Kawasaki, Kiehl, Micciche, Olson, Reinbold, Stedman, Stevens, von Imhof, Wielechowski

Hughes changed from "NAY" to "YEA"

and so, Amendment No. 1 failed.

Senator Wilson offered Amendment No. 2:

Page 5, line 24, through page 6, line 5:

Delete all material.

Renumber the following bill sections accordingly.

Page 14, line 28:

Delete "Section 33"

Insert "Section 32"

Page 14, line 29:

Delete "sec. 33"

Insert "sec. 32"

Page 15, line 5:

Delete "sec. 26"

Insert "sec. 25"

Page 15, line 7:

Delete "12, 16, 26, and 33"

Insert "15, 25, and 32"

Page 15, line 9:

Delete "sec. 34"

Insert "sec. 33"

Senator Wilson moved for the adoption of Amendment No. 2.
Objections were heard.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

SCS CSHB 157(FIN)
Second Reading
Amendment No. 2?

YEAS: 8 NAYS: 12 EXCUSED: 0 ABSENT: 0

Yeas: Holland, Hughes, Kiehl, Micciche, Myers, Revak, Shower, Wilson

Nays: Begich, Bishop, Costello, Gray-Jackson, Hoffman, Kawasaki, Olson, Reinbold, Stedman, Stevens, von Imhof, Wielechowski

and so, Amendment No. 2 failed.

Senator Wilson offered Amendment No. 3:

Page 1, line 11, following "**violations**;"

Insert "**prohibiting the payment of initiative petition circulators based on the number of registered voters who sign a petition**;"

Page 13, following line 3:

Insert a new bill section to read:

"* **Sec. 27.** AS 15.45.110(c) is amended to read:

(c) A circulator may not receive payment or agree to receive payment [THAT IS GREATER THAN \$1 A SIGNATURE], and a person or an organization may not pay or agree to pay an amount, **based on the number of signatures collected. Nothing in this subsection prohibits a person or an organization from employing a circulator and paying the circulator an hourly wage or salary that is not based on the number of signatures collected** [THAT IS GREATER THAN \$1 A SIGNATURE, FOR THE COLLECTION OF SIGNATURES ON A PETITION]."

Renumber the following bill sections accordingly.

Page 14, line 28:

Delete "Section 33"

Insert "Section 34"

Page 14, line 29:

Delete "sec. 33"

Insert "sec. 34"

Page 15, line 7:

Delete "33"

Insert "34"

Page 15, line 9:

Delete "sec. 34"

Insert "sec. 35"

Senator Wilson moved for the adoption of Amendment No. 3. Senator Wielechowski objected.

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

SCS CSHB 157(FIN)

Second Reading

Amendment No. 3?

YEAS: 11 NAYS: 9 EXCUSED: 0 ABSENT: 0

Yeas: Costello, Holland, Hughes, Micciche, Myers, Olson, Reinbold, Revak, Shower, von Imhof, Wilson

Nays: Begich, Bishop, Gray-Jackson, Hoffman, Kawasaki, Kiehl, Stedman, Stevens, Wielechowski

and so, Amendment No. 3 was adopted.

Senator Wilson offered Amendment No. 4:

Page 4, line 14:

Delete "**\$2,000**"

Insert "**\$2,900**"

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Page 4, line 18:

Delete "\$5,000 a ["

Insert "**\$10,000 a** [\$5,000"

Page 4, line 22:

Delete "**\$4,000**"

Insert "**\$5,000**"

Page 4, line 24:

Delete "**\$5,000**"

Insert "**\$10,000**"

Page 4, line 29:

Delete "**\$4,000**"

Insert "**\$5,000**"

Page 5, line 2:

Delete "**\$5,000**"

Insert "**\$10,000**"

Page 5, line 6:

Delete "**\$4,000**"

Insert "**\$5,800**"

Page 5, line 8:

Delete "**\$8,000**"

Insert "**\$10,000**"

Page 5, line 24, through page, 6, line 5:

Delete all material.

Renumber the following bill sections accordingly.

Page 14, line 22:

Delete "AS 15.13.040(k) is"

Insert "AS 15.13.040(k), 15.13.072(a)(2), and 15.13.072(e) are"

Page 14, line 25:

Delete "(a)"

Page 14, line 28, through page 15, line 6:
Delete all material.

Renumber the following bill sections accordingly.

Page 15, line 7:
Delete "12, 16, 26, and 33"
Insert "15, and 25"

Page 15, line 9:
Delete "sec. 34"
Insert "sec. 32"

Senator Wilson moved for the adoption of Amendment No. 4. Senator Wielechowski objected.

Senator Wilson moved and asked unanimous consent to withdraw Amendment No. 4. Without objection, Amendment No. 4 was withdrawn.

Senator Revak offered Amendment No. 5:

Page 2, line 1, following "**campaigns**":
Insert "**relating to proposing and enacting laws by initiative;**"

Page 13, following line 3:
Insert a new bill section to read:
"* **Sec. 27.** AS 15.45.240 is amended by adding a new subsection to read:

(b) The provisions of an initiative are not severable after being circulated under AS 15.45.110. An initiative petition may not contain a severability clause. If a court finds a provision of an initiative petition unconstitutional during a review under (a) of this section, the court shall order the lieutenant governor to reject the entire initiative petition and prohibit the placement of the initiative on the ballot."

Renumber the following bill sections accordingly.

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Page 14, line 28:

Delete "Section 33"

Insert "Section 34"

Page 14, line 29:

Delete "sec. 33"

Insert "sec. 34"

Page 15, line 7:

Delete "33"

Insert "34"

Page 15, line 9:

Delete "sec. 34"

Insert "sec. 35"

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

The question being: "Shall Amendment No. 5 be adopted?" The roll was taken with the following result:

SCS CSHB 157(FIN) am S

Second Reading

Amendment No. 5?

YEAS: 9 NAYS: 10 EXCUSED: 0 ABSENT: 1

Yeas: Costello, Holland, Hughes, Micciche, Reinbold, Revak, Shower, von Imhof, Wilson

Nays: Begich, Bishop, Gray-Jackson, Hoffman, Kawasaki, Kiehl, Myers, Stedman, Stevens, Wielechowski

Absent: Olson

and so, Amendment No. 5 failed.

Senators Kawasaki, Myers offered Amendment No. 6:

Page 5, following line 22:

Insert a new bill section to read:

"Sec. 11. AS 15.13 is amended by adding a new section to read:

Sec. 15.13.092. Identification of nonresident contributors to a candidate.

(a) In addition to the information required by AS 15.13.090, all communications paid for by a candidate who has received at least 25 percent of the candidate's aggregate contributions from true sources, or their equivalents, who, at the time of the contribution, reside or have their principal place of business outside the state, must identify that at least a quarter of the candidate's contributions originated from outside the state.

(b) A communication subject to this section that includes a print or video component must have the following statement placed in the communication so as to be easily discernible: "At least 25 percent of the contributions made to (candidate's name) came from outside the State of Alaska." In a broadcast, cable, satellite, Internet, or other digital communication, the statement must remain onscreen throughout the entirety of the communication.

(c) A communication subject to this section that is transmitted through radio or other audio media or that includes an audio component must include the following statement, read in a manner that is easily heard: "At least 25 percent of the contributions to (candidate's name) came from outside the State of Alaska.""

Renumber the following bill sections accordingly.

Senator Kawasaki moved for the adoption of Amendment No. 6. Senator Wilson objected.

The question being: "Shall Amendment No. 6 be adopted?" The roll was taken with the following result:

SCS CSHB 157(FIN) am S
Second Reading
Amendment No. 6?

YEAS: 11 NAYS: 8 EXCUSED: 0 ABSENT: 1

Yeas: Begich, Costello, Gray-Jackson, Hoffman, Holland, Hughes, Kawasaki, Kiehl, Myers, Reinbold, Wielechowski

Nays: Bishop, Micciche, Revak, Shower, Stedman, Stevens, von Imhof, Wilson

Absent: Olson

and so, Amendment No. 6 was adopted.

Senators Shower, Wielechowski offered corrected Amendment No. 7:

Page 15, lines 5 and 6:

Delete "March 3, 2022"

Insert "May 18, 2022"

Senator Shower moved for the adoption of corrected Amendment No. 7. Without objection, corrected Amendment No. 7 was adopted.

Senator Hughes moved to table the bill. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 157(FIN) am S was tabled.

HB 349

CS FOR HOUSE BILL NO. 349(RES) "An Act relating to the establishment of oil and gas drilling units, spacing, and patterns" was read the third time.

Senator Wielechowski moved the bill be returned to second reading for all amendments offered today. Without objection, the bill was returned to second reading.

Senator Wielechowski offered Amendment No. 1:

Page 1, line 2, following "**patterns**":

Insert "**making public certain information related to the oil and gas production tax; and relating to the duties of the Department of Revenue**"

Page 2, following line 14:

Insert new bill sections to read:

**** Sec. 4.** AS 40.25.100(a) is amended to read:

(a) Information in the possession of the Department of Revenue that discloses the particulars of the business or affairs of a taxpayer or other person, including information under AS 38.05.020(b)(11) that is subject to a confidentiality agreement under AS 38.05.020(b)(12), is not a matter of public record, except as provided in **AS 43.05.230(i) - (m)** [AS 43.05.230(i) - (l)] or for purposes of investigation and law enforcement. The

information shall be kept confidential except when its production is required in an official investigation, administrative adjudication under AS 43.05.405 - 43.05.499, or court proceeding. These restrictions do not prohibit the publication of statistics presented in a manner that prevents the identification of particular reports and items, prohibit the publication of tax lists showing the names of taxpayers who are delinquent and relevant information that may assist in the collection of delinquent taxes, or prohibit the publication of records, proceedings, and decisions under AS 43.05.405 - 43.05.499.

* **Sec. 5.** AS 43.05.230 is amended by adding a new subsection to read:

(m) The information provided by a producer to the department on a return for the payment of oil production taxes assessed under AS 43.55.011 is public information.

* **Sec. 6.** AS 43.55.890 is amended to read:

Sec. 43.55.890. Disclosure of tax information.

Notwithstanding any contrary provision of AS 40.25.100, and regardless of whether the information is considered under AS 43.05.230(e) to constitute statistics classified to prevent the identification of particular returns or reports, the department **shall make publicly available online** [MAY PUBLISH] the following information under this chapter, **by producer** [IF AGGREGATED AMONG THREE OR MORE PRODUCERS OR EXPLORERS], showing by month or calendar year and by lease or property, unit, or area of the state:

(1) the identity of the producer;

(2) [(1)] the amount of oil or gas production produced by the producer;

(3) [(2)] the total amount of taxes levied under this chapter or paid by the producer under this chapter;

(4) [(3)] the effective tax paid by the producer [RATES] under this chapter;

(5) [(4)] the gross value of oil or gas at the point of production produced by the producer;

(6) [(5)] the transportation costs for oil or gas incurred by the producer;

(7) the total [(6)] qualified capital expenditures of the producer, as defined in AS 43.55.023;

(8) the total [(7)] exploration expenditures of the

producer under AS 43.55.025;

(9) the [(8)] production tax values of oil or gas under AS 43.55.160 **produced by the producer**;

(10) the total [(9)] lease expenditures **of the producer** under AS 43.55.165;

(11) the total [(10)] adjustments to lease expenditures **made by the producer** under AS 43.55.170;

(12) [(11)] tax credits applicable or potentially applicable **to the producer** against taxes levied by this chapter.

* **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. AS 40.25.100(a), as amended by sec. 4 of this Act, AS 43.05.230(m), enacted by sec. 5 of this Act, and AS 43.55.890, as amended by sec. 6 of this Act, apply to information provided by a producer on a return filed on or after the effective date of this Act."

Senator Wielechowski moved for the adoption of Amendment No. 1. Objections were heard.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

CSHB 349(RES)
Second Reading
Amendment No. 1?

YEAS: 6 NAYS: 11 EXCUSED: 0 ABSENT: 3

Yeas: Begich, Gray-Jackson, Kawasaki, Kiehl, Olson, Wielechowski

Nays: Costello, Holland, Hughes, Micciche, Myers, Reinbold, Revak, Shower, Stevens, von Imhof, Wilson

Absent: Bishop, Hoffman, Stedman

and so, Amendment No. 1 failed.

Senator Wielechowski offered Amendment No. 2:

Page 1, line 2, following "**patterns**":

Insert "; **relating to credits against the oil and gas production tax; and providing for an effective date.**"

Page 2, following line 14:

Insert new bill sections to read:

"* **Sec. 4.** AS 43.55.024(j) is amended to read:

(j) A producer may apply against the producer's tax liability for the calendar year under AS 43.55.011(e) a tax credit in the amount specified in this subsection for each barrel of oil taxable under AS 43.55.011(e) that does not receive a reduction in the gross value at the point of production under AS 43.55.160(f) or (g) and that is produced during a calendar year after December 31, 2013, from leases or properties north of 68 degrees North latitude. A tax credit under this subsection may not reduce a producer's tax liability for a calendar year under AS 43.55.011(e) below the amount calculated under AS 43.55.011(f). The amount of the tax credit for a barrel of taxable oil subject to this subsection produced during a month of the calendar year is

(1) **\$5** [\$8] for each barrel of taxable oil if the average gross value at the point of production for the month is less than \$80 a barrel;

(2) **\$4** [\$7] for each barrel of taxable oil if the average gross value at the point of production for the month is greater than or equal to \$80 a barrel, but less than \$90 a barrel;

(3) **\$3** [\$6] for each barrel of taxable oil if the average gross value at the point of production for the month is greater than or equal to \$90 a barrel, but less than \$100 a barrel;

(4) **\$2** [\$5] for each barrel of taxable oil if the average gross value at the point of production for the month is greater than or equal to \$100 a barrel, but less than \$110 a barrel;

(5) **\$1** [\$4] for each barrel of taxable oil if the average gross value at the point of production for the month is greater than or equal to \$110 a barrel, but less than \$120 a barrel;

(6) **zero** [\$3 FOR EACH BARREL OF TAXABLE OIL] if the average gross value at the point of production for the month is greater than or equal to \$120 a barrel [, BUT LESS THAN \$130 A BARREL];

(7) **\$2 FOR EACH BARREL OF TAXABLE OIL IF THE AVERAGE GROSS VALUE AT THE POINT OF PRODUCTION FOR THE MONTH IS GREATER THAN OR EQUAL TO \$130 A BARREL, BUT LESS THAN \$140 A BARREL;**

(8) **\$1 FOR EACH BARREL OF TAXABLE OIL IF**

THE AVERAGE GROSS VALUE AT THE POINT OF PRODUCTION FOR THE MONTH IS GREATER THAN OR EQUAL TO \$140 A BARREL, BUT LESS THAN \$150 A BARREL;

(9) ZERO IF THE AVERAGE GROSS VALUE AT THE POINT OF PRODUCTION FOR THE MONTH IS GREATER THAN OR EQUAL TO \$150 A BARREL].

* **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to read:

RETROACTIVITY. Section 4 of this Act is retroactive to January 1, 2022.

* **Sec. 6.** Sections 4 and 5 of this Act take effect immediately under AS 01.10.070(c)."

Senator Wielechowski moved for the adoption of Amendment No. 2. Objections were heard.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

CSHB 349(RES)
Second Reading
Amendment No. 2?

YEAS: 7 NAYS: 12 EXCUSED: 0 ABSENT: 1

Yeas: Begich, Gray-Jackson, Kawasaki, Kiehl, Olson, Stedman, Wielechowski

Nays: Bishop, Costello, Holland, Hughes, Micciche, Myers, Reinbold, Revak, Shower, Stevens, von Imhof, Wilson

Absent: Hoffman

and so, Amendment No. 2 failed.

Senator Kiehl offered Amendment No. 3:

Pg. 2, Following line 14:

Insert a new section to read:

"* Sec. 4. The uncodified law of the State of Alaska is amended by adding a new section to read:

CONVEYANCE OF STATE LAND TO THE CITY AND BOROUGH OF JUNEAU. The Department of Natural Resources shall, without cost, convey all rights, titles, and interests to the following parcels of land situated within United States Survey No. 7 Townsite of Juneau and Alaska Tidelands Survey No. 3, Juneau Recording District, First Judicial District, Juneau, Alaska, containing 3.55 acres of land, more or less, to the City and Borough of Juneau, subject to the reservations described in AS 38.05.125 and the provisions of AS 38.05.127:

(1) All of Tract A, Downtown Transportation Center Plat, recorded as Plat No. 2009-11, Juneau Recording District;

(2) Lots 7 and 8, Block 1, United States Survey No. 7, Townsite of Juneau;

(3) Lots 1, 2, 3, 6, 7, and 8, Block 6, United States Survey No. 7, Townsite of Juneau, excluding the following particularly described parcel:

Beginning at the west corner of Lot 8; thence South 41 degrees 17 minutes East along the southwest line of Lot 8, a distance of 14.13 feet; thence northerly a distance of 20.0 feet, more or less, to a point on the northwest line of Lot 8, said point being North 48 degrees 43 minutes East a distance of 14.13 feet from the point of beginning; thence South 48 degrees 43 minutes West, along the northwest line of Lot 8, a distance of 14.13 feet to the point of beginning;

(4) Lots 3, 4, 5, and 6, Block D, United States Survey No. 7, Townsite of Juneau, and the following particularly described parcel:

Beginning at the north corner of Lot 5; thence South 48 degrees 43 minutes West, on the northwest lot line a distance of 50.0 feet to the west corner of Lot 5; thence North 41 degrees 17 minutes West a distance of 20.0 feet; thence North 48 degrees 43 minutes East a distance of 61.58 feet; thence South 36 degrees 44 minutes East a distance of 120.78 feet; thence South 48 degrees 43 minutes West a distance of 2.0 feet to the east corner of Lot 5; thence North 41 degrees 17 minutes West, along the northwest lot line, a distance of 100.40 feet to the point of beginning; excluding the southwest 8.94 feet of Lot 6, Block D;

(5) Lots 2, 3, 4, 5, 6, and 7, Block E, United States Survey

No. 7, Townsite of Juneau, excluding the following particularly described parcels:

(A) Beginning at the west corner of Lot 2; thence North 48 degrees 43 minutes East along the northwest line of Lot 2, a distance of 18.06 feet; thence South 82 degrees 25 minutes 10 seconds East a distance of 149.86 feet to a point on the southeast line of said Lot 4; thence South 48 degrees 43 minutes West a distance of 17.83 feet to the most southerly corner of Lot 4; thence North 76 degrees 36 minutes West a distance of 40.30 feet to an angle point on the south line of Lot 3, said point being Corner 10 of Alaska Tidelands Survey No. 3; thence North 84 degrees 38 minutes West a distance of 110.0 feet to the point of beginning;

(B) Beginning at the south corner of Lot 7; thence North 52 degrees 42 minutes West along the southwest line of Lot 7 a distance of 66.90 feet, the line being coincident with the boundary line between United States Survey No. 7 and Alaska Tideland Survey No. 3; thence North 43 degrees 23 minutes East a distance of 7.87 feet; thence South 52 degrees 42 minutes East a distance of 50.40 feet to the southeast line of Lot 7; thence South 48 degrees 43 minutes West along the lot line a distance of 18.06 feet to the point of beginning."

Senator Kiehl moved for the adoption of Amendment No. 3. Senator Reinbold objected, then withdrew her objection. There being no further objection, Amendment No. 3 was adopted.

Senator Stevens offered Amendment No. 4:

Page 1, line 2, following "patterns":

Insert "**providing for the transfer of and addition of names to a personal use cabin permit for a cabin on state land; and providing for an effective date**"

Page 2, following line 14:

Insert new bill sections to read:

"* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSFER OF PERMIT FOR PERSONAL USE CABIN ON STATE LAND. (a) Notwithstanding regulations adopted by the Department of Natural Resources in 1984 and amendments to those

regulations adopted by that department in 1993, 2001, and 2018 under the authority of AS 38.04.035, 38.04.900, AS 38.05.020, AS 41.21.020, and AS 44.37.011 as those provisions read on the date those regulations were adopted, that state that a personal use cabin permit is not transferable or assignable and is valid only during the lifetime of the original holder of the permit, the department shall,

(1) at the request of an original permit holder,

(A) transfer the permit holder's permit to an immediate family member of the permit holder; or

(B) add an immediate family member of the permit holder as an additional permittee with a right of survivorship in the permit; and

(2) if the original permit holder of a permit that has not been transferred or assigned dies before the age provided by the National Center for Health Statistics as the average life expectancy of a person residing in the state at the time of the permit holder's birth, allow an immediate family member of the deceased permit holder to assume the privileges of the permit for a period equal to the difference between the original permit holder's age at death and the life expectancy determined under this paragraph.

(b) Notwithstanding the regulations that state that a personal use cabin permit is not transferable or assignable and is valid only during the lifetime of the original holder, an immediate family member of an original personal use cabin permit holder or deceased personal use cabin permit holder may assume the privileges of a permit under (a) of this section only if the person is qualified under regulations adopted by the Department of Natural Resources.

(c) For an immediate family member of a personal use cabin permit holder

(1) to be added to or transferred a permit under (a)(1) of this section, the original permit holder must submit the immediate family member's name to the Department of Natural Resources;

(2) to assume the privileges of a permit under (a)(2) of this section, the immediate family member must apply to the Department of Natural Resources within 30 days after the permit holder's death.

(d) Once the original permit holder has died, a personal use cabin permit that an immediate family member has been transferred, or had the individual's name added to, under (a)(1) of this section is valid only during the lifetime of the immediate family member.

(e) The Department of Natural Resources shall adopt regulations

to implement this section.

(f) In this section, "personal use cabin permit" means a permit issued by the Department of Natural Resources under regulations adopted by the department in 1984 and amendments to those regulations that were adopted in 1993, 2001, and 2018 to an individual to use an existing cabin that was placed on state land before August 1, 1984.

* **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to read:

PERSONAL USE CABIN PERMITS THAT EXPIRED ON OR AFTER JANUARY 1, 2020, AND BEFORE THE EFFECTIVE DATE OF THIS ACT. (a) The Department of Natural Resources shall allow an immediate family member of the holder of a personal use cabin permit that allowed the holder to use an existing cabin that was placed on state land that was issued by the Department of Natural Resources under regulations adopted by the department in 1984 and amendments to those regulations that were adopted in 1993, 2001, and 2018 that expired on or after January 1, 2020, and before the effective date of this Act, because of the death of the original permit holder, to assume the former privileges of the expired permit as provided under sec. 4(a)(2) of this Act as though the permit had not expired.

(b) Notwithstanding sec. 4(c)(2) of this Act, for an immediate family member of a personal use cabin permit holder to assume the former privileges of an expired permit under (a) of this section, the immediate family member must apply to the Department of Natural Resources within 60 days after the effective date of this section.

(c) In calculating the period for which an immediate family member may assume the former privileges of an expired permit under (a) of this section, the Department of Natural Resources shall count the period after January 1, 2020, that the original permit holder was deceased against the period the family member may assume the former privileges of the expired permit.

* **Sec. 6.** Sections 4 and 5 of this Act take effect immediately under AS 01.10.070(c)."

Senator Stevens moved for the adoption of Amendment No. 4. Senator Begich objected, then withdrew his objection. There being no further objection, Amendment No. 4 was adopted.

SENATE JOURNAL

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May 18, 2022

CS FOR HOUSE BILL NO. 349(RES) am S(efd add S) was automatically in third reading.

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

The question being: "Shall CS FOR HOUSE BILL NO. 349(RES) am S(efd add S) "An Act relating to the establishment of oil and gas drilling units, spacing, and patterns; providing for the transfer of and addition of names to a personal use cabin permit for a cabin on state land; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 349(RES) am S(efd add S)

Third Reading - Final Passage

Effective Date(s)

YEAS: 19 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Hoffman

and so, CS FOR HOUSE BILL NO. 349(RES) am S(efd add S) passed the Senate.

Senator Hughes moved and asked unanimous consent the vote on the passage of the bill be considered the vote on the effective date clause(s). Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

SCR 29

Senator Hughes moved and asked unanimous consent to take up SENATE CONCURRENT RESOLUTION NO. 29 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 349, relating to the establishment of oil and gas drilling units, spacing, and patterns. Without objection, the resolution was before the Senate on final passage.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 29 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 349, relating to the establishment of oil and gas drilling units, spacing, and patterns, pass the Senate?" The roll was taken with the following result:

SCR 29

Final Passage

YEAS: 19 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Hoffman

and so, SENATE CONCURRENT RESOLUTION NO. 29 passed the Senate and was referred to the Secretary for engrossment.

Senator Hughes moved and asked unanimous consent the Senate return to Messages from the House. Without objection, the Senate returned to:

Messages from the House (continued)

Recede Messages

SB 131

Message dated May 18 was read stating the House has failed to recede from its amendment(s) to SENATE BILL NO. 131(title am) "An Act relating to the presumption of compensability for a disability resulting from certain cancers in firefighters" namely,

HOUSE CS FOR SENATE BILL NO. 131(FIN) "An Act relating to the presumption of compensability for a disability resulting from certain cancers in firefighters; 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."

SB 131

The Speaker has appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the bills:

Representative Josephson, Chair
Representative Wool
Representative Carpenter

President Micciche appointed the following members to a Conference Committee to meet with the like committee from the House:

Senator Holland, Chair
Senator Myers
Senator Kawasaki

The Secretary was requested to notify the House.

HB 157

Senator Hughes moved and asked unanimous consent to take from the table SENATE CS FOR CS FOR HOUSE BILL NO. 157(FIN) am S "An Act requiring the disclosure of the identity of certain persons, groups, and nongroup entities that expend money in support of or in opposition to an application filed for a state referendum or recall election; relating to political contributions; relating to the location of offices for the Alaska Public Offices Commission and the locations at which certain statements and reports filed with the commission are made available; clarifying the limits on making, accepting, and reporting certain cash campaign contributions; relating to campaign finance reporting by certain groups; changing the date a legislator is required to report certain campaign contributions and expenditures; increasing the time the Alaska Public Offices Commission has to respond to a request for an advisory opinion; relating to penalties assessed for campaign finance violations; relating to complaints alleging campaign finance violations; repealing a reporting requirement for certain contributions; relating to contribution limits and recall campaigns; relating to campaign signs on private property; relating to the reporting of financial and business interests by municipal officers, former municipal officers, and candidates for municipal office; relating to reporting of contributions made after the date of the election by a candidate for the legislature; and providing for an effective date." Objections were heard.

The question being: "Shall the Senate take SENATE CS FOR CS FOR HOUSE BILL NO. 157(FIN) am S from the table?" The roll was taken with the following result:

SCS CSHB 157(FIN) am S

Take from the Table?

YEAS: 8 NAYS: 11 EXCUSED: 0 ABSENT: 1

Yeas: Begich, Gray-Jackson, Kawasaki, Kiehl, Micciche, Olson, Reinbold, Wielechowski

Nays: Bishop, Costello, Holland, Hughes, Myers, Revak, Shower, Stedman, Stevens, von Imhof, Wilson

Absent: Hoffman

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 157(FIN) failed to be taken from the table.

Senator Hughes moved and asked unanimous consent the Senate return to Standing Committee Reports. Without objection, the Senate returned to:

Standing Committee Reports

HB 163

Fiscal information for HOUSE BILL NO. 163 am S (efd add S) "An Act relating to the issuance of vehicle registration plates; relating to vehicle title applications; relating to driver's license renewal; and providing for an effective date" was published today:

Fiscal Note No. 3, zero, Department of Administration

HB 157

Forthcoming fiscal information (page 2894) for SENATE CS FOR CS FOR HOUSE BILL NO. 157(FIN) "An Act requiring the disclosure of the identity of certain persons, groups, and nongroup entities that expend money in support of or in opposition to an application filed for a state referendum or recall election; relating to political contributions; relating to the location of offices for the Alaska Public Offices Commission and the locations at which certain statements and reports

filed with the commission are made available; clarifying the limits on making, accepting, and reporting certain cash campaign contributions; relating to campaign finance reporting by certain groups; changing the date a legislator is required to report certain campaign contributions and expenditures; increasing the time the Alaska Public Offices Commission has to respond to a request for an advisory opinion; relating to penalties assessed for campaign finance violations; relating to complaints alleging campaign finance violations; repealing a reporting requirement for certain contributions; relating to contribution limits and recall campaigns; relating to campaign signs on private property; relating to the reporting of financial and business interests by municipal officers, former municipal officers, and candidates for municipal office; relating to reporting of contributions made after the date of the election by a candidate for the legislature; and providing for an effective date" was published today:

Fiscal Note No. 3, Department of Administration

HB 306

The Finance Committee considered HOUSE BILL NO. 306 "An Act extending the termination date of the Board of Pharmacy; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR HOUSE BILL NO. 306(FIN) "An Act extending the termination dates of the Board of Pharmacy and the Alcoholic Beverage Control Board; and providing for an effective date."
(Title Change SCR 31)

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. 1, Department of Commerce, Community, and Economic Development

The bill is on today's calendar.

Consideration of the Calendar (continued)**Second Reading of House Bills (continued)****HB 306**

HOUSE BILL NO. 306 "An Act extending the termination date of the Board of Pharmacy; and providing for an effective date" was read the second time.

Senator Bishop, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered today. Senator Begich objected, then withdrew his objection. There being no further objection, SENATE CS FOR HOUSE BILL NO. 306(FIN) "An Act extending the termination dates of the Board of Pharmacy and the Alcoholic Beverage Control Board; and providing for an effective date" 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.

SENATE CS FOR HOUSE BILL NO. 306(FIN) "An Act extending the termination dates of the Board of Pharmacy and the Alcoholic Beverage Control Board; and providing for an effective date" was read the third time.

The question being: "Shall SENATE CS FOR HOUSE BILL NO. 306(FIN) "An Act extending the termination dates of the Board of Pharmacy and the Alcoholic Beverage Control Board; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS HB 306(FIN)

Third Reading - Final Passage

Effective Date(s)

YEAS: 19 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Hoffman

and so, SENATE CS FOR HOUSE BILL NO. 306(FIN) passed the Senate.

Senator Hughes moved and asked unanimous consent the vote on the passage of the bill be considered the vote on the effective date clause(s). Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

SCR 31

Senator Hughes moved and asked unanimous consent to take up SENATE CONCURRENT RESOLUTION NO. 31 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 306, extending the termination date of the Board of Pharmacy. Without objection, the resolution was before the Senate on final passage.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 31 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 306, extending the termination date of the Board of Pharmacy, pass the Senate?" The roll was taken with the following result:

SCR 31

Final Passage

YEAS: 19 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Hoffman

and so, SENATE CONCURRENT RESOLUTION NO. 31 passed the Senate and was referred to the Secretary for engrossment.

Senator Hughes moved and asked unanimous consent the Senate return to Special Committee Reports. Without objection, the Senate returned to:

Special Committee Reports (continued)

SB 131

The following report was received and distributed at 11:52 p.m., May 18, 2022:

May 18, 2022

Mr. President:

Madam Speaker:

The Conference Committee considered SENATE BILL NO. 131 (title am)"An Act relating to the presumption of compensability for a disability resulting from certain cancers in firefighters"

and

HOUSE CS FOR SENATE BILL NO. 131(FIN) "An Act relating to the presumption of compensability for a disability resulting from certain cancers in firefighters; 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" and recommends

CONFERENCE CS FOR SENATE BILL NO. 131
"An Act relating to the presumption of compensability for a disability resulting from certain cancers in firefighters; 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"

be adopted.

Fiscal information forthcoming.

Signing the report: Senator Holland, Chair, Senators Kawasaki, Myers; Representative Josephson, Chair; Representatives Wool,

Carpenter.

Senator Hughes moved the Senate adopt the Conference Committee Report.

The question being: "Shall the Senate adopt the Conference Committee Report?" The roll was taken with the following result:

CCS SB 131

Shall the Senate Adopt the Conference Committee Report?

Effective Date(s)

YEAS: 19 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Hoffman

and so, the report was adopted, thus adopting:

CONFERENCE CS FOR SENATE BILL NO. 131
"An Act relating to the presumption of compensability for a disability resulting from certain cancers in firefighters; 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."

Senator Hughes moved and asked unanimous consent the vote on the adoption of the Conference Committee Report be considered the vote on the effective date clause(s). Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for engrossment and enrollment.

Unfinished Business**HB 19**

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" which passed the Senate on May 17 (page 2897), was signed by the President and Secretary and returned to the House for consideration.

HB 133

The reconsideration on 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" was not taken up this legislative day and the bill was signed by the President and Secretary and returned to the House.

Announcements

Rule 23(d) of the Alaska State Legislature Uniform Rules is currently in effect.

Announcements are at the end of the journal.

Engrossment**HB 163**

HOUSE BILL NO. 163 am S(efd add S) "An Act relating to the issuance of vehicle registration plates; relating to vehicle title applications; relating to driver's license renewal; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

HB 291

SENATE CS FOR CS FOR HOUSE BILL NO. 291(FIN) "An Act relating to the Council on Domestic Violence and Sexual Assault; establishing the Alaska Criminal Justice Data Analysis Commission; relating to the membership, powers, and duties of the Alaska Criminal Justice Data Analysis Commission; relating to the duties of the Judicial Council; extending the termination date of the Council on Domestic Violence and Sexual Assault; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

HB 306

SENATE CS FOR HOUSE BILL NO. 306(FIN) "An Act extending the termination dates of the Board of Pharmacy and the Alcoholic Beverage Control Board; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

HB 325

HOUSE BILL NO. 325 am S(efd add S) "An Act relating to petitions for a change of name for certain persons; relating to the duty to register as a sex offender; relating to sexual offenses; relating to domestic violence; relating to the code of military justice; relating to consent; relating to the testing of sexual assault examination kits; relating to lifetime revocation of a teaching certificate for certain offenses; amending Rule 84, Alaska Rules of Civil Procedure; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

HB 349

CS FOR HOUSE BILL NO. 349(RES) am S (efd add S) "An Act relating to the establishment of oil and gas drilling units, spacing, and patterns; providing for the transfer of and addition of names to a personal use cabin permit for a cabin on state land; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

SCR 27

SENATE CONCURRENT RESOLUTION NO. 27 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 325, relating to domestic violence, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SCR 28

SENATE CONCURRENT RESOLUTION NO. 28 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 291, relating to the Council on Domestic Violence and Sexual Assault; and extending the termination date of the Council on Domestic Violence and Sexual Assault, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SCR 29

SENATE CONCURRENT RESOLUTION NO. 29 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 349, relating to the establishment of oil and gas drilling units, spacing, and patterns, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SCR 30

SENATE CONCURRENT RESOLUTION NO. 30 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 163, relating to vehicle title applications, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SCR 31

SENATE CONCURRENT RESOLUTION NO. 31 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 306, extending the termination date of the Board of Pharmacy, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator von Imhof moved and asked unanimous consent the Senate stand in adjournment sine die. Without objection, the Senate adjourned at 12:03 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

EDUCATION

May 18	Wednesday No Meeting Scheduled	Butrovich 205	9:00 AM
May 20	Friday No Meeting Scheduled	Butrovich 205	9:00 AM

FINANCE

May 18	Wednesday -- Delayed to a Call of the Chair -- Bills Previously Heard/Scheduled:	Senate Finance 532	9:00 AM
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+ = HB 306 EXTND BDS OF PHARM/ALCOHOLIC BEV CONTROL

JUDICIARY

May 18	Wednesday No Meeting Scheduled	Butrovich 205	1:30 PM
May 20	Friday No Meeting Scheduled	Butrovich 205	1:30 PM

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LABOR & COMMERCE

May 18 **Wednesday** **Beltz 105 (tsbldg)** **9:00 AM**
-- MEETING CANCELED --
-- Delayed to a Call of the Chair --
-- Please Note Time Change --
Bills Previously Heard/Scheduled
Streamed live on AKL.tv

RESOURCES

May 18 **Wednesday** **Butrovich 205** **3:30 PM**
-- MEETING CANCELED --
Bills Previously Heard/Scheduled
Streamed live on AKL.tv

May 20 **Friday** **Butrovich 205** **3:30 PM**
-- MEETING CANCELED --
Bills Previously Heard/Scheduled
Streamed live on AKL.tv

CONFERENCE COMMITTEES

CONFERENCE COMMITTEE ON SB 131

May 18 **Wednesday** **Butrovich 205** **11:30 PM**
= SB 131 WORKERS' COMP DISABILITY FOR FIREFIGHTERS