

SENATE JOURNAL
ALASKA STATE LEGISLATURE
THIRTY-THIRD LEGISLATURE
FIRST SESSION

Juneau, Alaska

Monday

April 24, 2023

Ninety-eighth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:22 a.m.

The roll showed seventeen members present. Senator Claman was excused from a call of the Senate. Senators Myers, Wilson were absent.

The prayer was offered by the Chaplain, Pastor Bill Nelson, United Pentecostal Church of Juneau. Senator Hoffman moved and asked unanimous consent the prayer be spread. Without objection, it was so ordered.

I would like to thank You oh Lord, for the comfort of knowing that You are as close as the mention of Your name. So, we call upon You now to be here today in a positively powerful way.

You, in Your infinite wisdom, know what is best for us all, so we ask in faith for Your wisdom to abide upon all of us here today. I would like to ask that Your peace would also abide here as well.

I pray for the leadership of our great state as they do the often-difficult job that is before them. I pray for their health, safety and wellbeing and that of their families as well. I appreciate all of these hard-working men and women and would ask that You would bless them for the sacrifices they have made to be here for all of these sessions.

We Thank You Lord,

Amen.

Senator Dunbar led the Senate in the Pledge of Allegiance.

Certification

Senator Giessel moved and asked unanimous consent the journals for the ninety-fifth through ninety-seventh legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Senator Giessel moved and asked unanimous consent Senator Wilson be excused from a call of the Senate today through April 26. Without objection, Senator Wilson was excused.

Standing Committee Reports

SB 29

The Finance Committee considered SENATE BILL NO. 29 "An Act relating to civics education, civics assessments, and secondary school graduation requirements; establishing the Alaska Civics Education Commission; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 29(FIN) "An Act relating to civics education, civics assessments, and secondary school graduation requirements; and providing for an effective date."

Signing do pass: Senator Stedman, Cochair; Senators Kiehl, Merrick, Bishop. Signing no recommendation: Senator Olson, Cochair.

The following fiscal information was published today:

Fiscal Note No. 3, Department of Education and Early
Development

Fiscal Note No. 4, zero, Legislative Agency

Fiscal Note No. 5, zero, Office of the Governor

The bill was referred to the Rules Committee.

SB 67

The Finance Committee considered SENATE BILL NO. 67 "An Act relating to firefighting substances; and providing for an effective date" and recommended the adoption of the Resources Committee Substitute offered on page 624.

Signing do pass: Senator Olson, Cochair; Senators Kiehl, Bishop.
Signing no recommendation: Senator Merrick.

The following previously published fiscal information applies:
Fiscal Note No. 1, Department of Transportation and Public
Facilities
Fiscal Note No. 2, zero, Department of Public Safety

The bill was referred to the Rules Committee.

SB 89

The Labor and Commerce Committee considered SENATE BILL NO. 89 "An Act relating to tobacco, tobacco products, electronic smoking products, nicotine, and products containing nicotine; raising the minimum age to purchase, sell, exchange, or possess tobacco, a product containing nicotine, or an electronic smoking product; relating to the taxation of electronic smoking products and vapor products; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 89(L&C) "An Act relating to tobacco, tobacco products, electronic smoking products, nicotine, and products containing nicotine; raising the minimum age to purchase, exchange, or possess tobacco, a product containing nicotine, or an electronic smoking product; relating to the taxation of electronic smoking products and vapor products; and providing for an effective date."

Signing do pass: Senator Bjorkman, Chair; Senators Dunbar, Bishop, Gray-Jackson.

The following fiscal information was published today:

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

Fiscal Note No. 2, zero, Department of Administration

Fiscal Note No. 3, zero, Department of Administration

Fiscal Note No. 4, zero, Department of Health

Fiscal Note No. 5, Department of Revenue

Fiscal Note No. 6, zero, Department of Public Safety

Fiscal Note No. 7, zero, Department of Law

The bill was referred to the Finance Committee.

Introduction and Reference of Senate Bills

SB 135

SENATE BILL NO. 135 BY SENATOR WIELECHOWSKI, entitled:

"An Act establishing the Alaska Work and Save Program; establishing the Alaska Retirement Savings Board; and providing for an effective date."

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

SB 136

SENATE BILL NO. 136 BY SENATOR OLSON, entitled:

"An Act relating to teacher certificates and teacher preparation programs; and providing for an effective date."

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

SB 137

SENATE BILL NO. 137 BY SENATOR GIESSEL, entitled:

"An Act relating to the refined fuel surcharge; and providing for an effective date."

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

Consideration of the Calendar**Second Reading of Senate Bills****SB 57**

SENATE BILL NO. 57 "An Act relating to medical assistance for recipients of Medicaid waivers; establishing an adult care home license and procedures; providing for the transition of individuals from foster care to adult home care settings; and providing for an effective date" was read the second time.

Senator Olson, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 809. Senator Wielechowski objected, then withdrew his objection. There being no further objection, CS FOR SENATE BILL NO. 57(FIN) was adopted.

Senator Giessel offered Amendment No. 1:

Page 1, line 1, following "Act":

Insert "**relating to home- and community-based services under the medical assistance program;**"

Page 1, following line 4:

Insert a new bill section to read:

"* **Section 1.** AS 47.07.045 is amended by adding a new subsection to read:

(e) Unless prohibited by federal law, the state shall allow a legally responsible person to provide personal care services under this section to a recipient of medical assistance under the 1915(k) state plan option under 42 U.S.C. 1396n."

Page 1, line 5:

Delete "**Section 1**"

Insert "**Sec. 2**"

ReNUMBER the following bill sections accordingly.

Page 4, line 24, following "PLAN.":

Insert "(a) The Department of Health shall amend and submit for federal approval the state plan for medical assistance coverage consistent with AS 47.07.045(e), enacted by sec. 1 of this Act.

(b)"

Page 4, line 28:

Delete "sec. 1"

Insert "sec. 2"

Page 4, line 31:

Delete "sec. 1"

Insert "sec. 2"

Page 5, line 3, following "(a)":

Insert "Section 1 of this Act takes effect only if, and only to the extent that, the United States Department of Health and Human Services approves the amendment to the state plan for medical assistance under AS 47.07.045(e), enacted by sec. 1 of this Act.

(b) If the United States Department of Health and Human Services approves the amendment to the state plan submitted under sec. 7(a) of this Act, the commissioner of health shall notify the revisor of statutes in writing not later than 30 days after receiving notice of the approval.

(c)"

Reletter the following subsection accordingly.

Page 5, line 3:

Delete "Section 1"

Insert "Section 2"

Page 5, line 5:

Delete "sec. 6"

Insert "sec. 7"

Page 5, following line 8:

Insert a new bill section to read:

"* **Sec. 9.** If sec. 1 of this Act takes effect, it takes effect on the 31st day after the date the commissioner of health receives notice of approval of the amendment to the state plan from the United States Department of Health and Human Services under sec. 8(a) of this Act."

Renumber the following bill section accordingly.

Page 5, line 9:

Delete "sec. 1"

Insert "sec. 2"

Page 5, line 10:

Delete "sec. 1"

Insert "sec. 2"

Page 5, line 11:

Delete "sec. 7(b)"

Insert "sec. 8(d)"

Page 5, following line 11:

Insert a new bill section to read:

"* **Sec. 11.** Sections 7(a), and 8(a) and (b) of this Act take effect immediately under AS 01.10.070(c)."

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

Senator Giessel moved and asked unanimous consent the bill be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 57(FIN) am was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 57(FIN) am "An Act relating to home- and community-based services under the medical assistance program; relating to medical assistance for recipients of Medicaid waivers; establishing an adult care home license and procedures; providing for the transition of individuals from foster care to adult home care settings; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 57(FIN) am
Third Reading - Final Passage
Effective Date(s)

YEAS: 17 NAYS: 0 EXCUSED: 2 ABSENT: 1

Yeas: Bishop, Bjorkman, Dunbar, Giessel, Gray-Jackson, Hoffman, Hughes, Kaufman, Kawasaki, Kiehl, Merrick, Olson, Shower, Stedman, Stevens, Tobin, Wielechowski

Excused: Claman, Wilson

Absent: Myers

and so, CS FOR SENATE BILL NO. 57(FIN) am passed the Senate.

Senator Giessel 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.

SB 98

SENATE BILL NO. 98 "An Act relating to the power cost equalization endowment fund; and relating to the Alaska Permanent Fund Corporation" was read the second time.

Senator Olson, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 810. Senator Wielechowski objected, then withdrew his objection. There being no further objection, CS FOR SENATE BILL NO. 98(FIN) "An Act requiring the Alaska Permanent Fund Corporation to manage the power cost equalization endowment fund; requiring the Alaska Permanent Fund Corporation to publish certain reports relating to the power cost equalization endowment fund; relating to the Alaska Permanent Fund Corporation's management and investment of the power cost equalization endowment fund; and providing for an effective date" was adopted.

President Stevens stated CS FOR SENATE BILL NO. 98(FIN) will advance to third reading on the next calendar.

Third Reading of Senate Bills

SB 12

CS FOR SENATE BILL NO. 12(JUD) "An Act relating to the duties of the Department of Administration; creating an address confidentiality program; and providing for an effective date" was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 12(JUD) "An Act relating to the duties of the Department of Administration; creating an address confidentiality program; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 12(JUD)

Third Reading - Final Passage

Effective Date(s)

YEAS: 17 NAYS: 0 EXCUSED: 2 ABSENT: 1

Yeas: Bishop, Bjorkman, Dunbar, Giessel, Gray-Jackson, Hoffman, Hughes, Kaufman, Kawasaki, Kiehl, Merrick, Olson, Shower, Stedman, Stevens, Tobin, Wielechowski

Excused: Claman, Wilson

Absent: Myers

and so, CS FOR SENATE BILL NO. 12(JUD) passed the Senate.

Senator Giessel 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.

SB 103

SENATE BILL NO. 103 "An Act relating to peer support counseling programs for law enforcement agencies, emergency service providers, and the Department of Corrections" was read the third time.

The question being: "Shall SENATE BILL NO. 103 "An Act relating to peer support counseling programs for law enforcement agencies, emergency service providers, and the Department of Corrections" pass the Senate?" The roll was taken with the following result:

SB 103

Third Reading - Final Passage

YEAS: 17 NAYS: 0 EXCUSED: 2 ABSENT: 1

Yeas: Bishop, Bjorkman, Dunbar, Giessel, Gray-Jackson, Hoffman, Hughes, Kaufman, Kawasaki, Kiehl, Merrick, Olson, Shower, Stedman, Stevens, Tobin, Wielechowski

Excused: Claman, Wilson

Absent: Myers

and so, SENATE BILL NO. 103 passed the Senate and was referred to the Secretary for engrossment.

Citations

Honoring – Diane Susan Kaplan
Senator(s) Tobin, Claman
Representative(s) Armstrong

Honoring – Duke Russell
Senator(s) Tobin, Gray-Jackson
Representative(s) Galvin

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Honoring – Mike Huisingh
Representative(s) Rauscher
Senator(s) Shower

Honoring – Suzanne Lafrance
Representative(s) Schrage, Fields
Senator(s) Dunbar

Honoring – Elizabeth Kvamme
Representative(s) Ruffridge
Senator(s) Bjorkman

Honoring – American Legion Auxiliary Jack Henry Unit 1
Representative(s) Stutes, Josephson
Senator(s) Tobin

Honoring – Ted Wilson
Representative(s) Story, Hannan
Senator(s) Kiehl

Honoring – Dr. John H. Eiler
Representative(s) Story, Hannan
Senator(s) Kiehl

In Memoriam – Thomas C. Gregori
Senator(s) Merrick
Representative(s) Saddler

In Memoriam – Jerome “Jerry” Vonnahme
Representative(s) Carrick

In Memoriam – Bruce Earl James
Representative(s) Carrick

In Memoriam – Marta Agramonte
Representative(s) Allard

In Memoriam – James “Jim” W. Watts
Representative(s) Allard

In Memoriam – David Wayne Schade
Representative(s) Allard

In Memoriam – Reynaldo Rafanan Caparas
Representative(s) Story, Hannan
Senator(s) Kiehl

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

Unfinished Business

SB 103

Senators Kawasaki, Giessel moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 103 "An Act relating to peer support counseling programs for law enforcement agencies, emergency service providers, and the Department of Corrections." Without objection, it was so ordered.

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

HB 104

Senators Merrick, Shower, Stedman moved and asked unanimous consent to be shown as cross sponsors on CS FOR HOUSE BILL NO. 104(RES) am "An Act relating to salvage sales of timber, negotiated timber sales for local manufacture of wood products, and expedited timber sales; and providing for an effective date." Without objection, it was so ordered.

SB 99

Senators Bishop, Stedman, Kawasaki, Stevens moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 99 "An Act establishing a financial literacy education course for public schools; and providing for an effective date." Without objection, it was so ordered.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 12**

CS FOR SENATE BILL NO. 12(JUD) "An Act relating to the duties of the Department of Administration; creating an address confidentiality program; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 57

CS FOR SENATE BILL NO. 57(FIN) am "An Act relating to home- and community-based services under the medical assistance program; relating to medical assistance for recipients of Medicaid waivers; establishing an adult care home license and procedures; providing for the transition of individuals from foster care to adult home care settings; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 103

SENATE BILL NO. 103 "An Act relating to peer support counseling programs for law enforcement agencies, emergency service providers, and the Department of Corrections" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Giessel moved and asked unanimous consent the Senate stand in adjournment until 10:00 a.m., April 25, 2023. Without objection, the Senate adjourned at 12:10 p.m.

Liz Clark
Secretary of the Senate

Announcements

Americans with Disabilities Act Notice - Persons with disabilities who require special accommodation or alternative communication formats to access committee meetings may contact the appropriate committee office or the Legislative Information Office in their community. Reasonable advance notice is needed to accommodate the request. For further information, call the ADA Coordinator at 465-3854 Voice/465-4980 TDD.

STANDING COMMITTEES

+ indicates teleconference

= indicates bill previously heard/scheduled

COMMUNITY & REGIONAL AFFAIRS

Apr 25 Tuesday Beltz 105 (tsbldg) 1:30 PM
 + HB 69 RECLASSIFICATION OF FIRST CLASS CITIES
 -- Invited & Public Testimony --
 + Bills Previously Heard/Scheduled

Apr 27 Thursday Beltz 105 (tsbldg) 1:30 PM
 += HB 69 RECLASSIFICATION OF FIRST CLASS CITIES
 + HB 123 ARTICLES OF INCORPORATION FOR ANCSA CORPS
 -- Invited & Public Testimony --
 + Bills Previously Heard/Scheduled

EDUCATION

Apr 24 Monday Beltz 105 (tsbldg) 3:30 PM
 + SB 56 AK PERFORMANCE SCHOLARSHIP; ELIGIBILITY
 -- Testimony <Invitation Only> --
 Presentation: School District Fund Balances –
 Facts and Fiction by Lon Garrison, Executive
 Director of the Association of Alaska School Boards
 Bridget Weiss, Juneau School District Superintendent
 Bill Hill, Superintendent of the Bristol Bay
 Borough School District
 Andy Ratliff, Anchorage School District Chief
 Financial Officer
 Andrew DeGraw, Fairbanks North Star Borough
 School District Chief Operations Officer
 + Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

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EDUCATION (continued)

- Apr 26 Wednesday Beltz 105 (tsbldg) 3:30 PM**
 += SB 56 AK PERFORMANCE SCHOLARSHIP; ELIGIBILITY
 -- Public Testimony --
 += SB 120 EXTEND EDUCATION TAX CREDITS
 -- Invited & Public Testimony --
 + SB 132 EMPLOYMENT TAX FOR EDUCATION FACILITIES
 -- Testimony <Invitation Only> --
 + Bills Previously Heard/Scheduled
 Streamed live on AKL.tv
- Apr 28 Friday Beltz 105 (tsbldg) 3:30 PM**
 No Meeting Scheduled

FINANCE

- Apr 24 Monday Senate Finance 532 9:00 AM**
 + SB 78 HUNT/FISH LICENSE FOR NONRESIDENT STUDENT
 <Bill Hearing Canceled>
 -- Invited & Public Testimony --
 -- <Time Limit May Be Set> --
 + SB 99 FINANCIAL LITERACY COURSE IN SCHOOLS
 -- Invited & Public Testimony --
 -- <Time Limit May Be Set> --
 += SB 67 PFAS USE FIREFIGHTING
 + Bills Previously Heard/Scheduled
- Apr 24 Monday Senate Finance 532 1:30 PM**
 -- MEETING CANCELED --
 -- Please Note Time Change --
 + Bills Previously Heard/Scheduled
- Apr 25 Tuesday Senate Finance 532 9:00 AM**
 += SB 41 APPROP: CAPITAL/SUPPLEMENTAL
 + Bills Previously Heard/Scheduled
- Apr 25 Tuesday Senate Finance 532 1:30 PM**
 -- Please Note Time Change --
 += SB 52 INCREASE BASE STUDENT ALLOCATION
 + SB 113 REAA FUND: MT. EDGECUMBE, TEACHER HOUSING
 -- Invited & Public Testimony --
 -- <Time Limit May Be Set> --
 + Bills Previously Heard/Scheduled

FINANCE (continued)

Apr 26 Wednesday Senate Finance 532 9:00 AM
 Overview: Alaska Gasline Development Corporation - Update & FY24 Request
 Bills Previously Heard/Scheduled

Apr 26 Wednesday Senate Finance 532 1:30 PM
 -- Please Note Time Change --
 += HB 39 APPROP: OPERATING BUDGET/LOANS/FUND; SUPP
 += HB 41 APPROP: MENTAL HEALTH BUDGET
 + Bills Previously Heard/Scheduled

Apr 27 Thursday Senate Finance 532 9:00 AM
 += SB 114 OIL & GAS PRODUCTION TAX; INCOME TAX
 <Bill Hearing Rescheduled to 05/01/23>
 -- Testimony <Invitation Only> --
 + Bills Previously Heard/Scheduled

Apr 27 Thursday Senate Finance 532 1:30 PM
 -- Please Note Time Change --
 += HB 39 APPROP: OPERATING BUDGET/LOANS/FUND; SUPP
 += HB 41 APPROP: MENTAL HEALTH BUDGET
 + Bills Previously Heard/Scheduled

Apr 28 Friday Senate Finance 532 9:00 AM
 += HB 39 APPROP: OPERATING BUDGET/LOANS/FUND; SUPP
 += HB 41 APPROP: MENTAL HEALTH BUDGET
 + Bills Previously Heard/Scheduled

Apr 28 Friday Senate Finance 532 1:00 PM
 -- Please Note Time Change --
 + Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

Apr 25 Tuesday Butrovich 205 3:30 PM
 No Meeting Scheduled

Apr 27 Thursday Butrovich 205 3:30 PM
 No Meeting Scheduled

JUDICIARY

- Apr 24 Monday Butrovich 205 1:30 PM**
 No Meeting Scheduled
- Apr 26 Wednesday Butrovich 205 1:30 PM**
 -- Testimony <Invitation Only> --
 Informational Hearing on Department of Justice
 Investigation of the State of Alaska's
 Behavioral Health System for Children
 + Bills Previously Heard/Scheduled
- Apr 28 Friday Butrovich 205 1:30 PM**
 + HB 75 OWNER & CONTRACTOR CONTROLLED INSURANCE
 <Pending Referral>
 -- Invited & Public Testimony --
 += SB 70 OWNER & CONTRACTOR CONTROLLED INSURANCE
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

- Apr 24 Monday Beltz 105 (tsbldg) 1:30 PM**
 += HB 51 USE OF DESIGNATED REFRIGERANTS
 -- Public Testimony <Time Limit May Be Set> --
 += SB 73 REGISTER INTERIOR DESIGNERS
 += SB 94 PROFESSION OF PHARMACY
 + SB 108 DISCRIMINATION: GENDER ID.;SEXUAL ORIENT.
 -- Invited & Public Testimony --
 -- <Time Limit May Be Set> --
 + Bills Previously Heard/Scheduled
 Streamed live on AKL.tv
- Apr 26 Wednesday Beltz 105 (tsbldg) 1:30 PM**
 += SB 88 RETIREMENT SYSTEMS; DEFINED BENEFIT OPT.
 -- Testimony <Invitation Only> --
 += SB 123 LICENSE REQUIREMENTS: COMM. DRIVERS
 -- Invited & Public Testimony --
 -- <Time Limit May Be Set> --
 + Bills Previously Heard/Scheduled
 Streamed live on AKL.tv

LABOR & COMMERCE (continued)

- Apr 28 Friday Beltz 105 (tsbldg) 1:30 PM**
- + SB 116 ASSOCIATE AND PROFESSIONAL COUNSELORS
 - Invited & Public Testimony --
 - <Time Limit May Be Set> --
 - + SB 123 LICENSE REQUIREMENTS: COMM. DRIVERS
 - Invited & Public Testimony --
 - <Time Limit May Be Set> --
 - + Bills Previously Heard/Scheduled
 - **Streamed live on AKL.tv**
-

RESOURCES

- Apr 24 Monday Butrovich 205 3:30 PM**
- + HB 104 EXPEDITED TIMBER SALES
 - Invited & Public Testimony --
 - Presentation: Foreign Polluter's Fee by
Dave Banks, Managing Director, Battle Group
 - Testimony <Invitation Only> --
 - + Bills Previously Heard/Scheduled:
 - + SB 92 STATE OWNERSHIP OF SUBMERGED LAND
 - **Streamed live on AKL.tv**
- Apr 26 Wednesday Butrovich 205 3:30 PM**
- + SB 68 PUBLIC NOTICE FOR WATER RIGHTS
 - Testimony <Invitation Only> --
 - + SB 48 CARBON OFFSET PROGRAM ON STATE LAND
 - Testimony <Invitation Only> --
 - + Bills Previously Heard/Scheduled
 - **Streamed live on AKL.tv**
- Apr 28 Friday Butrovich 205 3:30 PM**
- + SB 48 CARBON OFFSET PROGRAM ON STATE LAND
 - Invited & Public Testimony --
 - Overview: Area M Fisheries
 - Testimony <Invitation Only> --
 - + Bills Previously Heard/Scheduled
 - **Streamed live on AKL.tv**

