

SENATE JOURNAL
ALASKA STATE LEGISLATURE
THIRTY-THIRD LEGISLATURE
FIRST SESSION

Juneau, Alaska

Monday

May 8, 2023

One Hundred Twelfth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:09 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Reverend Gordon Blue, Holy Trinity Episcopal Church. Senator Hoffman moved and asked unanimous consent the prayer be spread. Without objection, it was so ordered.

Today we remember Dame Julian, the first woman published in the English language. She survived the Black Plague and wrote about the experience. She lived in a cell with one window into the church, and another to the garden outside; from there she sent out words of hope and encouragement to the world.

The 27th Psalm is appointed. Let us pray:

1 The Lord is my light and my salvation; whom then shall I fear? The Lord is the strength of my life; of whom then shall I be afraid?

3 Though an army should encamp against me, yet my heart shall not be afraid;

5 One thing have I asked of the Lord; one thing I seek; that I may dwell in the house of the Lord all the days of my life;

6 To behold the fair beauty of the Lord and to seek him in his temple.

Triune God, Father and Mother to us all, who showed
your servant Julian revelations of your nurturing and
sustaining love: move our hearts, like hers, to seek
you above all things, for in giving us yourself you
give us all, Amen.

Senator Wielechowski led the Senate in the Pledge of Allegiance.

Certification

Senator Giessel moved and asked unanimous consent the journals for the one hundred ninth through one hundred eleventh legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Communications

Disclosure letters received from the Select Committee on Legislative Ethics, in accordance with AS 24.60, will be published in Senate Journal Supplement No. 5.

HOUSE BILL NO. 8

"An Act relating to electric-assisted bicycles."

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"An Act relating to electric-assisted bicycles."

Standing Committee Reports

SB 17

The State Affairs Committee considered SENATE BILL NO. 17 "An

Act relating to political contributions; and providing for an effective date."

Signing do pass: Senator Kawasaki, Chair; Senator Wielechowski.
Signing no recommendation: Senator Bjorkman.

The following fiscal information was published today:
Fiscal Note No. 1, zero, Department of Administration

The bill was referred to the Judiciary Committee.

SB 53

The Finance Committee considered SENATE BILL NO. 53 "An Act relating to involuntary civil commitments" and recommended it be replaced with

CS FOR SENATE BILL NO. 53(FIN) "An Act relating to competency to stand trial; relating to involuntary civil commitments; and relating to victims' rights during certain civil commitment proceedings."

Signing do pass: Senators Hoffman, Olson, Cochairs; Senator Bishop.
Signing no recommendation: Senator Kiehl. Signing amend: Senators Wilson, Merrick.

The following fiscal information was published today:
Fiscal Note No. 7, zero, Department of Family and Community Services
Fiscal Note No. 8, Department of Law
Fiscal Note No. 9, zero, Alaska Judiciary System

The following previously published fiscal information applies:
Fiscal Note No. 3, Department of Administration
Fiscal Note No. 5, Department of Administration

The bill is on today's calendar.

SB 68

The Resources Committee considered SENATE BILL NO. 68 "An

Act relating to public notice for a sale, appropriation, or removal of water, or for filing a declaration of a right of water; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 68(RES) "An Act relating to public notice for certain state actions and public hearings; and providing for an effective date."

Signing do pass: Senators Bishop, Giessel, Cochairs; Senator Kaufman. Signing no recommendation: Senators Kawasaki, Claman, Wielechowski.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Environmental Conservation

Fiscal Note No. 2, zero, Department of Natural Resources

The bill was referred to the Rules Committee.

HB 26

The State Affairs Committee considered CS FOR HOUSE BILL NO. 26(TRB) "An Act relating to the official languages of the State of Alaska; renaming the Alaska Native Language Preservation and Advisory Council as the Council for Alaska Native Languages; and relating to the Council for Alaska Native Languages."

Signing do pass: Senator Kawasaki, Chair; Senator Wielechowski. Signing no recommendation: Senator Bjorkman.

The following previously published fiscal information applies:

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

The bill was referred to the Finance Committee.

HB 141

The State Affairs Committee considered HOUSE BILL NO. 141 "An Act establishing June 9 of each year as Don Young Day."

Signing do pass: Senator Kawasaki, Chair; Senators Wielechowski, Bjorkman.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Office of the Governor

The bill was referred to the Rules Committee.

Consideration of the Calendar

Second Reading of Senate Bills

SB 53

SENATE BILL NO. 53 "An Act relating to involuntary civil commitments" was read the second time.

Senator Olson, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered today. Without objection, CS FOR SENATE BILL NO. 53(FIN) "An Act relating to competency to stand trial; relating to involuntary civil commitments; and relating to victims' rights during certain civil commitment proceedings" was adopted.

[Amendment No. 1 was not offered.]

Senator Claman offered Amendment No. 2:

Page 4, following line 7:

Insert a new bill section to read:

"* **Sec. 5.** AS 47.30.705 is amended by adding new subsections to read:

(e) The department shall promptly transport a person who is detained at a medical or other facility, including a correctional facility under (a) of this section or AS 47.30.706,

to a crisis residential center or evaluation facility for an evaluation under AS 47.30.715. The person may not be detained for more than 10 days while awaiting transportation to a crisis residential center or evaluation facility unless a court extends the detention under (f) of this section.

(f) The department or a facility detaining a person under (a) or (e) of this section may file a request to extend the detention based on the person continuing to meet the standards for commitment under AS 47.30.700 and the need for a continued hold. The request must be supported by the verified or certified statement of a mental health professional and be served on the respondent, the respondent's attorney, and the division of the Department of Law that has responsibility for civil cases. When the court decides a request to extend the detention pending transportation, the court shall consider the following factors:

- (1) the length of time the person has been detained;
- (2) the reason the person has not yet been transported;
- (3) the person's current medical and psychiatric condition;
- (4) whether the person is gravely disabled or is likely to cause serious harm to self or others; and
- (5) whether the person is receiving treatment at their current placement.

(g) If requested by the respondent, the court shall schedule a hearing to decide a request to extend detention under (f) of this section. The hearing shall be held not later than 72 hours after expiration of the 10-day detention period. If a hearing is held after expiration of the 10-day detention period, the detention shall be extended until the hearing.

(h) Regardless of whether a request to extend the respondent's detention has been filed, if at any time in the course of the detention a mental health professional at the detaining facility determines that the person does not meet the standards for commitment under AS 47.30.700, the respondent shall be released and the facility shall notify the petitioner, the respondent's attorney, the division of the Department of Law that has responsibility for civil cases, and

the court."

Renumber the following bill sections accordingly.

Senator Claman moved for the adoption of Amendment No. 2. Senator Wilson objected.

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

CSSB 53(FIN)

Second Reading

Amendment No. 2?

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

Yeas: Bishop, Bjorkman, Claman, Dunbar, Giessel, Gray-Jackson, Hoffman, Kaufman, Merrick, Olson, Stedman, Stevens, Wielechowski

Nays: Hughes, Kawasaki, Kiehl, Myers, Shower, Tobin, Wilson

and so, Amendment No. 2 was adopted.

Senator Giessel moved and asked unanimous consent the bill be considered engrossed, advanced to third reading and placed on final passage.

Senator Shower objected.

The question being: "Shall CS FOR SENATE BILL NO. 53(FIN) am "An Act relating to competency to stand trial; relating to involuntary civil commitments; and relating to victims' rights during certain civil commitment proceedings" advance to third reading?" The roll was taken with the following result:

CSSB 53(FIN) am

Advance from Second to Third Reading?

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

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

Nays: Bjorkman, Hughes, Myers, Shower, Wilson

and so, CS FOR SENATE BILL NO. 53(FIN) am advanced to third reading.

CS FOR SENATE BILL NO. 53(FIN) am was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 53(FIN) am "An Act relating to competency to stand trial; relating to involuntary civil commitments; and relating to victims' rights during certain civil commitment proceedings" pass the Senate?" The roll was taken with the following result:

CSSB 53(FIN) am

Third Reading - Final Passage

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

Yeas: Bishop, Bjorkman, Claman, Dunbar, Giessel, Gray-Jackson, Hoffman, Kaufman, Merrick, Olson, Stedman, Stevens, Wielechowski, Wilson

Nays: Hughes, Kawasaki, Kiehl, Myers, Shower, Tobin

and so, CS FOR SENATE BILL NO. 53(FIN) am passed the Senate and was referred to the Secretary for engrossment.

Third Reading of Senate Bills

SB 37

SENATE BILL NO. 37 "An Act establishing the crime of airbag fraud" was read the third time.

The question being: "Shall SENATE BILL NO. 37 "An Act establishing the crime of airbag fraud" pass the Senate?" The roll was taken with the following result:

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SB 37

Third Reading - Final Passage

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

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

and so, SENATE BILL NO. 37 passed the Senate and was referred to the Secretary for engrossment.

SB 67

CS FOR SENATE BILL NO. 67(RES) "An Act relating to firefighting substances; and providing for an effective date" was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 67(RES) "An Act relating to firefighting substances; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 67(RES)

Third Reading - Final Passage

Effective Date(s)

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

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

and so, CS FOR SENATE BILL NO. 67(RES) 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.

Third Reading of House Bills

HB 8

SENATE CS FOR HOUSE BILL NO. 8(STA) "An Act relating to electric-assisted bicycles; and providing for an effective date" was read the third time.

The question being: "Shall SENATE CS FOR HOUSE BILL NO. 8(STA) "An Act relating to electric-assisted bicycles; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS HB 8(STA)

Third Reading - Final Passage

Effective Date(s)

YEAS: 18 NAYS: 1 EXCUSED: 0 ABSENT: 1

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

Nays: Shower

Absent: Stedman

and so, SENATE CS FOR HOUSE BILL NO. 8(STA) 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.

Citations

Honoring – Joel Lindsey

Senator(s) Myers

Representative(s) Tomaszewski, Prax

Honoring – The Last Frontier Honor Flight 10th Anniversary

Representative(s) Saddler

Honoring – Andre Rembert

Representative(s) Saddler

Honoring – Fairbanks Juneteenth Celebrations 2023

Representative(s) Dibert

Senator(s) Kawasaki

Honoring – Janice Strickland

Representative(s) Gray, Mina

Senator(s) Dunbar

Honoring – West High School Ski Team Region and State Champions

Representative(s) Fields

Senator(s) Tobin

Honoring – Lathrop High School Academic Decathlon Team State Champions

Representative(s) Tomaszewski

Honoring – Discovery Peak Charter School Science Olympiad Team

Representative(s) Tomaszewski

Honoring – Joint Base Elmendorf-Richardson Exchange

Representative(s) Groh, Gray

Senator(s) Tobin

Honoring – 2023 House Floor Staff

Representative(s) C. Johnson

In Memoriam – William Deshay English

Senator(s) Wielechowski, Olson, Gray-Jackson

In Memoriam – Vickie Lorraine Tinker

Representative(s) Ruffridge

In Memoriam – Nancy Graff

Representative(s) Tomaszewski, Prax

Senator(s) Myers

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

Senator Giessel moved and asked unanimous consent the following citations be made a special order of business. Without objection, it was so ordered.

Special Order of Business

Honoring – The Associated Students of the University of Alaska
Fairbanks 100th Anniversary
Representative(s) Stapp, Carrick
Senator(s) Kawasaki

In Memoriam – Christopher Robert Eramo, Kyle D. McKenna,
Stewart Duane Wayment
Representative(s) Stapp, Shaw, Wright

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

HB 8

Senators Dunbar, Bishop, Merrick, Kiehl moved and asked unanimous consent to be shown as cross sponsors on HOUSE BILL NO. 8 "An Act relating to electric-assisted bicycles." Without objection, it was so ordered.

Senator Gray-Jackson moved and asked unanimous consent to be excused from a call of the Senate on the following dates:

from afternoon plane time, May 21 through evening
plane time, May 24
from afternoon plane time, June 1 through evening plane
time, June 3

from morning plane time, June 18 through morning plane time, June 25

Without objection, Senator Gray-Jackson was excused.

Announcements

Announcements are at the end of the journal.

Engrossment

SB 37

SENATE BILL NO. 37 "An Act establishing the crime of airbag fraud" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 53

CS FOR SENATE BILL NO. 53(FIN) am "An Act relating to competency to stand trial; relating to involuntary civil commitments; and relating to victims' rights during certain civil commitment proceedings" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 67

CS FOR SENATE BILL NO. 67(RES) "An Act relating to firefighting substances; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

HB 8

SENATE CS FOR HOUSE BILL NO. 8(STA) "An Act relating to electric-assisted bicycles; and providing for an effective date" 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

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in adjournment until 9:30 a.m., May 9, 2023. Without objection, the Senate adjourned at 1:12 p.m.

Liz Clark
Secretary of the Senate

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Announcements

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

STANDING COMMITTEES

+ indicates teleconference

= indicates bill previously heard/scheduled

COMMUNITY & REGIONAL AFFAIRS

May 09	Tuesday No Meeting Scheduled	Beltz 105 (tsbldg)	1:30 PM
May 11	Thursday No Meeting Scheduled	Beltz 105 (tsbldg)	1:30 PM

EDUCATION

May 08	Monday -- MEETING CANCELED -- + Bills Previously Heard/Scheduled **Streamed live on AKL.tv**	Beltz 105 (tsbldg)	3:30 PM
May 10	Wednesday + Bills Previously Heard/Scheduled **Streamed live on AKL.tv**	Beltz 105 (tsbldg)	3:30 PM
May 12	Friday No Meeting Scheduled	Beltz 105 (tsbldg)	3:30 PM

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FINANCE

May 08	Monday	Senate Finance 532	9:00 AM
+ SB 140	INTERNET FOR SCHOOLS		
	-- Invited & Public Testimony --		
	-- <Time Limit May Be Set> --		
+ SB 48	CARBON OFFSET PROGRAM ON STATE LAND		
	-- Invited & Public Testimony --		
	-- <Time Limit May Be Set> --		
+	Bills Previously Heard/Scheduled		
May 08	Monday	Senate Finance 532	1:30 PM
+	Bills Previously Heard/Scheduled:		
+= SB 52	INCREASE BASE STUDENT ALLOCATION		
+= SB 48	CARBON OFFSET PROGRAM ON STATE LAND		
	-- Invited & Public Testimony --		
	-- <Time Limit May Be Set> --		
May 09	Tuesday	Senate Finance 532	9:00 AM
	-- MEETING CANCELED --		
+= SB 52	INCREASE BASE STUDENT ALLOCATION		
+	Bills Previously Heard/Scheduled		
May 09	Tuesday	Senate Finance 532	1:30 PM
+ SB 138	ELECTIONS; VOTER REG.; CAMPAIGNS		
	-- Invited & Public Testimony --		
	-- <Time Limit May Be Set> --		
	Bills Previously Heard/Scheduled		
May 10	Wednesday	Senate Finance 532	9:00 AM
+= SB 41	APPROP: CAPITAL/SUPPLEMENTAL		
+ SB 95	LICENSE PLATES; SPECIALTY ORGANIZATIONS		
	-- Invited & Public Testimony --		
	-- <Time Limit May Be Set> --		
+	Bills Previously Heard/Scheduled		
May 10	Wednesday	Senate Finance 532	1:30 PM
+	Bills Previously Heard/Scheduled		
May 11	Thursday	Senate Finance 532	9:00 AM
+ SB 125	AK HOUSING FINANCE CORP: SUSTAIN ENERGY		
	-- Invited & Public Testimony --		
	-- <Time Limit May Be Set> --		
+	Bills Previously Heard/Scheduled		

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FINANCE (continued)

May 11 +	Thursday Bills Previously Heard/Scheduled	Senate Finance 532	1:30 PM
May 12 +	Friday Bills Previously Heard/Scheduled	Senate Finance 532	9:00 AM
May 12 +	Friday Bills Previously Heard/Scheduled	Senate Finance 532	1:00 PM
May 13 +	Saturday Bills Previously Heard/Scheduled	Senate Finance 532	10:00 AM

HEALTH & SOCIAL SERVICES

May 09 +	Tuesday Bills Previously Heard/Scheduled	Butrovich 205	3:30 PM
May 11 +	Thursday Bills Previously Heard/Scheduled	Butrovich 205	3:30 PM

JUDICIARY

May 08 + HB 61	Monday -- MEETING CANCELED -- LIMITATIONS ON FIREARMS RESTRICTIONS <Pending Referral> -- Testimony <Invitation Only> -- Bills Previously Heard/Scheduled	Butrovich 205	1:30 PM
May 10 +	Wednesday Bills Previously Heard/Scheduled	Butrovich 205	1:30 PM
May 12 += SB 128	Friday COMMERCIAL SALMON FISHERY CLOSURE -- Testimony <Invitation Only> -- Bills Previously Heard/Scheduled	Butrovich 205	1:30 PM

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LABOR & COMMERCE

May 08	Monday	Beltz 105 (tsbldg)	1:30 PM
+	-- MEETING CANCELED -- Bills Previously Heard/Scheduled		
May 10	Wednesday	Beltz 105 (tsbldg)	1:30 PM
	Presentation: Vickie Choitz, Director, Corporation for a Skilled Workforce, Trauma and Resilience at Work -- Invited Testimony -- += SB 73 REGISTER INTERIOR DESIGNERS + Bills Previously Heard/Scheduled **Streamed live on AKL.tv**		
May 12	Friday	Beltz 105 (tsbldg)	1:30 PM
+	Bills Previously Heard/Scheduled -----		

RESOURCES

May 08	Monday	Butrovich 205	3:30 PM
+= SB 137	-- Delayed to 4:00 p.m. -- REFINED FUEL SURCHARGE -- Testimony <Invitation Only> -- + Bills Previously Heard/Scheduled: += HB 104 TIMBER SALE: EXPEDITED/SALVAGE/NEGOTIATED **Streamed live on AKL.tv**		
May 10	Wednesday	Butrovich 205	3:30 PM
+	Bills Previously Heard/Scheduled **Streamed live on AKL.tv**		
May 12	Friday	Butrovich 205	3:30 PM
+	Bills Previously Heard/Scheduled **Streamed live on AKL.tv**		

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STATE AFFAIRS

May 09 +	Tuesday Bills Previously Heard/Scheduled	Beltz 105 (tsbldg)	3:30 PM
May 11 +	Thursday Bills Previously Heard/Scheduled	Beltz 105 (tsbldg)	3:30 PM
May 13 +	Saturday Bills Previously Heard/Scheduled	Beltz 105 (tsbldg)	9:00 AM

TRANSPORTATION

May 09 +	Tuesday Bills Previously Heard/Scheduled	Butrovich 205	1:30 PM
May 11 + SB 141	Thursday NAMING RAYMOND & ESTHER CONQUEST BRIDGE -- Invited & Public Testimony --	Butrovich 205	1:30 PM
+ SB 129	MATT GLOVER BIKE PATH -- Public Testimony -- **Streamed live on AKL.tv**		

OTHER MEETINGS

JOINT SESSION

May 09 +	Tuesday Consideration of Governor's Appointments to Boards & Commissions	House Chamber	10:00 AM
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