

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Friday

February 5, 2016

Eighteenth Day

Pursuant to adjournment the Senate was called to order by President Meyer at 10:06 a.m.

The roll showed eighteen members present. Senator Dunleavy was excused from a call of the Senate today. Senator Ellis was absent.

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

Eternal God, fountain of wisdom;
By your Word all things were created,
Without your Word, not one thing is made.

This teaches that nothing is so difficult,
O Lord, as to create something new, yet in difficult times
This is what we are called upon to do.

Bless this Senate and inspire them,
Lord, "...hold them by the right hand and guide them by
your counsel."
(Psalm 73:23,24)

Creator God, you have filled the world with your grace:
mercifully look upon the efforts of the Senate, and guide
them.
Refresh them with the beauty of your creation

fill their hearts with gladness in their work together,
and let it be a blessing of the people,
and a gift to the future generations of Alaskans.
Amen.

Senator Coghill led the Senate in the Pledge of Allegiance.

Certification

Senator Coghill moved and asked unanimous consent that the journals for the sixteenth and seventeenth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the Governor

A letter dated February 1, requesting legislative approval of accompanying finance plans (as required by AS 26.23.020), was received for the following disasters:

2012 September Storm Disaster
Revised Finance Plan, dated December 18, 2015

2013 November Storms Disaster
Revised Finance Plan, dated December 18, 2015

2013 October Kenai Peninsula Borough Flood
Revised Finance Plan, dated December 18, 2015

2015 Sockeye Fire Disaster
Revised Financial Plan, dated January 8, 2016

2015 Kenai Wild Fire Disaster
Preliminary Financial Plan, dated January 8, 2016

2015 August North Slope Borough Storm Disaster
Preliminary Finance Plan, dated January 7, 2016

The letter and finance plans had been copied to the Finance Committee Cochairs.

Messages from the House

Message dated February 3 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills**HB 126**

CS FOR HOUSE BILL NO. 126(JUD) am BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to the administration of military justice; relating to the adoption of regulations by the adjutant general; relating to the authority of the adjutant general; relating to appeals of convictions and sentences of courts-martial; establishing the Military Appeals Commission; relating to the detention and incarceration of members of the militia; relating to the jurisdiction of the supreme court over petitions from the Military Appeals Commission; relating to involuntary commitment for evaluation or treatment of a mental disease or defect before court-martial proceedings; relating to offenses subject to court-martial proceedings; amending Rule 6, Alaska Rules of Criminal Procedure; and providing for an effective date."

was read the first time and referred to the State Affairs and Judiciary Committees.

Communications

Alaska Seismic Hazards Safety Commission
Annual Report to the Governor and State Legislature for 2015
January 15, 2016

Standing Committee Reports

Report dated February 3 was read stating:

In accordance with AS 24.60.130 the Judiciary Committee reviewed the following and recommends the appointments be forwarded to the Senate floor for consideration:

Select Committee on Legislative Ethics

H. Conner Thomas, Public Member

Gary J. Turner, Public Member

This does not reflect an intent by any of the members to vote for or against the ratification of the individuals during any further sessions.

Signing the report: Senator McGuire, Chair; Senators Coghill, Costello, Wielechowski.

SB 124

The Health and Social Services Committee considered SENATE BILL NO. 124 "An Act extending the termination date of the Alaska Commission on Aging; and providing for an effective date." Signing do pass: Senator Stedman, Chair; Senators Giessel, Stoltze.

The following fiscal information was published today:

Fiscal Note No. 2, Department of Health and Social Services

The bill was referred to the Finance Committee.

SB 157

The Judiciary Committee considered SENATE BILL NO. 157 "An Act defining arcade-style amusement devices." Signing do pass: Senator McGuire, Chair; Senators Coghill, Costello, Wielechowski.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Law

Fiscal Note No. 2, zero, Department of Revenue

The bill was referred to the Rules Committee.

HB 115

The Resources Committee considered CS FOR HOUSE BILL NO. 115(FIN) "An Act relating to the sovereignty of the state and the state's right to a credit or setoff for amounts or injuries inequitably or unlawfully caused or claimed by the federal government; requiring the United States to lift certain land orders and federal withdrawals; relating to the transfer of public land or interests in public land from the federal government to the state and to the disposal of that land or any interest in land; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL
NO. 115(RES)

Signing do pass: Senator Giessel, Chair; Senators Costello, Stoltze.
Signing do not pass: Senator Wielechowski. Signing no
recommendation: Senators Coghill, Micciche, Stedman.

The following fiscal information was published today:
Fiscal Note No. 3, indeterminate, Department of Natural
Resources

The bill was referred to the Judiciary Committee.

Introduction and Reference of Senate Bills**SB 21**

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 21 BY
SENATOR GARDNER, entitled:

"An Act relating to immunity from prosecution for
the crime of prostitution."

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

SB 169

SENATE BILL NO. 169 BY SENATOR GARDNER, entitled:

"An Act relating to the authority of pharmacists to prescribe and dispense self-administered hormonal contraceptives; relating to the duties of the Board of Pharmacy; relating to insurance coverage for contraceptives prescribed by pharmacists; and providing for an effective date."

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

SB 170

SENATE BILL NO. 170 BY SENATOR GIESSEL, entitled:

"An Act authorizing the Department of Natural Resources, division of geological and geophysical surveys, to collect fees for facilities, equipment, products, and services; relating to accounting for certain program receipts; and providing for an effective date."

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

SB 171

SENATE BILL NO. 171 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to the duties of the Department of Administration; relating to payment of judgment against the state; relating to pre-audit of claims; relating to travel costs and travel outside the state; repealing authorization and administration of the Department of Administration to make advances to the University of Alaska; and repealing the United States savings bond purchase plan."

was read the first time and referred to the State Affairs and Finance Committees.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Administration

Governor's transmittal letter dated February 4:

Dear President Meyer:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to the duties of the Department of Administration (DOA).

The bill would update certain statutes and repeal other statutes in order to better reflect the practices and duties of the DOA.

The bill would amend AS 09.50.270 to reflect the current practice regarding payment of judgments issued against the State. It would amend AS 37.05.190 to acknowledge a change in technology and clarify decentralization of certain financial functions. It would amend AS 39.20.140 regarding travel to reflect current industry language and to comply with an audit recommendation from the legislative audit division. The bill would repeal AS 37.10.088 to acknowledge that advances are no longer provided by the DOA to the University of Alaska. The bill would also repeal AS 39.40.010 and AS 39.40.020 due to changes in how United States savings bonds are purchased.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Bill Walker
Governor

SB 172

SENATE BILL NO. 172 BY THE SENATE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to management of enhanced stocks of fish; authorizing the operation of nonprofit shellfish hatcheries; relating to application fees for salmon and shellfish hatchery permits; and providing for an effective date."

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

The following fiscal information was published today:
Fiscal Note No. 1, Department of Fish and Game

Governor's transmittal letter dated February 4:

Dear President Meyer:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to management of enhanced stocks of fish; authorizing the operation of nonprofit shellfish hatcheries; and application fees for salmon and shellfish hatchery permits.

The bill would authorize the Commissioner of Fish and Game to permit the construction and operation of shellfish hatcheries by nonprofit corporations for the purpose of enhancing shellfish fisheries. The bill would also make several other related amendments to State law relating to shellfish hatcheries.

The Board of Fisheries is statutorily tasked to manage fish stocks in the state; fish stocks include invertebrate species, such as shellfish. Currently, under AS 16.40.100 - 16.40.199 the Commissioner may permit the construction and operation of shellfish hatcheries for the purpose of supplying shellfish to an aquatic farm, but may not permit the construction and operation of shellfish hatcheries for the purpose of enhancing shellfish fisheries. The bill is largely modeled after AS 16.10.375 - 16.10.480, which authorizes the Commissioner of Fish and Game to permit the construction and operation of salmon hatcheries for the purpose of enhancing salmon fisheries.

The bill would also make conforming amendments to the determination of authorized gear to allow use of legal gear to harvest shellfish, to allow donations of shellfish to a food bank, and to exempt from State corporate income tax income from a nonprofit corporation holding a permit to operate a shellfish hatchery for enhancement of shellfish stock.

In addition, the bill would update the application fee for a salmon hatchery permit.

Enhancement of the State's shellfish fisheries would benefit the state's economy by providing a method to increase the available harvest of shellfish for public use in an environmentally safe manner.

I urge your prompt and favorable action of this measure.

Sincerely,

/s/

Bill Walker

Governor

Consideration of the Calendar

Citations

Honoring - Hecla Mining Company

Senator(s) Giessel, Meyer, Bishop, Coghill, Costello, Dunleavy, Egan, Ellis, Gardner, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Stoltze, Wielechowski

In Memoriam - Captain John William Spriggs, USPHS

Representative(s) Herron

Senator(s) Hoffman, Meyer, Bishop, Coghill, Costello, Dunleavy, Egan, Ellis, Gardner, Giessel, Huggins, Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Stoltze, Wielechowski

In Memoriam - Ted F. Vanderweyst

Representative(s) Kawasaki, Guttenberg

Senator(s) Kelly, Coghill, Meyer, Bishop, Costello, Dunleavy, Egan, Ellis, Gardner, Giessel, Hoffman, Huggins, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Wielechowski

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

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

Special Order of Business

Commemorating - The 60th Anniversary of the Signing of the Constitution of the State of Alaska

Representative(s) Tuck

Senator(s) Gardner, McGuire, Meyer, Bishop, Coghill, Costello, Dunleavy, Egan, Ellis, Giessel, Hoffman, Huggins, Kelly, MacKinnon, Micciche, Olson, Stedman, Stevens, Stoltze, Wielechowski

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

Unfinished Business

Senator Bishop moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, February 12 through evening plane time, February 14. Without objection, Senator Bishop was excused.

Senator Hoffman moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, February 15 through evening plane time, February 19. Without objection, Senator Hoffman was excused.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Coghill moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 8, 2016. Without objection, the Senate adjourned at 10:59 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

COMMUNITY & REGIONAL AFFAIRS

Feb 09	Tuesday No Meeting Scheduled	Beltz 105 (tsbldg)	3:30 PM
Feb 11	Thursday No Meeting Scheduled	Beltz 105 (tsbldg)	3:30 PM

EDUCATION

Feb 08	Monday No Meeting Scheduled	Butrovich 205	3:30 PM
Feb 10	Wednesday Joint with House Education Committee State Board of Education & Early Development Annual Report to the Alaska Legislature Chairman James Fields	Capitol 106	8:30 AM
Feb 11	Thursday No Meeting Scheduled	Butrovich 205	3:30 PM

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FINANCE

Feb 05	Friday No Meeting Scheduled	Senate Finance 532	9:00 AM
Feb 08	Monday No Meeting Scheduled	Senate Finance 532	9:00 AM
Feb 09 +	Tuesday Alaska Permanent Fund Corporation Angela Rodell, Chief Executive Office, APFC	Senate Finance 532	9:00 AM
Feb 10	Wednesday No Meeting Scheduled	Senate Finance 532	9:00 AM
Feb 11 + += SB 138 + SB 167	Thursday Pat Pitney, Director, Office of Management and Budget BUDGET: CAPITAL APPROP: SUPP/CAP/OTHER APPROPRIATIONS	Senate Finance 532	9:00 AM
Feb 12	Friday No Meeting Scheduled	Senate Finance 532	9:00 AM

HEALTH & SOCIAL SERVICES

Feb 05 +	Friday -- MEETING CANCELED -- Bills Previously Heard/Scheduled	Butrovich 205	1:30 PM
Feb 08 +	Monday -- MEETING CANCELED -- Bills Previously Heard/Scheduled	Butrovich 205	1:30 PM
Feb 10 +	Wednesday Bills Previously Heard/Scheduled	Butrovich 205	1:30 PM
Feb 12 +	Friday Bills Previously Heard/Scheduled	Butrovich 205	1:30 PM

JUDICIARY

Feb 05 Friday Beltz 105 (tsbldg) 1:30 PM
 No Meeting Scheduled

Feb 08 Monday Beltz 105 (tsbldg) 1:30 PM
 + SB 121 SECURITY FREEZE ON MINOR'S CREDIT REPORT
 + HB 8 POWERS OF ATTORNEY
 Bills Previously Heard/Scheduled
 -- Public Testimony --

Feb 10 Wednesday Beltz 105 (tsbldg) 1:30 PM
 + Consideration of Governor's Appointments
 Board of Governors of the Alaska Bar:
 Adam Trombley - Anchorage
 Commission on Judicial Conduct:
 Amy Gurton-Mead - Juneau
 Robert Sheldon - Anchorage
 Karla Taylor-Welch - Fairbanks
 Alaska Judicial Council:
 Loretta Bullard - Nome
 Regulatory Commission of Alaska:
 Rebecca Pauli - Anchorage
 + Bills Previously Heard/Scheduled
 -- Public Testimony --

Feb 12 Friday Beltz 105 (tsbldg) 1:30 PM
 No Meeting Scheduled

LABOR & COMMERCE

Feb 09 Tuesday Beltz 105 (tsbldg) 1:30 PM
 + SB 161 EXEMPTION: LICENSING OF CONTRACTORS
 + SB 108 AK SECURITIES ACT; PENALTIES; CRT. RULES
 Presentation: Strategy & Economic Development
 Dr. Christian Ketels
 + Bills Previously Heard/Scheduled
 -- Public Testimony --

LABOR & COMMERCE (continued)

Feb 11 Thursday Beltz 105 (tsbldg) 1:30 PM
 + SB 126 SMALL SECURITY OFFERINGS
 + SB 165 ALCO. BEV. CONT. BOARD; MINORS; ALCOHOL
 Presentation: Crowdfunding and Economic
 Development in Alaska - Michael Shuman
 + Bills Previously Heard/Scheduled
 -- Public Testimony --

RESOURCES

Feb 05 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

Feb 08 Monday Butrovich 205 3:30 PM
 -- Testimony <Invitation Only> --
 + SB 135 ELECTRONIC TAX RETURNS & FISHERIES TAXES
 + Bills Previously Heard/Scheduled

Feb 10 Wednesday Butrovich 205 3:30 PM
 -- Testimony <Invitation Only> --
 + Overview: State of Alaska and Endangered
 Species Act Listings
 Commissioner of Fish & Game Sam Cotten; Attorney
 General Craig Richards
 + Bills Previously Heard/Scheduled

Feb 12 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

STATE AFFAIRS

Feb 09 Tuesday Butrovich 205 9:00 AM
 += SB 114 PERM FUND: EARNINGS, DEPOSITS, ACCOUNTS
 Presentation by Sponsor
 -- Testimony <Invitation Only> --
 + Bills Previously Heard/Scheduled

STATE AFFAIRS (continued)

Feb 11 Thursday Butrovich 205 9:00 AM
 += SB 128 PERM. FUND:DEPOSITS;DIVIDEND;EARNINGS
 + SB 127 INSURER'S USE OF CREDIT HISTORY/SCORES
 Presentation by Sponsor
 -- Public Testimony --
 + Bills Previously Heard/Scheduled

Feb 13 Saturday Butrovich 205 10:00 AM
 + SB 123 USE OF ELECTRONIC DEVICES WHILE DRIVING
 Presentation by Sponsor
 -- Public Testimony --
 += SB 91 OMNIBUS CRIM LAW & PROCEDURE; CORRECTIONS
 Presentation by Sponsor
 -- Public Testimony --
 Statewide Public Testimony
 -- Public Testimony Limited to 2 Minutes --
 Limited Number of Off-Net Phone Lines Available
 Public Testimony can be Submitted in Writing by
 Email: senate.state.affairs@akleg.gov
 or by Fax: 907-465-4928
 + Bills Previously Heard/Scheduled

TRANSPORTATION

Feb 09 Tuesday Butrovich 205 1:00 PM
 += SB 132 ELECTRONIC TAX RETURNS & MOTOR FUEL TAX
 -- Public Testimony --

Feb 11 Thursday Butrovich 205 1:00 PM
 + Bills Previously Heard/Scheduled

FINANCE SUBCOMMITTEES**ADMINISTRATION**

Feb 09 Tuesday Butrovich 205 7:30 AM
 + Shared Services Effort
 Sheldon Fisher, Commissioner
 Everett Ross, Consultant

CORRECTIONS

Feb 09	Tuesday Budget Overview	Beltz 105 (tsbldg)	5:00 PM
Feb 18	Thursday Changes and Revisions	Beltz 105 (tsbldg)	5:00 PM
Mar 01	Tuesday Final Closeout	Beltz 105 (tsbldg)	5:00 PM

HEALTH & SOCIAL SERVICES

Feb 05	Friday Department of Health & Social Services Division of Public Assistance	Butrovich 205	11:00 AM
Feb 12	Friday Department of Health and Social Services Division of Juvenile Justice Division of Behavioral Health Alaska Pioneer Homes	Butrovich 205	11:00 AM

LABOR & WORKFORCE DEVELOPMENT

Feb 16	Tuesday Changes and Revisions	Beltz 105 (tsbldg)	5:00 PM
Feb 25	Thursday Final Closeout	Beltz 105 (tsbldg)	5:00 PM

MEDICAID REFORM

Feb 05	Friday + SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES + SB 78 MEDICAL ASSISTANCE COVERAGE; REFORM (continued on next page)	Senate Finance 532	1:30 PM
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+ Presentation: Recommended Medicaid Redesign &
Expansion Strategies for Alaska
Thea Agnew Bembem, Agnew::Beck
Nora Leibowitz, Health Management Associates
Susan Pantely, Milliman, Inc.

Feb 08 Monday Senate Finance 532 9:00 AM
+ SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES
+ SB 78 MEDICAL ASSISTANCE COVERAGE; REFORM

Feb 08 Monday Senate Finance 532 1:30 PM
+ SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES
+ SB 78 MEDICAL ASSISTANCE COVERAGE; REFORM

Feb 10 Wednesday Senate Finance 532 9:00 AM
+ SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES
+ SB 78 MEDICAL ASSISTANCE COVERAGE; REFORM

Feb 10 Wednesday Senate Finance 532 1:30 PM
+ SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES
+ SB 78 MEDICAL ASSISTANCE COVERAGE; REFORM

Feb 12 Friday Senate Finance 532 9:00 AM
+ SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES
+ SB 78 MEDICAL ASSISTANCE COVERAGE; REFORM

Feb 12 Friday Senate Finance 532 1:30 PM
+ SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES
+ SB 78 MEDICAL ASSISTANCE COVERAGE; REFORM

NATURAL RESOURCES

Feb 11 Thursday Beltz 105 (tsbldg) 5:00 PM
Changes and Revisions

Feb 23 Tuesday Beltz 105 (tsbldg) 5:00 PM
Final Closeout

TRANSPORTATION & PUBLIC FACILITIES

- Feb 11 Thursday Butrovich 205 11:00 AM**
 -- Location Change --
 Department of Transportation & Public Facilities
 Highways & Airports Maintenance & Operations
- Feb 18 Thursday Fahrenkamp 203 11:00 AM**
 Department of Transportation & Public Facilities
 Alaska Marine Highway System

JOINT COMMITTEES

ARMED SERVICES COMMITTEE

- Feb 09 Tuesday Senate Finance 532 1:00 PM**
 -- Testimony <Invitation Only> --
 + AGENDA:
 Lieutenant General Russel J. Handy, U.S.
 Air Force; Commander, Alaska Command
 U.S. Northern Command
 Major General Bryan Owens, U.S. Army
 Commanding General, U.S. Army Alaska
 Commissioner Laurie Hummel, Col. (R) U.S. Army
 Adjutant General, Alaska National Guard
 and Commissioner of the Alaska Department of
 Military & Veterans Affairs
 Rear Admiral Daniel B. Abel, U.S. Coast Guard
 Commander, Seventeenth Coast Guard District

LEGISLATIVE BUDGET & AUDIT

- Feb 06 Saturday House Finance 519 10:00 AM**
 -- MEETING CANCELED --
 -- Testimony <Invitation Only> --
 Executive Session - Procurement
 Oil and Gas Consultants
 Other Committee Business

LEGISLATIVE BUDGET & AUDIT (continued)

Feb 11 Thursday House Finance 519 11:15 AM
 -- Testimony <Invitation Only> --
 Executive Session - Procurement
 Oil and Gas Consultants
 Other Committee Business

LEGISLATIVE COUNCIL

Feb 11 Thursday Senate Finance 532 5:00 PM
 +
 Legislative Council
 Agenda: Forthcoming

TASK FORCE ON UNMANNED AIRCRAFT SYSTEMS

Feb 09 Tuesday Capitol 120 3:30 PM
 -- Continuation of 1/26/16 Meeting --
 +
 Draft Legislation Review & Discussion
 -- Public Testimony --
 Streamed live on AKL.tv

OTHER MEETINGS

JOINT SESSION

Feb 10 Wednesday House Chamber 11:00 AM
 +
 State of the Judiciary Address by the Honorable
 Craig Stowers, Chief Justice

Feb 17 Wednesday House Chamber 11:00 AM
 +
 Annual Address by the Honorable
 Lisa Murkowski, U.S. Senator

Feb 29 Monday House Chamber 11:00 AM
 +
 Annual Address by the Honorable
 Dan Sullivan, U.S. Senator