

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE
SECOND SESSION

Juneau, Alaska **Wednesday** **February 10, 2016**
Twenty-third Day

Pursuant to adjournment the Senate was called to order by President Meyer at 10:31 a.m.

The roll showed eighteen members present. Senators Kelly, Olson were absent.

The prayer was offered by the Chaplain, Pastor Tom Matthews, Douglas Island Bible Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear Lord:

Thank you for your marvelous grace that lavishes blessings on us even though we might not deserve Your favor. Grace, that unmerited favor that is a mark of who You are. I ask for Your grace today on behalf of these legislators. They need your help once again. I would ask for Your leading. For your help in establishing priorities. I understand there is a lot of business on hand.

On Monday in our prayer I asked for wisdom that is from above. That wisdom was described in Your word as pure and peaceable. I would ask for peace today as Your wisdom is given to them. We are told elsewhere in Your Word that You can provide a peace that passes all understanding. That is my prayer.

Lord, you have given us a beautiful state to live in. But with its beauty and its incredible natural resources comes a great responsibility to govern it well. I thank You for this group of senators who take that role seriously, and have been willing to step away from their businesses and families for a time to make this happen.

I would ask for You to bless them in their pursuits. Bless their families in their absence, and maybe even use social media between them to help fill that gap in their absence.

I lift this prayer today in the name of Your Son,
Jesus Christ. Amen.

Senator Dunleavy led the Senate in the Pledge of Allegiance.

Certification

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

The presence of Senators Kelly, Olson was noted.

Recess

Senator Coghill moved and asked unanimous consent that the Senate stand in recess to the Joint Session. Without objection, the Senate recessed at 10:44 a.m.

After Recess

Joint Session in the House

Speaker Chenault called the House to order and in accordance with Uniform Rule 51 turned the gavel over to President Meyer, who called the Joint Session to order at 11:03 a.m.

The purpose of the Joint Session was to hear an address by the Honorable Craig Stowers, Chief Justice of the Alaska Supreme Court.

Senator Coghill moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. Without objection, it was so ordered.

Representative Millett moved and asked unanimous consent that the roll call of the House be waived and all members be shown as present. Without objection, it was so ordered.

President Meyer appointed Representative LeDoux and Senator McGuire to escort Chief Justice Stowers to the Joint Session.

The Senate Sergeant-at-Arms, Grace Ellsworth, announced Chief Justice Craig Stowers' entrance to the House Chamber.

Chief Justice Stowers was escorted to the rostrum and welcomed by President Meyer.

Chief Justice Stowers delivered his address. This address will appear in House and Senate Joint Journal Supplement No. 11.

The Chief Justice received a standing ovation and was escorted from the chamber by Senator McGuire and Representative LeDoux.

Senator Coghill moved and asked unanimous consent that the Joint Session stand in adjournment. Without objection, President Meyer adjourned the Joint Session at 11:37 a.m.

After Recess

In the Senate

The Senate reconvened at 11:46 a.m.

Messages from the House

Message dated February 8 was read stating the House passed and transmitted for consideration:

**First Reading and Reference of
House Resolutions****HCR 23**

HOUSE CONCURRENT RESOLUTION NO. 23 am BY THE
HOUSE RULES COMMITTEE,

Suspending Rule 23(a), Uniform Rules of the Alaska State Legislature, relating to measures in possession of standing committees and special committees of the Alaska House of Representatives, and Rules 20, 21(c), and 24(a), Uniform Rules of the Alaska State Legislature, restricting committee meetings of the Alaska House of Representatives to measures that substantially relate to and have as their primary purpose appropriating, raising, or allocating state revenue, until the Alaska House of Representatives passes a state operating budget to the Alaska Senate.

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

Communications

The following reports are on file in the Office of the Secretary of the Senate:

Alaska Housing Finance Corporation
2015 Annual Report
in accordance with AS 18.56.200

Department of Commerce, Community and Economic Development
Alaska Seafood Marketing Institute
2015 Annual Report
in accordance with AS 16.51.100

Department of Commerce, Community and Economic Development
Alaska Seafood Marketing Institute
Economic Value of Alaska's Seafood Industry
Prepared by the McDowell Group
December 2015

Letter dated February 4 was received from Craig Stowers, Chief Justice of the Alaska Supreme Court, stating in accordance with AS 24.60.130(b)(3), he has nominated the following public member for appointment to the Select Committee on Legislative Ethics:

Bill Gordon

President Meyer referred the nomination to the Judiciary Committee.

Standing Committee Reports

SB 69

The Labor and Commerce Committee considered SENATE BILL NO. 69 "An Act relating to the Board of Chiropractic Examiners and the practice of chiropractic" and recommended it be replaced with

CS FOR SENATE BILL NO. 69(L&C)

Signing do pass: Senator Costello, Chair; Senators Giessel, Meyer, Stevens, Ellis.

The following fiscal information was published today:

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

The bill was referred to the Finance Committee.

SJR 15

The Judiciary Committee considered SENATE JOINT RESOLUTION NO. 15 Making application to the United States Congress to call a convention of the states to propose a countermand amendment to the Constitution of the United States as provided under art. V,

Constitution of the United States; and urging the legislatures of the other 49 states to make the same application, and recommended it be replaced with

CS FOR SENATE JOINT RESOLUTION
NO. 15(JUD)

Signing do pass: Senator McGuire, Chair; Senators Coghill, Costello.
Signing do not pass: Senator Wielechowski.

The following fiscal information was published today:
Fiscal Note No. 2, zero, Legislative Agency

The resolution was referred to the Rules Committee.

SCR 4

The Judiciary Committee considered SENATE CONCURRENT RESOLUTION NO. 4 Relating to the duties of delegates selected by the legislature to attend a convention of the states called under art. V, Constitution of the United States, to consider a countermand amendment to the Constitution of the United States; establishing as a joint committee of the legislature the Delegate Credential Committee and relating to the duties of the committee; providing for an oath for delegates and alternates to a countermand amendment convention; providing for a chair and assistant chair of the state's countermand amendment delegation; providing for the duties of the chair and assistant chair; providing instructions for the selection of a convention president; and providing specific language for the countermand amendment on which the state's convention delegates are authorized by the legislature to vote to approve, and recommended it be replaced with

CS FOR SENATE CONCURRENT RESOLUTION
NO. 4(JUD)

Signing do pass: Senator McGuire, Chair; Senators Coghill, Costello.
Signing do not pass: Senator Wielechowski.

The following fiscal information was published today:
Fiscal Note No. 2, indeterminate, Legislative Agency

The resolution was referred to the Finance Committee.

Introduction and Reference of Senate Bills**SB 175**

SENATE BILL NO. 175 BY SENATOR GIESSEL BY REQUEST, entitled:

"An Act relating to the registration and duties of pharmacy benefits managers; relating to procedures, guidelines, and enforcement mechanisms for pharmacy audits; relating to the cost of multi-source generic drugs and insurance reimbursement procedures; relating to the duties of the director of the division of insurance; and providing for an effective date."

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

SB 176

SENATE BILL NO. 176 BY SENATOR GARDNER, entitled:

"An Act relating to the admissibility of prior reports of sexual assault, sexual abuse of a minor, or unlawful exploitation of a minor in prosecutions of sexual assault, sexual abuse of a minor, unlawful exploitation of a minor, or an attempt to commit any of those crimes; and amending Rule 404(a), Alaska Rules of Evidence."

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

Consideration of the Calendar**Second Reading of Senate Bills****SB 157**

SENATE BILL NO. 157 "An Act defining arcade-style amusement devices" was read the second time.

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

SENATE BILL NO. 157 was read the third time.

The question being: "Shall SENATE BILL NO. 157 "An Act defining arcade-style amusement devices" pass the Senate?" The roll was taken with the following result:

SB 157

Third Reading - Final Passage

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

Yeas: Bishop, Coghill, Costello, Dunleavy, Egan, Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Meyer, Micciche, Olson, Stedman, Stevens, Stoltze, Wielechowski

and so, SENATE BILL NO. 157 passed the Senate and was referred to the Secretary for engrossment.

Citations

Honoring - Dimond High School Lynx 2015 Boys Swimming and Diving State Champions

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

Representative(s) Vazquez

Honoring - Dimond High School Lynx 2015 Girls Volleyball 4A State Champions

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

Honoring - Joe Griffith

Representative(s) Millett

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

Unfinished Business

SB 84

Senator Costello moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 84 "An Act relating to language immersion charter schools; relating to teacher certification; and relating to standards-based assessments in language immersion charter schools and language immersion programs." Without objection, it was so ordered.

HB 115

Senator Giessel moved and asked unanimous consent to be shown as a cross sponsor on 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." Without objection, it was so ordered.

Senator MacKinnon moved and asked unanimous consent to amend a prior excusal (page 1731) in order to be excused from a call of the Senate from evening plane time, February 18 through evening plane time, February 21. Without objection, Senator MacKinnon was excused.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 157**

SENATE BILL NO. 157 "An Act defining arcade-style amusement devices" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Coghill moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., February 12, 2016. Without objection, the Senate adjourned at 12:02 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

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

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
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Feb 11	Thursday No Meeting Scheduled	Butrovich 205	3:30 PM
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Feb 16	Tuesday No Meeting Scheduled	Butrovich 205	3:30 PM
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Feb 18	Thursday No Meeting Scheduled	Butrovich 205	3:30 PM
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FINANCE

Feb 10	Wednesday No Meeting Scheduled	Senate Finance 532	9:00 AM
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FINANCE (continued)

Feb 11 Thursday Senate Finance 532 9:00 AM
 + Pat Pitney, Director, Office of Management
 and Budget
 += SB 138 BUDGET: CAPITAL
 + SB 167 APPROP: SUPP/CAP/OTHER APPROPRIATIONS

Feb 12 Friday Senate Finance 532 9:00 AM
 No Meeting Scheduled

HEALTH & SOCIAL SERVICES

Feb 10 Wednesday Butrovich 205 1:30 PM
 + Bills Previously Heard/Scheduled:
 = SB 151 DHSS CENT. REGISTRY; LICNSE;BCKGROUND CHK

Feb 12 Friday Butrovich 205 1:30 PM
 + Bills Previously Heard/Scheduled

JUDICIARY

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 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 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

Feb 15 Monday Butrovich 205 3:30 PM
 + Confirmation of Governor's Appointees:
 Board of Game, Guy Trimmingham
 -- Public Testimony on Appointee --
 + SB 163 NATL. RES. WATER NOMINATION/DESIGNATION
 -- Testimony <Invitation Only> --
 + Bills Previously Heard/Scheduled

Feb 17 Wednesday Senate Finance 532 3:30 PM
 -- Location Change --
 -- Testimony <Invitation Only> --
 + Overview / Update on John Sturgeon Supreme Court
 Case: John Sturgeon, Petitioner, Department
 of Law, Safari Club International

Feb 19 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

STATE AFFAIRS

Feb 11 Thursday Butrovich 205 9:00 AM

+ SB 128 PERM. FUND:DEPOSITS;DIVIDEND;EARNINGS

-- Testimony <Invitation Only> --

+ 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 --

10:30 am - 11:30 am

+ SB 91 OMNIBUS CRIM LAW & PROCEDURE; CORRECTIONS

Presentation by Sponsor

-- Invited Testimony Until 11:30 am --

John Skidmore, Department of Law - Criminal

Division

Brenda Stanfill, Interior Alaska Center for

Non-Violent Living

Taylor Winston, Office of Victim's Rights

Rick Allen, Office of Public Advocacy

-- Public Testimony After 12:00 pm --

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 11 Thursday Butrovich 205 1:30 PM

-- Please Note Time Change --

+ Bills Previously Heard/Scheduled:

+ SB 132 ELECTRONIC TAX RETURNS & MOTOR FUEL TAX

FINANCE SUBCOMMITTEES

CORRECTIONS

Feb 18 Thursday Beltz 105 (tsbldg) 5:00 PM
-- MEETING CANCELED --
Changes and Revisions

Mar 01 Tuesday Beltz 105 (tsbldg) 5:00 PM
-- MEETING CANCELED --
Final Closeout

HEALTH & SOCIAL SERVICES

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

LABOR & WORKFORCE DEVELOPMENT

Feb 16 Tuesday Beltz 105 (tsbldg) 5:00 PM
-- MEETING CANCELED --
Changes and Revisions

Feb 25 Thursday Beltz 105 (tsbldg) 5:00 PM
-- MEETING CANCELED --
Final Closeout

MEDICAID 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
Topic: Managed Care & Accountable Care
Organizations, Payment Reform

MEDICAID REFORM (continued)

- Feb 10** **Wednesday** **Senate Finance 532** **1:30 PM**
 + SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES
 + SB 78 MEDICAL ASSISTANCE COVERAGE; REFORM
 Topic: Federal Overview: Policies and Waivers
- Feb 12** **Friday** **Senate Finance 532** **9:00 AM**
 + SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES
 + SB 78 MEDICAL ASSISTANCE COVERAGE; REFORM
 Topic: Telemedicine and Assistive Technology
- Feb 12** **Friday** **Senate Finance 532** **1:30 PM**
 + SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES
 + SB 78 MEDICAL ASSISTANCE COVERAGE; REFORM
 Topic: Behavioral Health

NATURAL RESOURCES

- Feb 11** **Thursday** **Beltz 105 (tsbldg)** **5:00 PM**
 -- MEETING CANCELED --
 Changes and Revisions
- Feb 23** **Tuesday** **Beltz 105 (tsbldg)** **5:00 PM**
 -- MEETING CANCELED --
 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
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JOINT COMMITTEES

LEGISLATIVE BUDGET & AUDIT

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:
 Ratification of Charity Events
 Other Committee Business

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

MISCELLANEOUS MEETING

Feb 16	Tuesday	Butrovich 205	12:00 PM
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Lunch & Learn:
"The Economic Effects of Commercial Fishing
Mining, and Tourism to the State of Alaska"
Presenter: Bob Loeffler, Professor, Institute of
Social and Economic Research, University of
Alaska, Anchorage
Sponsored by Senator Giessel and
Representative Pruitt