

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Friday

March 4, 2016

Forty-sixth Day

Pursuant to adjournment the Senate was called to order by President Meyer at 10:07 a.m.

The roll showed sixteen members present. Senators Stedman, Stevens were excused from a call of the Senate. Senators Ellis, McGuire were absent.

The prayer was offered by the Chaplain, Pastor Tari Stage-Harvey, Shepherd of the Valley Lutheran Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Oh Living God, we pray for our brothers and sisters who serve in this capitol. We give thanks for the legislators, staff, pages, security, and for all those who keep the place clean. Give them all integrity and honor in their work.

Oh God, we pray for our brothers and sisters in this state from Barrow to Metlakatla. We pray for those who rejoice and find abundance in this land and place. We pray for those who live in scarcity, the lonely, the hungry, the homeless. May we seek to live as community building each other up.

Oh God, we give thanks for our brothers and sisters who came before us and pray for those who will come after us. May we respect tradition and tread lightly upon the earth.

Remind us to breathe, and laugh, and see one another
as precious children of God. In you I pray, Amen.

Senator Micciche led the Senate in the Pledge of Allegiance.

Certification

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

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

Communications

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

Alaska Court System
Annual Report
FY 2015

Local Boundary Commission
Report to the 29th Legislature
2nd Session
February 2016

Standing Committee Reports

SB 98

The Labor and Commerce Committee considered SENATE BILL NO. 98 "An Act relating to diagnosis, treatment, and prescription of drugs without a physical examination" and recommended it be replaced with

CS FOR SENATE BILL NO. 98(L&C) "An Act relating to diagnosis, treatment, and prescription of drugs without a physical examination by a physician; relating to the delivery of services by a licensed professional counselor, marriage and family therapist, psychologist, psychological associate, and social worker by audio, video, or data communications; relating to the duties of the Department of Commerce, Community, and Economic Development; establishing a telemedicine business registry; and relating to the duties of the State Medical Board."

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

The following fiscal information was published today:

Fiscal Note No. 2, Department of Commerce, Community and Economic Development

The bill was referred to the Finance Committee.

SB 108

The Labor and Commerce Committee considered SENATE BILL NO. 108 "An Act repealing and reenacting the Alaska Securities Act, including provisions relating to exempt securities and transactions; relating to registration of securities, firms, and agents that offer or sell securities and investment advice; relating to administrative, civil, and criminal enforcement provisions, including restitution and civil penalties for violations; allowing certain civil penalties to be used for an investor training fund; establishing increased civil penalties for harming older Alaskans; retaining provisions concerning corporations organized under the Alaska Native Claims Settlement Act; amending Rules 4, 5, 54, 65, and 90, Alaska Rules of Civil Procedure; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 108(L&C) "An Act relating to securities, registration, exempt securities, exempt transactions, broker-dealers, agents, investment advice, investment advisers, investment adviser representatives, federal covered securities,

federal covered investment advisers, viatical settlement interests, Canadian broker-dealers, and Canadian agents; relating to administrative, civil, and criminal enforcement provisions, including restitution and civil penalties for violations; relating to an investor training fund; establishing increased civil penalties for harming older persons; relating to corporations organized under the Alaska Native Claims Settlement Act; amending Rules 4, 5, 54, 65, and 90, Alaska Rules of Civil Procedure, and Rule 602, Alaska Rules of Appellate Procedure; and providing for an effective date."

Signing do pass: Senator Costello, Chair; Senator Giessel. Signing no recommendation: Senator Meyer.

The following fiscal information was published today:

Fiscal Note No. 2, zero, Department of Administration
Fiscal Note No. 3, indeterminate, Department of Commerce,
Community and Economic Development

The bill was referred to the Judiciary Committee.

SB 125

The Resources Committee considered SENATE BILL NO. 125 "An Act adding legislative nonvoting members to the board of directors of the Alaska Gasline Development Corporation" and recommended it be replaced with

CS FOR SENATE BILL NO. 125(RES)

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

The following fiscal information was published today:

Fiscal Note No. 2, zero, Department of Commerce, Community
and Economic Development

The bill was referred to the Rules Committee.

SB 126

The Labor and Commerce Committee considered SENATE BILL NO. 126 "An Act establishing an exemption for the offering and sale of certain securities" and recommended it be replaced with

CS FOR SENATE BILL NO. 126(L&C)

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

The following fiscal information was published today:

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

The bill was referred to the Finance Committee.

SB 127

The Labor and Commerce Committee considered SENATE BILL NO. 127 "An Act relating to actions by insurers based on credit history or insurance score; and providing for an exception to consideration by an insurer of credit history or insurance score." Signing do pass: Senator Costello, Chair; Senators Giessel, Meyer.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

SB 158

The Labor and Commerce Committee considered SENATE BILL NO. 158 "An Act relating to real estate broker licensure; relating to the real estate commission; and providing for an effective date." Signing do pass: Senator Costello, Chair; Senators Giessel, Meyer.

The following fiscal information was published today:

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

The bill was referred to the Rules Committee.

SB 161

The Labor and Commerce Committee considered SENATE BILL NO. 161 "An Act relating to an exemption from the regulation of construction contractors" and recommended it be replaced with

CS FOR SENATE BILL NO. 161(L&C)

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

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 Labor and Workforce Development

The bill was referred to the Finance Committee.

HB 107

The Education Committee considered CS FOR HOUSE BILL NO. 107(EDC) am "An Act relating to the composition of the Board of Regents of the University of Alaska." Signing do pass: Senator Dunleavy, Chair; Senators Giessel, Huggins. Signing no recommendation: Senator Gardner.

The following fiscal information was published today:

Fiscal Note No. 2, zero, University of Alaska

The bill was referred to the Rules Committee.

Consideration of the Calendar

Citations

Honoring - Alaska Youth for Environmental Action
Senator(s) Gardner, Meyer, Bishop, Coghill, Costello, Dunleavy, Egan, Ellis, Giessel, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Wielechowski

Honoring - Samuel Johns

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

Honoring - Justice Dana Fabe

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

Honoring - Diane Barrans

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

Honoring - Dr. Patrick H. O'Neill 2016 Alaska Mining Hall of Fame

Representative(s) Thompson

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

In Memoriam - William Edmond Cumberlidge

Representative(s) Edgmon

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

In Memoriam - Malcom "Jay" Miller

Representative(s) Kreiss-Tomkins

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

Senator Hoffman moved and asked unanimous consent to be excused from a call of the Senate from noon, March 23 through March 26. Without objection, Senator Hoffman was excused.

Senator Huggins moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, March 4 through evening plane time, March 6. Without objection, Senator Huggins was excused.

SB 126

Senators Hoffman, Meyer moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 126 "An Act establishing an exemption for the offering and sale of certain securities." Without objection, it was so ordered.

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., March 7, 2016. Without objection, the Senate adjourned at 10:24 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

Mar 08 Tuesday Beltz 105 (tsbldg) 3:30 PM
No Meeting Scheduled

Mar 10 Thursday Beltz 105 (tsbldg) 3:30 PM
No Meeting Scheduled

EDUCATION

Mar 08 Tuesday Butrovich 205 3:30 PM
-- MEETING CANCELED --
+ HB 76 GOV COUNCIL ON DISABILITIES/SPECIAL ED
 -- Public Testimony --
+ SB 190 EXEMPTION FROM POST-SECONDARY ED REGS
 -- Public Testimony --
+ Bills Previously Heard/Scheduled

Mar 10 Thursday Butrovich 205 3:30 PM
+ Bills Previously Heard/Scheduled:
+= HB 76 GOV COUNCIL ON DISABILITIES/SPECIAL ED
 -- Public Testimony --
+= SB 190 EXEMPTION FROM POST-SECONDARY ED REGS
 -- Public Testimony --

FINANCE

Mar 04 Friday Senate Finance 532 8:30 AM
 += SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES
 + Bills Previously Heard/Scheduled

Mar 07 Monday Senate Finance 532 9:00 AM
 += SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES
 += SB 139 APPROP: OPERATING BUDGET/LOANS/FUNDS
 -- Public Testimony <Limited to 2 Minutes> --
 += SB 140 APPROP: MENTAL HEALTH BUDGET
 -- Public Testimony <Limited to 2 Minutes> --
 + Bills Previously Heard/Scheduled
 Statewide Public Testimony: Please Arrive
 15 Minutes Prior to End of Allotted Time Period
 or Testimony Will Close Early.
 Please Select a Spokesperson to Testify if You
 Are a Member of a Group with the Same Message.
 If You are Unable to Access Your Local LIO,
 Written Testimony May be Submitted to the Senate
 Finance Committee via Email:
 Finance.committee@akleg.gov
 3:45 - 5:30 Juneau

Mar 08 Tuesday Senate Finance 532 10:00 AM
 += SB 139 APPROP: OPERATING BUDGET/LOANS/FUNDS
 -- Public Testimony <Limited to 2 Minutes> --
 += SB 140 APPROP: MENTAL HEALTH BUDGET
 -- Public Testimony <Limited to 2 Minutes> --
 + Bills Previously Heard/Scheduled
 Statewide Public Testimony: Please Arrive
 15 Minutes Prior to End of Allotted Time Period
 or Testimony Will Close Early.
 Please Select a Spokesperson to Testify if You
 Are a Member of a Group with the Same Message.
 If You are Unable to Access Your Local LIO,
 Written Testimony May be Submitted to the Senate
 Finance Committee via Email:
 Finance.committee@akleg.gov
 10:00 - 11:00 Bethel, Nome, Kotzebue, Unalaska
 11:15 - 12:00 Barrow, Tok, Delta Junction
 1:00 - 2:00 Ketchikan, Wrangell, Petersburg
 2:15 - 3:30 Sitka, Cordova, Valdez
 3:45 - 5:30 Statewide Teleconference - Offnet
 Site

FINANCE (continued)

Mar 09 Wednesday Senate Finance 532 9:00 AM
 += SB 139 APPROP: OPERATING BUDGET/LOANS/FUNDS
 -- Public Testimony <Limited to 2 Minutes> --
 += SB 140 APPROP: MENTAL HEALTH BUDGET
 -- Public Testimony <Limited to 2 Minutes> --
 + Bills Previously Heard/Scheduled
 Statewide Public Testimony: Please Arrive
 15 Minutes Prior to End of Allotted Time Period
 or Testimony Will Close Early.
 Please Select a Spokesperson to Testify if You
 Are a Member of a Group with the Same Message.
 If You are Unable to Access Your Local LIO,
 Written Testimony May be Submitted to the Senate
 Finance Committee via Email:
 Finance.committee@akleg.gov
 9:00 - 10:45 Anchorage
 1:00 - 1:45 Glennallen, Seward, Homer
 3:00 - 4:30 Fairbanks, Mat-Su
 4:45 - 5:45 Kenai, Kodiak, Dillingham

Mar 10 Thursday Senate Finance 532 9:00 AM
 += SB 139 APPROP: OPERATING BUDGET/LOANS/FUNDS
 += SB 140 APPROP: MENTAL HEALTH BUDGET
 + Bills Previously Heard/Scheduled

Mar 11 Friday Senate Finance 532 9:00 AM
 += SB 139 APPROP: OPERATING BUDGET/LOANS/FUNDS
 += SB 140 APPROP: MENTAL HEALTH BUDGET
 + Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

Mar 04 Friday Butrovich 205 1:30 PM
 No Meeting Scheduled

Mar 07 Monday Butrovich 205 1:30 PM
 No Meeting Scheduled

Mar 09 Wednesday Butrovich 205 1:30 PM
 No Meeting Scheduled

HEALTH & SOCIAL SERVICES (continued)

Mar 11 Friday Butrovich 205 1:30 PM
 No Meeting Scheduled

JUDICIARY

Mar 04 Friday Beltz 105 (tsbldg) 1:30 PM
 No Meeting Scheduled

Mar 07 Monday Beltz 105 (tsbldg) 1:30 PM
 + SB 141 E-CIGS: SALE TO AND POSSESSION BY MINOR
 + SB 103 RESIDENTIAL PSYCHIATRIC EDUCATION FUNDING
 + Bills Previously Heard/Scheduled
 -- Public Testimony --

Mar 09 Wednesday Beltz 105 (tsbldg) 1:30 PM
 + SB 182 DNA TESTING EXEMPTION FOR GENEALOGY
 + SB 91 OMNIBUS CRIM LAW & PROCEDURE; CORRECTIONS
 <Pending Referral>
 + Bills Previously Heard/Scheduled
 -- Public Testimony --

Mar 11 Friday Beltz 105 (tsbldg) 1:30 PM
 No Meeting Scheduled

LABOR & COMMERCE

Mar 08 Tuesday Beltz 105 (tsbldg) 1:30 PM
 + SB 168 BOARD OF BARBERS AND HAIRDRESSERS
 += SB 152 MONEY SERVICES BUSINESS: REQS; LICENSING;
 + Bills Previously Heard/Scheduled
 -- Public Testimony --

Mar 10 Thursday Beltz 105 (tsbldg) 1:30 PM
 + SB 55 OPTOMETRY & OPTOMETRISTS
 + SB 197 MOTOR VEHICLE DEALER FRANCHISES
 -- Testimony <Invitation Only> --
 + Bills Previously Heard/Scheduled
 -- Public Testimony --

RESOURCES

- Mar 04 Friday Butrovich 205 3:30 PM**
 += SB 164 FISH & GAME: OFFENSES;LICENSES;PENALTIES
 -- Public Testimony --
 += SB 172 FISH/SHELLFISH HATCHERY/ENHANCE. PROJECTS
 -- Public Testimony --
 + Bills Previously Heard/Scheduled
- Mar 07 Monday Butrovich 205 3:30 PM**
 <Joint with the House Resources Committee>
 + Overview: The Cohen Group Report on the
 Environmental Protection Agency's Pebble Mine
 Action
 -- Testimony <Invitation Only> --
- Mar 07 Monday Butrovich 205 4:30 PM**
 += SB 163 NATL. RES. WATER NOMINATION/DESIGNATION
 + Overview: Department of Environmental
 Conservation, Department of Natural Resources
 -- Testimony <Invitation Only> --
 + Bills Previously Heard/Scheduled
- Mar 09 Wednesday Butrovich 205 3:30 PM**
 + Confirmation on Governor's Appointees:
 Board of Fisheries: Al Cain, Robert Ruffner
 -- Public Testimony on Appointees --
 + Bills Previously Heard/Scheduled
- Mar 11 Friday Butrovich 205 3:30 PM**
 + Confirmation on Governor's Appointees Continued:
 Board of Fisheries: Al Cain, Robert Ruffner
 -- Public Testimony on Appointees --
 + Bills Previously Heard/Scheduled

STATE AFFAIRS

- Mar 08 Tuesday Butrovich 205 9:00 AM**
 += SB 91 OMNIBUS CRIM LAW & PROCEDURE; CORRECTIONS
 -- Continued Public Testimony --
 -- Discussion of Fiscal Notes --
 -- Consideration of Member Amendments --
 + Bills Previously Heard/Scheduled

STATE AFFAIRS (continued)

Mar 08 Tuesday Butrovich 205 5:00 PM
 += SB 91 OMNIBUS CRIM LAW & PROCEDURE; CORRECTIONS
 -- If Necessary --
 + Bills Previously Heard/Scheduled

Mar 10 Thursday Butrovich 205 8:30 AM
 + Confirmation on Governor's Appointees:
 -- Public Testimony on Appointees --
 Regulatory Commission of Alaska:
 Rebecca Pauli
 += SB 114 PERM FUND: EARNINGS, DEPOSITS, ACCOUNTS
 += SB 128 PERM. FUND:DEPOSITS;DIVIDEND;EARNINGS
 + Bills Previously Heard/Scheduled

TRANSPORTATION

Mar 08 Tuesday Butrovich 205 1:00 PM
 No Meeting Scheduled

Mar 10 Thursday Butrovich 205 1:00 PM
 No Meeting Scheduled

FINANCE SUBCOMMITTEES**COMMERCE, COMMUNITY & ECONOMIC DEV**

Mar 04 Friday Beltz 105 (tsbldg) 9:00 AM
 Budget Closeout

Mar 10 Thursday Beltz 105 (tsbldg) 8:00 AM
 -- MEETING CANCELED --
 Budget Closeout

EDUCATION & EARLY DEVELOPMENT

Mar 04 Friday Butrovich 205 8:00 AM
 + Department of Education and Early Development
 FY17 Operating Budget Closeout

ENVIRONMENTAL CONSERVATION

Mar 04 **Friday** **Senate Finance 532** **1:00 PM**
 + Closeout

HEALTH & SOCIAL SERVICES

Mar 04 **Friday** **Butrovich 205** **11:00 AM**
 Department of Health & Social Services
 Budget Closeout

JUDICIARY SUBCOMMITTEE

Mar 04 **Friday** **Senate Finance 532** **1:30 PM**
 Budget Closeout

MILITARY & VETERANS' AFFAIRS

Mar 04 **Friday** **Beltz 105 (tsbldg)** **8:00 AM**
 Budget Closeout

Mar 08 **Tuesday** **Beltz 105 (tsbldg)** **8:00 AM**
 -- MEETING CANCELED --
 Budget Closeout

PUBLIC SAFETY

Mar 04 **Friday** **Beltz 105 (tsbldg)** **8:30 AM**
 Budget Closeout

Mar 09 **Wednesday** **Beltz 105 (tsbldg)** **8:00 AM**
 -- MEETING CANCELED --
 Budget Closeout

UNIVERSITY OF ALASKA

Mar 04 **Friday** **Senate Finance 532** **8:15 AM**
 Budget Closeout

JOINT COMMITTEES**LEGISLATIVE BUDGET & AUDIT**

Mar 18 **Friday** **House Finance 519** **7:30 AM**
-- Testimony <Invitation Only> --
Audits - Executive Session:
Statewide Single Audit FY15 - Preliminary
Commercial Passenger Vessel Tax Special
Audit - Preliminary
Other Committee Business

OTHER MEETINGS**MISCELLANEOUS MEETING**

Mar 10 **Thursday** **Butrovich 205** **12:00 PM**
Lunch and Learn:
Tax and Fiscal Policy Task Force Presentation
by the American Legislative Exchange Council
Sponsored by Senator Dunleavy