

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Tuesday

April 12, 2016

Eighty-fifth Day

Pursuant to adjournment the Senate was called to order by President Meyer at 11:07 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Senator Kelly. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Father, we thank you for this day. We thank you for this opportunity. We ask from you the courage to proceed in the best interest of our constituents, but mostly to do the right thing.

As it says in the Book of Malachi, do what is right, love mercy and justice, and walk humbly before your God. Father, we ask that you give us that ability. Let us be known as people who are faithful in our time and true to your will.

I ask this in the name of your son, Yeshua, Jesus of Nazareth.

Amen.

Senator Olson led the Senate in the Pledge of Allegiance.

Certification

Senator Coghill moved and asked unanimous consent that the journal for the eighty-fourth legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the House**SCR 20**

Message dated April 11 was read stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 20
Proclaiming April 2016 as Sexual Assault Awareness
Month.

The resolution was referred to the Secretary for enrollment.

SB 148

Message dated April 11 was read stating the House passed and returned:

CS FOR SENATE BILL NO. 148(L&C) "An Act
relating to the reporting of workplace injuries to the
division of labor standards and safety; and providing
for an effective date."

The bill was referred to the Secretary for enrollment.

SB 204

Message dated April 11 was read stating the House passed and returned:

SENATE BILL NO. 204 "An Act naming a shooting
range in the Knik River Public Use Area the Kenny
and Patti Barber Shooting Range."

The bill was referred to the Secretary for enrollment.

Standing Committee Reports

Reports dated April 12 were read stating:

In accordance with AS 39.05.080, the State Affairs Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

Board of Fisheries

Alan Cain – Anchorage
Israel Payton – Wasilla
Robert Ruffner – Soldotna

Regulatory Commission of Alaska

Rebecca Pauli – Anchorage

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

Signing the reports: Senator Stoltze, Chair; Senators Wielechowski, McGuire, Huggins.

SB 108

The Judiciary 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 the adoption of the Labor and Commerce Committee Substitute offered on page 2027. Signing no recommendation: Senator McGuire, Chair; Senators Micciche, Coghill, Wielechowski. Signing do pass: Senator Costello.

The following previously published fiscal information applies:

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 Finance Committee.

SB 113

The Judiciary Committee considered SENATE BILL NO. 113 "An Act relating to prescribing, dispensing, and administering an investigational drug, biological product, or device by physicians for patients who are terminally ill; and providing immunity for persons manufacturing, distributing, or providing investigational drugs, biological products, or devices" and recommended the adoption of the Health and Social Services Committee Substitute offered on page 2281. Signing do pass: Senator McGuire, Chair; Senators Coghill, Wielechowski.

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 200

The Finance Committee considered SENATE BILL NO. 200 "An Act relating to physical activity requirements for students in kindergarten through grade eight" and recommended it be replaced with

CS FOR SENATE BILL NO. 200(FIN) "An Act
relating to health education and physical activity
requirements for students in grades kindergarten
through eight."

Signing do pass: Senator MacKinnon, Cochair; Senator Bishop.
Signing no recommendation: Senators Micciche, Dunleavy, Olson,
Hoffman.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Department of Education and
Early Development

The bill was referred to the Rules Committee.

SB 210

The Finance Committee considered SENATE BILL NO. 210 "An Act relating to the community revenue sharing program; changing the name of the community revenue sharing program to the community assistance program; and relating to the municipal property tax exemption on the residence of a senior, a disabled veteran, and a widow or widower of a senior or disabled veteran" and recommended it be replaced with

CS FOR SENATE BILL NO. 210(FIN) "An Act relating to the community revenue sharing program; and changing the name of the community revenue sharing program to the community assistance program."

Signing do pass: Senator MacKinnon, Cochair; Senators Olson, Hoffman. Signing no recommendation: Senator Bishop. Signing amend: Senators Micciche, Dunleavy.

The following fiscal information was published today:
Fiscal Note No. 1, zero, Senate Finance Committee

The bill is on today's calendar.

Consideration of the Calendar

Second Reading of Senate Bills

SB 196

SENATE BILL NO. 196 "An Act relating to the use of certain unexpended earnings from the power cost equalization endowment fund" was read the second time.

Senator MacKinnon, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 2459. Senator Gardner objected, then withdrew her objection. There being no further objection, CS FOR SENATE BILL NO. 196(FIN) "An Act relating to the amount appropriated for power cost equalization; relating to the use of certain unexpended earnings from the power cost equalization endowment fund; and providing for an effective date" was adopted.

President Meyer stated CS FOR SENATE BILL NO. 196(FIN) will advance to third reading on the April 13 calendar.

SB 201

SENATE BILL NO. 201 "An Act relating to the Board of Pharmacy; relating to the licensing and inspection of certain facilities located outside the state; relating to drug supply chain security; and creating a position of executive administrator for the Board of Pharmacy" 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. 201 was read the third time.

The question being: "Shall SENATE BILL NO. 201 "An Act relating to the Board of Pharmacy; relating to the licensing and inspection of certain facilities located outside the state; relating to drug supply chain security; and creating a position of executive administrator for the Board of Pharmacy" pass the Senate?" The roll was taken with the following result:

SB 201

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. 201 passed the Senate and was referred to the Secretary for engrossment.

SB 210

SENATE BILL NO. 210 "An Act relating to the community revenue sharing program; changing the name of the community revenue sharing program to the community assistance program; and relating to the municipal property tax exemption on the residence of a senior, a disabled veteran, and a widow or widower of a senior or disabled veteran" was read the second time.

Senator MacKinnon, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 2475. There was objection. The objection was not maintained and CS FOR SENATE BILL NO. 210(FIN) "An Act relating to the community revenue sharing program; and changing the name of the community revenue sharing program to the community assistance program" was adopted.

President Meyer stated CS FOR SENATE BILL NO. 210(FIN) will advance to third reading on the April 13 calendar.

Citations

Honoring - Michael John Gerard Gault

Representative(s) Tuck

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

In Memoriam - Dr. Mary Anne Navitsky

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

In Memoriam - Margaret Bernice Lucas

Representative(s) Hughes, Tilton, Neuman, Keller, Gattis, Colver
Senator(s) Stoltze, Huggins, Dunleavy, Meyer, Bishop, Coghill, Costello, Egan, Ellis, Gardner, Giessel, Hoffman, Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Wielechowski

In Memoriam - Coogan Fox
Representative(s) Stutes
Senator(s) Stevens, Meyer, Bishop, Coghill, Costello, Dunleavy, Egan,
Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, MacKinnon,
McGuire, Micciche, Olson, Stedman, 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.

Announcements

Rule 23(d) of the Alaska State Legislature Uniform Rules is currently in effect.

Announcements are at the end of the journal.

Engrossment

SB 201

SENATE BILL NO. 201 "An Act relating to the Board of Pharmacy; relating to the licensing and inspection of certain facilities located outside the state; relating to drug supply chain security; and creating a position of executive administrator for the Board of Pharmacy" 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 11:00 a.m., April 13, 2016. Without objection, the Senate adjourned at 11:39 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

Apr 12 Tuesday Beltz 105 (tsbldg) 3:30 PM
 -- Public Testimony <Limited to 2 Minutes> --
 += HB 370 MUNICIPAL TAX EXEMPTIONS
 + HB 209 WATER AND SEWER ADVISORY COMMITTEE

Apr 14 Thursday Beltz 105 (tsbldg) 3:30 PM
 Bills Previously Heard/Scheduled
 += HB 370 MUNICIPAL TAX EXEMPTIONS
 += HB 209 WATER AND SEWER ADVISORY COMMITTEE
 -- Public Testimony <Limited to 2 Minutes> --

EDUCATION

Apr 12 Tuesday Butrovich 205 6:00 PM
 + HB 156 SCHOOL ACCOUNTABILITY MEASURES; FED. LAW
 -- Public Testimony --

Apr 13 Wednesday Capitol 106 8:00 AM
 Joint with the House Education Committee
 Presentation: Dr. Susan McCauley Interim
 Commissioner of DEED: Update on Every
 Student Succeeds Act (ESSA) State Plan
 Development Presentation: Ted Dinthersmith
 Educating For the 21st Century

EDUCATION (continued)

Apr 13 Wednesday Butrovich 205 6:30 PM
 += HB 156 SCHOOL ACCOUNTABILITY MEASURES; FED. LAW

FINANCE

Apr 12 Tuesday Senate Finance 532 9:00 AM
 + HB 100 UREA/AMMONIA/GAS-LIQ FACILITY; TAX CREDIT
 + HB 77 DISABILITY:ID/LICENSE AND TRAINING RQMTS.
 HB 155 FEES; WAIVERS; CREDITS; DEDUCTIONS;TAXES
 + HB 143 AIDEA BONDS: SWEETHEART CREEK HYDRO PROJ.
 += HB 41 SPORT FISHING SERVICES
 += HB 137 HUNT/FISH/TRAP: FEES;LICENSES;EXEMPTIONS
 + Bills Previously Heard/Scheduled

Apr 12 Tuesday Senate Finance 532 1:30 PM
 += SB 128 PERM. FUND:DEPOSITS;DIVIDEND;EARNINGS
 + HB 188 PERSON W/DISABILITY SAVINGS ACCOUNTS
 + HB 83 REPEAL COLLECTION OF CIVIL LITIG. INFO
 + HB 289 BOARD OF BARBERS AND HAIRDRESSERS
 + HB 231 EXTEND BOARD OF PAROLE
 + HB 268 AIDEA:DIVIDEND TO STATE;INCOME;VALUATION
 + Bills Previously Heard/Scheduled

Apr 12 Tuesday Senate Finance 532 5:00 PM
 -- MEETING CANCELED --
 + Bills Previously Heard/Scheduled

Apr 13 Wednesday Senate Finance 532 9:00 AM
 += HB 137 HUNT/FISH/TRAP: FEES;LICENSES;EXEMPTIONS
 + HB 222 INCREASE OF APPROPRIATION ITEM
 + Bills Previously Heard/Scheduled

Apr 13 Wednesday Senate Finance 532 1:30 PM
 + SB 130 TAX;CREDITS;INTEREST;REFUNDS;O & G
 <Pending Referral>
 + HB 247 TAX;CREDITS;INTEREST;REFUNDS;O & G
 <Pending Referral>
 + Bills Previously Heard/Scheduled

FINANCE (continued)

Apr 13 Wednesday Senate Finance 532 5:00 PM
 + HB 254 EXTEND BIG GAME COMMERCIAL SERVICES BOARD
 <Pending Referral>
 + HB 314 AK REG ECON ASSIST. PROGRAM; EXTEND
 <Pending Referral>
 + SB 206 REINSURANCE PROGRAM; HEALTH INS. WAIVERS
 <Pending Referral>
 + Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

Apr 13 Wednesday Fahrenkamp 203 9:00 AM
 + Bills Previously Heard/Scheduled
 += HB 27 DHSS DUTIES;CINA; FOSTER CARE; ADOPTION

JUDICIARY

Apr 13 Wednesday Beltz 105 (tsbldg) 1:30 PM
 + SB 187 MOTOR VEHICLE ARSON ON PRIVATE PROPERTY
 + HB 308 CHILD SAFETY SEAT INSTALLATION LIABILITY
 + SB 212 FORFEITURE:NO CIVIL IN REM; ONLY CRIMINAL
 + HB 27 DHSS DUTIES;CINA; FOSTER CARE; ADOPTION
 <Pending Referral>
 + HB 126 CODE OF MILITARY JUSTICE; APPEALS
 <Pending Referral>
 + Bills Previously Heard/Scheduled
 -- Public Testimony --
 Streamed live on AKL.tv

Apr 15 Friday Beltz 105 (tsbldg) 1:30 PM
 + Bills Previously Heard/Scheduled
 -- Public Testimony --
 Streamed live on AKL.tv

LABOR & COMMERCE

Apr 12 Tuesday Beltz 105 (tsbldg) 1:30 PM
 += SB 203 MEDI-VAC FLIGHT CREW OVERTIME PAY
 += SB 118 DNR LAND DISPOSAL SURVEYS; PEER REVIEW
 += SB 156 INSURANCE COVERAGE FOR CONTRACEPTIVES
 <Bill Hearing Canceled>
 += HB 125 RESTRICTIONS ON SALE OF DEXTROMETHORPHAN
 += HB 314 AK REG ECON ASSIST. PROGRAM; EXTEND
 += SB 206 REINSURANCE PROGRAM; HEALTH INS. WAIVERS
 + HB 254 EXTEND BIG GAME COMMERCIAL SERVICES BOARD
 += SB 55 OPTOMETRY & OPTOMETRISTS
 + Bills Previously Heard/Scheduled
 -- Public Testimony --

RESOURCES

Apr 12 Tuesday Beltz 105 (tsbldg) 9:00 AM
 -- Recessed to 3:30 pm in Butro. 205 --
 -- Please Note Location & Time --
 += SB 130 TAX;CREDITS;INTEREST;REFUNDS;O & G
 -- Public Testimony --

Apr 12 Tuesday Butrovich 205 7:00 PM
 -- Please Note Time --
 += SB 130 TAX;CREDITS;INTEREST;REFUNDS;O & G
 -- Testimony <Invitation Only> --

Apr 13 Wednesday Butrovich 205 3:30 PM
 + HB 216 NAVIGABLE WATER; INTERFERENCE, DEFINITION
 -- Public Testimony --
 + HB 274 STATE LAND; EXCHANGES; LEASE EXTENSIONS
 -- Public Testimony --
 + HCR 17 SUPPORT AVIATION INDUSTRY; USE STATE LAND
 -- Public Testimony --
 + Bills Previously Heard/Scheduled

STATE AFFAIRS

Apr 12 Tuesday Butrovich 205 8:00 AM

- Please Note Time Change --
- + Consideration of Governor's Appointees:
 - Public Testimony on Appointees --
 - Regulatory Commission of Alaska:
 - Rebecca Pauli
 - Alaska Board of Fisheries:
 - Israel Payton - Wasilla
 - Alan Cain - Anchorage
 - Robert Ruffner - Soldotna
- + HB 273 VEHICLES: TRANSFER ON DEATH TITLE;ESTATES
<Bill Hearing Canceled>
- + HB 126 CODE OF MILITARY JUSTICE; APPEALS
 - Testimony <Invitation Only> --
- + Bills Previously Heard/Scheduled

Apr 13 Wednesday Butrovich 205 8:00 AM

- Note Time --
- + HB 126 CODE OF MILITARY JUSTICE; APPEALS
 - Public Testimony --
- + HJR 14 CALL FOR US COUNTERMAND CONVENTION
 - Public Testimony --
- + Bills Previously Heard/Scheduled

JOINT COMMITTEES

ADMINISTRATIVE REGULATION REVIEW

Apr 14 Thursday Butrovich 205 2:00 PM

- Public Testimony --
- + Voter Regulations, Registration and Online Voting
 - Josephine Bahnke, Director of Division of Elections
- + 17 AC 25.210 Safe Operation of Commercial Motor Vehicles
 - Insurance Limits on Tanker Trucks
 - Department of Transportation & Public Facilities
- + 7 AAC 10.1080 Licensing, Certification & Approvals
 - Department of Health & Social Services

LEGISLATIVE BUDGET & AUDIT

Apr 14 Thursday Barnes 124 7:30 AM
 -- Location Change --
 -- Testimony <Invitation Only> --
 Executive Session - Audits
 Statewide Single Audit FY15 - Final
 Commercial Passenger Vessel Tax
 Special Audit - Final
 Interim Report
 Status of Direct Entry Midwives Audit
 Recommendations
 Other Committee Business

LEGISLATIVE COUNCIL

Apr 14 Thursday Senate Finance 532 3:30 PM
 + Agenda Forthcoming

CONFERENCE COMMITTEES

CONFERENCE COMMITTEE ON HB75

Apr 13 Wednesday Gruenberg 120 8:30 AM
 + HB 75 MARIJUANA REG;CLUBS;MUNIS;LOCAL OPT ELECT
 -- Testimony <Invitation Only> --

OTHER MEETINGS

JOINT SESSION

Apr 15 Friday House Chamber 11:00 AM
 Consideration of Governor's Appointees