

SENATE JOURNAL
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SECOND SESSION

Juneau, Alaska

Wednesday

April 20, 2016

Ninety-third Day

Pursuant to adjournment the Senate was called to order by President Meyer at 11:14 a.m.

The roll showed seventeen members present. Senators Ellis, Kelly, McGuire were absent.

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

Gracious and Merciful God,

We give You thanks for giving us another day.

We pray for Your blessing upon the members of this House. In this chamber, where the people's Senate gathers, together in unison we pause to offer You gratitude for the gift of this good land on which we live, and for this great Nation which you have inspired in developing over so many years. Continue to inspire and guide us with your wisdom, that we might keep liberty and justice alive in our State and our Nation.

By seeking Your presence and wisdom in moments of prayer each day, we humbly lay before You our limitations and our hopes. We display our openness to Your creative light to guide us in the decisions that must be made to stay the course of government of Your free people.

Give to us, and all people, a vivid sense of Your presence, that we may learn to understand each other, to respect each other, to work with each other, to live with each other, and to do good to each other. So shall we make our Nation great in goodness, and good in its greatness.

Much has been given to us; and from us much will be required. Assist us with Your help that we may arrive at the final rollcall vote in Your grace and favor.

May all that is done this day be for Your greater honor and glory. Amen.

Senator Costello led the Senate in the Pledge of Allegiance.

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

Messages from the House

HB 41

Message dated April 17 was read stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 41(FIN) am "An Act relating to sport fishing services, sport fishing operators, and sport fishing guides; and providing for an effective date" thus adopting:

SENATE CS FOR CS FOR HOUSE BILL
NO. 41(FIN) "An Act relating to sport fishing
services, salt water sport fishing operators, and salt
water sport fishing guides; and providing for an
effective date."

HB 100

Message dated April 17 was read stating the House concurred in the Senate amendments to CS FOR HOUSE BILL NO. 100(FIN), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 100(FIN) am S "An Act establishing a credit against the net income tax for an in-state processing facility that manufactures urea, ammonia, or gas-to-liquid products; relating to establishing the value of the state's royalty share of gas production based on contracts with certain in-state processing facilities that manufacture urea, ammonia, or gas-to-liquid products; and providing for an effective date."

HB 126

Message dated April 17 was read stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 126(JUD) am, thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 126(JUD) "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."

HB 137

Message dated April 17 was read stating the House concurred in the Senate amendments to CS FOR HOUSE BILL NO. 137(FIN) am "An Act raising certain fees related to sport fishing, hunting, and trapping; relating to the fish and game fund; providing for the repeal of the sport fishing surcharge and sport fishing facility revenue bonds; replacing the permanent sport fishing, hunting, or trapping identification card for

certain residents with an identification card valid for three years; relating to hunting and fishing by proxy; relating to fish and game conservation decals; raising the age of eligibility for a sport fishing, hunting, or trapping license exemption for state residents; raising the age at which a state resident is required to obtain a license for sport fishing, hunting, or trapping; and providing for an effective date" thus adopting:

SENATE CS FOR CS FOR HOUSE BILL
NO. 137(FIN) am S "An Act establishing an
intensive management surcharge; providing for the
repeal of the intensive management surcharge;
establishing certain special hunting and fishing
licenses and permits for residents with developmental
disabilities; establishing a separate sustainable
wildlife account in the fish and game fund; raising
certain fees related to sport fishing, hunting, and
trapping; relating to the fish and game fund;
providing for the repeal of the sport fishing surcharge
and sport fishing facility revenue bonds; relating to
the regulation of nonresident hunters; relating to
hunting and fishing by proxy; relating to fish and
game conservation decals; raising the age at which a
state resident is required to obtain a license for sport
fishing, hunting, or trapping; relating to the Chitina
dip net fishery; and providing for an effective date."

HB 216

Message dated April 17 was read stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 216(RES), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL
NO. 216(RES) "An Act relating to obstruction or
interference with a person's free passage on or use of
navigable water; and amending the definition of
'navigable water' under the Alaska Land Act."

HB 231

Message dated April 17 was read stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 231(FIN), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL
NO. 231(STA) "An Act extending the termination date
of the Board of Parole; and providing for an effective
date."

HB 234

Message dated April 17 was read stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 234(L&C) "An Act relating to insurance coverage for mental health benefits provided through telemedicine" thus adopting:

SENATE CS FOR CS FOR HOUSE BILL
NO. 234(L&C) "An Act relating to insurance coverage
for mental health benefits provided through telehealth."

HB 254

Message dated April 17 was read stating the House concurred in the Senate amendment to HOUSE BILL NO. 254 "An Act extending the termination date of the Big Game Commercial Services Board; and providing for an effective date" thus adopting:

SENATE CS FOR HOUSE BILL NO. 254(FIN) "An
Act extending the termination date of the Big Game
Commercial Services Board; relating to the Big Game
Commercial Services Board; and providing for an
effective date."

HB 314

Message dated April 17 was read stating the House concurred in the Senate amendment to HOUSE BILL NO. 314, thus adopting:

SENATE CS FOR HOUSE BILL NO. 314(FIN) "An
Act relating to the Alaska regional economic assistance
program; extending the termination date of the Alaska
regional economic assistance program; and providing
for an effective date."

HB 372

Message dated April 17 was read stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 372(L&C) am, thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 372(L&C) "An Act relating to insurance; relating to the annual report by the director of insurance; relating to expenses for insurance examinations; relating to regulations for insurance utilization review, benefits determination, health care insurance grievance resolution procedures, independent review of adverse determinations or final adverse determinations, independent review organizations, and continuing education providers; relating to required provisions for health care insurance contracts and policies, including health care provider choice; establishing civil penalties for insurers for failure to provide requested records; amending the definition of 'wet marine and transportation' insurance; amending provisions on limited licenses to include crop insurance; relating to third-party administrator notification requirements; relating to certification filing by reinsurance intermediary brokers; relating to rate filings, delivery of insurance policies or endorsements; relating to refunds of variable life insurance policies and variable annuities; establishing limitations on issuance of long-term care insurance; relating to requirements for group health insurance policies; amending the definition of 'group health insurance'; relating to motor vehicle service contracts; relating to notice requirements for meetings of stockholders or members of a domestic insurer; establishing a definition of 'bona fide association'; relating to requirements and penalties for committing a fraudulent or criminal insurance act; updating criteria for examinations; relating to rate filing deviations; establishing civil penalties for certain wilful violations; and providing for an effective date."

SCR 22

Message dated April 17 was read stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 22
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 137, raising certain fees
related to sport fishing, hunting, and trapping;
relating to the fish and game fund; providing for the
repeal of the sport fishing surcharge and sport fishing
facility revenue bonds; replacing the permanent sport
fishing, hunting, or trapping identification card for
certain residents with an identification card valid for
three years; relating to hunting and fishing by proxy;
relating to fish and game conservation decals; raising
the age of eligibility for a sport fishing, hunting, or
trapping license exemption for state residents; and
raising the age at which a state resident is required to
obtain a license for sport fishing, hunting, or
trapping.

The resolution was referred to the Secretary for enrollment.

SCR 26

Message dated April 17 was read stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 26
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 234, relating to insurance
coverage for mental health benefits provided through
telemedicine.

The resolution was referred to the Secretary for enrollment.

SCR 29

Message dated April 17 was read stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 29
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 254, extending the
termination date of the Big Game Commercial
Services Board.

The resolution was referred to the Secretary for enrollment.

SCR 30

Message dated April 17 was read stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 30
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 41, relating to sport
fishing services, sport fishing operators, and sport
fishing guides.

The resolution was referred to the Secretary for enrollment.

SJR 2

Message dated April 17 was received stating the House passed and returned:

SENATE JOINT RESOLUTION NO. 2 Proposing an
amendment to the Constitution of the State of Alaska
relating to contracting state debt for postsecondary
student loans.

The resolution was referred to the Secretary for enrollment.

SB 18

Message dated April 17 was received stating the House passed and returned:

SENATE BILL NO. 18 "An Act exempting a health care sharing ministry from regulation as an insurer."

The bill was referred to the Secretary for enrollment.

SB 72

Message dated April 17 was received stating the House passed and returned:

CS FOR SENATE BILL NO. 72(L&C) "An Act relating to the discharge of patients from hospitals and to caregivers of patients after discharge from a hospital; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

Consideration of the Calendar**Citations**

Honoring - Joint Base Elmendorf Richardson School Partnership Program

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

Honoring - 2015 Nerds of the North All-Anchorage Robotics Team
Senator(s) Wielechowski, Meyer, Bishop, Coghill, Costello, Dunleavy, Egan, Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, Stoltze
Representative(s) LeDoux

Honoring - Muldoon Farmers Market

Representative(s) Pruitt, LeDoux

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

Honoring - Larry Bottjen

Representative(s) Hughes, Gattis, Tilton, Neuman, Keller, Colver

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

Honoring - Mat-Su BP Teachers of Excellence 2016

Representative(s) Hughes, Tilton, Neuman, Keller, Gattis, Colver

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

Honoring - Ann Class

Representative(s) Colver

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

Honoring - UAF Nanooks Men's Basketball Team Hero Sports Division II Breakout Team of the Year

Representative(s) Wool

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

Honoring - US Army Fort Greely Garrison Missile Defense Support Agencies and Boeing

Representative(s) Colver, Thompson

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

Honoring - Alaska Highway Project

Representative(s) LeDoux

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

Honoring - Cynthia Steen

Representative(s) Josephson

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

In Memoriam - Richard Geary Tubbs

Representative(s) Hughes, Tilton, Neuman, Keller, Gattis, Colver

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

In Memoriam - Dr. Ping-Tung Chang

Representative(s) Hughes, Tilton, Neuman, Keller, Gattis, Colver

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

In Memoriam - Ken Sailors

Representative(s) Colver, Gattis, Talerico

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

In Memoriam - Marie Julia Fett

Representative(s) Colver

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

In Memoriam - Francesca Ann Columbo

Representative(s) Colver

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

In Memoriam - Patricia Thompson

Representative(s) Colver

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

In Memoriam - Sterling R. Taylor

Representative(s) Gara

Senator(s) Ellis, Meyer, Bishop, Coghill, Costello, Dunleavy, Egan, Gardner, Giessel, Hoffman, Huggins, Kelly, 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.

Unfinished Business

Concur Messages

SB 196

Senator Coghill moved and asked unanimous consent to take up the concur message on HOUSE CS FOR 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" which had been held on the Secretary's desk (page 2655). Without objection, it was so ordered.

Senator Coghill moved that the Senate concur in the House amendment and recommended the body vote no.

The question being: "Shall the Senate concur in the House amendment?" The roll was taken with the following result:

HCS CSSB 196(FIN)

Shall the Senate Concur in the House

Amendment to CSSB 196(FIN)? Effective Date

YEAS: 0 NAYS: 17 EXCUSED: 3 ABSENT: 0

Nays: Bishop, Coghill, Costello, Dunleavy, Egan, Gardner, Giessel, Hoffman, Huggins, MacKinnon, Meyer, Micciche, Olson, Stedman, Stevens, Stoltze, Wielechowski

Excused: Ellis, Kelly, McGuire

and so, the Senate failed to concur.

The Secretary was requested to notify the House of the Senate's action and request the House to recede from its amendment. In the event the House fails to recede, the President appointed a Conference Committee to meet with a like committee from the House to consider the bills:

Senator Hoffman, Chair

Senator MacKinnon

Senator Bishop

Announcements

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

Announcements are at the end of the journal.

Engrossment

HB 289

SENATE CS FOR HOUSE BILL NO. 289(FIN) am S "An Act relating to the membership of the Board of Barbers and Hairdressers; relating to the practice of optometry; prohibiting smoking in certain places; relating to education on the smoking prohibition; and providing for an effective date" which passed the Senate April 17 (page 2651) with engrossment waived, was engrossed and transmitted to the House.

Adjournment

Senator Coghill moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., April 22, 2016. Without objection, the Senate adjourned at 11:32 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

FINANCE

Apr 20	Wednesday	Senate Finance 532	2:00 PM
		-- MEETING CANCELED --	
		Bills Previously Heard/Scheduled	
Apr 21	Thursday	Senate Finance 532	2:00 PM
+		Bills Previously Heard/Scheduled	

RESOURCES

May 06	Friday	Anch Lio Conf Rm	10:00 AM
		-- Testimony <Invitation Only> --	
		<Joint with the House Resources Committee>	
+		Alaska LNG Project Update:	
		Project Update	
		Fiscal Team Update	
		State of Alaska Gas Team Update	

CONFERENCE COMMITTEES

CONFERENCE COMMITTEE ON HB256 AND HB257

Apr 20 Wednesday Senate Finance 532 1:00 PM
 -- MEETING CANCELED --
 -- Please Note Time Change --
 = HB 256 APPROP: OPERATING BUDGET/LOANS/FUNDS
 = HB 257 APPROP: MENTAL HEALTH BUDGET

Apr 22 Friday Senate Finance 532 9:00 AM
 = HB 256 APPROP: OPERATING BUDGET/LOANS/FUNDS
 = HB 257 APPROP: MENTAL HEALTH BUDGET

CONFERENCE COMMITTEE ON HB75

Apr 20 Wednesday Gruenberg 120 12:00 PM
 -- MEETING CANCELED --
 = HB 75 MARIJUANA REG;CLUBS;MUNIS;LOCAL OPT ELECT
 -- Testimony <Invitation Only> --

Apr 21 Thursday Gruenberg 120 3:00 PM
 = HB 75 MARIJUANA REG;CLUBS;MUNIS;LOCAL OPT ELECT
 -- Testimony <Invitation Only> --