

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Friday

April 22, 2016

Ninety-fifth Day

Pursuant to adjournment the Senate was called to order by President Meyer at 11:09 a.m.

The roll showed fifteen members present. Senators Dunleavy, Ellis, Kelly, Stedman, Wielechowski were absent.

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

Dear Lord Jesus,

Thank You for the beautiful day during this spring time when new life is coming forth after the winter season. As we enter this home stretch that has gone into extra innings may our mindset be one of a peacemaker, exemplified by Jesus in the Beatitudes, "Blessed are the peacemakers."

May our mental gymnastics include putting aside our biases and stubbornness. As we think of all those brilliant ideas, that we alone have, may we realize that in this context, You, God, are the ultimate giver of wisdom. Please allow us to be like Solomon and view wisdom as not just the top priority but the ultimate goal.

As we remember the family and friends we will go to when we finally adjourn, may the end result be done in thoughtfulness and consideration.

In Your name,

Amen.

Senator Egan led the Senate in the Pledge of Allegiance.

Certification

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

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

The presence of Senator Kelly was noted.

Messages from the House

SB 196

Message dated April 20 was read stating the House has failed to recede from its amendment to CS FOR SENATE BILL NO. 196(FIN), namely:

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."

The Speaker has appointed the following members to a Conference Committee to meet with the like committee from the Senate to consider the bills:

Representative Edgmon, Chair
Representative Saddler
Representative Kawasaki

Senate members appointed April 20 (page 2688).

Recede Messages**HB 137**

Message dated April 20 was read stating the House failed to concur 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" and respectfully requests the Senate to recede from its amendments, namely:

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."

In the event the Senate fails to recede, the Speaker has appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the bills:

Representative Talerico, Chair
Representative Nageak
Representative Tarr

The recede message was held on the Secretary's desk.

HB 156

Message dated April 17 was read stating the House failed to concur in the Senate amendment to CS FOR HOUSE BILL NO. 156(EDC) am "An Act relating to the duties of the State Board of Education and Early Development, the Department of Education and Early Development, school boards, and school districts; relating to public school curriculum and assessments; relating to compliance with federal education laws; relating to public school accountability; relating to a statewide assessment plan and review of education laws and regulations; and providing for an effective date" and respectfully requests the Senate to recede from its amendment, namely:

SENATE CS FOR CS FOR HOUSE BILL NO. 156(FIN)
"An Act relating to a parent's right to direct the education of a child; relating to the duties of the state Board of Education and Early Development, the Department of Education and Early Development, school boards, and school districts; relating to public school curriculum and assessments; relating to compliance with federal education laws; relating to public school accountability; relating to a statewide assessment plan and review of education laws and regulations; repealing the minimum expenditure for instruction for school districts; relating to sex education, human reproduction education, and human sexuality education; relating to suicide awareness and prevention training; relating to contracts for student assessments; relating to questionnaires and surveys administered in public schools; relating to physical examinations for teachers; and providing for an effective date."

In the event the Senate fails to recede, the Speaker has appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the bills:

Representative Keller, Chair
Representative Talerico
Representative Kreiss-Tompkins

The recede message was held on the Secretary's desk.

Special Committee Reports

SB 196

April 22, 2016

Mr. President:
Mr. Speaker:

The Conference Committee considering 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"

and

HOUSE CS FOR CS FOR SENATE BILL NO. 196(FIN)

requests limited powers of free conference on the following specific point:

Section 3 - Which relates to the formula to appropriate excess earnings from the PCE fund

Signing the report: Senator Hoffman, Chair, Senators MacKinnon, Bishop; Representative Edgmon, Chair, Representatives Saddler, Kawasaki.

President Meyer granted the Senate members limited powers of free conference as requested.

The Secretary was requested to notify the House.

Consideration of the Calendar

Citations

Honoring - Logan McKinley Juhl 2016 Alaska Student Leader of the Year

Representative(s) Talerico

Senator(s) Bishop, Meyer, Coghill, Costello, 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 citation be adopted. Without objection, the citation was 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

In Memoriam - Chip Gallagher

Representative(s) Tilton

Senator(s) Stoltze, Meyer, Bishop, Coghill, Costello, Egan, Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Micciche, Olson, Stedman, Stevens, 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 Gardner moved and asked unanimous consent to amend a prior excusal (page 2519) in order to be excused from a call of the Senate from afternoon plane time, April 28 through evening plane time, May 1. Without objection, Senator Gardner was excused.

SB 165

Senator Coghill moved that the Senate rescind its previous action in failing to concur in the House amendments to CS FOR SENATE BILL NO. 165(JUD) am "An Act relating to the presence of minors in the licensed premises of manufacturers, wholesalers, and retailers of alcoholic beverages; relating to the Alcoholic Beverage Control Board; relating to background checks for persons applying to operate marijuana establishments; relating to the offense of minor consuming; relating to revocation of a driver's license for a minor consuming offense; relating to the effect of the revocation of a driver's license for a minor consuming offense on a motor vehicle liability insurance policy; and amending Rule 17, Alaska Rules of Minor Offense Procedure."

The question being: "Shall the Senate rescind its previous action?" The roll was taken with the following result:

HCS CSSB 165(L&C) am H
Rescind Previous Action in Failing
to Concur in House Amendments?

YEAS: 14 NAYS: 2 EXCUSED: 2 ABSENT: 2

Yeas: Bishop, Coghill, Costello, Egan, Gardner, Hoffman, Kelly, MacKinnon, McGuire, Meyer, Micciche, Olson, Stevens, Stoltze

Nays: Giessel, Huggins

Excused: Dunleavy, Wielechowski

Absent: Ellis, Stedman

and so, the Senate rescinded its previous action.

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

HCS CSSB 165(L&C) am H

Shall the Senate Concur in the House

Amendments to CSSB 165(JUD) am? Court Rule

YEAS: 14 NAYS: 2 EXCUSED: 2 ABSENT: 2

Yeas: Bishop, Coghill, Costello, Egan, Gardner, Giessel, Hoffman, Kelly, MacKinnon, McGuire, Meyer, Micciche, Olson, Stevens

Nays: Huggins, Stoltze

Excused: Dunleavy, Wielechowski

Absent: Ellis, Stedman

and so, the Senate concurred in the House amendments, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 165(L&C) am H "An Act relating to the presence of minors in the licensed premises of manufacturers, wholesalers, and retailers of alcoholic beverages; relating to the Alcoholic Beverage Control Board; relating to background checks for persons applying to operate marijuana establishments; relating to the offense of minor consuming; relating to revocation of a driver's license for a minor consuming offense; relating to the effect of the revocation of a driver's license for a minor consuming offense on a motor vehicle liability insurance policy; relating to the membership of the Board of Barbers and Hairdressers; and amending Rule 17, Alaska Rules of Minor Offense Procedure."

Senator Coghill moved and asked unanimous consent that the vote on concurrence be considered the vote on the Court Rule change. Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

HCR 36

Senator Coghill moved and asked unanimous consent to take up HOUSE CONCURRENT RESOLUTION NO. 36, which had been held on the Secretary's desk (page 2653). Without objection, the resolution was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 36 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 165, relating to the presence of minors in the licensed premises of manufacturers, wholesalers, and retailers of alcoholic beverages; relating to the Alcoholic Beverage Control Board; relating to background checks for persons applying to operate marijuana establishments; relating to the offense of minor consuming; relating to revocation of a driver's license for a minor consuming offense; relating to the effect of the revocation of a driver's license for a minor consuming offense on a motor vehicle liability insurance policy; and amending Rule 17, Alaska Rules of Minor Offense Procedure, pass the Senate?" The roll was taken with the following result:

HCR 36

Final Passage

YEAS: 16 NAYS: 0 EXCUSED: 2 ABSENT: 2

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

Excused: Dunleavy, Wielechowski

Absent: Ellis, Stedman

and so, HOUSE CONCURRENT RESOLUTION NO. 36 passed the Senate, was signed by the President and Secretary and returned to the House.

Announcements

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

Announcements are at the end of the journal.

Adjournment

Senator Coghill moved and asked unanimous consent that the Senate stand in adjournment until 1:00 p.m., April 25, 2016. Without objection, the Senate adjourned at 11:31 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 25 Monday 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

JOINT COMMITTEES

SELECT COMMITTEE ON LEGISLATIVE ETHICS

May 03 Tuesday Anch Lio Auditorium 8:30 AM
+ - Welcome New Public Members
 - Approval of Agenda
 - Approval of Minutes
 (continued on the next page)

**SELECT COMMITTEE ON LEGISLATIVE ETHICS
(continued)**

(continued from the previous page)

- January 25, 2016 Full Committee
- January 26, 2016 House Subcommittee
 - Public Comment
 - Election of New Officers
 - Chair/Staff Report
- Informal Advice Staff Report
- Update: Public Member Committee Appointment Information
- 2016 Ethics Training - AS 24.60.150(a)(3) and (4)
- Ethics Disclosures: Representative Tarr Letter, Current Disclosure Status
- Update: Fine Payments
- Campaign Year Oversight Activities
 - Budget
- FY16 Budget to March 31, 2016
- FY17 Budget
 - 2015/2016 Legislation Update
 - EXECUTIVE SESSION
 - Public Session
 - Other Business

May 03 Tuesday Anch Lio Auditorium 12:00 PM
 -- SENATE SUBCOMMITTEE --
 + - Public Comment
 - EXECUTIVE SESSION
 - Public Session

CONFERENCE COMMITTEES

CONFERENCE COMMITTEE ON HB256 AND HB257

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

Apr 25 Monday Senate Finance 532 3:00 PM
 = HB 256 APPROP: OPERATING BUDGET/LOANS/FUNDS
 = HB 257 APPROP: MENTAL HEALTH BUDGET

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CONFERENCE COMMITTEE ON HB75

Apr 22	Friday No Meeting Scheduled	Gruenberg 120	3:00 PM
Apr 23	Saturday No Meeting Scheduled	Gruenberg 120	3:00 PM
Apr 24	Sunday No Meeting Scheduled	Gruenberg 120	3:00 PM
Apr 25	Monday No Meeting Scheduled	Gruenberg 120	3:00 PM

CONFERENCE COMMITTEE ON SB196

Apr 22	Friday	Senate Finance 532	8:30 AM
SB 196	POWER COST EQ FUND: RESERVE ACCT;DIVIDEND		