

SENATE JOURNAL
ALASKA STATE LEGISLATURE
THIRTIETH LEGISLATURE
THIRD SPECIAL SESSION

Juneau, Alaska

Thursday

July 27, 2017

First Day

Pursuant to a poll of the legislature resulting in an affirmative vote of two-thirds of the membership calling themselves into a Third Special Session, President Kelly called the Senate to order at 11:06 a.m.

The roll showed nineteen members present. Senator Begich was absent.

Senator Micciche moved and asked unanimous consent Senator Begich be excused from a call of the Senate from July 27 through July 28. Without objection, Senator Begich was excused.

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

O Lord,

Thank you for the freedom to come boldly before you in times of need. I humbly ask you for your discernment and wisdom for decisions that will be made today.

Let the words of my mouth, and the meditations of my heart, be acceptable in your sight, O Lord, my strength, and my redeemer.

Your will, O Lord, nothing less; nothing more; and nothing else!

Senator Egan led the Senate in the Pledge of Allegiance.

Certification

Senator Micciche moved and asked unanimous consent that the journal for the thirtieth legislative day of the second special session and Senate Journal Supplement No. 6 be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the Governor**HB 159**

Message was read stating the Governor signed the following bill on July 25 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CS FOR CS FOR HOUSE BILL NO. 159(FIN)
"An Act relating to the prescription of opioids; relating to voluntary nonopioid directives; relating to the controlled substance prescription database; relating to the practice of dentistry; relating to the practice of pharmacy; relating to the practice of medicine; relating to the practice of podiatry; relating to the practice of osteopathy; relating to the practice of nursing; relating to the practice of optometry; relating to the practice of veterinary medicine; relating to the duties of the Board of Pharmacy; relating to pharmacists; relating to the definition of 'practitioner'; providing for an effective date by repealing the effective date of sec. 73, ch. 25, SLA 2016; and providing for an effective date."

Chapter 2, SSSLA 2017
Effective Date: See Chapter

Messages from the House**SCR 12**

Message dated July 16 was received stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 12
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House

Bill No. 111, relating to the oil and gas production tax, tax payments, and credits; relating to interest applicable to delinquent oil and gas production tax; relating to carried-forward lease expenditures based on losses and limiting those lease expenditures to an amount equal to the gross value at the point of production of oil and gas produced from the lease or property where the lease expenditure was incurred; relating to information concerning tax credits, lease expenditures, and oil and gas taxes; relating to the disclosure of that information to the public; relating to an adjustment in the gross value at the point of production; and relating to a legislative working group.

The resolution was referred to the Secretary for enrollment.

SCR 202

Message dated July 15 was received stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 202
Suspending Rules 47 and 55, Uniform Rules of the Alaska State Legislature, relating to the carry-over of bills from the First Regular Session and the First Special Session to the Second Special Session, concerning House Bill No. 111.

The resolution was referred to the Secretary for enrollment.

HB 111

Message dated July 15 was received stating the Speaker granted limited powers of free conference to the House conferees considering CS FOR HOUSE BILL NO. 111(FIN)(efd fld) and SENATE CS FOR CS FOR HOUSE BILL NO. 111(FIN)

The House waived Uniform Rule 42(a) and (b) and the Speaker granted powers of free conference for the limited purpose of the addition of transition language relating to tax credits eligible for purchase by the state during calendar year 2017.

The House adopted the Conference Committee report with limited powers of free conference and powers of free conference for the limited purpose specified above, thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 111
"An Act relating to credits against the oil and gas production tax; relating to the applicability of certain credits earned under the oil and gas production tax to the tax on corporations; relating to tax credit certificates against the oil and gas production tax and the issuance and assignment of those certificates; relating to interest applicable to delinquent taxes; relating to lease expenditures; relating to the oil and gas tax credit fund; relating to a legislative working group; and providing for an effective date."

SB 23

Message dated July 27 was received stating the House has failed to recede from its amendments to CS FOR SENATE BILL NO. 23(FIN) am "An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and other appropriations; amending appropriations; making appropriations to capitalize funds; and providing for an effective date" namely:

HOUSE CS FOR CS FOR SENATE BILL
NO. 23(FIN) am H(brf sup maj fld H)(efd fld H) "An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and other appropriations; amending appropriations; and making appropriations to capitalize funds." (technical title change)

The House waived Uniform Rule 42(a) and (b). The Speaker granted powers of free conference to the House conferees and appointed the following members to a Free Conference Committee to meet with the like committee from the Senate to consider the bills:

Representative Foster, Chair
Representative Seaton
Representative Pruitt

Message dated July 27 was received stating the House voted affirmatively to call itself into the Third Special Session on July 27, 2017, to consider SB 23-APPROP: CAPITAL BUDGET by a vote of 38 yeas and 2 nays.

Communications

SB 23

A memo dated July 27 from President Kelly and Speaker Edgmon was read stating:

Pursuant to Article II, Section 9, of the Constitution of the State of Alaska and AS 24.05.100(a)(2), the presiding officers of the House of Representatives and the Senate announce that between July 19 and July 21, they polled the membership of each house as to whether a special session of the Thirtieth Alaska State Legislature should be held in Juneau on July 27, 2017 to consider the capital budget. More than two-thirds of the membership responded in the affirmative. The question asked of members follows:

Alaska State Legislature Special Session Poll

"Shall the legislature, pursuant to AS 24.05.100 (a)(2) and Article II, Section 9, of the Constitution of the State of Alaska call itself into a special session to convene at 11:00 a.m. on July 27, 2017 in the Capitol in a Special Session to consider Senate Bill 23: the Capital Budget?"

SENATE

YEAS: 20 NAYS: 0

Yeas: Begich, Bishop, Coghill, Costello, Dunleavy, Egan, Gardner, Giessel, Hoffman, Hughes, Kelly, MacKinnon, Meyer, Micciche, Olson, Stedman, Stevens, von Imhof, Wielechowski, Wilson

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

Department of Commerce, Community and Economic Development
Alaska Industrial Development and Export Authority
Interior Energy Project Quarterly Report
July 15, 2017
in accordance with Chapter 39, SLA 2015

Alaska Gasline Development Corporation
Semi-Monthly Report
July 14, 2017
in accordance with Chapter 14, SLA 2014

Introduction and Reference of Senate Resolutions

SCR 301

SENATE CONCURRENT RESOLUTION NO. 301 BY THE
SENATE RULES COMMITTEE,

Suspending Rules 47 and 55, Uniform Rules of
the Alaska State Legislature, relating to the
carry-over of bills from the First Regular
Session and the First Special Session to the
Third Special Session, concerning Senate Bill
No. 23.

was read the first time and was before the Senate on final passage.

The question being: "Shall SENATE CONCURRENT RESOLUTION
NO. 301 Suspending Rules 47 and 55, Uniform Rules of the Alaska
State Legislature, relating to the carry-over of bills from the First
Regular Session and the First Special Session to the Third Special
Session, concerning Senate Bill No. 23, pass the Senate?" The roll was
taken with the following result:

SCR 301
Final Passage

YEAS: 19 NAYS: 0 EXCUSED: 1 ABSENT: 0

Yeas: Bishop, Coghill, Costello, Dunleavy, Egan, Gardner, Giessel, Hoffman, Hughes, Kelly, MacKinnon, Meyer, Micciche, Olson, Stedman, Stevens, von Imhof, Wielechowski, Wilson

Excused: Begich

and so, SENATE CONCURRENT RESOLUTION NO. 301 passed the Senate and was referred to the Secretary for engrossment.

SB 23

Senator Micciche moved and asked unanimous consent to take up the concur message on HOUSE CS FOR CS FOR SENATE BILL NO. 23(FIN) am H(brf sup maj fld H)(efd fld H) "An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and other appropriations; amending appropriations; and making appropriations to capitalize funds" which had been read June 16 (page 1455). Without objection, the concur message was before the Senate.

Senator Micciche moved that the Senate concur in the House amendments.

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

HCS CSSB 23(FIN) am H(brf sup maj fld H)(efd fld H)
Shall the Senate Concur in the House
Amendments to CSSB 23(FIN) am?

YEAS: 2 NAYS: 17 EXCUSED: 1 ABSENT: 0

Yeas: Olson, Wielechowski

Nays: Bishop, Coghill, Costello, Dunleavy, Egan, Gardner, Giessel, Hoffman, Hughes, Kelly, MacKinnon, Meyer, Micciche, Stedman, Stevens, von Imhof, Wilson

Excused: Begich

and so, the Senate failed to concur.

Senator Micciche moved and asked unanimous consent the Senate waive Uniform Rule 42(a) and (b) to allow the appointment of a Free Conference Committee to meet with a like committee from the House. Without objection, Uniform Rule 42(a) and (b) was waived.

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

Senator MacKinnon, Chair
Senator Hoffman
Senator Olson

Recess

Senator Micciche moved and asked unanimous consent the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 11:23 a.m.

After Recess

The Senate reconvened at 3:05 p.m.

Senator Micciche moved and asked unanimous consent the Senate return to reports of special committees. Without objection, the Senate returned to:

Special Committee Reports

SB 23

The following report was received and distributed at 1:55 p.m., July 27, 2017:

July 27, 2017

Mr. President:
Mr. Speaker:

The Free Conference Committee considered CS FOR SENATE BILL NO. 23(FIN) am and HOUSE CS FOR CS FOR SENATE BILL NO. 23(FIN) am H(brf sup maj fld H)(efd fld H) and recommends

FREE CONFERENCE CS FOR SENATE BILL NO. 23
"An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and other appropriations; amending appropriations; making appropriations to capitalize funds; and providing for an effective date."

be adopted.

Signing the report: Senator MacKinnon, Chair, Senators Hoffman, Olson; Representative Foster, Chair, Representatives Seaton, Pruitt.

Senator Micciche moved and asked unanimous consent the Senate waive Uniform Rule 42(c). Without objection, Uniform Rule 42(c) was waived.

Senator Micciche moved that the Senate adopt the Free Conference Committee Report.

The question being: "Shall the Senate adopt the Free Conference Committee Report?" The roll was taken with the following result:

FCCS SB 23

Shall the Senate Adopt the Conference
Committee Report? Effective Date

YEAS: 15 NAYS: 4 EXCUSED: 1 ABSENT: 0

Yeas: Bishop, Coghil, Costello, Egan, Giessel, Hoffman, Kelly, MacKinnon, Meyer, Micciche, Olson, Stedman, Stevens, von Imhof, Wilson

Nays: Dunleavy, Gardner, Hughes, Wielechowski

Excused: Begich

and so, the report was adopted, thus adopting:

FREE CONFERENCE CS FOR SENATE BILL NO. 23
"An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and other appropriations; amending appropriations; making appropriations to capitalize funds; and providing for an effective date."

Senator Micciche moved and asked unanimous consent that the vote on the adoption of the Free Conference Committee Report be considered the vote on the effective date clause. Without objection, it was so ordered.

The Secretary was requested to notify the House.

Consideration of the Calendar

Citations

Senator Micciche 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 - Richard Benavides

Senator(s) Begich, Costello, Kelly, Bishop, Coghill, Dunleavy, Egan, Gardner, Giessel, Hoffman, Hughes, MacKinnon, Meyer, Micciche, Olson, Stedman, Stevens, von Imhof, Wielechowski, Wilson

Senator Micciche 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 be excused from a call of the Senate from evening plane time, August 10 through morning plane time, August 15; and from August 22 through August 29. Without objection, Senator Gardner was excused.

Announcements

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

Announcements are at the end of the journal.

Engrossment**SCR 301**

SENATE CONCURRENT RESOLUTION NO. 301 Suspending Rules 47 and 55, Uniform Rules of the Alaska State Legislature, relating to the carry-over of bills from the First Regular Session and the First Special Session to the Third Special Session, concerning Senate Bill No. 23, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Enrollment**SCR 4**

HCS FOR CS FOR SENATE CONCURRENT RESOLUTION NO. 4(AET) am H Relating to the Task Force on Unmanned Aircraft Systems, was enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 1:57 p.m., July 18, 2017

Legislative Resolve No. 4

Memorandum from the Division of Legal and Research Services, Legislative Affairs Agency, reporting the following manifest error in HCS FOR CS FOR SENATE CONCURRENT RESOLUTION NO. 4(AET) am H, which has been corrected in enrolling:

Page 1, line 7:

Delete "its"

Insert "the center's"

SCR 201

SENATE CONCURRENT RESOLUTION NO. 201 Suspending Rule 47, Uniform Rules of the Alaska State Legislature, relating to the carry-over of bills from the First Regular Session and the First Special Session to the Second Special Session, concerning House Bill No. 57, was enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 1:57 p.m., July 18, 2017.

Legislative Resolve No. 11

Adjournment

Senator MacKinnon, Acting Majority Leader, moved and asked unanimous consent that the Third Special Session of the Thirtieth Alaska State Senate adjourn sine die. Without objection, the Senate adjourned at 3:46 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.

JOINT COMMITTEES

SELECT COMMITTEE ON LEGISLATIVE ETHICS

Aug 16 +	Wednesday FULL COMMITTEE Call to Order Approval of Agenda Approval of Minutes: August 18, 2016 Public Comment Election of 2017 - 2018 Committee Chairs Chair/Staff Reports Annual Benefit and Loan Review Executive Session Public Session Other Business Adjourn	Anch Lio Conf Rm	8:30 AM
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Aug 16 +	Wednesday SENATE SUBCOMMITTEE Call to Order Public Comment Executive Session Public Session Adjourn	Anch Lio Conf Rm	12:30 PM
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CONFERENCE COMMITTEES

FREE CONFERENCE COMMITTEE ON SB 23

Jul 27 + SB 23	Thursday APPROP: CAPITAL BUDGET **Streamed live on AKL.tv**	Senate Finance 532	1:00 PM
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