

**SENATE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-SEVENTH LEGISLATURE**  
**SECOND SESSION**

**Juneau, Alaska**

**Monday**

**January 30, 2012**

**Fourteenth Day**

Pursuant to adjournment the Senate was called to order by President Stevens at 11:02 a.m.

The roll showed eighteen members present. Senators Ellis, Hoffman were excused from a call of the Senate.

The prayer was offered by the Chaplain, Pastor Sue Bahleda of Resurrection Lutheran Church. Senator Olson moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

With respect to the diversity of voices, beliefs and practices that call out to a power beyond our individual selves, I offer the following prayer:

Wise and Gracious One,

You have endowed each of us with unique gifts, and have called us into particular occupations, relationships and activities. Enable these men and women who have been called into leadership, to use their gifts faithfully to do the mighty work before them. Pour out your gifts upon them: when they are busy, give them breath. When they are frustrated, give them imagination. When they are tired, give them strength. In their mission, guide them with diligence, compassion, and hope. In their conversation, fill them with courage, patience, and vision. In their service, grant them energy, peace, and

joy. Empower them to strive for what is good and just  
for all the people they serve across the whole of this  
great land. Amen and Amen.

Senator French led the Senate in the Pledge of Allegiance.

### **Certification**

Senator Meyer moved and asked unanimous consent that the journals for the eleventh through thirteenth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

### **Messages from the House**

Message dated January 27 was read stating the House passed and transmitted for consideration:

#### **First Reading and Reference of House Bills**

##### **HB 131**

CS FOR HOUSE BILL NO. 131(TRA) am BY THE HOUSE  
TRANSPORTATION COMMITTEE, entitled:

"An Act establishing the Alaska Community and  
Public Transportation Advisory Board and relating to  
a long-range community and public transportation  
plan; and providing for an effective date."

was read the first time and referred to the Transportation and  
Community and Regional Affairs Committees.

### **Communications**

Five-Year Oil and Gas Leasing Program  
dated January 2012  
from Daniel S. Sullivan, Commissioner, Department of Natural  
Resources  
in accordance with AS 38.05.180

Office of Victims' Rights Annual Report to the Legislature  
dated July 30, 2011  
from D. Victor Kester, Executive Director, Alaska Office of Victims'  
Rights

Office of Victims' Rights Annual Report to the Legislature  
dated July 30, 2010  
from D. Victor Kester, Executive Director, Alaska Office of Victims'  
Rights

Office of Victims' Rights Annual Report to the Legislature  
dated July 31, 2009  
from D. Victor Kester, Executive Director, Alaska Office of Victims'  
Rights

Office of Victims' Rights Annual Report to the Legislature  
dated August 1, 2008  
from D. Victor Kester, Executive Director, Alaska Office of Victims'  
Rights

2012 Report to the Legislature, January 2012  
Report on Identified RS 2477 Rights-of-Way  
in accordance with AS 19.30.400(b)  
Notification of Annual Mining Report  
in accordance with AS 27.05.060  
Land Disposal Income Fund Report  
in accordance with AS 38.04.022(b)  
Notification of Annual Report on the Status of Land in the Land  
Disposal Bank  
in accordance with AS 38.04.020(d)  
Notification of Annual Report on Water Removals and Exports  
in accordance with AS 46.15.020(b)(5)  
Notification of Interim Land Classifications (Closing Land to  
Mineral Entry)  
in accordance with AS 38.05.300  
Summary of Cooperative Resource Management or Development  
Agreements  
in accordance with AS 38.05.027  
from Brent Goodrum, Director, Division of Mining, Land and Water  
Department of Natural Resources

**Standing Committee Reports****SB 89**

The Judiciary Committee considered SENATE BILL NO. 89 "An Act clarifying that a legislator or legislative employee is allowed to accept certain compassionate gifts; allowing legislators and legislative employees to use legislative mailing lists for campaign purposes and nonlegislative purposes; allowing legislators and legislative employees who are representing persons in an administrative hearing to contact hearing officers and attempt to influence the outcome of the hearing if they are professionals licensed in the state, and allowing legislators and legislative employees who are not professionals licensed in the state to contact hearing officers for the purpose of influencing the outcome of the hearing in certain instances; allowing legislators and legislative employees, in certain circumstances, to participate in partisan political activity while on state travel; prohibiting a public member of the Select Committee on Legislative Ethics from disclosing confidential information without authorization; clarifying the ethics disclosure requirements for tickets to or gifts in connection with charity events; amending disclosure deadlines under the Legislative Ethics Act; relating to requests to refrain from disclosure under the Legislative Ethics Act; and establishing a seat for an alternate public member on the Select Committee on Legislative Ethics and clarifying the requirements related to participation by alternate members in the proceedings of the committee" and recommended it be replaced with

CS FOR SENATE BILL NO. 89(JUD) "An Act clarifying that a legislator or legislative employee is allowed to accept certain compassionate gifts; allowing legislators and legislative employees who are representing persons in an administrative hearing to contact hearing officers and attempt to influence the outcome of the hearing if they are professionals licensed in the state, and allowing legislators and legislative employees who are not professionals licensed in the state to contact hearing officers for the purpose of influencing the outcome of the hearing in certain instances; requiring the Select Committee on Legislative Ethics to maintain a public record of certain ethics disclosures made by legislators and legislative employees; prohibiting a public member of the Select Committee on

Legislative Ethics from disclosing confidential information without authorization; clarifying the ethics disclosure requirements for tickets to or gifts in connection with charity events; amending disclosure deadlines under the Legislative Ethics Act; relating to requests to refrain from disclosure under the Legislative Ethics Act; relating to the applicability of certain provisions of the Legislative Ethics Act to certain legislative employees, volunteers, and interns; establishing a seat for an alternate public member on the Select Committee on Legislative Ethics; clarifying the requirements related to participation by alternate public members and alternate legislative members in the proceedings of the committee; amending the definition of 'legislative employee' in the Legislative Ethics Act; and repealing a procedure for appointment of alternate legislative members."

Signing do pass: Senator French, Chair; Senators Coghill, Paskvan.

The following fiscal information was published today:

Fiscal Note No. 2, zero, Legislative Agency

The bill was referred to the Rules Committee.

**SB 171**

The Education Committee considered SENATE BILL NO. 171 "An Act increasing the base student allocation used for public school funding; and providing for an effective date." Signing do pass: Senators Thomas, Meyer, Cochairs; Senators Davis, Stevens.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Education and Early  
Development

Fiscal Note No. 2, Department of Education and Early  
Development

The bill was referred to the Finance Committee.

**Introduction and Reference of Senate Bills****SB 182**

SENATE BILL NO. 182 BY THE SENATE EDUCATION COMMITTEE, entitled:

"An Act amending the amount of state funding provided to school districts for pupil transportation."

was read the first time and referred to the Education and Finance Committees.

**SB 183**

SENATE BILL NO. 183 BY SENATOR DAVIS, entitled:

"An Act authorizing municipalities to exempt from tax, by ordinance approved by the voters in the municipality, the real property that is the primary residence of a resident who is the widow or widower of a person who was killed while in the military service of the United States; and providing for an effective date."

was read the first time and referred to the Community and Regional Affairs and Finance Committees.

**Consideration of the Calendar****Citations**

Honoring - U.S. Coast Guard Cutter Healy  
Senator(s) Olson, Stevens, Coghill, Davis, Dyson, Egan, Ellis, French, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Paskvan, Stedman, Thomas, Wagoner, Wielechowski  
Representative(s) Foster

Honoring - Jujiro Wada  
Representative(s) Kawasaki  
Senator(s) Paskvan, Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Stedman, Thomas, Wagoner, Wielechowski

In Memoriam - Bruce Hall Babcock

Senator(s) Huggins, Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski  
Representative(s) Neuman

In Memoriam - James C. Knapp

Senator(s) Huggins, Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski  
Representative(s) Neuman

In Memoriam - Theodore G. Smith

Senator(s) Huggins, Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski  
Representative(s) Neuman

Senator Meyer 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**

#### **Citations**

Senator Meyer moved and asked unanimous consent that the following citations be made a special order of business. Without objection, it was so ordered.

#### **Special Order of Business**

Honoring - Black History Month 2012

Senator(s) Davis, Stevens, Coghill, Dyson, Egan, Ellis, French, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

In Memoriam - Moses Malutin

Senator(s) Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski  
Representative(s) Austerman

Senator Meyer moved and asked unanimous consent that the citations be adopted. Without objection, the citations were adopted and referred to the Secretary for transmittal.

Senator Huggins moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, February 10 through evening plane time, February 12 and from evening plane time, February 22 through evening plane time, February 27. Without objection, Senator Huggins was excused.

Senator Dyson moved and asked unanimous consent to be excused from a call of the Senate from 1:00 p.m., February 16 through February 21 and from afternoon plane time, March 5 through evening plane time, March 10. Without objection, Senator Dyson was excused.

**SB 140**

Senator Egan moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 140 "An Act classifying certain substances as schedule IIA controlled substances; and providing for an effective date." Without objection, it was so ordered.

**SB 125**

Senator Egan moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 125 "An Act relating to certain vehicles, including trailers; and relating to motor vehicle dealer advertising, motor vehicle dealer sales of used motor vehicles, motor vehicle sales contracts, motor vehicle service contracts, and motor vehicle sales financing." Without objection, it was so ordered.

**SB 144**

Senator Dyson moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 144 "An Act temporarily reinstating the child and adult immunization program in the Department of Health and Social Services; and providing for an effective date." Without objection, it was so ordered.

**Announcements**

Announcements are at the end of the journal.

**Adjournment**

Senator Meyer moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 1, 2012. Without objection, the Senate adjourned at 11:17 a.m.

Kirsten Waid  
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**

<b>Jan 31</b>	<b>Tuesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>3:30 PM</b>
+	Bills Previously Heard/Scheduled		
<b>Feb 02</b>	<b>Thursday</b>	<b>Beltz 105 (tsbldg)</b>	<b>3:30 PM</b>
+ SB 156	ALASKA RAILROAD LAND LEASES		
+	Bills Previously Heard/Scheduled		

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**EDUCATION**

<b>Jan 30</b>	<b>Monday</b>	<b>Beltz 105 (tsbldg)</b>	<b>8:00 AM</b>
+= SB 171	INCREASE BASE STUDENT ALLOCATION		
+	Bills Previously Heard/Scheduled		
<b>Feb 01</b>	<b>Wednesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>8:00 AM</b>
+ SB 169	FUNDING FOR DISTANCE DELIVERY EDUCATION		
+	Bills Previously Heard/Scheduled		
<b>Feb 03</b>	<b>Friday</b>	<b>Barnes 124</b>	<b>8:00 AM</b>
+	Alaska Commission on Postsecondary Education		
+	- Alaska Performance Scholarship Outcomes Report		
+	State Board of Education		
+	- Annual Report to the Legislature		
+	Bills Previously Heard/Scheduled		

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**FINANCE****Jan 30 Monday Senate Finance 532 9:00 AM**

- + SB 9 RAISE COMP. SCHOOL ATTENDANCE AGE/TRUANCY
- + SB 137 SUICIDE AWARENESS & PREVENTION TRAINING
- + SCR 2 UNIFORM RULES: PRESIDING OFFICER PRO TEM
- + Bills Previously Heard/Scheduled

**Jan 31 Tuesday Senate Finance 532 9:00 AM**

- + SB 70 ALASKA HEALTH BENEFIT EXCHANGE
- + SB 13 WAIVE PARK FEE FOR DISABLED VETERANS
- + SB 62 CIVIL LEGAL SERVICES FUND
- + Bills Previously Heard/Scheduled

**Feb 01 Wednesday Senate Finance 532 9:00 AM**

- + SB 119 ATHLETIC TRAINER LICENSING
- + SB 38 POLICE & FIREFIGHTER DEATH BENEFITS
- + SB 83 TEACHER BOARD CERTIFICATION INCENTIVES
- + SB 115 PORTABLE ELECTRONICS INSURANCE
- + Bills Previously Heard/Scheduled

**Feb 02 Thursday Senate Finance 532 9:00 AM**

- + SB 160 BUDGET: CAPITAL
- + SB 161 APPROP: OPERATING BUDGET/LOANS/FUNDS
- + SB 162 APPROP: MENTAL HEALTH BUDGET
- + Dept of Revenue Commissioner Bryan Butcher:  
FY 13 Revenue Forecast
- + Dept of Revenue Commissioner Bryan Butcher: State  
Savings Account and Budget Reserves Overview
- + Bills Previously Heard/Scheduled

**Feb 03 Friday Senate Finance 532 9:00 AM**

- Uniform Rule 23 Waived
- + Bills Previously Heard/Scheduled

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**HEALTH & SOCIAL SERVICES**
**Jan 30 Monday Butrovich 205 1:30 PM**

- + SB 172 CARE DIRECTIVES/DO NOT RESUSCITATE ORDERS
- + SB 144 STATE IMMUNIZATION PROGRAM
- Bills Previously Heard/Scheduled

**HEALTH & SOCIAL SERVICES (continued)**

- Jan 31 Tuesday Capitol 106 3:30 PM**  
 -- Note Location and Time Change --  
 + Joint w/ House HSS  
 Presentation: Alzheimer's Resource of Alaska,  
 Dulce Nobre, Executive Director,  
 Patrick Cunningham, Amber Smith
- Feb 01 Wednesday Butrovich 205 1:30 PM**  
 Joint w/ House HSS  
 + Presentations:  
 - Alaska Health Care Commission Report Update  
 Deborah Erickson, Executive Director and Dr. Ward Hurlburt,  
 Chair of the Health Care Commission  
 - Department of Health and Social Services  
 Overview, Commissioner Streur and Department  
 Representatives
- Feb 03 Friday Butrovich 205 1:30 PM**  
 No Meeting Scheduled

**JUDICIARY**

- Jan 30 Monday Beltz 105 (tsbldg) 1:30 PM**  
 + SB 168 GEOGRAPHIC COLA FOR JUDGES  
 + SB 173 2012 REVISOR'S BILL  
 + Bills Previously Heard/Scheduled
- Feb 01 Wednesday Beltz 105 (tsbldg) 1:30 PM**  
 + SB 165 PRINCIP.& INC/PROBATE/UTMA/RETIREMT/ETC.  
 + Bills Previously Heard/Scheduled
- Feb 03 Friday Beltz 105 (tsbldg) 1:30 PM**  
 + Bills Previously Heard/Scheduled

**LABOR & COMMERCE**

- Jan 31 Tuesday Beltz 105 (tsbldg) 1:30 PM**  
 + SB 155 EXTENDING CERTAIN BOARDS & COMMISSIONS  
 + SB 150 MILITARY TRAINING CREDIT  
 + Bills Previously Heard/Scheduled

**LABOR & COMMERCE (continued)**

**Feb 02 Thursday Beltz 105 (tsbldg) 1:30 PM**  
 + SB 122 REAL ESTATE TRANSFER FEES/TITLE PLANTS  
 <Pending Referral>  
 + SB 138 THIRD-PARTY CHARGES ON TELEPHONE BILLS  
 + Bills Previously Heard/Scheduled  
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**RESOURCES**

**Jan 30 Monday Butrovich 205 3:30 PM**  
 + Review of Comprehensive Plan and Feasibility  
 Study by Fast Enterprises  
 - Commissioner Bryan Butcher, Dept. of Revenue  
 Status of Integrated Tax Management System &  
 Oil and Gas Tax Reporting Update  
 - Commissioner Bryan Butcher, Dept. of Revenue  
 -- Testimony <Invitation Only> --

**Feb 01 Wednesday Butrovich 205 3:30 PM**  
 + State Tax Policy and Oil Production: The Role of  
 the Severance Tax and Credits for Drilling  
 Expenses  
 - Dr. Shelby Gerking, Department of Economics,  
 University of Central Florida  
 -- Testimony <Invitation Only> --  
 Bills Previously Heard/Scheduled

**Feb 03 Friday Butrovich 205 3:30 PM**  
 + North Slope of Alaska Facility Sharing Study by  
 Petrotechnical Resources Alaska (PRA)  
 - Tom Walsh, Managing Partner, PRA  
 North Slope Facilities Capacities and Expansion &  
 Technologies  
 New Developments in Upstream Oil and Gas  
 - Bill Barron, Director, Division of Oil and Gas,  
 DNR  
 -- Testimony <Invitation Only> --  
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**STATE AFFAIRS**

**Jan 31**      **Tuesday**                      **Butrovich 205**              **9:00 AM**  
 + SB 131 DIVEST INVESTMENTS IN IRAN  
 += SB 130 ALASKA NATIVE LANGUAGE COUNCIL  
 Bills Previously Heard/Scheduled

**Feb 02**      **Thursday**                      **Butrovich 205**              **9:00 AM**  
 + SCR 17 GIRL SCOUTS 100TH ANNIVERSARY  
 Bills Previously Heard/Scheduled

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**TRANSPORTATION**

**Jan 31**      **Tuesday**                      **Butrovich 205**              **1:00 PM**  
 No Meeting Scheduled

**Feb 02**      **Thursday**                      **Butrovich 205**              **1:00 PM**  
 + SB 125 MOTOR VEHICLE TRANSACTIONS  
 Bills Previously Heard/Scheduled

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**FINANCE SUBCOMMITTEES****COURT SYSTEM**

**Feb 02**      **Thursday**                      **Sen Conf Rm 103 Tsb**              **5:00 PM**  
 + Overview & FY 13 Budget Request

**Feb 16**      **Thursday**                      **Fahrenkamp 203**              **5:00 PM**  
 + FY 13 Budget Request

**Mar 01**      **Thursday**                      **Fahrenkamp 203**              **5:00 PM**  
 + FY 13 Budget Request

**Mar 15**      **Thursday**                      **Fahrenkamp 203**              **5:00 PM**  
 + Closeout

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**EDUCATION & EARLY DEVELOPMENT**

**Feb 14**      **Tuesday**                      **Fahrenkamp 203**              **5:00 PM**  
 + Overview & FY 13 Request

**EDUCATION & EARLY DEVELOPMENT (continued)**

<b>Feb 21</b>	<b>Tuesday</b>	<b>Fahrenkamp 203</b>	<b>3:30 PM</b>
+	FY 13 Request Early Learning Programs		
<b>Feb 28</b>	<b>Tuesday</b>	<b>Sen Conf Rm 103 Tsb</b>	<b>3:30 PM</b>
+	FY 13 Request		
<b>Mar 06</b>	<b>Tuesday</b>	<b>Fahrenkamp 203</b>	<b>3:30 PM</b>
+	FY 13 Budget Request		
<b>Mar 13</b>	<b>Tuesday</b>	<b>Fahrenkamp 203</b>	<b>3:30 PM</b>
+	Closeout		

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**UNIVERSITY OF ALASKA**

<b>Feb 03</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
	Budget Overview		

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**JOINT COMMITTEES****LEGISLATIVE BUDGET & AUDIT**

<b>Feb 27</b>	<b>Monday</b>	<b>House Finance 519</b>	<b>8:00 AM</b>
	Audits - Executive Session Other Committee Business		
<b>Mar 28</b>	<b>Wednesday</b>	<b>House Finance 519</b>	<b>8:00 AM</b>
	Audits - Executive Session Other Committee Business		

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**LEGISLATIVE COUNCIL**

<b>Feb 09</b>	<b>Thursday</b>	<b>House Finance 519</b>	<b>10:30 AM</b>
	Agenda to be Announced		

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**OTHER MEETINGS****JOINT SESSION**

<b>Feb 23</b>	<b>Thursday</b>	<b>House Chamber</b>	<b>10:00 AM</b>
	Annual Address by the Honorable Lisa Murkowski, U.S. Senator		
<b>Feb 29</b>	<b>Wednesday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
	State of the Judiciary Address by Chief Justice Walter Carpeneti		
<b>Mar 05</b>	<b>Monday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
	Annual Address by the Honorable Mark Begich, U.S. Senator		
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**MISCELLANEOUS MEETING**

<b>Jan 30</b>	<b>Monday</b>	<b>Capitol 106</b>	<b>5:00 PM</b>
	Continued Discussion of Taku River Fisheries - Continuation of Question and Answer Period with Dept. of Environmental Conservation & Dept. of Fish and Game Sponsored by the Juneau legislative delegation: Sen. Egan and Reps. Kerttula and Munoz		
<b>Jan 31</b>	<b>Tuesday</b>	<b>Capitol 106</b>	<b>5:00 PM</b>
	Continued Discussion of Taku River Fisheries - Discussion of Final Report Sponsored by the Juneau legislative delegation: Sen. Egan and Reps. Kerttula and Munoz		
<b>Feb 13</b>	<b>Monday</b>	<b>Senate Finance 532</b>	<b>1:00 PM</b>
	School District Legislative Fly-In Informal Q&A Session Regarding Alaska's Public School System		