SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SEVENTH LEGISLATURE

SECOND SESSION

Juneau, Alaska

Friday

March 2, 2012

Forty-sixth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:04 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Reverend Cindy Roberts of Douglas Community United Methodist Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear God,

Please provide all here today with your guidance. Help these servants to conduct the business of Alaska in a spirit of fairness, understanding and wisdom.

Help those here today to work with intelligence and respect for all ideas, for all people. Let them understand that diversity is a powerful tool that can lead to greater acceptance of each person's unique perspectives in reaching a successful conclusion. God, give these people just a little of your wisdom so they can rightly serve all those for whom they so graciously devote their time.

Thank you for this day. Thank you for your blessings we find in this state and this country.

Amen.

Senator Dyson led the Senate in the Pledge of Allegiance.

Certification

Senator Meyer moved and asked unanimous consent that the journals for the forty-fourth and forty-fifth legislative days and Senate and House Joint Journal Supplement No. 13 be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the House

Message dated February 29 was read stating:

Pursuant to AS 24.55.020, the Speaker appointed the following members to serve on the Ombudsman Selection Committee:

Representative Hawker Representative Tammie Wilson Representative Gardner

Message dated February 29 was read stating:

Pursuant to AS 24.65.020, the Speaker appointed the following members to serve on the Victims' Advocate Selection Committee:

Representative Fairclough Representative Olson Representative Holmes

Message dated February 29 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Resolutions

HJR 34

CS FOR HOUSE JOINT RESOLUTION NO. 34(STA) am BY THE HOUSE STATE AFFAIRS COMMITTEE,

Urging the United States Congress to fund all the facilities and vessels necessary for the United States Coast Guard to fulfill its Arctic missions, including icebreakers and an Arctic Coast Guard base.

was read the first time and referred to the State Affairs Committee.

Communications

Letter dated February 27 was read stating pursuant to AS 24.20.251, the Legislative Budget and Audit Committee nominated Kristin K. Curtis as Legislative Auditor.

Senator Meyer moved that Kristin K. Curtis be confirmed as Legislative Auditor.

The question being: "Shall Kristin K. Curtis be confirmed as Legislative Auditor?" The roll was taken with the following result:

Shall Kristin K. Curtis be confirmed as Legislative Auditor?

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

Yeas: Coghill, Davis, Dyson, Egan, Ellis, French, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Stevens, Thomas, Wagoner, Wielechowski

and so, Kristin K. Curtis was confirmed as Legislative Auditor.

The Secretary was requested to notify the House.

Standing Committee Reports

SB 120

The Education Committee considered SENATE BILL NO. 120 "An Act establishing in the Department of Education and Early Development a voluntary parent and early childhood education program for pre-elementary aged children" and recommended it be replaced with

CS FOR SENATE BILL NO. 120(EDC)

Signing do pass: Senators Meyer, Thomas, Cochairs; Senators Davis, Stevens, French.

The following fiscal information was published today: Fiscal Note No. 1, Department of Education and Early Development

Fiscal information forthcoming.

The bill was referred to the Finance Committee.

SB 148

The Community and Regional Affairs Committee considered SENATE BILL NO. 148 "An Act exempting a gas pipeline with a design capacity of 500,000,000 or more cubic feet of gas a day from the state's oil and gas exploration, production, and pipeline transportation property taxes until the pipeline generates revenue for its owners; and relating to the determination of full and true value for the purpose of determining the amount of required local contribution for public school funding" and recommended it be replaced with

CS FOR SENATE BILL NO. 148(CRA) "An Act exempting a certain gas pipeline with a design capacity of 500,000,000 or more cubic feet of gas a day from the state's oil and gas exploration, production, and pipeline transportation property taxes for a certain period of time; relating to the determination of full and true value for the purpose of determining the amount of required local contribution for public school funding; and providing for an effective date."

Signing no recommendation: Senator Olson, Chair. Signing do pass: Senators Kookesh, Menard, Ellis.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Commerce, Community and Economic Development

Fiscal Note No. 2, indeterminate, Department of Natural Resources

Fiscal Note No. 3, zero, Department of Revenue

The bill was referred to the Resources Committee.

SB 190

The Labor and Commerce Committee considered SENATE BILL NO. 190 "An Act relating to activities, including violations and penalties, under the supervision of the Big Game Commercial Services Board; and creating a retired status master guide-outfitter license" and recommended it be replaced with

CS FOR SENATE BILL NO. 190(L&C) "An Act relating to the duties of the Big Game Commercial Services Board; relating to activities, including violations and penalties, under the supervision of the Big Game Commercial Services Board; creating a retired status master guide-outfitter license; and providing for an effective date."

Signing do pass: Senator Egan, Chair; Senators Giessel, Davis, Paskvan, Menard.

The following fiscal information was published today: Fiscal Note No. 1, zero, Department of Commerce, Community and Economic Development

The bill was referred to the Judiciary Committee.

SB 199

The Labor and Commerce Committee considered SENATE BILL NO. 199 "An Act relating to the vocational and technical instruction funding factor for public school funding." Signing do pass: Senator Egan, Chair; Senators Giessel, Davis, Paskvan, Menard.

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.

Introduction and Reference of Senate Bills

SB 223

SENATE BILL NO. 223 BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE, entitled:

"An Act relating to a credit against the net income tax for a contribution made by a taxpayer to a nonprofit organization that provides an emergency shelter for the homeless or a facility for alcohol or drug detoxification."

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

Consideration of the Calendar

Second Reading of Senate Bills

SB 136

SENATE BILL NO. 136 "An Act providing a tax credit for employing an Alaska veteran that may be taken against a liability for the tax on corporation income; and providing for an effective date" was read the second time.

Senator Stedman, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 1634. Without objection, CS FOR SENATE BILL NO. 136(FIN) "An Act providing a tax credit for employing a veteran that may be taken against a liability for the tax on corporation income; and providing for an effective date" was adopted.

Senator Meyer moved and asked unanimous consent that CS FOR SENATE BILL NO. 136(FIN) be held in second reading to the March 5 calendar. Without objection, it was so ordered.

Reconsideration of Senate Resolutions

SCR 2

Senator Davis requested that the reconsideration on CS FOR SENATE CONCURRENT RESOLUTION NO. 2(STA) am(fld S) Proposing amendments to the Uniform Rules of the Alaska State Legislature relating to the presiding officer pro tempore, be taken up. The resolution was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE CONCURRENT RESOLUTION NO. 2(STA) am Proposing amendments to the Uniform Rules of the Alaska State Legislature relating to the presiding officer pro tempore, pass the Senate?" The roll was taken with the following result:

CSSCR 2(STA) am

Second Reading - On Reconsideration

YEAS: 14 NAYS: 6 EXCUSED: 0 ABSENT: 0

Yeas: Davis, Dyson, Egan, Ellis, French, Hoffman, Kookesh, McGuire, Menard, Olson, Paskvan, Stevens, Thomas, Wielechowski

Nays: Coghill, Giessel, Huggins, Meyer, Stedman, Wagoner

and so, CS FOR SENATE CONCURRENT RESOLUTION NO. 2(STA) am passed the Senate on reconsideration and was referred to the Secretary for engrossment.

Citations

Honoring - Willard Dunham

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

Honoring - Carol Comeau

Representative(s) Millett

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

Honoring - Wilfred and Eva Ryan, Alaska Aviation Museum Hall of Fame

Representative(s) Hawker, Feige

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

Honoring - Lowell Thomas Jr., Alaska Aviation Museum Hall of Fame

Representative(s) Hawker, Feige

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

Honoring - A. A. Bennett, Alaska Aviation Museum Hall of Fame Representative(s) Hawker, Feige

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

In Memoriam - Dave Chris Crowell Representative(s) Costello, Holmes

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

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

President Stevens made the following appointments:

Victims' Advocate Selection Committee

Senator Ellis, Chair Senator French Senator Menard

Ombudsman Selection Committee

Senator McGuire, Chair Senator Egan Senator Meyer

SB 183

Senators Meyer, Wielechowski, Wagoner, Ellis, Menard, Paskvan, Egan, McGuire moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 183 "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." Without objection, it was so ordered.

HB 131

Senator Ellis moved and asked unanimous consent to be shown as a cross sponsor on CS FOR HOUSE BILL NO. 131(TRA) am "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." Without objection, it was so ordered.

SB 211

Senator Davis moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 211 "An Act allowing a person who retires as a peace officer or firefighter under the defined benefit plan of the public employees' retirement system to receive credited service in the plan for up to five years of past military service; and providing for an effective date." Without objection, it was so ordered.

SB 170

Senator Davis moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 170 "An Act requiring vocational education counseling in public schools." Without objection, it was so ordered.

SB 25

Senator Davis moved and asked unanimous consent to be shown as a cosponsor on SPONSOR SUBSTITUTE FOR SENATE BILL NO. 25 "An Act establishing the sustainable energy transmission and supply development program in the Alaska Industrial Development and Export Authority." Without objection, it was so ordered.

Senator Davis moved and asked unanimous consent to be excused from a call of the Senate on March 12, to morning plane time. Without objection, Senator Davis was excused.

Announcements

Announcements are at the end of the journal.

Engrossment

SCR 2

CS FOR SENATE CONCURRENT RESOLUTION NO. 2(STA) am Proposing amendments to the Uniform Rules of the Alaska State Legislature relating to the presiding officer pro tempore, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Meyer moved and asked unanimous consent that the Senate stand in adjournment until 10:45 a.m., March 5, 2012. Without objection, the Senate adjourned at 11:39 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

Mar 06 + + SB 157 +	Tuesday Bills Previously Heard/Sc CANCEL INSUR. ON CI Overview - Toxic Release	ERTAIN VACANT PROPE	3:30 PM RTY
Mar 08	Thursday No Meeting Scheduled	Beltz 105 (tsbldg)	3:30 PM
Mar 13 +	Tuesday Bills Previously Heard/Sc	Beltz 105 (tsbldg) heduled	3:30 PM
Mar 15 + SB 223 +	Thursday TAX CRED: CONTR. TO Bills Previously Heard/Sc	Beltz 105 (tsbldg) O HOMELESS SHELT/DET heduled	3:30 PM TOX

EDUCATION

Ma	r 02	Friday	Beltz 105 (tsbldg)	8:00 AM
+	SB 197	GRANT PROGRAM FOR	SCHOOLS	
		Uniform Rule 23 Waived		
+		Bills Previously Heard/Sch	eduled	
=	SB 120	EARLY CHILDHOOD ED	: PARENTS AS TEACH	HERS
N # -	0 5	M 1	D.14-105 (4-1-1-1-)	0.00 434
Ma	r 05	Monday	Beltz 105 (tsbldg)	8:00 AM
+		Bills Previously Heard/Sch	eduled	

EDUCATION (continued)

Mar 07	Wednesday No Meeting Scheduled	Beltz 105 (tsbldg)	8:00 AM
Mar 09	Friday No Meeting Scheduled	Beltz 105 (tsbldg)	8:00 AM

FINANCE

Mar 02	Friday Senate Finance 532 9:00 AM	
+	Bills Previously Heard/Scheduled	
+= SB 160	BUDGET: CAPITAL	
	FY13 Capital Budget: Agency Overviews	
	Dept. of Education & Early Development	
	Dept. of Environmental Conservation	
	Dept. of Administration	
	Dept. of Military & Veterans Affairs	
	Dept. of Natural Resources	
	Dept. of Fish & Game	
+	Presentation on Alaska's Petroleum Fiscal System	
	by PFC Energy	
	<presentation postponed=""></presentation>	

Ma	r 05	Monday	Senate Finance 532	9:00 AM
+	HB 307	SUPPLEMENTAL/CAP	ITAL/OTHER APPROPRIA	TIONS
		<pending referral=""></pending>		
+	SB 184	SUPPLEMENTAL/CAP	ITAL/OTHER APPROPRIA	TIONS
+=	SB 130	ALASKA NATIVE LAN	IGUAGE COUNCIL	
+=	SB 135	CONTINUANCES IN C	RIMINAL TRIALS; VICTIM	1S
+=	HB 104	ALASKA PERFORMAN	NCE SCHOLARSHIPS	
+=	HB 65	SENIOR CITIZEN HOU	SING DEV. FUND GRANT	S
+=	SB 160	BUDGET: CAPITAL		
+		FY13 Capital Budget: Ag	gency Overviews	
+		Bills Previously Heard/S	cheduled	

Mar 05	Monday	Senate Finance 532	2:00 PM
+= SB 160	BUDGET: CAPITAL		
+	FY13 Capital Budget: A	gency Overviews	
+	Bills Previously Heard/S	cheduled	

FINANCE (continued)

Mar 06	Tuesday No Meeting Scheduled	Senate Finance 532	9:00 AM
Mar 07	Wednesday No Meeting Scheduled	Senate Finance 532	9:00 AM
Mar 08	Thursday No Meeting Scheduled	Senate Finance 532	9:00 AM
Mar 09	Friday No Meeting Scheduled	Senate Finance 532	9:00 AM

HEALTH & SOCIAL SERVICES

	Friday No Meeting Scheduled	Butrovich 205	1:30 PM
+ SB 202 + SB 151 +	Monday RESUSCITATION PROTOC FETAL ALCOHOL SPEC. D Presentation: Governor's Cour & Special Education - Millie I Bills Previously Heard/Schedu	ISORDER AS MITIGA' acil on Disabilities Ryan, Exec. Director	1:30 PM TOR

Mar 07	Wednesday No Meeting Scheduled	Butrovich 205	1:30 PM
Mar 09	Friday No Meeting Scheduled	Butrovich 205	1:30 PM

JUDICIARY

Mar 02	Friday	Beltz 105 (tsbldg)	1:30 PM
+	Overview: Bonding Requirements for Major Mine		
	Projects		
	Testimony <inv< td=""><td>vitation Only></td><td></td></inv<>	vitation Only>	

JUDICIARY (continued)

	JUDICIARY	(continuea)	
Mar 05 + + HB 6 + HB 215 +	Monday Confirmation Hearing: Select Committee on Legi Herman G. Walker, Anch Dennis "Skip" Cook, Fair REMOVING A REGENT PIPELINE PROJECT: JU Bills Previously Heard/Sc	orage banks C DICIAL REVIEW/ROW	1:30 PM
+ HB 80	Wednesday SELF DEFENSE CHILD SUPPORT AWA Bills Previously Heard/Sc		1:30 PM
Mar 09	Friday No Meeting Scheduled	Beltz 105 (tsbldg)	1:30 PM
	LABOR & Co	OMMERCE	
Mar 06 += SB 217	Tuesday PHARMACY AUDITS	Beltz 105 (tsbldg)	1:30 PM
Mar 08	Thursday No Meeting Scheduled	Beltz 105 (tsbldg)	1:30 PM
	RESOU	TRCES	
Mar 02 += SB 192	•	Butrovich 205 CTION TAX RATES	3:30 PM

+= SB 192	OIL AND GAS PRODUCT Testimony <invitation or<="" th=""><th></th><th></th></invitation>		
Mar 03 += SB 192	Saturday OIL AND GAS PRODUCT Testimony <invitation on<="" th=""><th></th><th>1:00 PM</th></invitation>		1:00 PM
Mar 05	Monday Bills Previously Heard/Scho	Butrovich 205 eduled	3:30 PM

RESOURCES (continued)

Mar 07	Wednesday No Meeting Scheduled	Butrovich 205	3:30 PM
Mar 09	Friday No Meeting Scheduled	Butrovich 205	3:30 PM

STATE AFFAIRS

Mar 08	Thursday No Meeting Scheduled	Butrovich 205	9:00 AM
+	Bills Previously Heard/Scheduled		
+ SB 208	DISASTER PLANNING AND SERVICES		
+= SB 29	TAX EXPENDITURE REPORT		
+ SB 222	APPROP: BASE CLOSURE/REALIGNMENT STUDY		
Mar 06	Tuesday	Butrovich 205	9:00 AM

TRANSPORTATION

Mar 06	Tuesday No Meeting Scheduled	Butrovich 205	1:00 PM
Mar 08	Thursday No Meeting Scheduled	Butrovich 205	1:00 PM
Mar 13	Tuesday No Meeting Scheduled	Butrovich 205	1:00 PM
Mar 15	Thursday No Meeting Scheduled	Butrovich 205	1:00 PM

FINANCE SUBCOMMITTEES

COMMERCE, COMMUNITY & ECONOMIC DEV

Mar 20 Tuesday Senate Finance 532 3:00 PM Closeout

CORRECTIONS

Mar 06 Tuesday Butrovich 205 5:00 PM

Overview of Budget Requests Review Select Staffing Issues

- Compliance w/ 2010 Legislative Audit
- Adjustment to Shift Scheduling Methodology

Mar 13 Tuesday Butrovich 205 5:00 PM

Review Select Facility Issues

- Update on Goose Creek Correctional Complex Progress
- Update on Fairbanks & Bethel Facility Expansion Projects
- Review Community Jails Funding and Funding

Allocation Review Inmate Health Care Cost Management

Strategies

Mar 20 Tuesday Butrovich 205 5:00 PM

Review Rehabilitation and Reentry Program Funding

COURT SYSTEM

Mar 15 Thursday Fahrenkamp 203 5:00 PM

Closeout

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EDUCATION & EARLY DEVELOPMENT

Mar 06 +	Tuesday FY 13 Budget Request	Fahrenkamp 203	3:30 PM	
Mar 13 +	Tuesday Closeout	Fahrenkamp 203	3:30 PM	

ENVIRONMENTAL CONSERVATION

Mar 13	Tuesday	Fahrenkamp 203	12:00 PM
+	Closeout		
	Testimony <invitation only=""></invitation>		

FISH & GAME

Mar 16	Friday	Beltz 105 (tsbldg)	8:00 AM
+	FY 13 Budget Pre-Cle	oseout	
	Testimony <invitation only=""></invitation>		
Mar 20	Tuesday	Beltz 105 (tsbldg)	8:00 AM
+	FY 13 Budget Closeo	ut	
	Testimony <invitation only=""></invitation>		

HEALTH & SOCIAL SERVICES

Mar 16 +	Friday FY13 Budget Pre-Cl Testimony <invita< th=""><th>3:30 PM</th></invita<>	3:30 PM
Mar 20 +	Tuesday FY13 Budget Closed Testimony <invita< th=""><th>3:30 PM</th></invita<>	3:30 PM

LABOR & WORKFORCE DEVELOPMENT

Mar 22 Thursday Butrovich 205 3:00 PM

DOLWD Budget - Department Addresses Additional Questions and Overview of House Budget Actions

MILITARY & VETERANS' AFFAIRS

Mar 15 Thursday Fahrenkamp 203 12:00 PM

+ Closeout

-- Testimony <Invitation Only> --

NATURAL RESOURCES

Mar 22 Thursday Butrovich 205 11:00 AM

DNR Budget - Department Addresses Committee Questions; Overview of House Budget Actions

PUBLIC SAFETY

Mar 15 Thursday Beltz 105 (tsbldg) 8:00 AM

+ Pre-Close-Out and Question/Answer Session

-- Testimony <Invitation Only> --

Mar 22 Thursday Beltz 105 (tsbldg) 8:00 AM

+ Budget Close-Out

-- Testimony <Invitation Only> --

JOINT COMMITTEES

LEGISLATIVE BUDGET & AUDIT

Mar 28 Wednesday House Finance 519 8:00 AM

Audits - Executive Session Other Committee Business

OTHER MEETINGS

JOINT SESSION

Mar 05 Monday House Chamber 11:00 AM

Annual Address by the Honorable Mark Begich, U.S. Senator

MISCELLANEOUS MEETING

Mar 10 Saturday Barnes 124 10:00 AM

Continued Discussion of Taku River Fisheries
-- Public Testimony on Draft Report --

Sponsored by the Juneau Legislative Delegation:

Sen. Egan and Reps. Kerttula and Munoz