

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Thursday

April 12, 2012

Eighty-seventh Day

Pursuant to adjournment the Senate was called to order by President Stevens at 3:32 p.m.

The roll showed twenty members present.

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

"Kyrie eleison" "Kyrie eleison"
"Christe eleison" "Christie eleison"
(The Greek translation of "Lord, have mercy"
"Christ, have mercy.")

Oh Lord, we assemble in these chambers both as your humble servants and as the humble servants of Alaska. May you guide us in all we do, and may we choose the path of righteousness that you have set out for us as we know that path is for the benefit of your people.

This body has weighty decisions to consider, and we all reach our conclusions in different ways, but regardless of how we reach those decisions, I beseech you, our creator, to lead us as we go about our days' work. For we know our days are limited and as you promised someday "we will rise like an eagle to meet you for our heavenly inheritance."

It is written in Psalm 119:97 "Oh how I love your law, it is my meditation all the day." Speaking to your law Lord, your Word, for as we are lawmakers of the land, you are the original lawmaker of all things.

I thank you Lord for all the blessings you have bestowed upon this great state of Alaska and her people. I ask that you continue to bless the path we take, that you help us to act with wisdom, and that "people in darkness will have seen the light."

Lord, while I'm restricted to a short prayer, my love for your Holy Commandments is ever more lingering. Amen.

Senator Egan led the Senate in the Pledge of Allegiance.

Certification

Senator Meyer moved and asked unanimous consent that the journal for the eighty-sixth legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the House

SB 125

Message dated April 12 was read stating the House passed and returned:

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."

The bill was referred to the Secretary for enrollment.

SB 202

Message dated April 12 was read stating the House passed and returned:

SENATE BILL NO. 202 "An Act relating to resuscitation protocol documents that may be adopted by reference in regulations."

The bill was referred to the Secretary for enrollment.

SJR 20

Message dated April 11 was read stating the House passed and returned:

SENATE JOINT RESOLUTION NO. 20 Relating to Eielson Air Force Base and the strategic importance of retaining the 18th F- 16 Aggressor Squadron in the Fairbanks North Star Borough.

The resolution was referred to the Secretary for enrollment.

SCR 17

Message dated April 11 was read stating the House passed and returned:

CS FOR SENATE CONCURRENT RESOLUTION NO. 17(STA) Celebrating the 100th anniversary of the Girl Scouts of the United States of America and proclaiming 2012 as the Year of the Girl.

The resolution was referred to the Secretary for enrollment.

SCR 26

Message dated April 12 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. 129, relating to providing
a death certificate for a deceased veteran without
charge.

The resolution was referred to the Secretary for enrollment.

HB 6

Message dated April 12 was read stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 6(JUD) am, thus adopting:

SENATE CS FOR CS FOR HOUSE BILL
NO. 6(JUD) "An Act authorizing the governor to
remove or suspend a member of the Board of Regents
of the University of Alaska for good cause; and
establishing a procedure for the removal or
suspension of a regent."

HB 129

Message dated April 12 was read stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 129(FIN) "An Act relating to providing a death certificate for a deceased veteran without charge" thus adopting:

SENATE CS FOR CS FOR HOUSE BILL
NO. 129(STA) "An Act relating to providing copies
of a death certificate for a deceased veteran without
charge." (Title Change SCR 26)

Messages dated April 11 and 12 were read stating the House passed and transmitted for consideration:

**First Reading and Reference of
House Resolutions**

HJR 40

CS FOR HOUSE JOINT RESOLUTION NO. 40(JUD) BY THE HOUSE JUDICIARY COMMITTEE,

Commending the governor and the administration for aggressively working to protect the interests of the state in rights-of-way under R.S. 2477; urging the governor and the attorney general to develop a working alliance with the governors, attorneys general, and legislatures in other western states to protect and enforce the states' interests in ensuring access using rights-of-way authorized by R.S. 2477; urging the governor and the attorney general to support the interests of the State of Utah and southern counties of Utah in R.S. 2477 rights-of-way by actively seeking confirmation of R.S. 2477 rights-of-way through various means, including initiating litigation in this state; urging the governor and the attorney general to develop a strategy for resolving the dispute over the right to continued access using R.S. 2477 rights-of-way in the state, including the possibility of bringing lawsuits against the federal government to preserve the state's interest in rights-of-way; urging the governor to further strengthen the resources of the state for protecting the state's rights by continuing to focus the efforts of the Department of Law, the Department of Natural Resources, the Department of Fish and Game, and other departments on defending the state's rights and powers with regard to access and federalism issues; and urging the United States Congress to enact legislation requiring federal agencies with land management authority to establish a process to recognize valid R.S. 2477 rights-of-way claims expeditiously after a notice of intent to claim an R.S. 2477 right-of-way has been filed without the need to dispute those claims in court and to participate in good faith in the process.

was read the first time and referred to the Resources and Judiciary Committees.

First Reading and Reference of House Bills**HB 158**

CS FOR HOUSE BILL NO. 158(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to bonds of the Knik Arm Bridge and Toll Authority; relating to reserve funds of the authority; relating to taxes and assessments on a person that is a party to an agreement with the authority; and establishing the Knik Arm Crossing fund."

was read the first time and referred to the Finance Committee.

HB 269

CS FOR HOUSE BILL NO. 269(JUD) BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to the amendment of a declaration that creates a common interest community."

was read the first time and referred to the Labor and Commerce Committee.

HB 286

CS FOR HOUSE BILL NO. 286(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act providing for and relating to the issuance of general obligation bonds for the purpose of paying the cost of state transportation projects; and providing for an effective date."

was read the first time and referred to the Finance Committee.

HB 295

CS FOR HOUSE BILL NO. 295(RES) BY THE HOUSE RESOURCES COMMITTEE, entitled:

"An Act approving an interim classification by the commissioner of natural resources closing certain land within the Glacier Creek and Winner Creek drainages to new mineral entry; amending the mineral entry closure in sec. 2, ch. 8, SLA 2003, for certain land within the Glacier Creek and Winner Creek drainages; and providing for an effective date."

was read the first time and referred to the Resources Committee.

HB 347

CS FOR HOUSE BILL NO. 347(JUD) am BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act prohibiting the use of municipal funds to support or oppose an initiative proposal filed with the lieutenant governor or to circulate a petition for a statewide ballot initiative without approval by municipal voters at an election; relating to the reporting of certain expenditures; and providing for an effective date."

was read the first time and referred to the State Affairs and Judiciary Committees.

HB 359

CS FOR HOUSE BILL NO. 359(FIN) am BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to conspiracy to commit human trafficking in the first degree or sex trafficking in the first degree; relating to the crime of distribution of indecent material to minors, the crime of online enticement of a minor, the crime of prostitution, and the crime of sex trafficking; relating to forfeiture of property used in prostitution offenses; relating to testimony by video conference; adding Rule 38.3, Alaska Rules of Criminal Procedure; and providing for an effective date."

was read the first time and referred to the Finance Committee.

HB 365

CS FOR HOUSE BILL NO. 365(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to the rapid response to, and control of, aquatic invasive species."

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

Concur Messages**SCR 11**

Message dated April 11 was read stating the House passed and returned for consideration SENATE CONCURRENT RESOLUTION NO. 11 Designating August 18, 2011, as Walter J. Hickel Day of the Arctic, with the following amendment:

HOUSE CS FOR SENATE CONCURRENT
RESOLUTION NO. 11(STA) Designating August
18, 2012, as Walter J. Hickel Day of the Arctic.
(technical title change)

Senator Meyer moved that the Senate concur in the House amendment.

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

HCS SCR 11(STA)

Shall the Senate Concur in the House
Amendment to SCR 11?

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, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR SENATE CONCURRENT RESOLUTION NO. 11(STA) Designating August 18, 2012, as Walter J. Hickel Day of the Arctic.

The Secretary was requested to notify the House.

The resolution was referred to the Secretary for enrollment.

SB 130

Message dated April 12 was read stating the House passed and returned for consideration CS FOR SENATE BILL NO. 130(STA) "An Act establishing the Alaska Native Language Preservation and Advisory Council and relating to the preservation, restoration, and revitalization of Alaska Native languages" with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL
NO. 130(FIN)

Senator Meyer moved that the Senate concur in the House amendment.

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

HCS CSSB 130(FIN)

Shall the Senate Concur in the House

Amendment to CSSB 130(STA)?

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

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

Nays: Coghill

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 130(FIN) "An Act establishing the Alaska Native Language Preservation and Advisory Council and relating to the preservation, restoration, and revitalization of Alaska Native languages."

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

Standing Committee Reports

HB 118

The Resources Committee considered CS FOR HOUSE BILL NO. 118(FIN) "An Act relating to a tax credit for qualified research and development expenditures; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 118(RES) "An Act relating to the reporting and analysis of certain information relating to tax credits, exclusions, exemptions, waivers, and other tax expenditures; relating to bills creating tax expenditures; relating to confidentiality and use of tax information; relating to a tax credit for qualified research and development expenditures; and providing for an effective date."
(Title Change SCR 31)

Signing do pass: Senator Paskvan, Cochair; Senator Wielechowski.
Signing amend: Senator Wagoner, Cochair. Signing no recommendation: Senator French.

Fiscal information forthcoming.

The following previously published fiscal information applies:
Fiscal Note No. 2, zero, Department of Labor and Workforce Development

The bill was referred to the Finance Committee.

HB 190

The State Affairs Committee considered CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 190(FIN) "An Act relating to allowable absences from the state for purposes of eligibility for permanent fund dividends; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR SPONSOR
SUBSTITUTE FOR HOUSE BILL NO. 190(STA)

Signing do pass: Senator Wielechowski, Chair; Senators Kookesh, Paskvan, Meyer, Giessel.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Department of Revenue

The bill was referred to the Rules Committee.

HB 281

The State Affairs Committee considered HOUSE BILL NO. 281 "An Act establishing March 30 of each year as Welcome Home Vietnam Veterans Day" and recommended it be replaced with

SENATE CS FOR HOUSE BILL NO. 281(STA)
"An Act establishing March 29 of each year as
Vietnam Veterans Day." (Title Change SCR 32)

Signing do pass: Senator Wielechowski, Chair; Senators Kookesh, Meyer, Giessel, Paskvan.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Department of Administration

The bill was referred to the Rules Committee.

**Introduction and Reference of
Senate Resolutions**

SCR 30

SENATE CONCURRENT RESOLUTION NO. 30 BY THE
SENATE STATE AFFAIRS COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 234, relating to picketing or protests at a funeral.

was read the first time and held on the Secretary's desk.

SCR 31

SENATE CONCURRENT RESOLUTION NO. 31 BY THE SENATE RESOURCES COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 118, relating to a tax credit for qualified research and development expenditures.

was read the first time and held on the Secretary's desk.

SCR 32

SENATE CONCURRENT RESOLUTION NO. 32 BY THE SENATE STATE AFFAIRS COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 281, establishing March 30 of each year as Welcome Home Vietnam Veterans Day.

was read the first time and held on the Secretary's desk.

Consideration of the Calendar

Second Reading of Senate Bills

SB 175

SENATE BILL NO. 175 "An Act relating to the practice of naturopathy; and providing for an effective date" was read the second time.

Senator Egan, Chair, moved and asked unanimous consent for the adoption of the Labor and Commerce Committee Substitute offered on page 1634. Without objection, CS FOR SENATE BILL NO. 175(L&C) was adopted.

Senator McGuire offered Amendment No. 1:

Page 1, line 15, through page 2, line 2:

Delete "or, in a form that is not a controlled substance, an herbal or homeopathic remedy, a dietetic remedy, or hydrotherapy"

Insert ", a homeopathic remedy, or a dietetic remedy"

Page 2, lines 3 - 13:

Delete all material and insert:

"(c) The status of a drug or remedy that a naturopath may give, prescribe, or recommend under this chapter or may not give, prescribe, or recommend under this chapter is not changed by compounding the drug or remedy."

Page 2, following line 13:

Insert new bill sections to read:

**** Sec. 3.** AS 08.45.060 is amended to read:

Sec. 08.45.060. Grounds for suspension, revocation, or refusal to issue a license. The department may, after a hearing, impose a disciplinary sanction on a person licensed under this chapter when the department finds that the licensee

(1) secured a license through deceit, fraud, or intentional misrepresentation;

(2) engaged in deceit, fraud, or intentional misrepresentation in the course of providing professional services or engaging in professional activities;

(3) advertised professional services in a false or misleading manner;

(4) has been convicted of a felony or other crime that affects the licensee's ability to continue to practice competently and safely;

(5) failed to comply with this chapter, with a regulation adopted under this chapter, or with an order of the department;

(6) continued to practice after becoming unfit due to

(A) professional incompetence;

(B) addiction or severe dependency on alcohol or a drug that impairs the licensee's ability to practice safely;

(C) physical or mental disability;

(7) engaged in lewd or immoral conduct in connection with the delivery of professional service to patients;

(8) has procured, sold, prescribed, or dispensed drugs in violation of a law regardless of whether there has been a criminal action.

* **Sec. 4.** AS 08.45.200(3) is amended to read:

(3) "naturopathy" means the use of hydrotherapy, **a dietetic remedy** [DIETETICS], **an herbal remedy, a homeopathic remedy,** electrotherapy, sanitation, suggestion, mechanical and manual manipulation for the stimulation of physiological and psychological action to establish a normal condition of mind and body [; IN THIS PARAGRAPH, "DIETETICS" INCLUDES HERBAL AND HOMEOPATHIC REMEDIES].

* **Sec. 5.** AS 08.45.200 is amended by adding new paragraphs to read:

(4) "dietetic remedy" means nutritional therapy, nutritional counseling, a nutritional substance, vitamins, or minerals used to promote health and to diagnose, treat, or prevent disease, illness, or conditions;

(5) "herbal remedy" means a substance derived from or a concentrate or extract of a plant, tree, root, moss, or fungus;

(6) "homeopathic remedy" means a remedy defined in the current version of Homeopathic Pharmacopoeia of the United States;

(7) "hydrotherapy" means the application of water to the external body in all forms and temperatures to promote health and to diagnose, treat, and prevent disease, illness, and conditions;

(8) "prescription drug" means a drug on the Prescription Drug Product List or the Drug Products with

Approval under Section 505 of the Act Administered by the Center for Biologics Evaluation and Research List in the Approved Drug Products with Therapeutic Equivalence Evaluations compiled by the United States Food and Drug Administration in effect at the time of the prescription, gift, or recommendation, or that has, at the time of the prescription, gift, or recommendation, gone through a preapproval process by the United States Food and Drug Administration."

Renumber the following bill section accordingly.

Senator McGuire moved for the adoption of Amendment No. 1. Senator French objected, then withdrew his objection. There being no further objection, Amendment No. 1 was adopted.

Senator Meyer moved and asked unanimous consent that the bill be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 175(L&C) am was read the third time.

Senator Menard moved and asked unanimous consent to be shown as a cosponsor on the bill. Without objection, it was so ordered.

The question being: "Shall CS FOR SENATE BILL NO. 175(L&C) am "An Act relating to the practice of naturopathy; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 175(L&C) am
Third Reading - Final Passage
Effective Date

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, CS FOR SENATE BILL NO. 175(L&C) am passed the Senate.

Senator Meyer moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

SB 192

President Stevens stated SENATE BILL NO. 192 "An Act relating to the oil and gas production tax; and providing for an effective date" would be returned to the Rules Committee. There being no objection, the bill was returned to the Rules Committee.

Second Reading of House Bills**HB 250**

CS FOR HOUSE BILL NO. 250(ENE) "An Act relating to the renewable energy grant fund and recommendation program; 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 Senate Committee Substitute offered on page 2130. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 250(FIN) was adopted.

Senator Meyer moved and asked unanimous consent that the bill be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE CS FOR CS FOR HOUSE BILL NO. 250(FIN) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 250(FIN) "An Act relating to the renewable energy grant fund and recommendation program; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CS HB 250(FIN)
Third Reading - Final Passage
Effective Date

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, SENATE CS FOR CS FOR HOUSE BILL NO. 250(FIN) passed the Senate.

Senator Meyer moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

Third Reading of House Bills

HB 104

SENATE CS FOR CS FOR HOUSE BILL NO. 104(FIN) "An Act renaming the Alaska performance scholarship and relating to the scholarship and tax credits applicable to contributions to the scholarship; relating to AlaskAdvantage education grant funding and to Alaska performance scholarship funding; relating to AlaskAdvantage education grant eligibility; establishing accounts and a fund for those purposes; making conforming amendments; and providing for an effective date" was read the third time.

Senator Coghill moved that the bill be returned to second reading for the purpose of a specific amendment, that being Amendment No. 1. Without objection, the bill was returned to second reading.

Senators Coghill, Wagoner offered Amendment No. 1:

Page 2, lines 23 - 25:

Delete "**Alaska residents who have attained an Alaska High School Diploma by Examination after January 1, 2011, or who are** high school graduates [WHO ARE ALASKA RESIDENTS]"

Insert "high school graduates who are Alaska residents"

Page 3, line 7:

Delete "**except as provided in (c) of this section,**"

Page 3, line 9:

Delete "**(d)**"

Insert "**(c)**"

Page 3, line 18:

Delete "**except as provided in (c) of this section,**"

Page 3, line 31 through page 4, line 2:

Delete all material.

Reletter the following subsections accordingly.

Page 4, lines 5 - 6:

Delete "or 24 months after a student attains an Alaska High School Diploma by Examination"

Page 4, line 9:

Delete "(g)"

Insert "(f)"

Page 4, lines 10 - 11:

Delete ", for an applicant who has graduated from a high school in the state,"

Page 4, line 20:

Delete "(d)"

Insert "(c)"

Page 4, line 21:

Delete "(d)"

Insert "(c)"

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Page 4, line 25:

Delete "(d)"

Insert "(c)"

Page 4, line 26:

Delete "(d)"

Insert "(c)"

Page 5, lines 4 - 6:

Delete "**or a total score in the 90th percentile or above on the general educational development examination**"

Page 5, lines 10 - 12:

Delete "**or a total score in the 80th percentile or above on the general educational development examination**"

Page 5, lines 16 - 18:

Delete "**or a total score in the 70th percentile or above on the general educational development examination**"

Page 5, lines 23 - 24:

Delete "**or attains a State of Alaska High School Diploma by Examination,**"

Senator Coghill moved for the adoption of Amendment No. 1. Senator Ellis objected.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

SCS CSHB 104(FIN)

Second Reading

Amendment No. 1

YEAS: 8 NAYS: 12 EXCUSED: 0 ABSENT: 0

Yeas: Coghill, Davis, Dyson, Giessel, Huggins, McGuire, Meyer, Wagoner

Nays: Egan, Ellis, French, Hoffman, Kookesh, Menard, Olson, Paskvan, Stedman, Stevens, Thomas, Wielechowski

and so, Amendment No. 1 failed.

SENATE CS FOR CS FOR HOUSE BILL NO. 104(FIN) was automatically in third reading.

Senator French rose to a point of order. President Stevens cautioned members to proceed in order, stating it is inappropriate to refer to actions in the other body.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 104(FIN) "An Act renaming the Alaska performance scholarship and relating to the scholarship and tax credits applicable to contributions to the scholarship; relating to AlaskAdvantage education grant funding and to Alaska performance scholarship funding; relating to AlaskAdvantage education grant eligibility; establishing accounts and a fund for those purposes; making conforming amendments; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 104(FIN)
Third Reading - Final Passage

YEAS: 12 NAYS: 8 EXCUSED: 0 ABSENT: 0

Yeas: Davis, Egan, Ellis, French, McGuire, Menard, Meyer, Paskvan, Stedman, Stevens, Thomas, Wielechowski

Nays: Coghill, Dyson, Giessel, Hoffman, Huggins, Kookesh, Olson, Wagoner

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 104(FIN) passed the Senate.

Senator Meyer moved for the adoption of the effective date clauses.

The question being: "Shall the effective date clauses be adopted?" The roll was taken with the following result:

SCS CSHB 104(FIN)
Effective Date Clauses

YEAS: 16 NAYS: 4 EXCUSED: 0 ABSENT: 0

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

Nays: Coghill, Dyson, Giessel, Huggins

and so, the effective date clauses were adopted and the bill was referred to the Secretary for engrossment.

SCR 27

Senator Meyer moved and asked unanimous consent to take up SENATE CONCURRENT RESOLUTION NO. 27 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 104, renaming the Alaska performance scholarship and relating to the scholarship and tax credits applicable to contributions to the scholarship; relating to AlaskAdvantage education grant funding and to Alaska performance scholarship funding; establishing an account and fund for those purposes; and making conforming amendments, which had been held on the Secretary's desk (page 2016). Without objection, it was so ordered.

SENATE CONCURRENT RESOLUTION NO. 27 was before the Senate on final passage.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 27 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 104, renaming the Alaska performance scholarship and relating to the scholarship and tax credits applicable to contributions to the scholarship; relating to AlaskAdvantage education grant funding and to Alaska performance scholarship funding; establishing an account and fund for those purposes; and making conforming amendments, pass the Senate?" The roll was taken with the following result:

SCR 27

Final Passage

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

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

Nays: Coghill, Dyson, Giessel

and so, SENATE CONCURRENT RESOLUTION NO. 27 passed the Senate and was referred to the Secretary for engrossment.

Citations

Honoring - Sol Gerstenfeld
Representative(s) Gruenberg
Senator(s) Wielechowski, Stevens, Coghill, Davis, Dyson, Egan, Ellis,
French, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer,
Olson, Paskvan, Stedman, Thomas, Wagoner

Honoring - Dr. Rick Kunz
Representative(s) Gruenberg
Senator(s) Wielechowski, Stevens, Coghill, Davis, Dyson, Egan, Ellis,
French, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard,
Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner

Honoring - Nicholas A. Webb
Representative(s) Millett
Senator(s) Meyer, Stevens, Coghill, Davis, Dyson, Egan, Ellis,
Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Olson,
Paskvan, Stedman, Thomas, Wagoner, Wielechowski

Honoring - Kevin Kennedy and Team PPR
Senator(s) Ellis, Stevens, Coghill, Davis, Dyson, Egan, Giessel,
Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson,
Paskvan, Stedman, Thomas, Wagoner, Wielechowski

In Memoriam - Ruth Qutan Goodwin
Representative(s) Joule
Senator(s) Olson, Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel,
Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Paskvan,
Stedman, Thomas, Wagoner, Wielechowski

In Memoriam - Doug Buchanan
Representative(s) Guttenberg
Senator(s) Thomas, Stevens, Coghill, Davis, Dyson, Egan, Ellis,
French, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard,
Meyer, Olson, Paskvan, Stedman, Wagoner, Wielechowski

In Memoriam - Robert Douglas Stamer

Representative(s) Chenault

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

In Memoriam - James Wilken

Representative(s) Stoltze, Fairclough

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

In Memoriam - Mabel W. Pike

Representative(s) Gara

Senator(s) Ellis, Stevens, Coghill, Davis, Dyson, Egan, Giessel, Hoffman, Huggins, Kookesh, McGuire, 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

HB 295

Senators Giessel, McGuire moved and asked unanimous consent to be shown as cross sponsors on CS FOR HOUSE BILL NO. 295(RES) "An Act approving an interim classification by the commissioner of natural resources closing certain land within the Glacier Creek and Winner Creek drainages to new mineral entry; amending the mineral entry closure in sec. 2, ch. 8, SLA 2003, for certain land within the Glacier Creek and Winner Creek drainages; and providing for an effective date." Without objection, it was so ordered.

HB 216

Senator French, Chair, moved and asked unanimous consent that the Judiciary Committee referral be waived on CS FOR HOUSE BILL NO. 216(FIN) "An Act relating to fiscal notes for bills directing or resulting in the adoption, amendment, or repeal of regulations, and to

the notice required for the proposed adoption, amendment, or repeal of a regulation; and providing for an effective date." Without objection, the bill was referred to the Rules Committee.

HB 276

Senator Wagoner moved and asked unanimous consent to be shown as a cross sponsor on CS FOR HOUSE BILL NO. 276(FIN) "An Act providing for a credit against the oil and gas production tax for costs incurred for conducting seismic exploration and drilling certain oil or natural gas exploration wells in certain basins; relating to the determination of the production tax value of oil and gas production; and relating to a special tax rate for new oil or gas production south of 68 degrees North latitude." Without objection, it was so ordered.

HB 295

Senator Wagoner, Cochair, moved and asked unanimous consent that the Resources Committee referral be waived on CS FOR HOUSE BILL NO. 295(RES) "An Act approving an interim classification by the commissioner of natural resources closing certain land within the Glacier Creek and Winner Creek drainages to new mineral entry; amending the mineral entry closure in sec. 2, ch. 8, SLA 2003, for certain land within the Glacier Creek and Winner Creek drainages; and providing for an effective date." The Resources Committee passed SENATE BILL NO. 181 (a similar bill) out of committee, (page 1856) with a do pass recommendation. Without objection, the bill was referred to the Rules Committee.

HJR 40

Senators McGuire, Dyson, Giessel, Wagoner, Coghill, Menard moved and asked unanimous consent to be shown as cross sponsors on CS FOR HOUSE JOINT RESOLUTION NO. 40(JUD) Commending the governor and the administration for aggressively working to protect the interests of the state in rights-of-way under R.S. 2477; urging the governor and the attorney general to develop a working alliance with the governors, attorneys general, and legislatures in other western states to protect and enforce the states' interests in ensuring access using rights-of-way authorized by R.S. 2477; urging the governor and the attorney general to support the interests of the State of Utah and southern counties of Utah in R.S. 2477 rights-of-way by actively seeking confirmation of R.S. 2477 rights-of-way through various

means, including initiating litigation in this state; urging the governor and the attorney general to develop a strategy for resolving the dispute over the right to continued access using R.S. 2477 rights-of-way in the state, including the possibility of bringing lawsuits against the federal government to preserve the state's interest in rights-of-way; urging the governor to further strengthen the resources of the state for protecting the state's rights by continuing to focus the efforts of the Department of Law, the Department of Natural Resources, the Department of Fish and Game, and other departments on defending the state's rights and powers with regard to access and federalism issues; and urging the United States Congress to enact legislation requiring federal agencies with land management authority to establish a process to recognize valid R.S. 2477 rights-of-way claims expeditiously after a notice of intent to claim an R.S. 2477 right-of-way has been filed without the need to dispute those claims in court and to participate in good faith in the process. Without objection, it was so ordered.

SB 160

CS FOR SENATE BILL NO. 160(FIN) "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, and other appropriations; making appropriations to capitalize funds; and providing for an effective date" which had been engrossed (page 2185) was signed by the President and Secretary and transmitted to the House for consideration.

Announcements

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

Announcements are at the end of the journal.

Engrossment**SB 175**

CS FOR SENATE BILL NO. 175(L&C) am "An Act relating to the practice of naturopathy; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

HB 104

SENATE CS FOR CS FOR HOUSE BILL NO. 104(FIN) "An Act renaming the Alaska performance scholarship and relating to the scholarship and tax credits applicable to contributions to the scholarship; relating to AlaskAdvantage education grant funding and to Alaska performance scholarship funding; relating to AlaskAdvantage education grant eligibility; establishing accounts and a fund for those purposes; making conforming amendments; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

HB 250

SENATE CS FOR CS FOR HOUSE BILL NO. 250(FIN) "An Act relating to the renewable energy grant fund and recommendation program; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

SCR 27

SENATE CONCURRENT RESOLUTION NO. 27 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 104, renaming the Alaska performance scholarship and relating to the scholarship and tax credits applicable to contributions to the scholarship; relating to AlaskAdvantage education grant funding and to Alaska performance scholarship funding; establishing an account and fund for those purposes; and making conforming amendments, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Enrollment**SCR 16**

SENATE CONCURRENT RESOLUTION NO. 16 Proclaiming May 2012 to be Celiac Disease Awareness Month, 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 9:15 a.m., April 12, 2012.

Legislative Resolve No. 34

SCR 20

SENATE CONCURRENT RESOLUTION NO. 20 Relating to awarding the Alaska Decoration of Honor to certain members of the military, 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 9:15 a.m., April 12, 2012.

Legislative Resolve No. 35

SB 127

SENATE BILL NO. 127 "An Act establishing September 9 each year as Fetal Alcohol Spectrum Disorders Awareness Day" 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 9:15 a.m., April 12, 2012.

Adjournment

Senator Meyer moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., April 13, 2012. Without objection, the Senate adjourned at 5:00 p.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

Apr 12 Thursday Beltz 105 (tsbldg) 3:30 PM
 + HB 219 FIRE AND EMERGENCY MEDICAL SERVICES
 + Bills Previously Heard/Scheduled

Apr 13 Friday Fahrenkamp 203 8:00 AM
 + Bills Previously Heard/Scheduled

EDUCATION

Apr 13 Friday Beltz 105 (tsbldg) 8:00 AM
 No Meeting Scheduled

FINANCE

Apr 12 Thursday Senate Finance 532 9:00 AM
 += HB 302 CONTRIBUTIONS FROM PFD: UNIV/AUDITS
 += HB 366 DISASTER PLANNING AND SERVICES
 += HCR 23 ALASKA ARCTIC POLICY COMMISSION
 + HB 21 SUICIDE PREVENTION COUNCIL MEMBERS
 + HB 115 NAMING WALTER J. HICKEL EXPRESSWAY
 + HB 360 INTERSTATE MINING COMPACT & COMMISSION
 + Bills Previously Heard/Scheduled

FINANCE (continued)

Apr 12 Thursday Senate Finance 532 1:00 PM
 + Bills Previously Heard/Scheduled

Apr 13 Friday Senate Finance 532 9:00 AM
 + SB 217 PHARMACY AUDITS
 + HB 286 G.O. BONDS: TRANSPORTATION PROJECTS
 + HB 282 MILITARY TRAINING CREDIT/TEMP. LICENSE
 + HB 301 BOATING REGULATION: SUNSET/ENFORCEMENT
 + HB 204 STATE PROCUREMENT CODE
 + HB 205 PUBLIC PROCUREMENT
 + HB 252 SMALL BUSINESS INCOME TAX EXEMPTION
 + HB 276 OIL/GAS PROD. TAX CREDITS/RATES/VALUE
 + Bills Previously Heard/Scheduled

Apr 13 Friday Senate Finance 532 1:00 PM
 + Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

Apr 13 Friday Butrovich 205 1:30 PM
 No Meeting Scheduled

JUDICIARY

Apr 13 Friday Beltz 105 (tsbldg) 8:00 AM
 += SB 198 POLICE OFFICER PROTECTIONS/CERTIFICATION
 += HB 343 DISCLOSURE OF CHILDREN'S RECORDS
 + HB 234 PICKETING AND PROTESTS AT FUNERALS
 + HB 255 READING OR TYPING MESSAGE WHILE DRIVING
 + HB 50 ACCESS TO LICENSED PREMISES
 + HB 296 ESCAPE/SERVICE ON PRISONERS/MONITORING
 + Bills Previously Heard/Scheduled

Apr 13 Friday Beltz 105 (tsbldg) 1:30 PM
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

Apr 12 Thursday Beltz 105 (tsbldg) 1:30 PM
 -- MEETING CANCELED --
 + HB 125 ALCOHOLIC BEVERAGE CONTROL BOARD
 + HB 269 COMMON INTEREST COMMUNITIES
 <Pending Referral>
 + Bills Previously Heard/Scheduled
 += SB 166 LABORATORY SCIENCE PROFESSIONAL LICENSING
 <Bill Hearing Canceled>

STATE AFFAIRS

Apr 12 Thursday Butrovich 205 9:00 AM
 + Bills Previously Heard/Scheduled
 = HB 281 WELCOME HOME VIETNAM VETERANS DAY
 = HB 190 PFD ALLOWABLE ABSENCE

Apr 13 Friday Butrovich 205 9:00 AM
 + HB 347 USE OF MUNICIPAL FUNDS FOR INITIATIVES
 + Bills Previously Heard/Scheduled

TRANSPORTATION

Apr 12 Thursday Butrovich 205 1:00 PM
 No Meeting Scheduled

JOINT COMMITTEES

LEGISLATIVE COUNCIL

Apr 13 Friday Capitol 120 5:00 PM
 Anchorage Office Space

CONFERENCE COMMITTEES**CONFERENCE COMMITTEE ON HB 284 & HB 285**

Apr 12 Thursday Senate Finance 532 3:00 PM

+ = HB 284 APPROP: OPERATING BUDGET/LOANS/FUNDS

+ = HB 285 APPROP: MENTAL HEALTH BUDGET

Department of Transportation

Alaska Court System

Items left open from the Tuesday 4/10/12

meeting may be taken up pending negotiations.

Apr 13 Friday Senate Finance 532 3:00 PM

= HB 284 APPROP: OPERATING BUDGET/LOANS/FUNDS

= HB 285 APPROP: MENTAL HEALTH BUDGET

Apr 14 Saturday Senate Finance 532 8:00 AM

= HB 284 APPROP: OPERATING BUDGET/LOANS/FUNDS

= HB 285 APPROP: MENTAL HEALTH BUDGET