SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-EIGHTH LEGISLATURE

SECOND SESSION

Juneau, Alaska

Wednesday

March 5, 2014

Forty-fourth Day

Pursuant to adjournment the Senate was called to order by President Huggins at 11:03 a.m.

The roll showed sixteen members present. Senators Ellis, Stedman, Stevens were excused from a call of the Senate. Senator McGuire was absent.

Senator Coghill moved and asked unanimous consent that Senator McGuire be excused from a call of the Senate today. Without objection, Senator McGuire was excused.

The prayer was offered by the Chaplain, The Reverend Gordon Blue of the Church of the Holy Trinity. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Eternal God, fountain of wisdom; whose will is good and gracious, and whose law is truth:

"Create in us a clean heart, O God, and renew a right spirit within us." [Psalm 51]

Bless these people, our Senators of this State of Alaska. Grant them increased trust in one another; strengthen their quest for justice, and bring them to unity and a common purpose in service to the people. Grant to them imagination, skill and energy that through their work with each other there may grow among us wellbeing and peace.

Creator God, you have filled the world with beauty: open the eyes of the Senate to this beauty, and fill their hearts with gladness in their work together, so that it may prove to be a blessing of the people they are elected to serve, and a legacy that future generations of Alaskans will receive with gratitude.

Amen.

Senator Bishop led the Senate in the Pledge of Allegiance.

Certification

Senator Coghill moved and asked unanimous consent that the journals for the forty-second and forty-third legislative days and House and Senate Joint Journal Supplement No. 11 be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the Governor

HJR 23

Message dated March 4 was read stating the Governor signed the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE JOINT RESOLUTION NO. 23 Proclaiming March 27, 2014, as Good Friday Earthquake Remembrance Day.

Legislative Resolve No. 26

HJR 15

Message dated March 4 was read stating the Governor signed the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 15(RES) Supporting the introduction and enactment of federal legislation acknowledging that the federal government is financially responsible under the Alaska Native

Claims Settlement Act for the remediation of contaminated land subject to conveyance under the Act; and urging the United States Department of the Interior to implement the six recommendations to identify and clean up the Alaska Native Claims Settlement Act lands in its 1998 report to the United States Congress.

Legislative Resolve No. 28

HJR 19

Message dated March 4 was read stating the Governor signed the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR HOUSE JOINT RESOLUTION NO. 19(MLV) am S Urging the Secretary of the United States Air Force, the Chief of Staff of the United States Air Force, and the Commander of the Pacific Air Forces to base F-35 aircraft assigned to the Pacific Air Forces at Eielson Air Force Base or Joint Base Elmendorf-Richardson.

Legislative Resolve No. 29

HJR 26

Message dated March 4 was read stating the Governor signed the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE JOINT RESOLUTION NO. 26 Urging the United States Congress to provide a means for consistently and equitably sharing with all oil and gas producing states adjacent to federal outer continental shelf areas a portion of revenue generated from oil and gas development on the outer continental shelf to ensure that those states develop necessary infrastructure to support outer continental shelf development and preserve environmental integrity.

Legislative Resolve No. 30

Messages from the House

SCR 18

Message dated March 3 was read stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 18 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Joint Resolution No. 15, supporting the introduction and enactment of federal legislation acknowledging that the federal government is financially responsible under the Alaska Native Claims Settlement Act for the remediation of contaminated land subject to conveyance under the Act.

The resolution was referred to the Secretary for enrollment.

SCR 19

Message dated March 3 was read stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 19 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Joint Resolution No. 19, urging the Secretary of the United States Air Force, the Chief of Staff of the United States Air Force, and the Commander of the Pacific Air Forces to base F-35 aircraft assigned to the Pacific Air Forces at Eielson Air Force Base.

The resolution was referred to the Secretary for enrollment.

HJR 15

Message dated March 3 was read stating the House concurred in the Senate amendment to CS FOR HOUSE JOINT RESOLUTION NO. 15(RES) Supporting the introduction and enactment of federal legislation acknowledging that the federal government is financially

responsible under the Alaska Native Claims Settlement Act for the remediation of contaminated land subject to conveyance under the Act, thus adopting:

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 15(RES) Supporting the introduction and enactment of federal legislation acknowledging that the federal government is financially responsible under the Alaska Native Claims Settlement Act for the remediation of contaminated land subject to conveyance under the Act; and urging the United States Department of the Interior to implement the six recommendations to identify and clean up the Alaska Native Claims Settlement Act lands in its 1998 report to the United States Congress. (Title Change SCR 18)

HJR 19

Message dated March 3 was read stating the House concurred in the Senate amendment to CS FOR HOUSE JOINT RESOLUTION NO. 19(MLV) Urging the Secretary of the United States Air Force, the Chief of Staff of the United States Air Force, and the Commander of the Pacific Air Forces to base F-35 aircraft assigned to the Pacific Air Forces at Eielson Air Force Base, thus adopting:

CS FOR HOUSE JOINT RESOLUTION NO. 19(MLV) am S Urging the Secretary of the United States Air Force, the Chief of Staff of the United States Air Force, and the Commander of the Pacific Air Forces to base F-35 aircraft assigned to the Pacific Air Forces at Eielson Air Force Base or Joint Base Elmendorf-Richardson. (Title Change SCR 19)

Message dated March 3 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 32

CS FOR HOUSE BILL NO. 32(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act providing for the issuance of one business license for multiple lines of business; and providing for reissuance of a business license to make a change on the license."

was read the first time and referred to the Labor and Commerce and Finance Committees.

HB 161

CS FOR HOUSE BILL NO. 161(RES) BY THE HOUSE RESOURCES COMMITTEE, entitled:

"An Act relating to auctions or raffles for big game harvest permits and to the selection of nonprofit organizations to conduct auctions and raffles for the Department of Fish and Game."

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

HB 234

HOUSE BILL NO. 234 BY REPRESENTATIVES HAWKER, ISAACSON, SADDLER, Chenault, entitled:

"An Act extending the termination date of the Regulatory Commission of Alaska; and providing for an effective date."

was read the first time and referred to the Labor and Commerce and Finance Committees.

HB 262

HOUSE BILL NO. 262 BY REPRESENTATIVES HOLMES, Olson, Gattis, Thompson, Gruenberg, LeDoux, Millett, entitled:

"An Act exempting the Public Defender Agency and the office of public advocacy from certain provisions of the State Procurement Code; and providing for an effective date."

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

HB 298

HOUSE BILL NO. 298 BY REPRESENTATIVES CHENAULT, Hawker, Johnson, entitled:

"An Act relating to confidentiality of performance review records and reports of the legislature audit division."

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

Message dated March 3 was read stating:

The House of Representatives respectfully invites the Senate to a Joint Session of the Twenty-eighth Alaska Legislature at 11:00 a.m. on Friday, April 11 to consider confirmation of the Governor's appointments.

Senator Coghill moved and asked unanimous consent that the Senate accept the House invitation to meet in Joint Session. Without objection, it was so ordered.

The Secretary was requested to notify the House.

Communications

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

School Capital Project Funding Under SB 237: A Report to the Legislature

from Mike Hanley, Commissioner, Department of Education and Early Development

in accordance with AS 14.11.035

Annual Report 2013 Division of Oil and Gas, Alaska Department of Natural Resources from Bob Pawlowski, Special Projects Advisor in accordance with AS 38.05.180(e)

Annual Report 2013
Alaska Division of Insurance, Department of Commerce, Community, and Economic Development from Marty Hester, Acting Division Director in accordance with AS 21.06.110

Standing Committee Reports

Report dated February 28 was read stating:

In accordance with AS 24.60.130, the Judiciary Committee reviewed the following and recommends the appointment be forwarded to the Senate floor for consideration:

Select Committee on Legislative Ethics

Janie Leask, public member

This does not reflect an intent by any of the members to vote for or against the confirmation of the individual during any further sessions.

Signing the report: Senator Coghill, Chair; Senators Olson, Dyson.

Senator Coghill moved that Janie Leask be confirmed as a public member to the Select Committee on Legislative Ethics.

The question being: "Shall Janie Leask be confirmed as a public member to the Select Committee on Legislative Ethics?" The roll was taken with the following result:

Shall Janie Leask be confirmed as a public member to the Select Committee on Legislative Ethics?

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

Yeas: Bishop, Coghill, Dunleavy, Dyson, Egan, Fairclough, French, Gardner, Giessel, Hoffman, Huggins, Kelly, Meyer, Micciche, Olson, Wielechowski

Excused: Ellis, McGuire, Stedman, Stevens

and so, Janie Leask was confirmed by the Senate.

The Secretary was requested to notify the House.

Report dated February 28 was read stating:

In accordance with AS 24.60.131, the Judiciary Committee reviewed the following and recommends the appointment be forwarded to the Senate floor for consideration:

Select Committee on Legislative Ethics

Christena Williams, alternate public member

This does not reflect an intent by any of the members to vote for or against the confirmation of the individual during any further sessions.

Signing the report: Senator Coghill, Chair; Senators Olson, Dyson.

Senator Coghill moved that Christena Williams be confirmed as an alternate public member to the Select Committee on Legislative Ethics.

The question being: "Shall Christena Williams be confirmed as an alternate public member to the Select Committee on Legislative Ethics?" The roll was taken with the following result:

Shall Christena Williams be confirmed as an alternate public member to the Select Committee on Legislative Ethics?

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

Yeas: Bishop, Coghill, Dunleavy, Dyson, Egan, Fairclough, French, Gardner, Giessel, Hoffman, Huggins, Kelly, Meyer, Micciche, Olson, Wielechowski

Excused: Ellis, McGuire, Stedman, Stevens

and so, Christena Williams was confirmed by the Senate.

The Secretary was requested to notify the House.

Report dated March 4 was read stating:

In accordance with Article III, Section 25 of the Alaska Constitution and AS 39.05.080, the State Affairs Committee reviewed the following and recommends the appointment be forwarded to a joint session for consideration:

Commissioner - Department of Public Safety

Gary Folger

This does not reflect an intent by any of the members to vote for or against the confirmation of the individual during any further sessions.

Signing the report: Senator Dyson, Chair; Senators Giessel, Wielechowski.

Report dated March 4 was read stating:

In accordance with AS 39.05.080, the State Affairs Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

Alaska Police Standards Council

Sergeant Luis Nieves - Anchorage

Alaska Public Offices Commission

Irene Catalone – Fairbanks

This does not reflect an intent by any of the members to vote for or against the confirmation of the individuals during any further sessions.

Signing the report: Senator Dyson, Chair; Senators Giessel, Coghill, Wielechowski.

SB 98

The State Affairs Committee considered SENATE BILL NO. 98 "An Act relating to Department of Public Safety regulations allowing village public safety officers to carry firearms." Signing do pass: Senator Dyson, Chair; Senators Coghill, Giessel. Signing amend: Senator Wielechowski.

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

The bill was referred to the Finance Committee.

SB 127

The Finance Committee considered SENATE BILL NO. 127 "An Act authorizing the commissioner of administration to enter into agreements with agents to perform for compensation certain transactions related to vehicles; relating to the duties of those agents; and providing for an effective date." Signing do pass: Senator Meyer, Cochair; Senators Fairclough, Bishop, Dunleavy.

The following fiscal information was published today: Fiscal Note No. 2, Department of Administration

The bill was referred to the Rules Committee.

SB 141

The State Affairs Committee considered SENATE BILL NO. 141 "An Act relating to vehicle registration fees for members of the Alaska National Guard." Signing do pass: Senator Dyson, Chair; Senators Wielechowski, Coghill. Signing do not pass: Senator Giessel.

The following fiscal information was published today: Fiscal Note No. 1, Department of Administration

The bill was referred to the Finance Committee.

SB 182

The State Affairs Committee considered SENATE BILL NO. 182 "An Act relating to salary differences in collective bargaining agreements subject to the Public Employment Relations Act that are based on a difference in the cost of living outside the state and the cost of living in the state; and providing for an effective date." Signing do pass: Senator Dyson, Chair; Senator Giessel. Signing do not pass: Senator Wielechowski. Signing no recommendation: Senator Coghill.

The following fiscal information was published today:
Fiscal Note No. 1, Department of Transportation and Public
Facilities

The committee recommended a further referral to the Finance Committee.

President Huggins added a Finance Committee referral to the bill.

The bill was referred to the Finance Committee.

Consideration of the Calendar

Third Reading of Senate Bills

SB 145

Senator Coghill moved and asked unanimous consent that SENATE BILL NO. 145 "An Act relating to the Teachers' Retirement System, the Judicial Retirement System, and the Public Employees' Retirement System for qualified military service; relating to the definition of 'veteran' for purposes of housing, eligibility for veterans' loans, and preferences in state employment hiring; and providing for an effective date" be advanced to third reading on the March 10 calendar. Without objection, it was so ordered.

Citations

In Memoriam - Robert James Eads Representative(s) Chenault Senator(s) Giessel, Huggins, Bishop, Coghill, Dunleavy, Dyson, Egan, Ellis, Fairclough, French, Gardner, Hoffman, Kelly, McGuire, Meyer, Micciche, Olson, Stedman, Stevens, Wielechowski

Senator Coghill moved and asked unanimous consent that the citation be adopted. Without objection, the citation was adopted and referred to the Secretary for transmittal.

Unfinished Business

Senator French moved and asked unanimous consent to be excused from a call of the Senate on March 10, to morning plane time. Without objection, Senator French was excused.

Senator Fairclough moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, March 28 through evening plane time, March 31. Without objection, Senator Fairclough was excused.

SB 178

Senators Giessel, Dyson moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 178 "An Act relating to the application of the passenger vehicle rental tax; and providing for an effective date." Without objection, it was so ordered.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Coghill moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., March 7, 2014. Without objection, the Senate adjourned at 11:32 a.m.

Liz Clark Secretary of the Senate

Announcements

Americans with Disabilities Act Notice - Persons with disabilities who require special accommodation or alternative communication formats to access committee meetings may contact the appropriate committee office or the Legislative Information Office in their community. Reasonable advance notice is needed to accommodate the request. For further information, call the ADA Coordinator at 465-3854 Voice/465-4980 TDD.

STANDING COMMITTEES

- + indicates teleconference
- = indicates bill previously heard/scheduled

COMMUNITY & REGIONAL AFFAIRS

Mar 06	Thursday No Meeting Scheduled	Butrovich 205	3:30 PM

EDUCATION

Mar 05	Wednesday No Meeting Scheduled	Beltz 105 (tsbldg)	8:00 AM
Mar 07	Friday No Meeting Scheduled	Beltz 105 (tsbldg)	8:00 AM

FINANCE

Mar 05	Wednesday	Senate Finance 532	9:00 AM
+= SB 138	GAS PIPELINE; AGD	C; OIL & GAS PROD. TAX	
	Testimony <invitation< th=""><th>on Only></th><th></th></invitation<>	on Only>	
+	Bills Previously Heard	/Scheduled	

FINANCE (continued)

Mar 05 + SB 129 + SB 161 + SB 191 + += SB 169 += SB 138	AUTOPSIES AND DEA GENERAL OBLIGATION Bills Previously Heard/S STATEWIDE IMMUNIT GAS PIPELINE; AGDC	EEAL ESTATE APPRAISER TH CERTIFICATES DN BOND FUND TRANSFE cheduled ZATION PROGRAM ; OIL & GAS PROD. TAX atty Commissioner, Strategic ne and Veatch Management	
Mar 06 += SB 138 +	Thursday GAS PIPELINE; AGDC Testimony <invitation bills="" heard="" previously="" s<="" th=""><th></th><th>9:00 AM</th></invitation>		9:00 AM
Mar 06 +	Thursday Bills Previously Heard/S	Senate Finance 532 cheduled	5:00 PM
Mar 07 += SB 138 +	Testimony <invitation bills="" heard="" previously="" s<="" td=""><td></td><td>9:00 AM</td></invitation>		9:00 AM
Mar 05	Wednesday No Meeting Scheduled	Butrovich 205	1:30 PM
Mar 07	Friday No Meeting Scheduled	Butrovich 205	1:30 PM

JUDICIARY

Mar 05	Wednesday	Beltz 105 (tsbldg)	1:30 PM
+= SB 176	REG. OF FIREARMS/KN	NIVES BY UNIVERSITY	
+= SB 108	LIMIT PUBLIC ACCESS	TO CRIMINAL RECORD	S
+ SB 173	SYNTHETIC DRUGS		
+	Bills Previously Heard/Sc	heduled	
= SB 171	MULTIDISCIPLINARY	CHILD PROTECTION TE.	AMS
Mar 07	Friday	Beltz 105 (tsbldg)	1:30 PM
	Friday OPPOSE WARRANTLE	, ,,	1:30 PM
	OPPOSE WARRANTLE	SS DATA COLLECTION	1:30 PM
+ SJR 22	OPPOSE WARRANTLE	SS DATA COLLECTION LED SUBSTANCE	1:30 PM
+ SJR 22 += SB 66	OPPOSE WARRANTLE	SS DATA COLLECTION LED SUBSTANCE	1:30 PM

LABOR & COMMERCE

Mar 06 Thursday Beltz 105 (tsbldg) 1:30 PM
No Meeting Scheduled

RESOURCES

Mar 05 + SB 77 +		Overview and	3:30 PM
Mar 07	Friday Butro	ovich 205	3:30 PM
+	Bills Previously Heard/Scheduled		

STATE AFFAIRS

Ma	r 06	Thursday	Butrovich 205	9:00 AM
+		Confirmation Hearings:		
		Commissioner Curtis Thayer	Dept. of	
		Administration	-	
		Michele Christiansen, State C	Commission for	
		Human Rights		
		Richard Burton, Alaska Polic	e Standards Council	
		Nora Barlow, Violent Crimes	Compensation Board	
		Immanuel Lewis, State Com	nission for Human	
		Rights		
+	SJR 23	CONST. AM: STUDENT LO	OAN DEBT	
+=	SJR 18	FEDERAL CONSTITUTION	NAL CONVENTION	
+	SB 149	HEARINGS ON REFEREN	OA .	
+		Bills Previously Heard/Sched	luled	

TRANSPORTATION

Mar 06	Thursday	Barnes 124	1:00 PM
	Joint w/ House Transportation	ı	
+	Mega Projects Overview: Am	bler Road and Juneau	
	Access Testimony <invitation only<="" td=""><td></td><td></td></invitation>		
	Testimony anvitation only		

FINANCE SUBCOMMITTEES

ADMINISTRATION

Mar 05	Wednesday	Sen Conf Rm 103 Tsb	7:30 AM
+	Department Overv	view	
	Streamed live o	on AKL.TV	
Mar 12	Wednesday	Sen Conf Rm 103 Tsb	7:30 AM
+	Close-out		
	Streamed live o	on AKL.TV	

COMMERCE, COMMUNITY & ECONOMIC DEV

Mar 13 +	Thursday Close-out	Senate Finance 532	2:00 PM
	CORRE	ECTIONS	
Mar 11	Tuesday Increments and Decrements an		5:00 PM
Mar 18	Tuesday Wrap-up Draft Close-out	Beltz 105 (tsbldg)	5:00 PM
Mar 20	Thursday Close-out	Beltz 105 (tsbldg)	5:00 PM
	COURT	SYSTEM	
Mar 05	Wednesday FY15 Budget Overview	Senate Finance 532	8:30 AM
Mar 12	Wednesday FY15 Budget Close-out		8:30 AM
	EDUCATION & EAL	RLY DEVELOPMENT	
Mar 06 +	Thursday Alaska's Learning Netw Discussion of the FY15 Commissioner Mike Ha	Operating Budget	3:30 PM
	ENVIRONMENTA	L CONSERVATION	
Mar 05	Wednesday Department Overview	Senate Finance 532	12:00 PM

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ENVIRONMENTAL CONSERVATION (continued)

Mar 12 +	Wednesday Department Close-out	Senate Finance 532	12:00 PM
	FISH &	& GAME	
Mar 10 +	Monday Department Overview	Senate Finance 532	3:00 PM
Mar 17 +	Monday Department Close-out	Senate Finance 532	3:00 PM
		CIAL SERVICES	
Mar 12 +	Wednesday FASD Presentation Testimony <invitation< td=""><td>Beltz 105 (tsbldg) n Only></td><td>3:15 PM</td></invitation<>	Beltz 105 (tsbldg) n Only>	3:15 PM
Mar 17 +	Monday Budget Close-out Testimony <invitation< td=""><td>Beltz 105 (tsbldg) n Only></td><td>3:00 PM</td></invitation<>	Beltz 105 (tsbldg) n Only>	3:00 PM
	LABOR & WORKFO	RCE DEVELOPMENT	ı
Mar 05	Wednesday Wrap-up Draft Close-out	Beltz 105 (tsbldg)	5:00 PM
Mar 12 +	Wednesday Budget Close-out	Beltz 105 (tsbldg)	5:00 PM
Mar 17	Monday	Beltz 105 (tsbldg)	5:00 PM

Close-out

LAW

Mar 05	Wednesday FY15 Budget Overview	Senate Finance 532	8:00 AM
Mar 12	Wednesday FY15 Budget Close-out	Senate Finance 532	8:00 AM

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MILITARY & VETERANS' AFFAIRS

Mar 10 Monday Beltz 105 (tsbldg) 5:00 PM

-- Location Change --

Close-out

PUBLIC SAFETY

Mar 13 Thursday Fahrenkamp 203 3:30 PM

+ Budget Close-out

-- Testimony <Invitation Only> --

REVENUE

Mar 10 Monday Beltz 105 (tsbldg) 12:00 PM

+ Close-out

Streamed live on AKL.TV

TRANSPORTATION & PUBLIC FACILITIES

Mar 11 Tuesday Senate Finance 532 11:15 AM

Highways/Facilities and Aviation, Marine

Highway System

Mar 13 Thursday Senate Finance 532 11:15 AM

Discussion and Preliminary Recommendations in

Preparation for Close-out

Mar 14 Friday Senate Finance 532 11:15 AM

Close-out

UNIVERSITY OF ALASKA

Mar 11 Tuesday Beltz 105 (tsbldg) 7:30 AM

+ Close-out

Streamed live on AKL.TV

JOINT COMMITTEES

LEGISLATIVE COUNCIL

Mar 13 Thursday House Finance 519 11:30 AM

-- Teleconference <Invitation Only> -- Ratification of Charitable Events

Contract Approvals

OTHER MEETINGS

JOINT SESSION

Apr 11 Friday House Chamber 11:00 AM

Confirmation of Governor's Appointees