

**SENATE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-SEVENTH LEGISLATURE**  
**FIRST SPECIAL SESSION**

**Juneau, Alaska**

**Tuesday**

**May 10, 2011**

**Twenty-third Day**

Pursuant to adjournment the Senate was called to order by President Stevens at 10:02 a.m.

The roll showed sixteen members present. Senators Dyson, French, Kookesh, Meyer were excused from a call of the Senate.

Senator Ellis, Acting Majority Leader, moved and asked unanimous consent that Senator Dyson be excused from a call of the Senate through evening plane time, May 12. Without objection, Senator Dyson was excused.

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

Heavenly Father,

We ask for your assistance as we deliberate today.  
Give us your guidance as we listen and speak on  
matters important to all the people of Alaska. With  
your assistance today, we will be productive and  
successful.

Also, we ask that you watch over us and our friends  
and family while we are busy with the affairs of our  
state. Amen.

Senator Olson led the Senate in the Pledge of Allegiance.

**Certification**

Senator Ellis, Acting Majority Leader, moved and asked unanimous consent that the journal for the twenty-second legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

**Messages from the Governor****SB 61**

Message was read stating the Governor signed the following bill on May 9 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR SENATE BILL NO. 61(STA) "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

Chapter 8, SLA 2011  
Effective Date: May 10, 2011

**SCR 6**

Message dated May 9 was read stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 6  
Authorizing a recess by the Senate for a period of more than three days, those days being March 2, 3, 4, 5, and 6 of 2011.

Legislative Resolve No. 3

**HCR 4**

Message dated May 9 was read stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 4  
Proposing amendments to the Uniform Rules of the Alaska State Legislature providing that the 2010 edition of "Mason's Manual of Legislative Procedure" shall implement the rules; and providing for an effective date for the amendments.

Legislative Resolve No. 6

**SCR 12**

Message dated May 9 was read stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 12  
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 16, extending senior benefits.

Legislative Resolve No. 18

**SCR 13**

Message dated May 9 was read stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 13  
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 119, relating to the procurement of supplies, services, professional services, and construction for the Alaska Industrial Development and Export Authority; relating to the definition of "own" for the economic development account; relating to the definitions of "development project," "plant," "facility," and "project" for the Alaska Industrial Development and Export Authority; and relating to the Alaska Industrial Development and Export Authority creating subsidiaries regarding projects financed under AS 44.88.172.

Legislative Resolve No. 21

**Unfinished Business****Special Order of Business**

Senator Ellis, Acting Majority Leader, moved and asked unanimous consent that the following Citation Calendar be made a special order of business. Without objection, it was so ordered.

**Citation Calendar**

Honoring - Philip Brower and Tim Adams, Small Business Persons of the Year

Representative(s) Olson

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

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

**Recess**

Senator Ellis, Acting Majority Leader, moved and asked unanimous consent that the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 10:08 a.m.

**After Recess**

The Senate reconvened at 5:59 p.m.

Senator Ellis, Acting Majority Leader, moved and asked unanimous consent to return to Standing Committee Reports. Without objection, the Senate returned to:

**Standing Committee Reports****SB 46**

The Finance Committee considered SENATE BILL NO. 46 "An Act making and amending appropriations, including capital appropriations and other appropriations; making appropriations to capitalize funds; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 46(FIN) "An Act making and amending appropriations, including capital appropriations, savings deposits in the form of appropriations to the statutory budget reserve fund, and other appropriations; making appropriations to capitalize funds; and providing for an effective date."

Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Thomas, Egan, McGuire, Olson, Ellis.

The bill is on today's First Supplemental Calendar.

Senator Ellis, Acting Majority Leader, moved and asked unanimous consent for the adoption of the First Supplemental Calendar. Without objection, the First Supplemental Calendar was adopted.

**Consideration of the First Supplemental Calendar****Second Reading of Senate Bills****SB 46**

SENATE BILL NO. 46 "An Act making and amending appropriations, including capital appropriations and other appropriations; making appropriations to capitalize funds; 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 1081. Without objection, CS FOR SENATE BILL NO. 46(FIN) "An Act making and amending appropriations, including capital

appropriations, savings deposits in the form of appropriations to the statutory budget reserve fund, and other appropriations; making appropriations to capitalize funds; and providing for an effective date" was adopted.

Senator Giessel offered Amendment No. 1:

Page 131, following line 26:

Insert a new bill section to read:

"\* **Sec. 22.** DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT. Section 13(g), CCS HB 108, Twenty-Seventh Alaska State Legislature, is amended to read:

(g) **The sum of \$16,000,000** [AN AMOUNT NOT TO EXCEED \$9,000,000] is appropriated from the general fund to the Department of Commerce, Community, and Economic Development for **the planning and execution of a destination tourism marketing campaign** [CONTRACTS WITH A QUALIFIED TRADE ASSOCIATION FOR TOURISM MARKETING ACTIVITIES, FOR THE FISCAL YEAR ENDING JUNE 30, 2012, DETERMINED BY THE MATCHING REQUIREMENTS OF AS 44.33.125(a), AND SUBJECT TO THE FOLLOWING:

(1) \$3,045,400 OF THE APPROPRIATION MADE IN THIS SUBSECTION IS FOR THE PURPOSE OF MATCHING INDUSTRY CONTRIBUTIONS COLLECTED FOR THE FISCAL YEAR ENDING JUNE 30, 2010;

(2) \$5,954,600 OF THE APPROPRIATION MADE IN THIS SUBSECTION IS FOR THE PURPOSE OF MATCHING INDUSTRY CONTRIBUTIONS COLLECTED] for the fiscal year ending June 30, 2012."

Renumber the following bill sections accordingly.

Page 145, line 25:

Delete "sec. 24(c) - (f)"

Insert "sec. 25(c) - (f)"

Page 145, line 30:

Delete "sec. 48(a)"

Insert "sec. 49(a)"

Page 145, line 31:

Delete "sec. 48(a)"

Insert "sec. 49(a)"

Page 146, line 8:

Delete "47"

Insert "48"

Page 146, lines 9 - 10:

Delete "24, 27(a), 28(c), 28(e), 28(g), 29, 31, 32(c), 33(b), 33(c), 34(c), 34(d), 39(c), 39(d), 43, and 44"

Insert "25, 28(a), 29(c), 29(e), 29(g), 30, 32, 33(c), 34(b), 34(c), 35(c), 35(d), 40(c), 40(d), 44, and 45"

Page 146, line 16:

Delete "sec. 23"

Insert "sec. 24"

Page 146, line 17:

Delete "Section 44"

Insert "Section 45"

Page 146, lines 18 - 19:

Delete "25, 26(b), 28(a), 32(a), 32(b), 32(g), 35, 36(b), 37, 39(a), 40 - 46, and 51"

Insert "26, 27(b), 29(a), 33(a), 33(b), 33(g), 36, 37(b), 38, 40(a), 41 - 47, and 52"

Page 146, lines 20 - 21:

Delete "24, 26(a), 27, 28(b) - (g), 29 - 31, 32(c) - (f), 33, 34, 36(a), 38, 39(b) - (d), 47(a), 48(b), and 48(c)"

Insert "25, 27(a), 28, 29(b) - (g), 30 - 32, 33(c) - (f), 34, 35, 37(a), 39, 40(b) - (d), 48(a), 49(b), and 49(c)"

Page 146, line 22:

Delete "secs. 52 and 53"

Insert "secs. 53 and 54"

Senator Giessel 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:

CSSB 46(FIN)  
Second Reading  
Amendment No. 1

**YEAS: 3 NAYS: 13 EXCUSED: 4 ABSENT: 0**

Yeas: Coghill, Giessel, Huggins

Nays: Davis, Egan, Ellis, Hoffman, McGuire, Menard, Olson, Paskvan, Stedman, Stevens, Thomas, Wagoner, Wielechowski

Excused: Dyson, French, Kookesh, Meyer

and so, Amendment No. 1 failed.

Senator Huggins offered Amendment No. 2:

Page 130, following line 7:

Insert a new subsection to read:

"(d) The sum of \$200,000,000 is appropriated from receipts of the Alaska Housing Capital Corporation created under AS 18.56.086 to an in-state gas pipeline fund created in AS 18.56 by the Twenty-Seventh Alaska State Legislature."

Page 130, following line 17:

Insert a new subsection to read:

"(e) The sum of \$200,000,000 is appropriated from the general fund to the Alaska Housing Capital Corporation account."

Page 146, line 7, following "19(c),":

Insert "19(e),"

Senator Huggins moved for the adoption of Amendment No. 2.  
Senator Ellis objected.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

CSSB 46(FIN)  
Second Reading  
Amendment No. 2

**YEAS: 3 NAYS: 13 EXCUSED: 4 ABSENT: 0**

Yeas: Coghill, Giessel, Huggins

Nays: Davis, Egan, Ellis, Hoffman, McGuire, Menard, Olson,  
Paskvan, Stedman, Stevens, Thomas, Wagoner, Wielechowski

Excused: Dyson, French, Kookesh, Meyer

and so, Amendment No. 2 failed.

Senator Coghill offered Amendment No. 3:

Page 145, lines 19 - 22:

Delete all material and insert:  
"**\* Sec. 48. CONTINGENCIES.**"

Reletter the following subsections accordingly.

Page 145, line 29, through page 146, line 6:

Delete all material.

Renumber the following bill sections accordingly.

Page 146, line 19:

Delete "51"  
Insert "50"

Page 146, line 21:

Delete "48(b), and 48(c)"  
Insert "and 48"

Page 146, line 22:

Delete "secs. 52 and 53"  
Insert "secs. 51 and 52"

Senator Coghill moved for the adoption of Amendment No. 3. Senator Ellis objected.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

CSSB 46(FIN)  
Second Reading  
Amendment No. 3

**YEAS: 3 NAYS: 13 EXCUSED: 4 ABSENT: 0**

Yeas: Coghill, Giessel, Huggins

Nays: Davis, Egan, Ellis, Hoffman, McGuire, Menard, Olson, Paskvan, Stedman, Stevens, Thomas, Wagoner, Wielechowski

Excused: Dyson, French, Kookesh, Meyer

and so, Amendment No. 3 failed.

Senator Ellis, Acting Majority Leader, 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. 46(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 46(FIN) "An Act making and amending appropriations, including capital appropriations, savings deposits in the form of appropriations to the statutory budget reserve fund, and other appropriations; making appropriations to capitalize funds; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 46(FIN)  
Third Reading - Final Passage

**YEAS: 13 NAYS: 3 EXCUSED: 4 ABSENT: 0**

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

Nays: Coghill, Giessel, Huggins

Excused: Dyson, French, Kookesh, Meyer

and so, CS FOR SENATE BILL NO. 46(FIN) passed the Senate.

Senator Ellis, Acting Majority Leader, 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:

CSSB 46(FIN)

Effective Date Clauses?

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

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

Excused: Dyson, French, Kookesh, Meyer

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

### **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 46**

CS FOR SENATE BILL NO. 46(FIN) "An Act making and amending appropriations, including capital appropriations, savings deposits in the form of appropriations to the statutory budget reserve fund, and other appropriations; making appropriations to capitalize funds; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**Adjournment**

Senator Ellis, Acting Majority Leader, moved and asked unanimous consent that the Senate stand in adjournment until 1:00 p.m., May 11, 2011. Without objection, the Senate adjourned at 7:27 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

**FINANCE**

**May 10      Tuesday                      Senate Finance 532              1:00 PM**

+              Bills Previously Heard/Scheduled

+ = HB 106 COASTAL MANAGEMENT PROGRAM

= SB 46 BUDGET: CAPITAL

**May 11      Wednesday                      Senate Finance 532              9:00 AM**

+              Bills Previously Heard/Scheduled

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**JOINT COMMITTEES****ALASKA NORTHERN WATERS TASK FORCE**

**May 17      Tuesday                                      Bethel              9:00 AM**

+              -- Meeting Postponed to October --

+              Hearing in Bethel on Coastal Erosion and Flooding

+              Location:

+              Yukon Kuskokwim Health Corporation Boardroom

**May 18      Wednesday                      Anch Lio Conf Rm              9:00 AM**

+              -- Meeting Postponed to October --

+              Hearings in Anchorage:

+              Current Research on the Arctic Ocean

**Jul 07      Thursday                                      Kotzebue              Time TBA**

+              Location: Kotzebue Heritage Center

**JOINT COMMITTEES (continued)**

**ALASKA NORTHERN WATERS TASK FORCE (continued)**

<b>Jul 08</b>	<b>Friday</b>	<b>Nome</b>	<b>Time TBA</b>
+	Location: Nome City Chambers		

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**LEGISLATIVE COUNCIL**

<b>May 12</b>	<b>Thursday</b>	<b>House Finance 519</b>	<b>5:00 PM</b>
+	Sanctioning of a Charitable Event: -Midnight Sun Charity Shoot & Banquet -19th Annual Coal Classic Golf Tournament -2011 Copper River Nouveau IT Subcommittee Report Approvals: -2011 Hardware Refresh -Mobile Device Policy -Legislature Three Year Technology Plan Update -Microsoft Office Upgrades & Email Storage Upgrade ITB 536 - Thomas Stewart Building Door Closers Approval Discovery Preschool LLC Renewal & Report Anchorage Office Space - ACDA Proposal		