

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Friday

January 20, 2012

Fourth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:01 a.m.

The roll showed twenty members present.

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

With deepest respect for the religious traditions of all Alaskans, I offer this prayer:

O God the Creator of the heavens above and the earth beneath, we commend to your Fatherly care all the peoples of this earth, our neighbors near and far; and especially the people of this state and nation. Into this body you have called the people of many tongues and traditions. Some whose cultures are rooted in a relation to this land millennia old, and some who have made this their adopted home. Unite them, we pray in a common vision of the future of this Great Land, where upon every house the same blessings rest, the same opportunities abound, and the same responsibility is shared.

Protect with thy heavenly grace all those who serve in the armed forces of our country and keep us ever striving for creative and honorable solutions which

limit the need for their sacrifice. We give thanks again for the valor and dedication of the men and women who sail the Healy and the Renda; and pray their safety as they make their way home. We pray for those bound in the chains of addiction, we pray for the chronically ill, for our elders in private and public housing, for those who give care, and those who seek a cure. And we pray for our young people growing up in an unsteady and confusing world. Strengthen them when they stand, comfort them when discouraged or sorrowful; raise them up if they fall, and in their hearts may your peace which passes understanding abide all the days of their life. Amen.

Senator Davis led the Senate in the Pledge of Allegiance.

Certification

Senator Meyer moved and asked unanimous consent that the journals for the second and third legislative days and Senate and House Joint Journal Supplement No. 9 be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the House

Message dated January 18 was read stating:

The House of Representatives respectfully invites the Senate to a Joint Session of the Twenty-seventh Alaska Legislature at 10:00 a.m. on Thursday, February 23 for the purpose of hearing U.S. Senator Murkowski's annual message to the Legislature.

Senator Meyer 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.

Message dated January 18 was read stating:

The House of Representatives respectfully invites the Senate to a Joint Session of the Twenty-seventh Alaska Legislature at 11:00 a.m. on Wednesday, February 29 for the purpose of hearing Chief Justice Walter Carpeneti's annual State of the Judiciary message.

Senator Meyer 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 report is on file in the Office of the Secretary of the Senate and will be published in House and Senate Joint Journal Supplement No. 10:

Local Boundary Commission Statement of Decision, City of Gustavus' Annexation
from Lynn Chrystal, Chair, Local Boundary Commission, Department of Commerce, Community and Economic Development
in accordance with art. X, sec. 12, Alaska Constitution

President Stevens referred the Statement of Decision to the Community and Regional Affairs Committee.

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

Alaska Municipal Bond Bank Authority 2011 Annual Report
from Mark Pfeffer, Chairperson
in accordance with AS 44.85.100

Knik Arm Bridge and Toll Authority 2011 Annual Report
From Andrew J. Niemiec, Executive Director and Michael L. Foster, Chairman of the Board
in accordance with AS 19.75

Investment Earnings Report for the Alaska Marine Highway System Fund and the Alaska Marine Highway System Vessel Replacement Fund

from Bryan Butcher, Commissioner, Department of Revenue
in accordance with AS 19.65.070(c) and AS 37.05.550(c)

Alaska Industrial Development and Export Authority Annual Review of Assets

from Ted Leonard, Executive Director
in accordance with AS 44.88.205

Report of the Joint Armed Services Committee dated January 16, 2012
from Senator Bill Wielechowski and Representative Dan Saddler,
Cochairs

in accordance with Chapter 6, SLA 99

Report to the Legislature: Susitna-Watana Hydroelectric Project
from Sara Fisher-Goad, Executive Director, Alaska Energy Authority
in accordance with AS 44.83.085

Proposal to Reduce the Statutory Timeline for Tariff Filings that
Changes a Utility's Revenue Requirement or Rate Design, A Report to
the Legislature by the Regulatory Commission of Alaska
dated January 16, 2012

from T.W. Patch, Chairman
in accordance with Chapter 2, FSSLA 11

The following Budget and Audit Reports were received from Kris
Curtis, Acting Legislative Auditor, in accordance with AS 24.20.311
and are on file in the Office of the Secretary of the Senate:

Division of Legislative Audit 2011 Unabridged Annual Report and
Condensed 2011 Annual Report

Standing Committee Reports

SB 104

The Judiciary Committee considered SENATE BILL NO. 104 "An Act relating to manufactured homes, including manufactured homes permanently affixed to land, to the conversion of manufactured homes to real property, to the severance of manufactured homes from real

property, to the titling, conveyance, and encumbrance of manufactured homes, and to manufacturers' certificates of origin for vehicles; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 104(JUD)

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

The following fiscal information was published today:

Fiscal Note No. 2, zero, Department of Administration

The bill was referred to the Rules Committee.

Introduction and Reference of Senate Resolutions

SJR 12

SENATE JOINT RESOLUTION NO. 12 BY THE SENATE
FINANCE COMMITTEE,

Proposing amendments to the Constitution of the State of Alaska relating to and limiting appropriations from the Alaska permanent fund based on a percentage of an average of market values of the fund to protect the fund from inflation and ensure that the real value of the fund will be preserved over the long term.

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

Introduction and Reference of Senate Bills

SB 169

SENATE BILL NO. 169 BY THE SENATE EDUCATION
COMMITTEE, entitled:

"An Act providing for education funding for distance delivery courses offered by a school district."

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

SB 170

SENATE BILL NO. 170 BY SENATOR THOMAS, entitled:

"An Act requiring vocational education counseling in public schools."

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

SB 171

SENATE BILL NO. 171 BY THE SENATE EDUCATION COMMITTEE, entitled:

"An Act increasing the base student allocation used for public school funding; and providing for an effective date."

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

SB 172

SENATE BILL NO. 172 BY SENATORS DYSON, Davis, Coghill, McGuire, Olson, entitled:

"An Act relating to health care decisions, including do not resuscitate orders."

was read the first time and referred to the Health and Social Services and Judiciary Committees.

Consideration of the Calendar**Citations**

Honoring - Alaska Power Association, Inc.

Representative(s) Millett

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

Senator Meyer 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

SB 151

Senators Hoffman, Dyson, Menard, Paskvan, Egan, Davis, Ellis, McGuire moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 151 "An Act relating to mitigation at sentencing in a criminal case for a defendant found by the court to have been affected by a fetal alcohol spectrum disorder." Without objection, it was so ordered.

HB 80

Senator Meyer, Majority Leader, moved and asked unanimous consent that President Stevens be shown as a cross sponsor on HOUSE BILL NO. 80 "An Act relating to self defense in any place where a person has a right to be." Without objection, Senator Stevens was shown as a cross sponsor on the bill.

Senators Stedman, Coghil, Olson, Wagoner, Wielechowski moved and asked unanimous consent to be shown as cross sponsors on HOUSE BILL NO. 80 "An Act relating to self defense in any place where a person has a right to be." Without objection, it was so ordered.

SB 150

Senators Ellis, Meyer, Menard moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 150 "An Act relating to applying military education, training, and service credit to occupational licensing and certain postsecondary education and employment training requirements; and providing for a temporary occupational license for qualified military service members." Without objection, it was so ordered.

SB 30

Senator McGuire moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 30 "An Act providing for the release of certain property in the custody of a law enforcement agency to the owner under certain conditions." Without objection, it was so ordered.

SB 53

Senator McGuire moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 53 "An Act reestablishing the Alaska Commission on the Status of Women; and relating to the purpose and powers of the Alaska Human Relations Commission." Without objection, it was so ordered.

Senator Kookesh moved and asked unanimous consent to be excused from a call of the Senate on January 23. Without objection, Senator Kookesh was excused.

Senator French moved and asked unanimous consent to be excused from a call of the Senate on January 23, to morning plane time. Without objection, Senator French was excused.

Senator Giessel moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 17 through evening plane time, February 20 and from afternoon plane time, February 10 through morning plane time, February 13. Without objection, Senator Giessel was excused.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Meyer moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., January 23, 2012. Without objection, the Senate adjourned at 11:45 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

Jan 24 Tuesday Beltz 105 (tsbldg) 3:30 PM
 + SB 154 NATURAL GAS CONVERSION PROGRAM/FUND
 + SB 122 REAL ESTATE TRANSFER FEES/TITLE PLANTS

Jan 26 Thursday Beltz 105 (tsbldg) 3:30 PM
 No Meeting Scheduled

EDUCATION

Jan 23 Monday Beltz 105 (tsbldg) 8:00 AM
 + SB 137 SUICIDE AWARENESS & PREVENTION TRAINING

Jan 25 Wednesday Barnes 124 8:00 AM
 + Joint w/ House Education
 Alaska Early Childhood Coordinating Council
 Presentation

Jan 27 Friday Beltz 105 (tsbldg) 8:00 AM
 + SB 139 INCREASE BASE STUDENT ALLOCATION
 + SB 171 INCREASE BASE STUDENT ALLOCATION
 + Bills Previously Heard/Scheduled

FINANCE

Jan 20	Friday	Senate Finance 532	9:00 AM
+ SB 51	STATE VENDING LICENSES		
+ SB 53	COMMISSION ON THE STATUS OF WOMEN		
+ SB 103	WORKERS' COMPENSATION FOR FIREFIGHTERS		
+ SB 68	COMMERCIAL FISHING & AGRICULTURE BANK		
+ SB 30	RETURN OF SEIZED PROPERTY		
+	Bills Previously Heard/Scheduled		
Jan 23	Monday	Senate Finance 532	9:00 AM
+	FY 13 Budget Overview and Fiscal Summary		
	Office of Management and Budget		
	Director Karen Rehfeld		
+	Bills Previously Heard/Scheduled		
Jan 24	Tuesday	Senate Finance 532	9:00 AM
+	FY 13 Budget Overview and Fiscal Summary		
	Legislative Finance Division Director		
	David Teal		
+	Bills Previously Heard/Scheduled		
Jan 25	Wednesday	Senate Finance 532	9:00 AM
+ SB 39	U.S. PRESIDENTIAL ELECTION COMPACT		
+ HB 121	LOAN FUNDS:CHARTERS/MARICULTURE/MICROLOAN		
+	Bills Previously Heard/Scheduled		
Jan 26	Thursday	Senate Finance 532	9:00 AM
+	Bills Previously Heard/Scheduled		
Jan 27	Friday	Senate Finance 532	9:00 AM
+ SB 167	SEPARATE OIL & GAS PROD. TAX/ DEDUCTIONS		
+	Bills Previously Heard/Scheduled		

HEALTH & SOCIAL SERVICES

Jan 23	Monday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

HEALTH & SOCIAL SERVICES (continued)

Jan 25	Wednesday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

Jan 27	Friday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

JUDICIARY

Jan 20	Friday	Beltz 105 (tsbldg)	1:30 PM
	No Meeting Scheduled		

Jan 24 +	Tuesday 10:30 a.m. to 5:00 p.m. Crime Summit -- Testimony <Invitation Only> -- Annie Pennucci, Senior Research Associate, Washington Institute for Public Policy Karen Loeffler, United States Attorney, District of Alaska Rick Svobodny, Acting Attorney General, Department of Law Adrienne Bachman, District Attorney, 3rd Judicial District Cynthia Franklin, Municipal Criminal Prosecutor, Municipality of Anchorage Commissioner Joe Masters, Department of Public Safety Colonel Keith Mallard, Director, Alaska State Troopers Chief Greg Browning, Alaska Association of Chiefs of Police Chief Mark Mew, Anchorage Police Department Sgt. Lance Ketterling, Palmer Police Department Dennis Johnson, Program Director, Alaska Pretrial Services	Butrovich 205	10:30 AM
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JUDICIARY (continued)

Jan 25 Wednesday Butrovich 205 8:30 AM

+

8:30 a.m. to 3:00 p.m.

Crime Summit

-- Testimony <Invitation Only> --

Nancy Haag, Executive Director, Standing Together
Against Rape (STAR)

Nancy Meade, General Counsel, Alaska Court System

Diane Schenker, Project Coordinator, Fairbanks

Electronic Bail Conditions Project

Helen Sharratt, Integrated Justice Coordinator

Quinlan Steiner, Director, Public Defender Agency

Richard Allen, Director, Office of Public Advocacy

Walt Monegan, President/CEO, Alaska Native

Justice Center

Jake Metcalfe, Executive Director, Public Safety

Employee Association (PSEA)

Commissioner Joe Schmidt, Dept. of Corrections

Deputy Commissioner Carmen Gutierrez, Dept. of
Corrections

Deputy Commissioner Sam Edwards, Dept. of
Corrections

Andre Rosay, Director, University of Alaska

Anchorage Justice Center

Jeff Jesse, CEO, Alaska Mental Health Trust

Authority

Janet McCabe, Chair, Partners for Progress

Barbara Henjum, Director, Division of Juvenile
Justice

Dean Williams, Superintendent, McLaughlin Youth
Center

Jan 27 Friday Beltz 105 (tsbldg) 1:30 PM

+

SB 135 CONTINUANCES IN CRIMINAL TRIALS; VICTIMS

+

SB 140 CATHINONE BATH SALTS

+

Bills Previously Heard/Scheduled

LABOR & COMMERCE

Jan 23 Monday House Finance 519 4:00 PM

-- Please Note Time & Location Change --
 + Joint Meeting with House L&C
 Update: Regulatory Commission of Alaska by
 T.W. Patch, Chairman

Jan 24 Tuesday Beltz 105 (tsbldg) 1:30 PM

+ Presentation: Jim Calvin, McDowell Group, Oil and
 Gas Industry Employment on Alaska's North Slope
 + SB 156 ALASKA RAILROAD LAND LEASES
 + HB 146 LAND TRANSFER FROM STATE AND ALASKA RR
 + Bills Previously Heard/Scheduled

Jan 26 Thursday Beltz 105 (tsbldg) 1:30 PM

+ SB 157 CANCEL INSUR. ON CERTAIN VACANT PROPERTY
 + SB 158 REAL ESTATE SALES LICENSEES
 + Bills Previously Heard/Scheduled

RESOURCES

Jan 20 Friday Butrovich 205 3:30 PM

No Meeting Scheduled

Jan 23 Monday Butrovich 205 3:30 PM

+ SB 13 WAIVE PARK FEE FOR DISABLED VETERANS
 + SB 24 SPORT FISHING GUIDING SERVICES

Jan 25 Wednesday Butrovich 205 3:30 PM

+ Bills Previously Heard/Scheduled
 + SB 13 WAIVE PARK FEE FOR DISABLED VETERANS
 + SB 24 SPORT FISHING GUIDING SERVICES
 Presentation by Commissioner Dan Sullivan,
 Department of Natural Resources

Jan 27 Friday Butrovich 205 3:30 PM

No Meeting Scheduled

STATE AFFAIRS

Jan 24 Tuesday Butrovich 205 9:00 AM
 + SJR 10 CONT. AM.: BUDGET RESERVE FUND
 + SB 130 ALASKA NATIVE LANGUAGE COUNCIL
 + SB 150 MILITARY TRAINING CREDIT
 + SB 136 INCOME TAX CREDIT FOR EMPLOYING A VETERAN
 Bills Previously Heard/Scheduled

Jan 26 Thursday Butrovich 205 9:00 AM
 += SB 121 TEACHERS & PUB EMPLOYEE RETIREMENT PLANS
 += SB 136 INCOME TAX CREDIT FOR EMPLOYING A VETERAN
 Bills Previously Heard/Scheduled

TRANSPORTATION

Jan 24 Tuesday Butrovich 205 1:00 PM
 No Meeting Scheduled

Jan 26 Thursday Butrovich 205 1:00 PM
 No Meeting Scheduled

JOINT COMMITTEES**LEGISLATIVE BUDGET & AUDIT**

Jan 23 Monday House Finance 519 8:00 AM
 Audit Requests
 Other Committee Business

Feb 27 Monday House Finance 519 8:00 AM
 Audits - Executive Session
 Other Committee Business

Mar 28 Wednesday House Finance 519 8:00 AM
 Audits - Executive Session
 Other Committee Business

SELECT COMMITTEE ON LEGISLATIVE ETHICS

Jan 20	Friday	Butrovich 205	8:30 AM
	-- MEETING CANCELED --		
+	FULL COMMITTEE: Open Session		
	Public Comment		
	Chair/Staff Report		
	Budget		
	Advisory Opinion 11-04		
	Define Participation in a Sanctioned Charity		
	Event, AS 24.60.080(a)(2)(B)		
	Advisory Opinion 12-01 requested by Sen. Stedman		
	Travel to Event in a City in New Legis. District		
	2012 Legislation Update		
	Advisory Opinion 11-05 (Executive Session)		
	Public Session		
	Other Business		
	1 - 2:30 SENATE SUBCOMMITTEE (Executive Session)		
	Public Comment		
	Executive Session		

OTHER MEETINGS**JOINT SESSION**

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

MISCELLANEOUS MEETING

- | | | | |
|---------------|---|---------------------------|-----------------|
| Jan 25 | Wednesday | Beltz 105 (tsbldg) | 10:00 AM |
| | Alaska Land Mobile Radio Network
30 Minute Presentation on ALMR's Current Status
Sponsored by the Dept. of Administration
All Senators and staff are invited to attend. | | |
| Jan 30 | Monday | Capitol 106 | 5:00 PM |
| | Continued Discussion of Taku River Fisheries -
Continuation of Question and Answer Period with
Dept. of Environmental Conservation & Dept. of
Fish and Game
Sponsored by the Juneau legislative delegation:
Sen. Egan and Reps. Kerttula and Munoz | | |
| Jan 31 | Tuesday | Capitol 106 | 5:00 PM |
| | Continued Discussion of Taku River Fisheries -
Discussion of Final Report
Sponsored by the Juneau legislative delegation:
Sen. Egan and Reps. Kerttula and Munoz | | |
| Feb 13 | Monday | Senate Finance 532 | 1:00 PM |
| | School District Legislative Fly-In
Informal Q&A Session Regarding Alaska's Public
School System | | |