

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Monday

February 6, 2012

Twenty-first Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:00 a.m.

The roll showed nineteen members present. Senator McGuire was absent.

Senator Meyer 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, Father Simeon B. Johnson of St. Nicholas Russian Orthodox Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Elder Paisios of Mount Athos (1924-1994) once taught that there are two kinds of people in the world: flies and honeybees. The honeybee, he said, can be placed in a dump and surrounded by filth, but when you ask him about his surroundings, he will describe the beautiful flower growing, and not the trash it is surrounded by. A fly, however, can be placed in a beautiful field of wildflowers. When you ask the fly about his surroundings, he does not see the beauty, but only the "present" that the dog left in that field.

In our world, especially in a legislative body, it is easy for us to fall into the trap of being like the fly: overlooking the beauty in our colleagues, and our American process. I ask all of you to remember to be honeybees throughout this session and all your lives.

O Lord our God, who created all things, we ask you to come and bless this Senate. Help them with wisdom and understanding as they do the work of the people. Keep them safe, and grant them the strength to remain "honeybees" as the committee meetings and the debates get difficult and contentious. Amen.

Senator Huggins led the Senate in the Pledge of Allegiance.

Certification

Senator Meyer moved and asked unanimous consent that the journals for the eighteenth through twentieth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the House

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

First Reading and Reference of House Resolutions

HCR 20

HOUSE CONCURRENT RESOLUTION NO. 20 BY
REPRESENTATIVES P.WILSON, Herron, Kawasaki, Pruitt,
Holmes,

Designating February 2012 as American Heart
Month.

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

Standing Committee Reports**SB 13**

A Finance Committee memo dated February 6 was received correcting the February 3 committee report (page 1383) as follows:

Remove Fiscal Note No. 1, Department of Natural Resources

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

The bill is in the Rules Committee.

**Introduction and Reference of
Senate Resolutions****SJR 17**

SENATE JOINT RESOLUTION NO. 17 BY SENATOR MCGUIRE,

Welcoming the Arctic Council Task Force for Arctic Marine Oil Pollution Preparedness and Response to the state for its March 2012 meeting and urging the task force to use its time in the state to inform and inspire the work of the task force.

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

SCR 22

SENATE CONCURRENT RESOLUTION NO. 22 BY THE SENATE FINANCE COMMITTEE BY REQUEST OF THE ALASKA NORTHERN WATERS TASK FORCE,

Establishing and relating to the Alaska Arctic Policy Commission.

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

Introduction and Reference of Senate Bills**SB 189**

SENATE BILL NO. 189 BY SENATOR ELLIS, entitled:

"An Act relating to the membership of the Alaska Fire Standards Council."

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

Consideration of the Calendar**Citations**

Honoring - Linda Lockhart

Representative(s) Neuman, Stoltze

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

Honoring - Sergeant Jacob Wilder

Representative(s) Seaton

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

Honoring - Bob Moss

Representative(s) Seaton

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

In Memoriam - Ruth Spicer Brechan

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

Representative(s) Austerman

In Memoriam - Dennis Knagin

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

Representative(s) Austerman

In Memoriam - Charles Anderson, Jr.

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

In Memoriam - Carl Christiansen

Representative(s) Seaton

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

In Memoriam - Jay Roger Graham

Representative(s) Seaton

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

In Memoriam - Douglas Schwiesow

Representative(s) Seaton

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

In Memoriam - Elizabeth Claire Chapple

Representative(s) Seaton

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

In Memoriam - Laura Lou Todd

Representative(s) Seaton

Senator(s) Stevens, Coghill, Davis, Dyson, Egan, Ellis, 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

Senator Kookesh moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, February 15 through evening plane time, February 17. Without objection, Senator Kookesh was excused.

Senator Olson moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, February 15 through plane time, February 16. Without objection, Senator Olson was excused.

SB 74

Senator Thomas moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 74 "An Act requiring insurance coverage for autism spectrum disorders, describing the method for establishing a covered treatment plan for those disorders, and defining the covered treatment for those disorders; and providing for an effective date." Without objection, it was so ordered.

SB 144

Senator Thomas moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 144 "An Act temporarily reinstating the child and adult immunization program in the Department of Health and Social Services; and providing for an effective date." Without objection, it was so ordered.

SB 176

Senator Thomas moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 176 "An Act exempting sand and gravel and marketable earth mining operations from the mining license tax; and providing for an effective date." Without objection, it was so ordered.

SJR 14

Senator Thomas moved and asked unanimous consent to be shown as a cosponsor on SENATE JOINT RESOLUTION NO. 14 Urging the United States Department of Defense to protect military bases and military personnel in the state. Without objection, it was so ordered.

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., February 8, 2012. Without objection, the Senate adjourned at 11:34 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

Feb 07	Tuesday	Beltz 105 (tsbldg)	3:30 PM
+	Alaska's Mayor's Forum		
Feb 09	Thursday	Beltz 105 (tsbldg)	3:30 PM
+ SB 148	GAS PIPELINE PROPERTY TAX EXEMPTION Bills Previously Heard/Scheduled		

EDUCATION

Feb 06	Monday	Beltz 105 (tsbldg)	8:00 AM
+ SB 182	PUPIL TRANSPORTATION FUNDING Bills Previously Heard/Scheduled		
Feb 08	Wednesday	Barnes 124	8:00 AM
+	Joint w/ House EDC University of Alaska Board of Regents Report		
Feb 10	Friday	Beltz 105 (tsbldg)	8:00 AM
+ SB 170	VOCATIONAL ED. COUNSELING IN SCHOOLS		
+ SCR 21	UNIFORM RLS:EDUC./HSS STANDING COMMITTEES		
+	Moore Case Settlement Overview		
+	Bills Previously Heard/Scheduled		

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FINANCE

Feb 06	Monday	Senate Finance 532	9:00 AM
+ SB 136	INCOME TAX CREDIT FOR EMPLOYING A VETERAN		
+ SB 158	REAL ESTATE SALES LICENSEES		
+	Bills Previously Heard/Scheduled		
Feb 07	Tuesday	Senate Finance 532	9:00 AM
+	-- MEETING CANCELED --		
+	Bills Previously Heard/Scheduled		
Feb 08	Wednesday	Senate Finance 532	9:00 AM
+ SB 171	INCREASE BASE STUDENT ALLOCATION		
+ SB 187	PENSION RESERVE FUND		
+	Bills Previously Heard/Scheduled		
Feb 09	Thursday	Senate Finance 532	9:00 AM
+	Bills Previously Heard/Scheduled		
Feb 10	Friday	Senate Finance 532	9:00 AM
+	Presentation on Statewide Transportation Economic Indicators: Christopher Aadnesen, President & CEO Alaska Railroad Corporation Steve Hatter, Deputy Commissioner of Aviation, Department of Transportation and Public Facilities		
+	Bills Previously Heard/Scheduled		

HEALTH & SOCIAL SERVICES

Feb 06	Monday	Beltz 105 (tsbldg)	1:30 PM
+	-- Location Change --		
+ SB 134	CHILD SUPPORT AWARDS Presentations: - Citizen Review Panel, Sylvan Robb, M.A. - Office of Children Services, Christy Lawton, Director		
+	Bills Previously Heard/Scheduled		

HEALTH & SOCIAL SERVICES (continued)

Feb 08	Wednesday	Butrovich 205	1:30 PM
	Joint w/ Senate JUD		
+	Alaska Children's Justice Task Force Presentation		
	- Jan Rutherford, Attorney		
	- Dr. Cathy Baldwin-Johnson		
	- Thom Janidlo, Attorney		
	-- Testimony <Invitation Only> --		
	Bills Previously Heard/Scheduled		
Feb 10	Friday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

JUDICIARY

Feb 06	Monday	Butrovich 205	1:00 PM
	Joint w/ House JUD		
+	Coastal Zone Management Initiative		
	- Doug Gardner, Director, Legislative Legal Services Division		
	- Susan Bell, Commissioner, Dept. of CCED		
	- John Boucher, Office of Management & Budget		
	- Bruce Botelho, Mayor, City & Borough of Juneau		
	- Gail Fenumiai, Director, Division of Elections		
	-- Testimony <Invitation Only> --		
Feb 08	Wednesday	Butrovich 205	1:30 PM
	Joint w/ Senate HSS		
+	Alaska Children's Justice Task Force Presentation		
	- Jan Rutherford, Attorney		
	- Dr. Cathy Baldwin-Johnson		
	- Thom Janidlo, Attorney		
	-- Testimony <Invitation Only> --		
Feb 10	Friday	Beltz 105 (tsbldg)	1:30 PM
+=	SB 135	CONTINUANCES IN CRIMINAL TRIALS; VICTIMS	
+=	SB 140	CATHINONE BATH SALTS	
+	SB 186	SENTENCING/PROBATION/MENTALLY ILL	
+		Bills Previously Heard/Scheduled	

LABOR & COMMERCE

Feb 07	Tuesday	Beltz 105 (tsbldg)	1:30 PM
+ SB 146	SNOW CLASSIC		
+ SB 175	PRACTICE OF NATUROPATHY		
+	Bills Previously Heard/Scheduled		
Feb 09	Thursday	Beltz 105 (tsbldg)	1:30 PM
+ SB 125	MOTOR VEHICLE TRANSACTIONS		
+ SB 149	TAX CREDIT FOR DONATIONS TO DOG MUSHING		
+	Bills Previously Heard/Scheduled		

RESOURCES

Feb 06	Monday	Butrovich 205	3:30 PM
+	Overview of the Decision Following Trial De Novo Re: 2007, 2008, and 2009 Assessed Valuations of the Trans Alaska Pipeline (i.e., the Gleason Decision of 12/30/2011) - Presentation by Robin O. Brena, Owner, Brena, Bell & Clarkson, P.C. -- Testimony <Invitation Only> --		
Feb 07	Tuesday	Butrovich 205	3:30 PM
+	Overview of the Decision Following Trial De Novo Re: 2007, 2008, and 2009 Assessed Valuations of the Trans Alaska Pipeline (i.e., the Gleason Decision of 12/30/2011) - Presentation by Robin O. Brena, Owner, Brena, Bell & Clarkson, P.C. -- Testimony <Invitation Only> --		
Feb 08	Wednesday	Butrovich 205	3:30 PM
+	Overview of the Decision Following Trial De Novo Re: 2007, 2008, and 2009 Assessed Valuations of the Trans Alaska Pipeline (i.e., the Gleason Decision of 12/30/2011) - Presentation by Robin O. Brena, Owner, Brena, Bell & Clarkson, P.C. -- Testimony <Invitation Only> --		

RESOURCES (continued)

Feb 09	Thursday	Butrovich 205	3:30 PM
+ SB 153	NATURAL GAS STORAGE TAX CREDIT/REGULATION		
	Bills Previously Heard/Scheduled		
Feb 10	Friday	Butrovich 205	3:30 PM
+ Senate Bill:	PRODUCTION TAX ON OIL AND GAS		
	<Pending Introduction & Referral>		
	-- Testimony <Invitation Only> --		
	Bills Previously Heard/Scheduled		

STATE AFFAIRS

Feb 07	Tuesday	Butrovich 205	9:00 AM
+ SCR 20	DECORATION OF HONOR		
+ SJR 14	MILITARY PERSONNEL CUTS & BASE CLOSURES		
+ SJR 11	NATIONAL WOMEN'S HISTORY MUSEUM		
+ SCR 16	CELIAC DISEASE AWARENESS MONTH		
	Bills Previously Heard/Scheduled		
Feb 09	Thursday	Butrovich 205	9:00 AM
+ SJR 16	MILITARY PENSIONS		
+ SB 179	MISSING VULNERABLE ADULT RESPONSE PLAN		
+ SB 129	CHILD CARE CTRS: STATE EMPLOYEES & OTHERS		
+ SCR 18	RAOUL WALLENBERG REMEMBRANCE DAY		
	Bills Previously Heard/Scheduled		

TRANSPORTATION

Feb 07	Tuesday	Barnes 124	1:30 PM
+ Joint w/ House TRA			
+ - Update by Marc Luiken, Commissioner,			
	Department of Transportation and Public Facilities		
+ - AMHS Status Update by Mike Neussl,			
	Deputy Commissioner		
+ - Surface Transportation Update by Pat Kemp,			
	Deputy Commissioner		
+ - Alaska Mobility Coalition, David Levy,			
	Executive Director		

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TRANSPORTATION (continued)

Feb 09 **Thursday** **Butrovich 205** **1:00 PM**
+ HB 131 COMMUNITY AND TRANSPORTATION ADV. BOARD

FINANCE SUBCOMMITTEES

COURT SYSTEM

Feb 16	Thursday	Fahrenkamp 203	5:00 PM
+	FY 13 Budget Request		
Mar 01	Thursday	Fahrenkamp 203	5:00 PM
+	FY 13 Budget Request		
Mar 15	Thursday	Fahrenkamp 203	5:00 PM
+	Closeout		

EDUCATION & EARLY DEVELOPMENT

Feb 14	Tuesday	Fahrenkamp 203	5:00 PM
+	Overview & FY 13 Request		
Feb 21	Tuesday	Fahrenkamp 203	3:30 PM
+	FY 13 Request Early Learning Programs		
Feb 28	Tuesday	Sen Conf Rm 103 Tsb	3:30 PM
+	FY 13 Request		
Mar 06	Tuesday	Fahrenkamp 203	3:30 PM
+	FY 13 Budget Request		
Mar 13	Tuesday	Fahrenkamp 203	3:30 PM
+	Closeout		

ENVIRONMENTAL CONSERVATION

Feb 21	Tuesday	Fahrenkamp 203	12:00 PM
+	Overview: Dept. of Environmental Conservation FY 2013 Governor Request -- Testimony <Invitation Only> --		
Feb 28	Tuesday	Fahrenkamp 203	12:00 PM
+	Overview: Dept. of Environmental Conservation FY 2013 Governor Request -- Testimony <Invitation Only> --		
Mar 13	Tuesday	Fahrenkamp 203	12:00 PM
+	Closeout -- Testimony <Invitation Only> --		

HEALTH & SOCIAL SERVICES

Feb 13	Monday	Beltz 105 (tsbldg)	3:30 PM
+	Dept. Overview and Status of FY 12 Increments -- Testimony <Invitation Only> --		
Feb 15	Wednesday	Beltz 105 (tsbldg)	3:30 PM
+	Mental Health Trust -- Testimony <Invitation Only> --		
Feb 22	Wednesday	Beltz 105 (tsbldg)	3:30 PM
+	FY 13 Budget Overview, Including Amendments; and FY 12 Supplemental Request -- Testimony <Invitation Only> --		
Feb 27	Monday	Beltz 105 (tsbldg)	3:30 PM
+	Medicaid and the Medicaid Task Force Recommendations and Implementation -- Testimony <Invitation Only> --		
Feb 29	Wednesday	Beltz 105 (tsbldg)	3:30 PM
+	Open Discussion Question and Answer Session -- Testimony <Invitation Only> --		

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MILITARY & VETERANS' AFFAIRS

Feb 16	Thursday	Fahrenkamp 203	12:00 PM
+	Overview: Dept. of Military & Veterans Affairs		
	Governor FY 2013 Request		
	-- Testimony <Invitation Only> --		
Mar 01	Thursday	Fahrenkamp 203	12:00 PM
+	Overview: Alaska Aerospace Corporation		
	-- Testimony <Invitation Only> --		
Mar 15	Thursday	Fahrenkamp 203	12:00 PM
+	Closeout		
	-- Testimony <Invitation Only> --		

JOINT COMMITTEES

ARMED SERVICES COMMITTEE

Feb 14	Tuesday	Senate Finance 532	11:00 AM
+	Briefings from Alaskan Command and Alaska Army		
	National Guard		
	- Lieutenant General Stephen Hoog, Commander,		
	Alaska Command, U.S. Pacific Command; Commander,		
	11th Air Force, Pacific Air Forces; and Commander		
	Alaskan Northern American Aerospace Defense		
	Command Region; Commander, Joint Task Force AK,		
	Joint Base Elmendorf-Richardson, Alaska		
	- Major General Thomas Katkus, Adjutant General,		
	Commissioner of Alaska Department of Military &		
	Veterans Affairs		
	-- Testimony <Invitation Only> --		

LEGISLATIVE BUDGET & AUDIT

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		

LEGISLATIVE COUNCIL

Feb 09	Thursday	House Finance 519	10:30 AM
		Sanctioning of Charitable Events Approval	
		Dare to Care - Hollywood Under the Stars	
		Juneau-Douglas Shrine Club - Annual Dance	
		Big Brothers, Big Sisters - Bowl for Kid's Sake	
		Alaska Youth Choir - A Night in New Orleans	
		Kenai River Sportfishing Association:	
		- Kenai River Classic	
		- Kenai River Jr. Classic	
		- Kenai River Women's Classic	
		Late Travel and Per Diem Claim Approval	
		- Rep. Max Gruenberg and Rep. Kurt Olson	
		Access to Facebook Approval	
		Mat-Su Subordination Agreement Approval	
		FY 11 Legislature Audit	
		FY 13 Legislative Council Budget Request	
		Cutting Edge Snowplowing Amendment Approval	

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	

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MISCELLANEOUS MEETING

Feb 13 Monday Senate Finance 532 1:00 PM
School District Legislative Fly-In
Informal Q&A Session Regarding Alaska's Public
School System

UNIVERSITY BOOSTERS CAUCUS

Feb 28 Tuesday Butrovich 205 3:00 PM
Special Legislative Briefing:
Chancellor Brian Rogers, Univ. of Alaska-Fairbanks
Chancellor Tom Case, Univ. of Alaska-Anchorage
Chancellor John Pugh, Univ. of Alaska-Southeast
Special Guest Dr. Herb Schroeder of ANSEP