

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Monday

March 19, 2012

Sixty-third Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:02 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Archbishop Roger L. Schwietz, of the Roman Catholic Archdiocese of Anchorage. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

We read in the Book of Wisdom: "Resplendent and unfading is Wisdom, and she is readily perceived by those who love her, and found by those who seek her. She hastens to make herself known to those who desire her, one who watches for her at dawn will not be disappointed, for she will be found sitting at the gate."

Let us pray:

As I seek your wisdom, O Saving God, I ask you to protect this State of Alaska in which we live and toil. Inspire, Lord, with constant dedication those who work for its welfare. I commend to your loving care all in this Senate Assembly and their associates. Give the Wisdom that you alone can give to their thoughts and deliberations.

Inspire them, Lord, to find solutions to protect our environment and to improve our human relations, to show compassion for the poor, the homeless, the neglected, and the forsaken children.

Through the work of this body today, may we continue to grow as a society of free people, given to the promotion of human dignity and capable of addressing the challenges of contemporary life. Through the work of this elected assembly, may we prosper as Alaskans in civic harmony and peace.

Yours be the praise and glory, now and for all ages to come.
Amen.

Senator Huggins led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House

SJR 17

Message dated March 16 was read stating the House passed and returned:

SENATE JOINT RESOLUTION NO. 17 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.

The resolution was referred to the Secretary for enrollment.

SB 173

Message dated March 16 was read stating the House passed and returned:

SENATE BILL NO. 173 "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

Message dated March 16 was read stating the House passed and transmitted for consideration:

**First Reading and Reference of
House Resolutions**

HCR 25

CS FOR HOUSE CONCURRENT RESOLUTION NO. 25(FSH) BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES,

Celebrating the 75th anniversary of the Wildlife and Sport Fish Restoration Program.

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

Standing Committee Reports

SB 205

The Resources Committee considered SENATE BILL NO. 205 "An Act establishing the Alaska Chinook research and restoration endowment fund and relating to grants from the fund" and recommended it be replaced with

CS FOR SENATE BILL NO. 205(RES)

Signing do pass: Senators Wagoner, Paskvan, Cochairs; Senators French, Wielechowski, Stevens.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Commerce, Community and Economic Development

Fiscal Note No. 2, Department of Revenue

Fiscal Note No. 3, zero, Department of Administration

Fiscal Note No. 4, zero, Department of Fish and Game

The bill was referred to the Finance Committee.

Consideration of the Calendar

Second Reading of House Bills

HB 307

CS FOR HOUSE BILL NO. 307(FIN) "An Act making supplemental appropriations, capital appropriations, and other appropriations; amending appropriations; repealing appropriations; making appropriations to capitalize funds; and providing for an effective date" was read the second time.

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

CS FOR HOUSE BILL NO. 307(FIN) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 307(FIN) "An Act making supplemental appropriations, capital appropriations, and other appropriations; amending appropriations; repealing appropriations; making appropriations to capitalize funds; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 307(FIN)

Third Reading - Final Passage

Effective Date

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, CS FOR HOUSE BILL NO. 307(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 signed by the President and Secretary and returned to the House.

Citations

Honoring - Indigenous World Film Festival 2012

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

Representative(s) Pruitt

Honoring - Josh Thompson, 2011 Fireman of the Year, Kenai Central Emergency Services

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

Representative(s) Olson

Honoring - 2011 Outstanding School Board of the Year, Kenai Peninsula Borough School District

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

Representative(s) Olson

Honoring - Margaret "Peg" Coleman

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

Representative(s) Seaton

Honoring - Dean Brimley

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

Representative(s) Seaton

Honoring - Respected Elder Chief Ben T. Neeley
Representative(s) Dick
Senator(s) Kookesh, Stevens, Coghill, Davis, Dyson, Egan, Ellis, French, Giessel, Hoffman, Huggins, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

Honoring - Tay and Lowell Thomas, Jr.
Representative(s) Gardner
Senator(s) Ellis, Stevens, Coghill, Davis, Dyson, Egan, French, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

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

In Memoriam - Romer Derr
Representative(s) Munoz, Kerttula, Stoltze
Senator(s) Egan, Huggins, Stevens, Coghill, Davis, Dyson, Ellis, Giessel, Hoffman, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

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

In Memoriam - Wayne Harlan Walters
Representative(s) Dick
Senator(s) Kookesh, Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Huggins, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

In Memoriam - Norman "Buckets" Burgett
Representative(s) Dick
Senator(s) Kookesh, Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Huggins, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

In Memoriam - Dwight Roy Blackburn

Representative(s) Gruenberg

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

In Memoriam - Sanford M. "Sandy" Gibbs

Representative(s) Gruenberg

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

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

Citations

Senator Meyer moved and asked unanimous consent that the following citation be made a special order of business. Without objection, it was so ordered.

Special Order of Business

Honoring - Staff Sgt. Thomas McRae

Representative(s) Munoz, Kerttula

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

EO 116

In accordance with art. III, sec. 23, Constitution of the State of Alaska, and AS 24.08.210, action was not taken on the following Executive Order and it was returned to the Office of the Governor at 11:38 a.m., March 19, 2012:

EXECUTIVE ORDER NO. 116

Transferring certain hearing and appeal functions of the Department of Health and Social Services to the office of administrative hearings in the Department of Administration.

Senator Coghill moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, March 23 through morning plane time, March 26. Without objection, Senator Coghill was excused.

Senator Giessel moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, March 30 through evening plane time, April 1. Without objection, Senator Giessel was excused.

Senator Dyson moved and asked unanimous consent to be excused from a call of the Senate from April 16 through April 24. Without objection, Senator Dyson was excused.

Announcements

Announcements are at the end of the journal.

Enrollment**SJR 17**

SENATE JOINT RESOLUTION NO. 17 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 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 9:32 a.m., March 19, 2012.

Legislative Resolve No. 29

Adjournment

Senator Meyer moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., March 21, 2012. Without objection, the Senate adjourned at 11:30 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

Mar 20	Tuesday	Beltz 105 (tsbldg)	3:30 PM
No Meeting Scheduled			
Mar 22	Thursday	Beltz 105 (tsbldg)	3:30 PM
+	HB 131	COMMUNITY AND TRANSPORTATION ADV. BOARD	
+	SB 225	ESTABLISH ENDOW ALASKA GRANT PROGRAM	
+		Bills Previously Heard/Scheduled	

EDUCATION

Mar 19	Monday	Beltz 105 (tsbldg)	8:00 AM
+	University of Alaska Presentation: President Pat Gamble		
Mar 21	Wednesday	Beltz 105 (tsbldg)	8:00 AM
+	Presentation on the Mayor's Education Summit: Mayor Dan Sullivan		
Mar 23	Friday	Beltz 105 (tsbldg)	8:00 AM
+	Alaska Tech Prep Consortium Presentation		

FINANCE

Mar 19	Monday	Senate Finance 532	9:00 AM
+= SB 192	OIL AND GAS PRODUCTION TAX RATES		
+	Public Testimony		
+	Bills Previously Heard/Scheduled		
Mar 19	Monday	Senate Finance 532	1:00 PM
+= SB 192	OIL AND GAS PRODUCTION TAX RATES		
+	Public Testimony		
+	Bills Previously Heard/Scheduled		
Mar 20	Tuesday	Senate Finance 532	9:00 AM
+	SB 91 SPORT FISHING GUIDING SERVICES		
+	SB 201 OIL AND GAS CORPORATE TAXES		
+	SB 146 SNOW CLASSIC		
+	Bills Previously Heard/Scheduled		
Mar 20	Tuesday	Senate Finance 532	1:00 PM
+	Bills Previously Heard/Scheduled		
Mar 21	Wednesday	Senate Finance 532	9:00 AM
+= SB 192	OIL AND GAS PRODUCTION TAX RATES		
+	Industry Testimony		
+	Bills Previously Heard/Scheduled		
Mar 21	Wednesday	Senate Finance 532	1:00 PM
+	Bills Previously Heard/Scheduled		
Mar 21	Wednesday	Senate Finance 532	5:00 PM
+= SB 160	BUDGET: CAPITAL		
+	Statewide Public Testimony		
+	Bills Previously Heard/Scheduled		
Mar 22	Thursday	Senate Finance 532	9:00 AM
+= SB 192	OIL AND GAS PRODUCTION TAX RATES		
+	Presentation by PFC Energy		
+	Bills Previously Heard/Scheduled		
Mar 22	Thursday	Senate Finance 532	1:00 PM
+= SB 192	OIL AND GAS PRODUCTION TAX RATES		
+	Presentation by PFC Energy		
+	Bills Previously Heard/Scheduled		

FINANCE (continued)

Mar 23 Friday **Senate Finance 532** **9:00 AM**
+= SB 192 OIL AND GAS PRODUCTION TAX RATES
+ Presentation by PFC Energy
+ Bills Previously Heard/Scheduled

Mar 23 Friday **Senate Finance 532** **1:00 PM**
+= SB 192 OIL AND GAS PRODUCTION TAX RATES
+ Presentation by PFC Energy
+ Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

Mar 19 Monday **Butrovich 205** **1:30 PM**
+ Presentation - Alaska Brain Injury Network,
Dr. Heather Macomber, Board Member
Bills Previously Heard/Scheduled
+= SB 5 MEDICAL ASSISTANCE ELIGIBILITY

Mar 21 Wednesday **Butrovich 205** **1:30 PM**
+ SB 118 MEDICAID REIMBURSEMENT FOR FAMILY THERAPY
+= SB 55 MENTAL HEALTH PATIENT RIGHTS & GRIEVANCES
+ SB 221 ALCOHOLIC BEV. TAX/PREVENTION FUND
Bills Previously Heard/Scheduled

Mar 23 Friday **Butrovich 205** **1:30 PM**
No Meeting Scheduled

JUDICIARY

Mar 19 Monday **Beltz 105 (tsbldg)** **1:30 PM**
+ SB 172 CARE DIRECTIVES/DO NOT RESUSCITATE ORDERS
+ SB 198 POLICE OFFICER PROTECTIONS/CERTIFICATION
+ Bills Previously Heard/Scheduled

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JUDICIARY (continued)

Mar 21 Wednesday Beltz 105 (tsbldg) 1:30 PM

+ Board Confirmations
Police Standards Council:
Brad Reich, Kiana; Gustaf Sandahl, Kenai; Sheldon
Schmitt, Sitka; Jamie Sunderland, Unalaska;
Ronald Taylor, Anchorage
Commission on Judicial Conduct:
Robert Sheldon, Anchorage
State Board of Parole:
Michael Stark, Juneau
Violent Crimes Compensation Board:
Dr. Regina Chennault, Anchorage
+ Bills Previously Heard/Scheduled

Mar 23 Friday Beltz 105 (tsbldg) 1:30 PM

+ SJR 19 CONST. AM: REDISTRICTING BOARD
+= SB 180 NATURALLY OCCURRING ASBESTOS IN GRAVEL
+ SB 138 THIRD-PARTY CHARGES ON TELEPHONE BILLS
+ Bills Previously Heard/Scheduled

LABOR & COMMERCE

Mar 20 Tuesday Beltz 105 (tsbldg) 1:30 PM

+ SB 224 EVIDENCE RULES: UNION/EMPLOYEE PRIVILEGE
+ Bills Previously Heard/Scheduled
+= HB 168 INJUNCTION SECURITY: INDUSTRIAL OPERATION

Mar 22 Thursday Beltz 105 (tsbldg) 1:30 PM

+ Bills Previously Heard/Scheduled
+= SB 224 EVIDENCE RULES: UNION/EMPLOYEE PRIVILEGE

RESOURCES

Mar 19 Monday Butrovich 205 3:30 PM

+ SB 215 GASLINE DEV. CORP: IN-STATE GAS PIPELINE
+ HJR 29 BLM LEGACY OIL WELL CLEAN UP
Bills Previously Heard/Scheduled

RESOURCES (continued)

Mar 21	Wednesday	Butrovich 205	3:30 PM
+	Presentation by Buccaneer Alaska - Cook Inlet Activities		
+	Presentation by Furie - Cook Inlet Activities		
	Bills Previously Heard/Scheduled		
Mar 23	Friday	Butrovich 205	3:30 PM
+ SB 209	DEVELOPMENT PLANS FOR OIL & GAS LEASES		
+	Bills Previously Heard/Scheduled		

STATE AFFAIRS

Mar 20	Tuesday	Butrovich 205	9:00 AM
	No Meeting Scheduled		
Mar 22	Thursday	Butrovich 205	9:00 AM
+ SB 132	PROVISIONAL DRIVER'S LICENSE STICKER		
+ HJR 34	COAST GUARD ICEBREAKERS & ARCTIC BASE		
+ HB 129	DECEASED VETERAN DEATH CERTIFICATE		
+ HB 180	VETERAN DESIGNATION ON DRIVER'S LICENSE		
+	Bills Previously Heard/Scheduled		

TRANSPORTATION

Mar 20	Tuesday	Butrovich 205	1:00 PM
HB 246	NAMING CERTAIN BRIDGES		
HB 271	COMMERCIAL MOTOR VEHICLE REQUIREMENTS		
Mar 22	Thursday	Butrovich 205	1:00 PM
	Bills Previously Heard/Scheduled		

FINANCE SUBCOMMITTEES**ADMINISTRATION**

Mar 22	Thursday	Butrovich 205	6:00 PM
	Closeout		

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COMMERCE, COMMUNITY & ECONOMIC DEV

Mar 20 **Tuesday** **Senate Finance 532** **3:00 PM**
Closeout

CORRECTIONS

Mar 20 **Tuesday** **Butrovich 205** **5:00 PM**
Review Rehabilitation and Reentry Program Funding

Mar 22 Thursday Butrovich 205 6:30 PM
Closeout

COURT SYSTEM

Mar 22 **Thursday** **Fahrenkamp 203** **5:00 PM**
+ Closeout

EDUCATION & EARLY DEVELOPMENT

Mar 20 **Tuesday** **Fahrenkamp 203** **3:30 PM**
+ Closeout

ENVIRONMENTAL CONSERVATION

Mar 22 **Thursday** **Fahrenkamp 203** **12:00 PM**
+ Closeout
-- Testimony <Invitation Only> --

FISH & GAME

Mar 20 **Tuesday** **Beltz 105 (tsbldg)** **8:00 AM**
+ FY 13 Budget Closeout
-- Testimony <Invitation Only> --

GOVERNOR

Mar 21 **Wednesday** **Senate Finance 532** **3:00 PM**
Closeout

HEALTH & SOCIAL SERVICES

Mar 20 **Tuesday** **Beltz 105 (tsbldg)** **3:30 PM**
+ FY13 Budget Closeout
-- Testimony <Invitation Only> --

LABOR & WORKFORCE DEVELOPMENT

Mar 22 **Thursday** **Butrovich 205** **3:00 PM**
Departmental Budget Closeout

LAW

Mar 23 **Friday** **Senate Finance 532** **8:00 AM**
Budget Closeout

LEGISLATURE

Mar 21 **Wednesday** **Senate Finance 532** **3:15 PM**
Closeout

MILITARY & VETERANS' AFFAIRS

Mar 22 **Thursday** **Fahrenkamp 203** **11:30 AM**
+ -- Time Change --
 Closeout
-- Testimony <Invitation Only> --

NATURAL RESOURCES

Mar 22 **Thursday** **Butrovich 205** **11:00 AM**
Departmental Budget Closeout

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PUBLIC SAFETY

Mar 22 **Thursday** **Beltz 105 (tsbldg)** **8:00 AM**
+ Budget Close-Out
-- Testimony <Invitation Only> --

REVENUE

Mar 21 **Wednesday** **Senate Finance 532** **8:00 AM**
Budget Closeout

TRANSPORTATION & PUBLIC FACILITIES

Mar 19 **Monday** **Senate Finance 532** **8:00 AM**
-- Revised Schedule --
Budget Detail

Mar 22 **Thursday** **Senate Finance 532** **8:00 AM**
-- Revised Schedule --
Closeout

UNIVERSITY OF ALASKA

Mar 22 **Thursday** **Senate Finance 532** **9:00 AM**
Closeout

JOINT COMMITTEES

ADMINISTRATIVE REGULATION REVIEW

Mar 20 **Tuesday** **Fahrenkamp 203** **1:30 PM**
+ Proposed Changes in 12 AAC 56.115 – Pleasure Craft
Exemptions
-- Testimony <Invitation Only> --
7 AAC 70.110 - Additional Requirements for Providing
Alcohol and Drug Detoxification Services
-- Testimony <Invitation Only> --

LEGISLATIVE BUDGET & AUDIT

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

LEGISLATIVE COUNCIL

Mar 22 Thursday House Finance 519 5:00 PM
Agenda to be Announced

SELECT COMMITTEE ON LEGISLATIVE ETHICS

Mar 22 **Thursday** **Sen Conf Rm 103 Tsb** **8:30 AM**
SENATE SUBCOMMITTEE - 8:30 AM to 10:30 AM
+ Public Comment
 Approval of Minutes
 Executive Session
 Public Session

OTHER MEETINGS

MISCELLANEOUS MEETING

Mar 19 **Monday** **Fahrenkamp 203** **12:00 PM**
Lunch & Learn: Bristol Bay Native Corporation
Presentations by Jason Metrokin, President & CEO and Tiel
Smith, Vice President Land & Regional Operations
Hosted by Sen. Hoffman and Rep. Edgmon

Mar 20	Tuesday	Butrovich 205	12:00 PM
	Lunch and Learn		
	Diversifying Alaska's Economy Through Applied		
	Energy Resources		
	Presentation by Gwen Holdmann, Director		
	Alaska Center for Energy and Power		
	Lunch Provided		
	Event Sponsored by the Senate Resources Committee and the		
	University of Alaska		