

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Tuesday

April 10, 2012

Eighty-fifth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 10:46 a.m.

The roll showed seventeen members present. Senators Huggins, Olson, Stedman were absent.

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

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

Blessed Lord, Creator of Heaven and Earth, we offer you thanks for the gift of life this day, for the gift of our talents, our difficulties, and our friends. We thank you especially for the gift of children, whose trust and dependence upon us brings out the finest of our values.

Help us to provide what we can, and to do what we can to surround them with love; to give them a secure and stable home, protect them from all danger and support them in times of trouble--to feed not only their bodies, but their hopes and dreams.

We remember before you this day all who have served this Senate and this state with time, treasure and talent; and we pray that in the work of this

present day, this House builds upon the best of this foundation, and strives with careful humility to amend what was laid in haste, or upon the prejudices of another age.

Upon this Senate we pray your favor and blessing, upon the staff which support their work we also ask your kindness; and to all the citizens of this state and those who sojourn here, a voice which carries to these halls, and the willing grace to support in word and deed these who represent them. Amen.

Senator Davis led the Senate in the Pledge of Allegiance.

Certification

Senator Meyer moved and asked unanimous consent that the journal for the eighty-fourth legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the House

HB 284

Message dated April 9 was read stating the Speaker granted limited powers of free conference to the House conferees considering:

CS FOR HOUSE BILL NO. 284(FIN) "An Act making appropriations for the operating and loan program expenses of state government and for certain programs, capitalizing funds, amending appropriations, and making reappropriations; and providing for an effective date"

and

SENATE CS FOR CS FOR HOUSE BILL NO. 284(FIN) am S

on the appropriations and language not identical in House and Senate versions of HOUSE BILL NO. 284.

HB 285

Message dated April 9 was read stating the Speaker granted limited powers of free conference to the House conferees considering:

CS FOR HOUSE BILL NO. 285(FIN) "An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date"

and

SENATE CS FOR CS FOR HOUSE BILL NO. 285(FIN)

on the appropriations and language not identical in House and Senate versions of HOUSE BILL NO. 285.

Message dated April 9 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills**HB 190**

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 190(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to allowable absences from the state for purposes of eligibility for permanent fund dividends; and providing for an effective date."

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

HB 290

CS FOR HOUSE BILL NO. 290(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act creating the endow Alaska grant program in the Department of Commerce, Community, and Economic Development to encourage community philanthropy."

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

HB 312

CS FOR HOUSE BILL NO. 312(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act creating a low-interest loan program for homeowners who convert their homes to natural gas-fired, propane-fired, biomass, or electric heating or district heat; and providing for an effective date."

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

HB 358

CS FOR HOUSE BILL NO. 358(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to an advertising campaign in support of opening the Arctic National Wildlife Refuge for development."

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

HB 360

HOUSE BILL NO. 360 BY THE HOUSE STATE AFFAIRS COMMITTEE, entitled:

"An Act enacting the Interstate Mining Compact and relating to the compact; relating to the Interstate Mining Commission; and providing for an effective date."

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

Standing Committee Reports

Report dated April 9 was read stating:

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

Board of Fisheries

Karl Johnstone
Orville Huntington

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: Senators Paskvan, Wagoner, Cochairs; Senators Wielechowski, French.

Report dated April 9 was read stating:

In accordance with AS 39.05.080, the Health and Social Services Committee reviewed the following and recommends the appointment be forwarded to a joint session for consideration:

Board of Certified Direct-Entry Midwives

Deborah Schneider

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 Davis, Chair; Senators Meyer, Egan, Dyson.

SB 206

The State Affairs Committee considered SENATE BILL NO. 206 "An Act enacting the Interstate Mining Compact and relating to the compact; relating to the Interstate Mining Commission; and providing for an effective date." Signing do pass: Senator Wielechowski, Chair; Senators Kookesh, Giessel.

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

The bill was referred to the Finance Committee.

HB 169

The State Affairs Committee considered HOUSE BILL NO. 169 "An Act relating to the review of proposed regulations by the Legislative Affairs Agency; and providing for an effective date." Signing do pass: Senator Wielechowski, Chair; Senators Kookesh, Giessel.

The following fiscal information was published today:
Fiscal Note No. 2, zero, Legislative Agency

The bill was referred to the Judiciary Committee.

HB 204

The State Affairs Committee considered HOUSE BILL NO. 204 "An Act relating to the State Procurement Code, including the use of small procurement provisions for certain amounts of leased space, the requirement of Alaska business license proof for Alaska bidder and other procurement preferences, the registration of construction contract bidders and offerors, the establishment and maintenance of lists of persons who want to provide supplies or services to the state, state agencies, and state instrumentalities, electronic bids and proposals, small procurements, and writings; and providing for an effective date." Signing do pass: Senator Wielechowski, Chair; Senators Kookesh, Giessel.

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

The bill was referred to the Finance Committee.

The presence of Senator Olson was noted.

HB 205

The State Affairs Committee considered HOUSE BILL NO. 205 "An Act relating to state and public entity procurement, including the State Procurement Code, procurement preferences, and contract awards; relating to the meaning of 'Alaska bidder'; and providing for an effective date." Signing do pass: Senator Wielechowski, Chair; Senators Kookesh, Giessel.

The following fiscal information was published today:

Fiscal Note No. 2, zero, Department of Administration

Fiscal Note No. 3, zero, Department of Labor and Workforce
Development

The bill was referred to the Finance Committee.

HB 216

The State Affairs Committee considered CS FOR HOUSE BILL NO. 216(FIN) "An Act relating to fiscal notes for bills directing or resulting in the adoption, amendment, or repeal of regulations, and to the notice required for the proposed adoption, amendment, or repeal of a regulation; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL
NO. 216(STA)

Signing do pass: Senator Wielechowski, Chair; Senators Kookesh, Giessel.

The following previously published fiscal information applies:

Fiscal Note No. 2, zero, Office of the Governor

The bill was referred to the Judiciary Committee.

HB 218

The Health and Social Services Committee considered CS FOR HOUSE BILL NO. 218(L&C) "An Act prohibiting an insurer from using a drug formulary system of specialty tiers under certain circumstances; and providing for an effective date." Signing do pass: Senator Davis, Chair; Senator Dyson. Signing no recommendation: Senator Egan.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

HB 229

The Judiciary Committee considered CS FOR HOUSE BILL NO. 229(JUD) "An Act relating to the duties of the Big Game Commercial Services Board; relating to activities, including violations and penalties, under the supervision of the Big Game Commercial Services Board; creating a retired status license for certain retired guides and outfitters; and providing for an effective date." Signing do pass: Senator French, Chair; Senators Coghill, Wielechowski, Paskvan.

The following previously published fiscal information applies:

Fiscal Note No. 2, zero, Department of Commerce, Community and Economic Development

The bill was referred to the Rules Committee.

HB 247

The State Affairs Committee considered HOUSE BILL NO. 247 "An Act establishing July 30 each year as Alaska National Guard Day." Signing do pass: Senator Wielechowski, Chair; Senators Kookesh, Giessel.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Administration
Fiscal Note No. 2, zero, Department of Military and Veterans' Affairs

The bill was referred to the Rules Committee.

HB 274

The Judiciary Committee considered HOUSE BILL NO. 274 "An Act relating to the exemption of certain acts and transactions from the provisions dealing with unfair methods of competition and unfair or deceptive acts or practices." Signing do pass: Senator French, Chair; Senators Coghill, Wielechowski, Paskvan.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Law

The bill was referred to the Rules Committee.

HB 304

The State Affairs Committee considered HOUSE BILL NO. 304 "An Act relating to the membership of the Alaska Fire Standards Council." Signing do pass: Senator Wielechowski, Chair; Senators Kookesh, Giessel.

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

The bill was referred to the Finance Committee.

HB 310

The Health and Social Services Committee considered CS FOR HOUSE BILL NO. 310(FIN) "An Act temporarily reinstating the child and adult immunization program in the Department of Health and Social Services; and providing for an effective date." Signing do pass: Senator Davis, Chair; Senators Meyer, Egan, Dyson.

The following previously published fiscal information applies:
Fiscal Note No. 2, Department of Health and Social Services

The bill was referred to the Rules Committee.

HJR 26

The Resources Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 26(RES) am Urging federal agencies to work with the Alaska Department of Fish and Game, Southeast Alaska Native leaders, and other interested parties to establish strategies and plans for the sustainable management of the reintroduced sea otter population of Southeast Alaska. Signing do pass: Senator Wagoner, Cochair. Signing no recommendation: Senator Paskvan, Cochair; Senators French, Wielechowski.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Legislative Agency

The resolution was referred to the Rules Committee.

HCR 28

The State Affairs Committee considered HOUSE CONCURRENT RESOLUTION NO. 28 Proclaiming the month of April 2012 to be Sexual Assault Awareness Month. Signing do pass: Senator Wielechowski, Chair; Senators Kookesh, Giessel.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, House State Affairs Committee

The resolution was referred to the Rules Committee.

The presence of Senator Stedman was noted.

Recess

Senator Meyer moved and asked unanimous consent that the Senate stand in recess to the Joint Session. Without objection, the Senate recessed at 10:56 a.m.

After Recess

Joint Session in the House

The consideration of confirmation of the Ombudsman, Victims' Advocate and the Governor's appointments in Joint Session will be published in House and Senate Joint Journal Supplement No. 16.

After Recess

In the Senate

The Senate reconvened at 5:48 p.m.

Announcements

Rule 23(d) of the Alaska State Legislature Uniform Rules is currently in effect.

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., April 11, 2012. Without objection, the Senate adjourned at 5:49 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

COMMUNITY & REGIONAL AFFAIRS

Apr 10 **Tuesday** **Beltz 105 (tsbldg)** **3:30 PM**
+ Bills Previously Heard/Scheduled

Apr 12 **Thursday** **Beltz 105 (tsbldg)** **3:30 PM**
+ Bills Previously Heard/Scheduled

EDUCATION

Apr 11 **Wednesday** **Beltz 105 (tsbldg)** **8:00 AM**
No Meeting Scheduled

Apr 13 **Friday** **Beltz 105 (tsbldg)** **8:00 AM**
No Meeting Scheduled

FINANCE

Apr 10 **Tuesday** **Senate Finance 532** **9:00 AM**
+ HB 131 COMMUNITY AND TRANSPORTATION ADV. BOARD
+ HB 246 NAMING CERTAIN BRIDGES & AIRPORTS
+ HB 258 NATURALLY OCCURRING ASBESTOS
+ Bills Previously Heard/Scheduled

Apr 10 **Tuesday** **Senate Finance 532** **1:00 PM**
-- MEETING CANCELED --
Bills Previously Heard/Scheduled

FINANCE (continued)

Apr 11 Wednesday Senate Finance 532 9:00 AM
 += SB 25 AIDEA SUSTAINABLE ENERGY PROGRAM
 += SB 160 BUDGET: CAPITAL
 + HB 60 GEODUCK AQUATIC FARMING/SEED TRANSFER
 + HB 78 INCENTIVES FOR CERTAIN MEDICAL PROVIDERS
 + HB 261 COMMERCIAL FISHING ENTRY PERMIT LOANS
 + Bills Previously Heard/Scheduled

Apr 11 Wednesday Senate Finance 532 1:00 PM
 + HB 302 CONTRIBUTIONS FROM PFD: UNIV/AUDITS
 + HB 366 DISASTER PLANNING AND SERVICES
 += HCR 23 ALASKA ARCTIC POLICY COMMISSION
 + Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

Apr 11 Wednesday Butrovich 205 1:30 PM
 No Meeting Scheduled

Apr 13 Friday Butrovich 205 1:30 PM
 No Meeting Scheduled

JUDICIARY

Apr 11 Wednesday Beltz 105 (tsbldg) 1:30 PM
 + HB 343 DISCLOSURE OF CHILDREN'S RECORDS
 + HB 168 INJUNCTION SECURITY: INDUSTRIAL OPERATION
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

Apr 10 Tuesday Beltz 105 (tsbldg) 1:30 PM
 += SB 166 LABORATORY SCIENCE PROFESSIONAL LICENSING
 + HB 50 ACCESS TO LICENSED PREMISES
 + Bills Previously Heard/Scheduled
 += HB 252 SMALL BUSINESS INCOME TAX EXEMPTION
 += HB 301 BOATING REGULATION: SUNSET/ENFORCEMENT
 += SB 128 BREWERY LICENSES/PERMITS

LABOR & COMMERCE (continued)

Apr 12 Thursday Beltz 105 (tsbldg) 1:30 PM
 + HB 125 ALCOHOLIC BEVERAGE CONTROL BOARD
 + Bills Previously Heard/Scheduled

RESOURCES

Apr 10 Tuesday Butrovich 205 3:30 PM
 + HCR 24 STATE FOOD RESOURCE DEVELOPMENT GROUP
 Bills Previously Heard/Scheduled
 = HB 118 RESEARCH AND DEVELOPMENT TAX CREDIT
 <Bill Hearing to Continue on 4/11/12>

Apr 11 Wednesday Butrovich 205 3:30 PM
 += HB 118 RESEARCH AND DEVELOPMENT TAX CREDIT

STATE AFFAIRS

Apr 10 Tuesday Butrovich 205 9:00 AM
 += SB 206 INTERSTATE MINING COMPACT & COMMISSION
 += HB 169 LAA REVIEW OF PROPOSED REGULATIONS
 += HB 216 REGULATIONS: INFORMATIVE SUMMARY/BILLS
 += HB 304 ALASKA FIRE STANDARDS COUNCIL
 + HB 333 CAMPAIGN CONTRIBUTIONS/POET ACCTS
 + HB 345 WAIVE CDL SKILL TEST FOR CERTAIN VETERANS
 += HB 234 PICKETING AND PROTESTS AT FUNERALS
 + HCR 28 SEXUAL ASSAULT AWARENESS MONTH
 + HB 64 PERM. MOTOR VEHICLE REGISTRATION/TRAILERS
 + HB 281 WELCOME HOME VIETNAM VETERANS DAY
 + HB 247 ALASKA NATIONAL GUARD DAY
 += HB 271 COMMERCIAL MOTOR VEHICLE REQUIREMENTS
 += HB 316 MILITARY FACILITY ZONES
 + HB 190 PFD ALLOWABLE ABSENCE
 <Pending Referral>
 += HB 3 REQUIREMENTS FOR DRIVER'S LICENSE
 + HB 8 FEDERAL REGULATIONS & EXECUTIVE ORDERS
 + Bills Previously Heard/Scheduled
 = HB 204 STATE PROCUREMENT CODE
 = HB 205 PUBLIC PROCUREMENT

STATE AFFAIRS (continued)

Apr 11 Wednesday Beltz 105 (tsbldg) 9:00 AM
 += HB 316 MILITARY FACILITY ZONES
 += HB 271 COMMERCIAL MOTOR VEHICLE REQUIREMENTS
 += HB 333 CAMPAIGN CONTRIBUTIONS/POET ACCTS
 += HB 345 WAIVE CDL SKILL TEST FOR CERTAIN VETERANS
 += HB 234 PICKETING AND PROTESTS AT FUNERALS
 += HB 281 WELCOME HOME VIETNAM VETERANS DAY
 += HB 64 PERM. MOTOR VEHICLE REGISTRATION/TRAILERS
 += HB 190 PFD ALLOWABLE ABSENCE
 += HB 3 REQUIREMENTS FOR DRIVER'S LICENSE
 += HB 8 FEDERAL REGULATIONS & EXECUTIVE ORDERS
 + HB 182 ELECTRONIC DISTRIB. OF REPORTS/NOTICES
 Bills Previously Heard/Scheduled

Apr 12 Thursday Butrovich 205 9:00 AM
 + Bills Previously Heard/Scheduled

TRANSPORTATION

Apr 10 Tuesday Butrovich 205 1:00 PM
 No Meeting Scheduled

Apr 12 Thursday Butrovich 205 1:00 PM
 No Meeting Scheduled

CONFERENCE COMMITTEES

CONFERENCE COMMITTEE ON HB 284 & HB 285

Apr 10 Tuesday Senate Finance 532 3:00 PM
 = HB 284 APPROP: OPERATING BUDGET/LOANS/FUNDS
 = HB 285 APPROP: MENTAL HEALTH BUDGET

Apr 11 Wednesday Senate Finance 532 3:00 PM
 = HB 284 APPROP: OPERATING BUDGET/LOANS/FUNDS
 = HB 285 APPROP: MENTAL HEALTH BUDGET

**CONFERENCE COMMITTEE ON HB 284 & HB 285
(continued)**

Apr 12 Thursday Senate Finance 532 3:00 PM
= HB 284 APPROP: OPERATING BUDGET/LOANS/FUNDS
= HB 285 APPROP: MENTAL HEALTH BUDGET

Apr 13 Friday Senate Finance 532 3:00 PM
= HB 284 APPROP: OPERATING BUDGET/LOANS/FUNDS
= HB 285 APPROP: MENTAL HEALTH BUDGET

Apr 14 Saturday Senate Finance 532 8:00 AM
= HB 284 APPROP: OPERATING BUDGET/LOANS/FUNDS
= HB 285 APPROP: MENTAL HEALTH BUDGET

OTHER MEETINGS

JOINT SESSION

Apr 10 Tuesday House Chamber 11:00 AM
Confirmation of Ombudsman, Victims' Advocate, and
Governor's Appointments