

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Wednesday

April 11, 2012

Eighty-sixth 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, The Reverend Murray Richmond. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

In the rush of these last days of the session, it is fitting to take a short time to remember a colleague who is no longer with us: Representative Carl Gatto. I keep one of these books, The Alaska Statutes, on my desk. I don't know how you feel about these books, but personally I am a little gratified to find that as a legislative aide, I helped contribute some of the language in these books, if only a phrase or two. After I leave here, some of my work will live on beyond my time here. Some of you have large sections that will live on after your time here.

But more important than the words we leave in books, is the impact we have on lives. I have listened to people talk about Representative Gatto these last few weeks, and it is clear he had an impact on many people's lives. As a firefighter, how many houses did he save? A few years ago, Cliff Stone, who used to be an aide for Representative Austerman, discovered that his adopted daughter Katrina was delivered by

Representative Carl Gatto, then an EMT, in the back of a car by the side of the road. As a teacher, how many lives did he change? How many young children were impacted by his commitment to the classroom?

I read through the comments section under his obituary in the Anchorage Daily News, and the thing that kept popping up was how he treated other people with care and respect, even if he disagreed with them. In the end, what really matters is how we treat the people around us. And as Representative Gatto is remembered, he is remembered not primarily for the bills he wrote, or the speeches he made, although some of them are memorable. But he is best remembered for the impact he had on the people around him.

For some, they will remember his last days here, when the disease he carried had really manifested itself in his body. But the disease was temporary. He is beyond the disease now, and his suffering has passed. The apostle Paul said, in his second letter to the Corinthians: *“So we aren’t depressed. But even if our bodies are breaking down on the outside, the person that we are on the inside is being renewed every day. Our temporary minor problems are producing an eternal stockpile of glory for us that is beyond all comparison. We don’t focus on the things that can be seen but on the things that can’t be seen. The things that can be seen don’t last, but the things that can’t be seen are eternal.”*

C.S. Lewis said, "There are no ordinary people. You have never talked to a mere mortal. Nations, cultures, arts, civilizations - these are mortal, and their life is to ours as the life of a gnat. But it is immortals whom we joke with, work with, marry, snub and exploit - immortal horrors or everlasting splendors." We are not mere mortals. For us, those are words, but for Representative Gatto now, they are an eternal reality.

But for us they are words to live by. Every day we are surrounded by the glory of God, found in the people of God. And when I say people of God, I mean everyone, from the least of us to the most powerful among us. One thing Representative Gatto lived by, as I heard people say it, was to treat people with respect. As we go into these last days, may his example guide us.

Let us pray:

O Lord, our God,

Eternal God, you have shared with us the life of Carl Gatto. Before he was ours, he was yours. For his life and work, we give you thanks.

As now we offer Carl Gatto, draw those of us who remain in this life closer to one another, make us faithful to serve one another, and give us to know that peace and joy which is eternal life; through the Spirit that dwells in us all. Amen.

Senator Dyson led the Senate in the Pledge of Allegiance.

Certification

Senator Meyer moved and asked unanimous consent that the journal for the eighty-fifth legislative day and House and Senate Joint Journal Supplement No. 16 be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the House

Message dated April 10 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills**HB 255**

CS FOR HOUSE BILL NO. 255(JUD) BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to screen devices in motor vehicles; prohibiting the driver of a motor vehicle from reading or typing a text message or other nonvoice message or communication on a cellular telephone, computer, or personal data assistant while driving a motor vehicle; and providing for an effective date."

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

HB 276

CS FOR HOUSE BILL NO. 276(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act providing for a credit against the oil and gas production tax for costs incurred for conducting seismic exploration and drilling certain oil or natural gas exploration wells in certain basins; relating to the determination of the production tax value of oil and gas production; and relating to a special tax rate for new oil or gas production south of 68 degrees North latitude."

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

HB 296

CS FOR HOUSE BILL NO. 296(JUD) BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to service of process on prisoners; relating to the crime of escape; deleting the repeal of a provision relating to electronic monitoring as a special condition of probation and parole for offenders whose offense was related to a criminal street gang; amending Rule 4, Alaska Rules of Civil Procedure; and providing for an effective date."

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

Standing Committee Reports

SB 128

The Labor and Commerce Committee considered SENATE BILL NO. 128 "An Act relating to brewery licenses" and recommended it be replaced with

CS FOR SENATE BILL NO. 128(L&C) "An Act relating to brewery licenses and brewery special events permits."

Signing do pass: Senator Egan, Chair; Senators Giessel, Davis, Paskvan, Menard.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Public Safety

The bill was referred to the Judiciary Committee.

SB 160

The Finance Committee considered SENATE BILL NO. 160 "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. 160(FIN) "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, 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, Ellis. Signing amend: Senator Olson.

The bill is on today's calendar.

HB 50

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 50(JUD) "An Act relating to the purchase of alcoholic beverages at a club and to access by certain persons under 21 years of age to a club's licensed premises when alcoholic beverages are present." Signing do pass: Senator Egan, Chair; Senators Giessel, Paskvan, Menard. Signing no recommendation: Senator Davis.

The following previously published fiscal information applies:
Fiscal Note No. 2, zero, House Judiciary Committee

The bill was referred to the Judiciary Committee.

HB 234

The State Affairs Committee considered HOUSE BILL NO. 234 "An Act relating to picketing or protests at a funeral" and recommended it be replaced with

SENATE CS FOR HOUSE BILL NO. 234(STA)
"An Act relating to picketing at a funeral."
(Title change SCR forthcoming)

Signing do pass: Senator Wielechowski, Chair; Senators Kookesh, Giessel, Meyer. Signing no recommendation: Senator Paskvan.

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

The bill was referred to the Judiciary Committee.

HB 252

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 252(FIN) "An Act exempting certain small businesses from the corporate income tax; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL
NO. 252(L&C)

Signing do pass: Senator Egan, Chair; Senators Davis, Menard.
Signing no recommendation: Senator Giessel.

The following previously published fiscal information applies:
Fiscal Note No. 2, Department of Revenue

The bill was referred to the Finance Committee.

HB 271

The State Affairs Committee considered CS FOR HOUSE BILL NO. 271(TRA) am "An Act relating to commercial motor vehicle requirements." Signing do pass: Senator Wielechowski, Chair; Senators Kookesh, Paskvan, Giessel, Meyer.

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

The bill was referred to the Rules Committee.

HB 301

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 301(FIN) "An Act relating to enforcement of boating safety statutes; amending the termination date of certain statutes relating to the use, operation, and regulation of boats, a uniform state waterway marking system, and civil liability for boat owners; providing for an effective date by amending the effective date of secs. 3, 5, 7, 9, 11, 14, 16, 18, 20, 23, 26, and 27, ch. 28, SLA 2000, as amended; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL
NO. 301(L&C)

Signing do pass: Senator Egan, Chair; Senators Giessel, Davis, Menard.

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

The bill was referred to the Finance Committee.

HB 316

The State Affairs Committee considered HOUSE BILL NO. 316 "An Act relating to military facility zones in the state; relating to the development of housing in military facility zones; relating to the financing of projects in military facility zones; and providing for an effective date." Signing do pass: Senator Wielechowski, Chair; Senators Kookesh, Paskvan, Giessel, Meyer.

The following previously published fiscal information applies:

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

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

Fiscal Note No. 3, zero, Department of Revenue

The bill was referred to the Rules Committee.

HB 333

The State Affairs Committee considered CS FOR HOUSE BILL NO. 333(STA) "An Act relating to the disposition of certain unused campaign contributions; and relating to public office expense term accounts and public office expense term account reserves." Signing do pass: Senator Wielechowski, Chair; Senators Kookesh, Paskvan, Giessel, Meyer.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Administration

The bill was referred to the Rules Committee.

HB 345

The State Affairs Committee considered HOUSE BILL NO. 345 "An Act relating to regulations adopted by the Department of Administration waiving the commercial motor vehicle driving skills test for certain drivers with military commercial motor vehicle experience." Signing do pass: Senator Wielechowski, Chair; Senators Kookesh, Paskvan, Giessel, Meyer.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Administration

The bill was referred to the Rules Committee.

HCR 24

The Resources Committee considered CS FOR HOUSE CONCURRENT RESOLUTION NO. 24(FIN) Relating to the establishment and operation of a state food resource development working group. Signing do pass: Senator Wagoner, Cochair; Senators Wielechowski, McGuire, French.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Legislative Agency

The resolution was referred to the Rules Committee.

Consideration of the Calendar**Second Reading of Senate Bills****SB 25**

Senator Meyer moved and asked unanimous consent that SPONSOR SUBSTITUTE FOR SENATE BILL NO. 25 "An Act establishing the sustainable energy transmission and supply development program in the Alaska Industrial Development and Export Authority" be moved to the bottom of the calendar. Without objection, it was so ordered.

SB 160

SENATE BILL NO. 160 "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 2161. Without objection, CS FOR SENATE BILL NO. 160(FIN) "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, and other appropriations; making appropriations to capitalize funds; and providing for an effective date" was adopted.

Senator Coghill offered Amendment No. 1:

Page 55, following line 6:

Insert "Golden Valley Electric Association - General Fund
Natural Gas Storage Facilities (HD 7-11) \$15,000,000"

Senator Coghill moved for the adoption of Amendment No. 1.
Objections were heard.

The question being: "Shall Amendment No. 1 be adopted?" The roll
was taken with the following result:

CSSB 160(FIN)
Second Reading
Amendment No. 1

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

Yeas: Coghill, Dyson, Giessel, Huggins

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

and so, Amendment No. 1 failed.

Senator Dyson offered Amendment No. 2:

Page 52, following line 30:

Insert "Crisis Pregnancy Center -
Anchorage \$200,000"

Senator Dyson moved for the adoption of Amendment No. 2.
Objections were heard.

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

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CSSB 160(FIN)
Second Reading
Amendment No. 2

YEAS: 4 NAYS: 15 EXCUSED: 0 ABSENT: 1

Yeas: Coghill, Dyson, Giessel, Huggins

Nays: Davis, Egan, Ellis, French, Hoffman, Kookesh, Menard,
Meyer, Olson, Paskvan, Stedman, Stevens, Thomas, Wagoner,
Wielechowski

Absent: McGuire

and so, Amendment No. 2 failed.

Senator Meyer 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. 160(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 160(FIN) "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, 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 160(FIN)
Third Reading - Final Passage
Effective Dates

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

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

and so, CS FOR SENATE BILL NO. 160(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 clauses. Without objection, it was so ordered.

Senator Meyer gave notice of reconsideration on SENATE BILL NO. 160(FIN) and moved and asked unanimous consent that it be taken up at this time. Without objection, it was so ordered and the bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 160(FIN) "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, 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 160(FIN)

Third Reading - On Reconsideration

Effective Dates

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

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

and so, CS FOR SENATE BILL NO. 160(FIN) passed the Senate on reconsideration.

Senator Meyer moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clauses. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

SB 224

SENATE BILL NO. 224 "An Act making privileged certain communications between employees and employee union representatives; and amending Rule 402 and Rule 501, Alaska Rules of Evidence" was read the second time.

Senator French, Chair, moved and asked unanimous consent for the adoption of the Judiciary Committee Substitute offered on page 2108. Without objection, CS FOR SENATE BILL NO. 224(JUD) was adopted.

Senator Meyer 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. 224(JUD) was read the third time.

Senator Wielechowski moved and asked unanimous consent to abstain from voting due to a conflict of interest. Objections were heard and Senator Wielechowski was required to vote.

The question being: "Shall CS FOR SENATE BILL NO. 224(JUD) "An Act making privileged certain communications between employees and employee union representatives; and amending Rule 402 and Rule 501, Alaska Rules of Evidence" pass the Senate?" The roll was taken with the following result:

CSSB 224(JUD)
Third Reading - Final Passage
Court Rules

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

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

and so, CS FOR SENATE BILL NO. 224(JUD) 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 Court Rule changes. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

Second Reading of House Bills

HB 104

CS FOR HOUSE BILL NO. 104(RLS) "An Act renaming the Alaska performance scholarship and relating to the scholarship and tax credits applicable to contributions to the scholarship; relating to AlaskAdvantage education grant funding and to Alaska performance

scholarship funding; establishing an account and fund for those purposes; making conforming amendments; 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 Senate Committee Substitute offered on page 1991. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 104(FIN) "An Act renaming the Alaska performance scholarship and relating to the scholarship and tax credits applicable to contributions to the scholarship; relating to AlaskAdvantage education grant funding and to Alaska performance scholarship funding; relating to AlaskAdvantage education grant eligibility; establishing accounts and a fund for those purposes; making conforming amendments; and providing for an effective date" was adopted.

President Stevens stated SENATE CS FOR CS FOR HOUSE BILL NO. 104(FIN) will be on the April 12 calendar.

HB 274

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" 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.

HOUSE BILL NO. 274 was read the third time.

The question being: "Shall 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" pass the Senate?" The roll was taken with the following result:

HB 274

Third Reading - Final Passage

YEAS: 19 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Stedman

and so, HOUSE BILL NO. 274 passed the Senate, was signed by the President and Secretary and returned to the House.

HB 310

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" 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. 310(FIN) was read the third time.

The question being: "Shall 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" pass the Senate?" The roll was taken with the following result:

CSHB 310(FIN)

Third Reading - Final Passage

Effective Date

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

Yeas: 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. 310(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.

Second Reading of House Resolutions

HCR 20

HOUSE CONCURRENT RESOLUTION NO. 20 was read the second time and was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 20 Designating February 2012 as American Heart Month, pass the Senate?" The roll was taken with the following result:

HCR 20

Second Reading - Final Passage

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

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

and so, HOUSE CONCURRENT RESOLUTION NO. 20 passed the Senate, was signed by the President and Secretary and returned to the House.

HCR 28

HOUSE CONCURRENT RESOLUTION NO. 28 was read the second time and was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 28 Proclaiming the month of April 2012 to be Sexual Assault Awareness Month, pass the Senate?" The roll was taken with the following result:

HCR 28

Second Reading - Final Passage

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

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

and so, HOUSE CONCURRENT RESOLUTION NO. 28 passed the Senate, was signed by the President and Secretary and returned to the House.

Citations

Honoring - The Alaska Army National Guard, 207th Infantry Group
Senator(s) Huggins, Stevens, Coghill, Davis, Dyson, Egan, Ellis, French, Giessel, Hoffman, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski
Representative(s) Thomas

Honoring - The 297th Infantry Regiment
Senator(s) Huggins, Stevens, Coghill, Davis, Dyson, Egan, Ellis, French, Giessel, Hoffman, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski
Representative(s) Thomas

Honoring - The 207th Aviation Regiment
Senator(s) Huggins, Stevens, Coghill, Davis, Dyson, Egan, Ellis, French, Giessel, Hoffman, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski
Representative(s) Thomas

Honoring - Alaska Pyrotechnic Griz Smith
Representative(s) Neuman, Gatto, Stoltze
Senator(s) Huggins, Menard, Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Kookesh, McGuire, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

Honoring - Tracy Golly, 2012 First Lady's Volunteer of the Year Award

Representative(s) Tuck, Millett

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

Honoring - Koyukuk Station Veterans' Airport

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 - Athabaskan Fiddlers Association, 30th Annual Athabaskan Fiddling Festival

Representative(s) Kawasaki

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

Honoring - Alaska SPCA

Representative(s) Tuck

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

Honoring - 2012 Arctic Winter Games, Yukon-Kuskokwim Delta Team Members

Representative(s) Herron

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

Honoring - Alaska Blue Devils, 2012 USA Pee Wee AA Hockey Champions

Representative(s) Fairclough, Stoltze, Saddler

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

Honoring - Arden Page

Representative(s) Holmes

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

In Memoriam - Bettie Jean McDonald

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

In Memoriam - David Hickok, "Man of the Land"

Representative(s) Cissna

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

In Memoriam - Donald E. Lowe

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 - Francisco Ramos

Representative(s) Kerttula, Munoz

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

In Memoriam - Helen Jo Holder Poole

Representative(s) Kerttula, Munoz

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

In Memoriam - Ralph Kibby, Sr.

Representative(s) Kerttula, Munoz

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

In Memoriam - Julie Harris Isaac

Representative(s) Kerttula, Munoz

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

In Memoriam - Dorothy "Dottie" Levine

Representative(s) Kerttula, Munoz

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

In Memoriam - John Pugh, Jr.

Representative(s) Kerttula, Munoz

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 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 citations be made a special order of business. Without objection, it was so ordered.

Special Order of Business

Honoring - The Alaska Territorial Guard of Bristol Bay

Representative(s) Edgmon

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

Honoring - The House Floor Staff

Representative(s) Johnson

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

Honoring - The Alaska Society for Technology in Education and The "iDidaContest"

Representative(s) Cissna

Senator(s) Davis, Stevens, Coghill, 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.

HCR 20

Senators McGuire, Davis moved and asked unanimous consent to be shown as cross sponsors on HOUSE CONCURRENT RESOLUTION NO. 20 Designating February 2012 as American Heart Month. Without objection, it was so ordered.

HB 310

Senator Wagoner moved and asked unanimous consent to be shown as a cross sponsor on 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." Without objection, it was so ordered.

HB 276

Senators Thomas, Olson, Coghill, Dyson, Meyer, Menard, Paskvan, McGuire moved and asked unanimous consent to be shown as cross sponsors on CS FOR HOUSE BILL NO. 276(FIN) "An Act providing for a credit against the oil and gas production tax for costs incurred for conducting seismic exploration and drilling certain oil or natural gas exploration wells in certain basins; relating to the determination of the production tax value of oil and gas production; and relating to a special tax rate for new oil or gas production south of 68 degrees North latitude." Without objection, it was so ordered.

HB 316

Senators Wielechowski, Dyson, Meyer, Menard, Paskvan, Ellis, Davis, Thomas, moved and asked unanimous consent to be shown as cross sponsors on HOUSE BILL NO. 316 "An Act relating to military facility zones in the state; relating to the development of housing in military facility zones; relating to the financing of projects in military facility zones; and providing for an effective date." Without objection, it was so ordered.

HB 345

Senators Wielechowski, Meyer, Menard, Paskvan, Ellis, Davis, Thomas moved and asked unanimous consent to be shown as cross sponsors on HOUSE BILL NO. 345 "An Act relating to regulations adopted by the Department of Administration waiving the commercial motor vehicle driving skills test for certain drivers with military commercial motor vehicle experience." Without objection, it was so ordered.

SB 25

Senators Meyer, Stedman, Wielechowski, Egan, Hoffman moved and asked unanimous consent to be shown as cosponsors on SPONSOR SUBSTITUTE FOR SENATE BILL NO. 25 "An Act establishing the sustainable energy transmission and supply development program in the Alaska Industrial Development and Export Authority." Without objection, it was so ordered.

HB 252

Senators Meyer, McGuire moved and asked unanimous consent to be shown as cross sponsors on CS FOR HOUSE BILL NO. 252(FIN) "An Act exempting certain small businesses from the corporate income tax; and providing for an effective date." Without objection, it was so ordered.

HCR 12

Senators Meyer, Ellis moved and asked unanimous consent to be shown as cross sponsors on CS FOR HOUSE CONCURRENT RESOLUTION NO. 12(RLS) am Creating the Task Force on the Fiscal Future of Alaska as a joint legislative task force and relating to the task force. Without objection, it was so ordered.

HB 169

Senator French, Chair, moved and asked unanimous consent that the Judiciary Committee referral be waived on HOUSE BILL NO. 169 "An Act relating to the review of proposed regulations by the Legislative Affairs Agency; and providing for an effective date." Without objection, the bill was referred to the Rules Committee.

In accordance with AS 24.20.650, President Stevens made the following appointments (public members, three-year terms):

Joint Armed Services Committee

Major General Jake Lestenkof (Retired)(Reappointed)
Lt. General Tom Case (Retired)(Reappointed)
Brigadier General George Cannelos (Retired)(Reappointed)
Mr. Charles "Chick" Wallace (Reappointed)
Colonel Tim Jones (Retired)
CW03, Kurt Brownlow (Retired)

Special Orders**Memorial for Representative Carl Gatto**

Senator Dyson moved and asked unanimous consent that the Senate take a moment to reflect on the passing of Representative Carl Gatto. Without objection, the Senate observed a moment of silence.

Recess

Senator Meyer moved and asked unanimous consent that the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 12:56 p.m.

After Recess

The Senate reconvened at 7:03 p.m.

Senator Meyer moved and asked unanimous consent that the Senate return to reports of standing committees. Without objection, the Senate returned to:

Standing Committee Reports**SB 25**

The Finance Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 25 "An Act establishing the sustainable energy transmission and supply development program in the Alaska Industrial Development and Export Authority" and recommended it be replaced with

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 25(FIN) "An Act establishing the sustainable energy transmission and supply development program in the Alaska Industrial Development and Export Authority; relating to the interest rates of the Alaska Industrial Development and Export Authority; and relating to taxes paid on interests in property owned by the Alaska Industrial Development and Export Authority and to the local contribution for public education funding related to that property."

Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Thomas, Egan, McGuire, Ellis. Signing no recommendation: Senator Olson.

The following fiscal information was published today:

Fiscal Note No. 3, Senate Finance Committee

The following previously published fiscal information applies:

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

The bill is on today's calendar.

SB 192

The Finance Committee considered SENATE BILL NO. 192 "An Act relating to the oil and gas production tax; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 192(FIN) "An Act relating to the oil and gas production tax; providing for a minimum tax on oil and gas production so that the state receives a minimum production tax of 10 percent of the gross value at the point of production for certain oil and gas production; relating to that part of the monthly production tax on the gross value at the point of production of oil produced by a producer that produced oil in 2008 and 2011 and produces a volume of taxable oil for the year in excess of a defined target volume, and providing that the applicable tax rate on the gross value at the point of production for that category of oil production is 0.14 percent multiplied by the number that represents the difference between that average monthly gross value at the point of production for a barrel of oil and the base amount of \$75 or, if the average gross value at the point of production is greater than \$60 above the base amount of \$75, that the applicable tax rate is the sum of 8.4 percent and the product of 0.03 percent multiplied by the number that represents the difference between the average monthly gross value at the point of production for a barrel of oil and \$60 above the base amount of \$75, except that the tax rate applicable to that category of oil production may not exceed 10 percent; relating to that part of the tax on the gross value at the point of production of oil produced by a producer during the first 10 consecutive years after the start of sustained production or during the first 10 consecutive years of sustained production after December 31, 2012, whichever is later, from a lease or property containing land that was not or previously had not been within a unit or in commercial production before January 1, 2008, and providing that the applicable tax rate on the gross value at the point of production for that category of oil is determined by multiplying the monthly gross value at the point of production of the taxable oil produced during the month by the tax rate determined by multiplying 0.05 percent by the number that represents the difference between that average monthly gross value at the point of production for a barrel of oil and the base amount of \$90, except that the tax rate determined for that category of oil production may not exceed five percent; relating to that part of the monthly

production tax on the gross value at the point of production of oil produced by a producer and not otherwise described above, and providing that the applicable tax rate on the gross value at the point of production on that category of oil production is 0.27 percent multiplied by the number that represents the difference between the average gross value at the point of production for a barrel of oil and \$60 or, if the average gross value at the point of production is greater than \$60 above the base amount of \$60, that the applicable tax rate is the sum of 16.2 percent and the product of 0.03 percent multiplied by the number that represents the difference between the average monthly gross value at the point of production for a barrel of oil and \$60 above the base amount of \$60, except that the tax rate applicable to that category of oil production may not exceed 20 percent; relating to payments of the oil and gas production tax; relating to an adjustment to the base amounts of \$60, \$75, \$90 based on an increase in the United States Consumer Price Index for all urban consumers for the most recent year; relating to the allocation of lease expenditures and adjustments to lease expenditures; relating to the duties of the Department of Revenue; relating to a petroleum information management system; relating to the duties of the Alaska Oil and Gas Conservation Commission, the Department of Natural Resources, and the Department of Labor and Workforce Development that relate to providing the Department of Revenue with certain information relating to oil and gas; and providing for an effective date."

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

The following fiscal information was published today:
Fiscal Note No. 3, Department of Natural Resources
Fiscal Note No. 4, Department of Administration
Fiscal Note No. 5, Department of Revenue

The bill was referred to the Rules Committee.

HB 55

The Judiciary Committee considered CS FOR HOUSE BILL NO. 55(JUD) "An Act adding definitions of 'gravity knife' and 'switchblade' to the criminal law; and relating to reserving the authority to regulate knives to the state with limited exceptions for municipalities to regulate knives." Signing no recommendation: Senator French, Chair. Signing do pass: Senators Coghill, Wielechowski.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Law

The bill was referred to the Rules Committee.

HB 224

The Judiciary Committee considered CS FOR HOUSE BILL NO. 224(FIN) am "An Act prohibiting the sale or gift of a product containing nicotine to a minor under certain conditions." Signing do pass: Senator French, Chair; Senators Coghill, Wielechowski.

The following previously published fiscal information applies:

Fiscal Note No. 3, zero, Department of Health and Social Services

Fiscal Note No. 5, zero, Department of Law

The bill was referred to the Rules Committee.

**Introduction and Reference of
Senate Resolutions****SCR 29**

SENATE CONCURRENT RESOLUTION NO. 29 BY THE
SENATE STATE AFFAIRS COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 118, relating to a tax
credit for qualified research and development
expenditures.

was read the first time held on the Secretary's desk.

Consideration of the Calendar**Second Reading of Senate Bills****SB 25**

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 25 "An Act establishing the sustainable energy transmission and supply development program in the Alaska Industrial Development and Export Authority" which had been moved to the bottom of the calendar (page 2165), was read the second time.

Senator Stedman, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 2180. Without objection, CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 25(FIN) "An Act establishing the sustainable energy transmission and supply development program in the Alaska Industrial Development and Export Authority; relating to the interest rates of the Alaska Industrial Development and Export Authority; and relating to taxes paid on interests in property owned by the Alaska Industrial Development and Export Authority and to the local contribution for public education funding related to that property" was adopted.

Senator Meyer 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 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 25(FIN) was read the third time.

The question being: "Shall CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 25(FIN) "An Act establishing the sustainable energy transmission and supply development program in the Alaska Industrial Development and Export Authority; relating to the interest rates of the Alaska Industrial Development and Export Authority; and relating to taxes paid on interests in property owned by the Alaska Industrial Development and Export Authority and to the local contribution for public education funding related to that property" pass the Senate?" The roll was taken with the following result:

CSSSSB 25(FIN)
Third Reading - Final Passage

YEAS: 19 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Kookesh

and so, CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 25(FIN) passed the Senate and 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 25

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 25(FIN) "An Act establishing the sustainable energy transmission and supply development program in the Alaska Industrial Development and Export Authority; relating to the interest rates of the Alaska Industrial Development and Export Authority; and relating to taxes paid on interests in property owned by the Alaska Industrial Development and Export Authority and to the local contribution for public education funding related to that property" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 160

CS FOR SENATE BILL NO. 160(FIN) "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, and other appropriations; making appropriations to capitalize funds; and providing for an effective date" was engrossed.

SB 224

CS FOR SENATE BILL NO. 224(JUD) "An Act making privileged certain communications between employees and employee union representatives; and amending Rule 402 and Rule 501, Alaska Rules of Evidence" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Meyer moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., April 12, 2012. Without objection, the Senate adjourned at 7:16 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 12	Thursday	Beltz 105 (tsbldg)	3:30 PM
+ HB 219	FIRE AND EMERGENCY MEDICAL SERVICES		
+	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 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		

FINANCE (continued)

Apr 11 Wednesday Senate Finance 532 1:00 PM
 = SB 25 AIDEA SUSTAINABLE ENERGY PROGRAM
 = SB 192 OIL AND GAS PRODUCTION TAX RATES
 + HB 302 CONTRIBUTIONS FROM PFD: UNIV/AUDITS
 + HB 366 DISASTER PLANNING AND SERVICES
 += HCR 23 ALASKA ARCTIC POLICY COMMISSION
 + Bills Previously Heard/Scheduled

Apr 12 Thursday Senate Finance 532 9:00 AM
 + HB 21 SUICIDE PREVENTION COUNCIL MEMBERS
 + HB 115 NAMING WALTER J. HICKEL EXPRESSWAY
 + HB 360 INTERSTATE MINING COMPACT & COMMISSION
 + Bills Previously Heard/Scheduled

Apr 12 Thursday Senate Finance 532 1:00 PM
 + 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 224 SALES OF NICOTINE PRODUCTS TO MINOR
 = HB 55 KNIVES, GRAVITY KNIFE & SWITCHBLADE
 + HB 343 DISCLOSURE OF CHILDREN'S RECORDS
 + HB 168 INJUNCTION SECURITY: INDUSTRIAL OPERATION
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

Apr 12 Thursday Beltz 105 (tsbldg) 1:30 PM
 + HB 125 ALCOHOLIC BEVERAGE CONTROL BOARD
 + HB 269 COMMON INTEREST COMMUNITIES
 <Pending Referral>
 + Bills Previously Heard/Scheduled
 += SB 166 LABORATORY SCIENCE PROFESSIONAL LICENSING
 <Bill Hearing Canceled>

RESOURCES

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

STATE AFFAIRS

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. MOT. VEH. 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 12 Thursday Butrovich 205 1:00 PM
 No Meeting Scheduled

CONFERENCE COMMITTEES**CONFERENCE COMMITTEE ON HB 284 & HB 285**

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

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