

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE
THIRD SPECIAL SESSION

Juneau, Alaska

Thursday

April 26, 2012

Ninth Day

The Senate was called to order by President Stevens at 4:02 p.m.

The roll showed sixteen members present. Senator Huggins was excused from a call of the Senate. Senators Davis, Dyson, McGuire were absent.

Senator Meyer moved and asked unanimous consent that Senators Davis, McGuire be excused from a call of the Senate today. Without objection, it was so ordered.

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

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

As spring turns to summer, I offer this prayer for our fishermen and women, and those who work at sea:

Heavenly Father,

We give thanks for all those who work at sea as they fulfill the duties and face the dangers of their calling. Grant them the blessings of safe ships, good health, and a just reward for their work.

We recognize that they are sometimes in danger, and their long absences often involve sacrifices in their family life. Help us to show our gratitude not only in our words, but also in our actions.

We ask for safety for those who travel the seas to protect our country, protect our citizens, and provide food for our communities.

Let all boats return safely to port after their voyages.
Amen.

Senator Menard led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the Governor

SB 127

Message was read stating the Governor signed the following bill on April 24 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE BILL NO. 127 "An Act establishing
September 9 each year as Fetal Alcohol Spectrum
Disorders Awareness Day."

Chapter 7, SLA 2012
Effective Date: 7/23/12

HB 65

Message was read stating the Governor signed the following bill on April 24 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE BILL NO. 65 "An Act making regional Native housing authorities eligible to receive grants through the Alaska Housing Finance Corporation from the senior citizens housing development fund."

Chapter 8, SLA 2012
Effective Date: 7/23/12

HB 144

Message was read stating the Governor signed the following bill on April 24 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR HOUSE BILL NO. 144(RES) "An Act requiring the Department of Natural Resources annually to deliver to the legislature and the governor a report on fishing stream access."

Chapter 9, SLA 2012
Effective Date: 7/23/12

SCR 16

Message dated April 24 was read stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 16
Proclaiming May 2012 to be Celiac Disease Awareness Month.

Legislative Resolve No. 34

Supplemental Executive Proclamation

Under the authority of Article II, Section 9, and Article III, Section 17 of the Alaska Constitution, and in the public interest, I am amending my April 16, 2012 proclamation calling the Twenty-Seventh Legislature of the State of Alaska into its third special session at Juneau, Alaska, on April 18, 2012, as follows:

I am withdrawing from the call the following subject:

(1) relating to oil and gas production taxes.

This proclamation supplements my proclamation of April 16, 2012.

Dated at Juneau, Alaska this 25th day of April, 2012.

/s/

Sean Parnell, Governor

Senator Meyer moved and asked unanimous consent to take up a Sense of the Senate. Without objection, the following Sense of the Senate was taken up:

Sense of the Senate

The Senate convened at the request of the Governor in special session to consider the subjects in the Governor's Proclamation of April 16, 2012. Included in the proclamation was the subject "relating to oil and gas production taxes." The Senate Rules Committee, by request of the Governor, sponsored a bill which was introduced for the Senate's consideration as SB 3001. SB 3001 was referred to the Senate Resources Committee and the Senate Finance Committee. The Senate Resources Committee was in the process of holding hearings on SB 3001 when the Governor announced by way of a supplemental proclamation that he was withdrawing from his call the subject "relating to oil and gas production taxes."

The Senate rejects the Governor's asserted authority to withdraw the subject "relating to oil and gas production taxes," and SB 3001 introduced by the Senate Rules Committee by his request concerning that subject. The Senate takes the position that, once the legislature convenes and introduces a bill on a subject within the Governor's special session proclamation, the Governor has no authority to withdraw that subject under consideration by the legislature.

The Senate intended to continue to hold hearings and consider SB 3001, and the Senate believes that progress was being made on the subject "relating to oil and gas production taxes."

Due to the Governor's sudden, unprecedented, and unauthorized withdrawal of the subject of SB 3001 the Senate has no realistic alternative except to adjourn the Third Special Session of the 27th Alaska Legislature in accordance with Uniform Rule 52, and article II, section 10 of the Alaska Constitution, sine die.

Senator Meyer moved for the adoption of the Sense of the Senate. Senator Coghill objected.

The question being: "Shall the Senate Adopt the Sense of the Senate?"
The roll was taken with the following result:

Adopt the Sense of the Senate?

YEAS: 14 NAYS: 2 EXCUSED: 4 ABSENT: 0

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

Nays: Coghill, Giessel

Excused: Davis, Dyson, Huggins, McGuire

and so, the Sense of the Senate was adopted.

Unfinished Business

Special Order of Business

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

Citation Calendar

Honoring - Alaska Legislative Legal Services

Representative(s) Chenault

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

In Memoriam - Richard Belisle

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

Representative(s) Austerman

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.

Announcements

The 24-hour rule is in effect for the special session.

Announcements are at the end of the journal.

Adjournment

Senator Meyer moved and asked unanimous consent that the Third Special Session of the Twenty-seventh Alaska State Senate stand in adjournment sine die. Senator Coghill objected.

The question being: "Shall the Third Special Session of the Twenty-seventh Alaska Senate adjourn sine die?" The roll was taken with the following result:

Shall the Senate Adjourn the
Third Special Session Sine Die?

YEAS: 14 NAYS: 2 EXCUSED: 4 ABSENT: 0

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

Nays: Coghill, Giessel

Excused: Davis, Dyson, Huggins, McGuire

and so, the Senate adjourned sine die at 4:24 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 26 Thursday Beltz 105 (tsbldg) 3:30 PM
 No Meeting Scheduled

FINANCE

Apr 27 Friday Senate Finance 532 9:00 AM
 + Discussion Regarding a Request for Proposals to Identify
 Potential Price Fixing Issues and Solutions

JUDICIARY

Apr 27 Friday Butrovich 205 1:30 PM
 + Pt. Thomson Settlement Evaluation - Mark Myers
 + Pt. Thomson Settlement Litigation - Craig Richards
 + Pt. Thomson Settlement/DNR response- Commissioner Dan
 Sullivan
 -- Testimony <Invitation Only> --

RESOURCES

Apr 26 Thursday Senate Finance 532 9:00 AM
 -- MEETING CANCELED --
 + SB3001 OIL AND GAS PRODUCTION TAX
 Analysis of Senate Bill 3001
 Presentation by Robin Brena
 -- Testimony <Invitation Only> --