

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-EIGHTH LEGISLATURE

FIRST SESSION

Juneau, Alaska

Wednesday

February 6, 2013

Twenty-third Day

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

The roll showed seventeen members present. Senators Bishop, Coghill, Kelly were excused from a call of the Senate.

The prayer was offered by the Chaplain, Sister Marie Lucek of the Cathedral of the Nativity. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

O God of wisdom and love, I call upon you this day to bless our legislators who gather in the name of all Alaskans. They have been entrusted with an honored responsibility to serve the communities throughout our state. I ask you to give them ears to hear the voices of the people they represent and hearts to feel with compassion the needs their constituents bring before this body.

I thank you, God, for gifting each person here with different gifts and different visions. Each day give our legislators the desire to continue to work together through both difficult and rewarding times, sharing their individual visions and gifts with one another for the good of the whole community.

There is an appointed time for everything; God, give these legislators the wisdom to know when to tear down and when to build, when to seek and when to

lose, when to keep and when to cast away, when to be silent and when to speak. Give them the strength they need to manage the challenges ahead and the understanding to identify these challenges as opportunities to serve the citizens of our state.

I ask this in the name of God, Creator, Redeemer and Sanctifier. Amen.

Senator Giessel led the Senate in the Pledge of Allegiance.

Certification

Senator McGuire, Acting Majority Leader, moved and asked unanimous consent that the journals for the twenty-first and twenty-second legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Introduction of Guests

Senator Giessel introduced Denis Stevens, Consul General of Canada.

Messages from the House

Messages dated February 4 and 6 were read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 36

HOUSE BILL NO. 36 BY REPRESENTATIVES T.WILSON, Johnson, LeDoux, Gara, Lynn, entitled:

"An Act exempting certain federal agencies or military services firing or using munitions on active ranges from prior authorization requirements of the Department of Environmental Conservation."

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

HB 80

HOUSE BILL NO. 80 BY THE HOUSE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR, entitled:

"An Act relating to the regulation of wastewater
discharge from commercial passenger vessels in state
waters; and providing for an effective date."

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

Communications

The following reports are on file in the Office of the Secretary of the
Senate:

Notification of Availability of the State of Alaska Commission on
Judicial Conduct 2011 Annual Report
from Marla Greenstein, Executive Director
available at: www.ajc.state.ak.us/conduct/conduct11.pdf

State Officers Compensation Commission recommendations
from Rick Halford, Chair
in accordance with AS 39.23.540(a)

FY2012 Executive Branch Lease Purchase Agreements Report
from Karen Rehfeld, Director, Office of Management and Budget
Office of the Governor
in accordance with AS 37.07.040 (11)

Biennial Report of the Alaska Public Offices Commission Covering
Calendar Years 2010 and 2011
from Paul Dauphinais, Executive Director
in accordance with AS 15.13.030(8)

Department of Environmental Conservation Preliminary Report on
Cruise Ship Wastewater and 2009-2012 Science Advisory Panel
Preliminary Report
from Larry Hartig, Commissioner
in accordance with AS 46.03.464

Standing Committee Reports**SB 12**

The State Affairs Committee considered SENATE BILL NO. 12 "An Act relating to state and public entity procurement, including the State Procurement Code, procurement preferences, contract awards, the use of small procurement provisions for certain amounts of leased space, the Alaska business license requirement for Alaska bidder and other procurement preferences, the proof of 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, the chief procurement officer, small procurements, and writings; relating to the meaning of 'Alaska bidder'; and providing for an effective date." Signing do pass: Senator Dyson, Chair; Senators Coghill, Giessel. Signing no recommendation: Senator Wielechowski.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Administration

The bill was referred to the Finance Committee.

SB 37

The Labor and Commerce Committee considered SENATE BILL NO. 37 "An Act extending the termination date of the Statewide Suicide Prevention Council; and providing for an effective date." Signing no recommendation: Senator Dunleavy, Chair; Senator Olson. Signing do pass: Senators Micciche, Stedman, Ellis.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Health and Social Services

The bill was referred to the Finance Committee.

Introduction and Reference of Senate Bills**SB 44**

SENATE BILL NO. 44 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to election practices and procedures; relating to the election of an advisory school board in a regional educational attendance area; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, zero, Office of the Governor

Fiscal Note No. 2, zero, Department of Education and Early Development

Governor's transmittal letter dated February 4:

Dear President Huggins,

Under the authority of Article III, Section 18 of the Alaska Constitution, I am transmitting a bill relating to election practices and procedures; and relating to the election of an advisory school board in a regional educational attendance area.

The bill would make a number of changes to the Election Code and related statutes. These good government changes are necessary to assure voter access to his or her ballot, and to maximize efficiency in conducting State-run elections while harmonizing certain provisions of State and federal election law.

The bill would also shift the date of the primary election and associated candidacy withdrawal and petition deadlines. The bill would move the date of the primary from the fourth Tuesday in August to the second Tuesday in August of every even-numbered year. The purpose of moving the date is to assure that the Division of Elections can timely comply with provisions of federal law requiring the Division to transmit ballots to military and overseas voters 45 days before a federal election. Candidates would be required to withdraw their name 52 days rather than 48 days before the primary, and judges up for retention would be required to withdraw 64 days rather than 48 days before a general election. Similarly, deadlines governing the nomination of candidates by party petition where an unopposed incumbent dies, is disqualified, or is incapacitated, and for filling vacancies by party petition, would change.

The bill would specify that the Division of Elections may conduct elections for advisory school boards in regional educational attendance areas. The Division already is required to conduct elections to regional educational attendance area boards, and this change would specify that the Division could – but would not be required – to do the same for local advisory boards.

The bill would allow a qualified voter residing outside the United States to register to vote absentee if the qualified voter's parent or guardian was domiciled in Alaska immediately before leaving the United States. This provision is aimed at voters who reach 18 years of age while living abroad with their parent or guardian.

The bill would allow the Division of Elections to designate municipal clerks to act as absentee voting officials to distribute absentee ballots to qualified voters and their representatives. This portion of the bill aims to resolve difficulties associated with finding individuals to act as absentee voting officials, particularly in more rural areas of the state, by allowing municipal clerks to act in this capacity and thereby reach greater numbers of absentee voters.

The bill would also streamline several aspects of the absentee voting process. The bill would clarify that voters (other than uniformed services voters or overseas voters) who apply to receive their ballots by electronic transmission must, by regulation, be required to comply with the same ballot application deadlines applicable to absentee voting in person. The bill would repeal the concept of the "special absentee ballot" and make official ballots for overseas and military voters available 45 days before a federal election. All regular statewide elections also have federal offices on the ballot. Federal law requires the Division of Elections to transmit ballots to military and overseas voters 45 days before an election. The purpose of the State change would be to eliminate the 60 day advance "special absentee ballot" and make a single, official ballot available to voters overseas, in the military, and in remote areas of the state available on a timeframe consistent with federal law. Sending two ballots often causes voter confusion.

Finally, the bill would harmonize State and federal law by adding definitions of "absent uniformed services voter" and "overseas voter" to the Election Code.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Sean Parnell
Governor

SB 45

SENATE BILL NO. 45 BY SENATOR MCGUIRE, entitled:

"An Act setting special registration fees for alternative fuel vehicles; and providing for an effective date."

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

Consideration of the Calendar

Citations

In Memoriam - Peter Winslow Knudsen

Representative(s) Hawker

Senator(s) Giessel, Huggins, Bishop, Coghill, Dunleavy, Dyson, Egan, Ellis, Fairclough, Gardner, Hoffman, Kelly, McGuire, Meyer, Micciche, Olson, Stedman, Stevens, Wielechowski

Senator McGuire, Acting Majority Leader, moved and asked unanimous consent that the citation be adopted. Without objection, the citation was adopted and referred to the Secretary for transmittal.

Unfinished Business

Senator McGuire, Acting Majority Leader, moved and asked unanimous consent that President Huggins be excused from a call of the Senate from afternoon plane time, February 8 through evening plane time, February 10. Without objection, Senator Huggins was excused.

Senator Hoffman moved and asked unanimous consent to be excused from a call of the Senate from February 13 through February 15. Without objection, Senator Hoffman was excused.

Senator Dunleavy moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, February 8 through evening plane time, February 10. Without objection, Senator Dunleavy was excused.

Senator Stevens moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 13 through evening plane time, February 18; and from afternoon plane time, February 21 through evening plane time, February 26. Without objection, Senator Stevens was excused.

Senator Ellis moved and asked unanimous consent to be excused from a call of the Senate on February 11, to morning plane time. Without objection, Senator Ellis was excused.

Senator Fairclough moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 15 through morning plane time, February 18. Without objection, Senator Fairclough was excused.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator McGuire, Acting Majority Leader, moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., February 8, 2013. Without objection, the Senate adjourned at 11:25 a.m.

Liz Clark
Secretary of the Senate

Announcements

Americans with Disabilities Act Notice - Persons with disabilities who require special accommodation or alternative communication formats to access committee meetings may contact the appropriate committee office or the Legislative Information Office in their community. Reasonable advance notice is needed to accommodate the request. For further information, call the ADA Coordinator at 465-3854 Voice/465-4980 TDD.

STANDING COMMITTEES

+ indicates teleconference
 = indicates bill previously heard/scheduled

COMMUNITY & REGIONAL AFFAIRS

Feb 07	Thursday	Butrovich 205	3:30 PM
	No Meeting Scheduled		
Feb 08	Friday	Butrovich 205	8:00 AM
	Note Day and Time Change		
+ SB 32	CHIKUMINUK LAKE HYDROELECTRIC SITE		

EDUCATION

Feb 06	Wednesday	Beltz 105 (tsbldg)	8:00 AM
+ SB 40	APPROP: UNIV. ENGINEERING BUILDINGS		
	Bills Previously Heard/Scheduled		
Feb 08	Friday	Capitol 106	8:00 AM
	-- Location Change --		
+	Joint w/ House Education		
	Presentation: Annual Report, Department of Education & Early Development		

FINANCE

- Feb 06 Wednesday Senate Finance 532 9:00 AM**
 += SB 29 CRUISE SHIP WASTEWATER DISCHARGE PERMITS
 Larry Hartig, Commissioner, DEC
 + Bills Previously Heard/Scheduled
- Feb 07 Thursday Senate Finance 532 9:00 AM**
 += SB 29 CRUISE SHIP WASTEWATER DISCHARGE PERMITS
 -- Public Testimony --
 + HB 80 CRUISE SHIP WASTEWATER DISCHARGE PERMITS
 + Bills Previously Heard/Scheduled
- Feb 08 Friday Senate Finance 532 9:00 AM**
 + Bills Previously Heard/Scheduled
 + SB 42 SUPPLEMENTAL/CAPITAL/OTHER APPROPRIATIONS
 <Above Item Removed from Agenda>

HEALTH & SOCIAL SERVICES

- Feb 06 Wednesday Butrovich 205 1:30 PM**
 No Meeting Scheduled
- Feb 08 Friday Butrovich 205 1:30 PM**
 No Meeting Scheduled

JUDICIARY

- Feb 06 Wednesday Beltz 105 (tsbldg) 1:30 PM**
 No Meeting Scheduled
- Feb 08 Friday Beltz 105 (tsbldg) 1:30 PM**
 + Children's Justice Act Task Force - Annual
 Legislative Presentation
 <Teleconference Listen Only>
- += SJR 6 OPPOSE EXECUTIVE ORDERS ON GUN CONTROL
 -- Public Testimony <Time Limit May be Set> --

LABOR & COMMERCE

Feb 07 Thursday Beltz 105 (tsbldg) 1:30 PM
 += SB 16 BD OF ARCHITECTS, ENGINEERS, SURVEYORS
 + SB 38 EXTEND STATE MEDICAL BOARD
 Bills Previously Heard/Scheduled

RESOURCES

Feb 06 Wednesday Butrovich 205 3:30 PM
 + The Alberta Experience
 -- Testimony <Invitation Only> --
 + PFC Energy
 -- Testimony <Invitation Only> --
 + Bills Previously Heard/Scheduled
 += SB 26 LAND DISPOSALS/EXCHANGES; WATER RIGHTS
 -- 5:15 pm Public Testimony --

Feb 08 Friday Butrovich 205 3:30 PM
 + "What it Takes to Keep Our Legacy Fields Alive"
 -- Testimony <Invitation Only> --
 + Bills Previously Heard/Scheduled

STATE AFFAIRS

Feb 07 Thursday Capitol 106 8:00 AM
 -- Time Change from 9:00 am to 8:00 am --
 Uniform Rule 23 Waived
 + Joint w/ House State Affairs
 Employee Health Plan Overview Presentation by
 Becky Hultberg, Commissioner
 Dept. of Administration

TRANSPORTATION

Feb 07 Thursday Butrovich 205 1:30 PM
 + SB 31 NAMING AKHIOK RUNWAY

FINANCE SUBCOMMITTEES**FISH & GAME**

Feb 11	Monday	Senate Finance 532	3:00 PM
	-- MEETING CANCELED --		
	Department Budget Overview		
	-- Testimony <Invitation Only> --		
Feb 13	Wednesday	Senate Finance 532	3:00 PM
	-- MEETING CANCELED --		
	Department Budget Overview		
	-- Testimony <Invitation Only> --		
Feb 18	Monday	Senate Finance 532	3:00 PM
	Department Budget Overview		
	-- Testimony <Invitation Only> --		
Feb 20	Wednesday	Senate Finance 532	3:00 PM
	-- MEETING CANCELED --		
	Department Budget Overview		
	-- Testimony <Invitation Only> --		
Feb 25	Monday	Senate Finance 532	3:00 PM
	Department Budget Overview		
	-- Testimony <Invitation Only> --		
Feb 27	Wednesday	Senate Finance 532	3:00 PM
	-- MEETING CANCELED --		
	Department Budget Overview		
	-- Testimony <Invitation Only> --		
Mar 04	Monday	Senate Finance 532	3:00 PM
	Department Budget Overview		
	-- Testimony <Invitation Only> --		
Mar 06	Wednesday	Senate Finance 532	3:00 PM
	Department Budget Overview		
	-- Testimony <Invitation Only> --		
Mar 11	Monday	Senate Finance 532	3:00 PM
	Department Budget Overview		
	-- Testimony <Invitation Only> --		

HEALTH & SOCIAL SERVICES

Feb 07 +	Thursday Department & FY14 Budget Overview & Status of FY13 Increments -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	8:00 AM
Feb 12 +	Tuesday Medicaid -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	8:00 AM
Feb 14 +	Thursday Medicaid -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	8:00 AM
Feb 21 +	Thursday Mental Health Trust -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	8:00 AM
Feb 28 +	Thursday Other Issues within the Budget, Question and Answer Session -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	8:00 AM
Mar 14 +	Thursday Budget Close-out -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	8:00 AM

PUBLIC SAFETY

Feb 19 +	Tuesday Trooper Aircraft, Budget Amendments -- Testimony <Invitation Only> --	Senate Finance 532	3:30 PM
Feb 26 +	Tuesday Other Issues within the Budget, Question and Answer Session -- Testimony <Invitation Only> --	Senate Finance 532	3:30 PM
Mar 12 +	Tuesday Budget Close-out -- Testimony <Invitation Only> --	Senate Finance 532	3:30 PM

SPECIAL COMMITTEES

SENATE SPECIAL COMM ON IN-STATE ENERGY

Feb 07	Thursday	Butrovich 205	7:30 AM
	No Meeting Scheduled		
Feb 12	Tuesday	Butrovich 205	7:30 AM
+	Alaska Gasline Port Authority, Overview Bill Walker		
Feb 14	Thursday	Butrovich 205	7:30 AM
+	UAF Alaska Center for Energy and Power Overview Director Gwen Holdmann		

SENATE SPECIAL COMM ON TAPS THROUGHPUT

Feb 07	Thursday	Butrovich 205	3:30 PM
+= SB 21	OIL AND GAS PRODUCTION TAX		
Feb 09	Saturday	Butrovich 205	10:00 AM
= SB 21	OIL AND GAS PRODUCTION TAX Meeting if needed.		

JOINT COMMITTEES

ARMED SERVICES COMMITTEE

Feb 14	Thursday	Senate Finance 532	11:00 AM
+	Lt. General Stephen L. Hoog Commander: Alaskan Command, 11th Air Force, Alaskan North American Aerospace Defense Command Region and Joint Base Elmendorf-Richardson Maj. General Thomas Katkus Adjutant General Alaska National Guard and Commissioner of DMVA Rear Admiral Thomas P. Ostebo, United States Coast Guard, Commander 17th Coast Guard District -- Testimony <Invitation Only> --		

OTHER MEETINGS**JOINT SESSION**

Feb 13	Wednesday	House Chamber	11:00 AM
	State of the Judiciary Address by Chief Justice Dana Fabe		
Feb 21	Thursday	House Chamber	11:00 AM
	Annual Address by the Honorable Lisa Murkowski, U.S. Senator		
Mar 04	Monday	House Chamber	11:00 AM
	Annual Address by the Honorable Mark Begich, U.S. Senator		

MISCELLANEOUS MEETING

Feb 06	Wednesday	Capitol 106	12:00 PM
	Lunch and Learn: "An Affordable Housing Conversation" Association of Alaska Housing Authority Sponsored by Sen. Olson & Rep. Edgmon		
Feb 07	Thursday	Capitol 106	12:00 PM
	Lunch and Learn Super Critical Water Extraction and Refining (SCWER) Presented by: Heavy Oil Solutions, LLC Sponsored by the Senate Special Committee on Trans Alaska Pipeline Systems Throughput		