

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-EIGHTH LEGISLATURE

FIRST SESSION

Juneau, Alaska

Friday

February 15, 2013

Thirty-second Day

Pursuant to adjournment the Senate was called to order by President Huggins at 10:04 a.m.

The roll showed fifteen members present. Senators Ellis, Hoffman, Stedman, Stevens were excused from a call of the Senate. Senator Olson was absent.

The prayer was offered by the Chaplain, Pastor Dan Wiese of the Juneau Church of the Nazarene. Senator McGuire moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

O God, as I bow before you once again this day, I thank you for each person here in this room whom you love so very much. I thank you for the privilege of praying for this honored group of men and women this week. It is an honor for each of them to be elected by the constituents in their districts and entrusted with the duty and responsibilities that come with their position. I pray that you would help them with this paradox between being the leaders they need to be to lead our state, and yet, also being the servants they need to be to serve the needs of the people of this state. Help them as they make decisions that not only affect the present, but also will impact the future. Give them wisdom and foresight that will help them discern what is best for our state. Guide them in their sessions, in their committees and in all their meetings and gatherings for the greater purpose of leading and serving the

wonderful people of this state. Lord, we often seek your blessing for America and we certainly want God to bless Alaska. But we also know that blessing comes as a result of doing that which pleases you and that which is right. That which is right is rooted in loving God with all our heart, soul, mind and strength and to loving our neighbor as ourselves. When we do as you command, we trust that you will indeed bless America and bless this great state of Alaska we call home. Now, we also pray that you would bless and guide in the lives of each senator and staff and their families. Help them especially in the burdens they carry for their loved ones. I pray all this for these people in the name of the one whom I serve, Jesus, my Creator, Savior and Lord. Amen.

Senator Micciche led the Senate in the Pledge of Allegiance.

Certification

Senator Coghill moved and asked unanimous consent that the journals for the thirtieth and thirty-first legislative days and Senate and House Joint Journal Supplement No. 2 be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the House

Message dated February 13 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 67

CS FOR HOUSE BILL NO. 67(MLV) BY THE HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS, entitled:

"An Act establishing March 29 of each year as Vietnam Veterans Day; and providing for an effective date."

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

Communications

Commemorative Profiles of Senate District C, Senate District D, Senate District E and Senate District F will be published in Senate Journal Supplement No. 2 (page 240).

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

Report from the Commissioner of the Department of Administration dated February 11 was received updating the monetary terms for the collective bargaining agreement reached with the Alaska Correctional Officers Association
from Becky Hultberg, Commissioner
in accordance with AS 23.40.215

The President referred the report to the Finance Committee.

The Alaska Film Office 2013 Report to the Legislature
from Crystal Koeneman, Special Assistant, Department of Commerce, Community, and Economic Development
in accordance with AS 44.33.231(b)

Standing Committee Reports

SJR 8

The Resources Committee considered SENATE JOINT RESOLUTION NO. 8 Supporting the continued and increased exploration, extraction, processing, and production of rare earth elements in the state; and urging the United States Congress to support efforts of the state to develop rare earth elements in the state for the benefit of the economic and national security of the United States, and recommended it be replaced with

CS FOR SENATE JOINT RESOLUTION
NO. 8(RES)

Signing do pass: Senator Giessel, Chair; Senators French, Micciche, Bishop, McGuire, Fairclough, Dyson.

The following fiscal information was published today:
Fiscal Note No. 1, zero, Senate Resources Committee

The resolution was referred to the Rules Committee.

Introduction and Reference of Senate Bills

SB 41

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 41 BY
SENATOR DYSON, entitled:

"An Act relating to student participation in interscholastic activities; and providing for an effective date."

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

SB 49

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 49 BY
SENATORS COGHILL, Olson, Kelly, Dyson, Micciche, Dunleavy, Giessel, entitled:

"An Act defining 'medically necessary abortion' for purposes of making payments under the state Medicaid program."

was read the first time and referred to the Judiciary and Finance Committees.

SB 55

SENATE BILL NO. 55 BY THE SENATE LABOR & COMMERCE
COMMITTEE, entitled:

"An Act relating to actions by insurers based on credit history or insurance score."

was read the first time and referred to the Labor and Commerce Committee.

SB 56

SENATE BILL NO. 56 BY SENATOR DYSON, entitled:

"An Act relating to certain crimes involving controlled substances; and providing for an effective date."

was read the first time and referred to the Judiciary and Finance Committees.

SB 57

SENATE BILL NO. 57 BY SENATOR STEVENS, entitled:

"An Act relating to parental involvement in education; adjusting pupil transportation funding; amending the time required for employers to give tenured teachers notification of their nonretention; and providing for an effective date."

was read the first time and referred to the Education and Finance Committees.

SB 58

SENATE BILL NO. 58 BY SENATOR EGAN, entitled:

"An Act allowing an insurer to cancel an insurance policy if property becomes entirely abandoned and the abandonment increases the hazard insured against."

was read the first time and referred to the Labor and Commerce Committee.

Consideration of the Calendar**Citations**

Honoring - Sergeant Paul Hatch

Representative(s) Munoz, Kerttula

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

In Memoriam - Katharine Duvall Madsen

Representative(s) Austerman

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

In Memoriam - Arthur Stephen Kacalski

Representative(s) Austerman

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

In Memoriam - Helen Hall

Representative(s) Austerman

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

Senator Coghill moved and asked unanimous consent that the citations be adopted. Without objection, the citations were adopted and referred to the Secretary for transmittal.

Senator Coghill 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 - Juanita Bertoson Happy 100th Birthday

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

Representative(s) Seaton

Commemorating Elizabeth Peratrovich Day February 16, 2013

Representative(s) Kerttula, Munoz

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

In Memoriam - First Sergeant Thomas Uptgraft

Representative(s) Isaacson, Wilson, T

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

Senator Coghill 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

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

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

Senator Dyson moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, March 6 through evening plane time, March 10. Without objection, Senator Dyson was excused.

Senator Giessel moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 15 through evening plane time, February 17. Without objection, Senator Giessel was excused.

SJR 9

President Huggins removed the Education Committee referral from SENATE JOINT RESOLUTION NO. 9 Proposing amendments to the Constitution of the State of Alaska relating to state aid for education, (page 283).

President Huggins added a Finance Committee referral to the resolution.

Senator Wielechowski objected.

The question being: "Shall the Senate uphold the committee referral changes?" The roll was taken with the following result:

SJR 9

Uphold Change to Referrals?

YEAS: 11 NAYS: 4 EXCUSED: 4 ABSENT: 1

Yeas: Bishop, Coghill, Dunleavy, Dyson, Fairclough, Giessel, Huggins, Kelly, McGuire, Meyer, Micciche

Nays: Egan, French, Gardner, Wielechowski

Excused: Ellis, Hoffman, Stedman, Stevens

Absent: Olson

and so, the Senate upheld the committee referral changes.

The resolution was referred to the Judiciary, then Finance Committees.

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

President Huggins made the following appointments:

Pacific NorthWest Economic Region (PNWER)

Senator McGuire, delegate

Senator Giessel, alternate delegate

Senator Hoffman, minority delegate

Senator Gardner, alternate minority delegate

Adjournment

Senator Coghill moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 19, 2013. Without objection, the Senate adjourned at 10:41 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 19	Tuesday	Beltz 105 (tsbldg)	3:30 PM
	No Meeting Scheduled		
Feb 21	Thursday	Butrovich 205	3:30 PM
+	Presentation on Local Government		
	Kathie Wasserman, Alaska Municipal League		
+ HB 40	MUNICIPAL TAX EXEMPTION: FARM STRUCTURES		

EDUCATION

Feb 15	Friday	Beltz 105 (tsbldg)	8:00 AM
	No Meeting Scheduled		
Feb 18	Monday	Beltz 105 (tsbldg)	8:00 AM
	No Meeting Scheduled		
Feb 20	Wednesday	Beltz 105 (tsbldg)	8:00 AM
+	Presentation: Center for Alaska Education Policy		
	Research, UAA		
	Bills Previously Heard/Scheduled		
Feb 22	Friday	Beltz 105 (tsbldg)	8:00 AM
	No Meeting Scheduled		

FINANCE

Feb 15	Friday	Senate Finance 532	9:00 AM
+	Presentation: Office of Management & Budget Karen Rehfeld FY 2014 Budget Amendments Bills Previously Heard/Scheduled		
Feb 18	Monday	Senate Finance 532	9:00 AM
+= SB 18	BUDGET: CAPITAL		
+	Department Overviews: Dept. of Commerce, Community & Economic Dev. Dept. of Administration		
+	Bills Previously Heard/Scheduled		
+	Presentation: Dept. of Administration on Contract Negotiations, Commissioner Becky Hultberg <Presentation Rescheduled to 02/20/13>		
Feb 19	Tuesday	Senate Finance 532	9:00 AM
+= SB 18	BUDGET: CAPITAL		
	Alaska Court System Department of Public Safety Department of Law Department of Corrections University of Alaska Bills Previously Heard/Scheduled		
Feb 20	Wednesday	Senate Finance 532	9:00 AM
+	Presentation: Dept. of Administration on Contract Negotiations, Commissioner Becky Hultberg		
+= SB 18	BUDGET: CAPITAL		
+	Bills Previously Heard/Scheduled		
+	Dept. of Commerce, Community & Economic Dev. <Above Item Removed from Agenda>		
Feb 21	Thursday	Senate Finance 532	9:00 AM
+ SB 7	CORPORATE INCOME TAX		
+ SB 12	PUBLIC PROCUREMENT		
	Bills Previously Heard/Scheduled		
Feb 22	Friday	Senate Finance 532	9:00 AM
+ SB 37	EXTEND SUICIDE PREVENTION COUNCIL		
+ SB 17	EXTEND SPECIAL EDUCATION SERVICE AGENCY		
+	Bills Previously Heard/Scheduled		

HEALTH & SOCIAL SERVICES

Feb 15	Friday	Butrovich 205	1:30 PM
	No Meeting Scheduled		
Feb 18	Monday	Butrovich 205	1:30 PM
	No Meeting Scheduled		
Feb 20	Wednesday	Butrovich 205	1:30 PM
+ HB 88	STATUTORY REFS TO MENTAL RETARDATION		
Feb 22	Friday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

JUDICIARY

Feb 15	Friday	Beltz 105 (tsbldg)	1:30 PM
= SB 22	CRIMES; VICTIMS; CHILD ABUSE AND NEGLECT		
	-- Public Testimony <Time Limit May be Set> --		
+	Bills Previously Heard/Scheduled		
Feb 18	Monday	Beltz 105 (tsbldg)	1:30 PM
+= SB 22	CRIMES; VICTIMS; CHILD ABUSE AND NEGLECT		
	-- Public Testimony <Time Limit May be Set> --		
	Confirmation Hearing		
	Select Committee on Legislative Ethics		
	Gary J. Turner		
Feb 20	Wednesday	Capitol 106	1:30 PM
+	Joint w/ House Judiciary		
	Report by Task Force on Sex Trafficking		
	-- Testimony <Invitation Only> --		
Feb 22	Friday	Beltz 105 (tsbldg)	1:30 PM
+ SB 43	PROPERTY CRIMES		
+= SB 22	CRIMES; VICTIMS; CHILD ABUSE AND NEGLECT		
	-- Public Testimony <Time Limit May be Set> --		

LABOR & COMMERCE

Feb 19 Tuesday Beltz 105 (tsbldg) 1:30 PM

+ SB 23 AIDEA: LNG PROJECT; DIVIDENDS; FINANCING
 + SB 16 BD OF ARCHITECTS, ENGINEERS, SURVEYORS
 + SB 38 EXTEND STATE MEDICAL BOARD
 + Bills Previously Heard/Scheduled

Feb 21 Thursday Beltz 105 (tsbldg) 1:30 PM

+ Bills Previously Heard/Scheduled

RESOURCES

Feb 15 Friday Butrovich 205 3:30 PM

-- Teleconference <Invitation Only> --
 + SB 21 OIL AND GAS PRODUCTION TAX
 PFC Energy
 Bills Previously Heard/Scheduled

Feb 18 Monday Butrovich 205 3:30 PM

+ SB 21 OIL AND GAS PRODUCTION TAX
 Independent Oil & Gas Companies
 -- Testimony <Invitation Only> --
 -- 6 p.m. Public Testimony --

Feb 20 Wednesday Butrovich 205 3:30 PM

+ SB 21 OIL AND GAS PRODUCTION TAX
 Major Producers
 -- Testimony <Invitation Only> --
 + SJR 3 ENDORSING ANWR LEASING
 -- 5:15 p.m. Public Testimony on SB 21 --

Feb 22 Friday Butrovich 205 3:30 PM

+ SB 21 OIL AND GAS PRODUCTION TAX
 Consultants
 -- Testimony <Invitation Only> --
 Bills Previously Heard/Scheduled

STATE AFFAIRS

Feb 19 Tuesday Butrovich 205 9:00 AM
No Meeting Scheduled

Feb 21 Thursday Butrovich 205 9:00 AM
+ SB 36 MISSING VULNERABLE ADULT RESPONSE PLAN
+ HB 67 VIETNAM VETERANS DAY
<Pending Referral>

TRANSPORTATION

Feb 19 Tuesday Butrovich 205 1:30 PM
+ SB 24 MARINE TRANSPORTATION ADVISORY BOARD
+ HB 15 COMMERCIAL MOTOR VEHICLE REQUIREMENTS

Feb 21 Thursday Butrovich 205 1:30 PM
+ Bills Previously Heard/Scheduled

FINANCE SUBCOMMITTEES**COMMERCE, COMMUNITY & ECONOMIC DEV**

Feb 18 Monday Senate Finance 532 1:30 PM
Budget Overview

EDUCATION & EARLY DEVELOPMENT

Feb 21 Thursday Senate Finance 532 3:00 PM
+ Overview: Teaching and Learning Support Division
Dr. Susan McCauley, Director
Mr. Paul Prussing, Deputy Director

Mar 04	Monday	Senate Finance 532	3:00 PM
	Department Budget Overview		
	-- Testimony <Invitation Only> --		

FISH & GAME (continued)

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 19	Tuesday	Fahrenkamp 203	8:00 AM
+	Medicaid		
	-- Testimony <Invitation Only> --		
Feb 21	Thursday	Fahrenkamp 203	8:00 AM
	-- Agenda and Location Change --		
+	Medicaid		
	-- Testimony <Invitation Only> --		
Feb 28	Thursday	Fahrenkamp 203	8:00 AM
	-- Location Change --		
+	Other Issues within the Budget, Question and Answer Session		
	-- Testimony <Invitation Only> --		
Mar 14	Thursday	Fahrenkamp 203	8:00 AM
	-- Location Change --		
+	Budget Close-out		
	-- Testimony <Invitation Only> --		

PUBLIC SAFETY

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

PUBLIC SAFETY (continued)

Mar 12	Tuesday	Senate Finance 532	3:30 PM
+	Budget Close-out		
	-- Testimony <Invitation Only> --		

TRANSPORTATION & PUBLIC FACILITIES

Feb 20	Wednesday	Senate Finance 532	2:00 PM
	Budget Overview		

SPECIAL COMMITTEES**SENATE SPECIAL COMM ON IN-STATE ENERGY**

Feb 19	Tuesday	Butrovich 205	7:30 AM
+	Overview: Susitna Watana Hydro Project		
	Alaska Energy Authority (AEA)		
	Sara Fisher-Goad, Wayne Dyok, Nick Szymoniak		

Feb 21	Thursday	Butrovich 205	7:30 AM
+	Overview: Alaska Independent Power Producers		
	Mike Craft, Duff Mitchell		

SENATE SPECIAL COMM ON TAPS THROUGHPUT

Feb 19	Tuesday	Butrovich 205	3:30 PM
	No Meeting Scheduled		

Feb 21	Thursday	Butrovich 205	3:30 PM
	No Meeting Scheduled		

JOINT COMMITTEES**LEGISLATIVE BUDGET & AUDIT**

Feb 22	Friday	House Finance 519	8:00 AM
	Audits - EXECUTIVE SESSION		
	- State of Alaska Single Audit for FY12		
	- DOT/PF Knik Arm Bridge & Toll Authority		
+	Other Committee Business		
	- Alaska Statewide System for Employee Time (ASSET) Audit Update		
	- Consideration of Audit Request		

LEGISLATIVE CENTENNIAL COMMISSION

Feb 20	Wednesday	Capitol 106	4:00 PM
+	Update on Events Planned for Centennial Week		

OTHER MEETINGS**JOINT SESSION**

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		