

**SENATE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-EIGHTH LEGISLATURE**  
**FIRST SESSION**

**Juneau, Alaska**

**Tuesday**

**February 19, 2013**

**Thirty-sixth Day**

Pursuant to adjournment the Senate was called to order by President Huggins at 11:05 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Pastor Stephen Mattson of Valley Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Father,

I thank you for the members of this Senate. Lord, I thank you that you called each one of them to a time such as this. I thank you that you have a plan and a purpose for each Senator, and Lord, I ask that each would walk worthy of the calling they have received.

I pray that you would bless them abundantly. I pray that you guard their hearts with your peace and love.

Holy Spirit, today I welcome you into this place and I ask that you would unify this body in the bonds of your love and your peace. Open up the windows of heaven and pour out your love in this room.

Lord, you have established each person here in this Senate, from the assistants, to the record keepers, the Senators, and everyone else that has any involvement in this meeting - you have established them for a time such as this.

Lord, I pray that through this body that you will establish Alaska as a leader in this nation and many will look to this state as an example of the right way to do things.

Lord, as you set up Egypt in the days of Joseph as a place of refuge for those in need and a mighty pillar in the world, I ask that you set up Alaska as a mighty pillar and a place of refuge for the lost and needy.

Father, let your kingdom come and your will be done here in this place as it is in heaven. Let your will be done in Alaska as it is in heaven.

Thank you Father for your goodness, your love, and your mercy. I love you.

Father it is by faith in the name of Jesus that I pray all this. Amen.

Senator Stedman led the Senate in the Pledge of Allegiance.

### **Certification**

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

### **Messages from the House**

Messages dated February 15 and 18 were read stating the House passed and transmitted for consideration:

**First Reading and Reference of House Bills****HB 26**

HOUSE BILL NO. 26 BY REPRESENTATIVES HAWKER AND THOMPSON, Millett, Pruitt, entitled:

"An Act extending the termination date of the Board of Public Accountancy; and providing for an effective date."

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

**HB 30**

CS FOR HOUSE BILL NO. 30(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to performance reviews, audits, and termination of executive and legislative branch agencies, the University of Alaska, and the Alaska Court System; 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:

Alaska Training Program Performance 2012, Employment and Wages of Training Program Participants Exiting in FY 2011  
from the Division of Administrative Services, Research and Analysis  
Department of Labor and Workforce Development  
in accordance with AS 23.15.580(b)(9)

State of Alaska Ombudsman 2012 Annual Report  
from Linda Lord-Jenkins, Ombudsman  
in accordance with AS 24.55.230

Alaska Department of Education and Early Development Annual Report  
from Mike Hanley, Commissioner  
in accordance with AS 14.03.078

State of Alaska Task Force on the Crimes of Human Trafficking,  
Promoting Prostitution and Sex Trafficking Final Report and  
Recommendations Delivered February 15  
in accordance with Chapter 70, SLA 12 (SB 210)

### **Introduction and Reference of Senate Bills**

#### **SB 59**

SENATE BILL NO. 59 BY THE SENATE RULES COMMITTEE  
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to approval for oil and gas or gas  
only exploration and development in a geographical  
area; and providing for an effective date."

was read the first time and referred to the Senate Special Committee  
on Trans Alaska Pipeline System Throughput, Resources and Finance  
Committees.

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

Governor's transmittal letter dated February 18:

Dear President Huggins,

Under the authority of Article III, Section 18 of the Alaska  
Constitution, I am transmitting a bill relating to approval for oil and  
gas or gas only exploration and development in a geographical area.  
This bill will reduce the time required to get oil into production and  
flowing through TAPS, while protecting Alaska's environment.

Under current procedures, the Department of Natural Resources (DNR) grants lease exploration and development approval in conjunction with individual plans of operation for a lease or project. As such, a separate public notice is required for each approval, often resulting in repetitive approvals within the same geographical area. In order to streamline the State's permitting process, this bill allows DNR to comprehensively evaluate oil and gas exploration and development in a geographical area, and define the criteria by which specific projects are evaluated and approved. Approvals made under the provisions of this bill are valid for up to ten years as specified by DNR's Director of the Division of Lands.

Creating economic opportunity in Alaska requires a clear, predictable, and timely permitting process that encourages resource development while protecting the environment. I urge your prompt and favorable action on this measure to create a streamlined permitting process in the interests of increasing oil throughput and growing Alaska's economy.

Sincerely,

/s/

Sean Parnell  
Governor

### **Consideration of the Calendar**

#### **Third Reading of House Bills**

##### **HB 80**

HOUSE BILL NO. 80 "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 third time.

The question being: "Shall HOUSE BILL NO. 80 "An Act relating to the regulation of wastewater discharge from commercial passenger vessels in state waters; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

HB 80

Third Reading - Final Passage

**YEAS: 14 NAYS: 6 EXCUSED: 0 ABSENT: 0**

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

Nays: Egan, Ellis, French, Gardner, Olson, Wielechowski

and so, HOUSE BILL NO. 80 passed the Senate.

Senator Coghill moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Senator Wielechowski objected.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

HB 80

Effective Date Clause

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

Yeas: Bishop, Coghill, Dunleavy, Dyson, Egan, Fairclough, Giessel, Hoffman, Huggins, Kelly, McGuire, Meyer, Micciche, Olson, Stedman, Stevens

Nays: Ellis, French, Gardner, Wielechowski

and so, the effective date clause was adopted.

### **Reconsideration of House Bills**

**HB 80**

Senator Coghill gave notice of reconsideration on HOUSE BILL NO. 80 and moved and asked unanimous consent that it be taken up at this time. Without objection, the bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall HOUSE BILL NO. 80 "An Act relating to the regulation of wastewater discharge from commercial passenger vessels in state waters; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

HB 80

Third Reading - On Reconsideration

Effective Date

**YEAS: 15 NAYS: 5 EXCUSED: 0 ABSENT: 0**

Yeas: Bishop, Coghill, Dunleavy, Dyson, Egan, Fairclough, Giessel, Hoffman, Huggins, Kelly, McGuire, Meyer, Micciche, Stedman, Stevens

Nays: Ellis, French, Gardner, Olson, Wielechowski

and so, HOUSE BILL NO. 80 passed the Senate on reconsideration.

Senator Coghill 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.

### **Citations**

In Memoriam - Carol Brenckle

Representative(s) Olson

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

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

### **Announcements**

Announcements are at the end of the journal.

**Adjournment**

Senator Coghill moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 20, 2013. Without objection, the Senate adjourned at 12:35 p.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**

<b>Feb 19</b>	<b>Tuesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>3:30 PM</b>
	No Meeting Scheduled		
<b>Feb 21</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
+	Presentation on Local Government		
	Kathie Wasserman, Alaska Municipal League		
+ HB 40	MUNICIPAL TAX EXEMPTION: FARM STRUCTURES		

-----

**EDUCATION**

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

-----

**FINANCE**

**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 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 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  
      -- Public Testimony --

**Feb 21      Thursday      Beltz 105 (tsbldg)      1:30 PM**  
 +      Bills Previously Heard/Scheduled

-----

**RESOURCES**

**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****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

-----

**ENVIRONMENTAL CONSERVATION**

**Feb 19      Tuesday                      Senate Finance 532              5:30 PM**  
 -- Please Note Time Change --  
 + Overview: The Governor's FY14 Budget Request  
 David Teal, Director, Legislative Finance  
 Overview: Department of Environmental  
 Conservation, Larry Hartig, Commissioner  
 Tom Cherian, Director, Division of Administrative Services

-----

**FISH & GAME**

<b>Feb 20</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>3:00 PM</b>
	-- MEETING CANCELED -- Department Budget Overview -- Testimony <Invitation Only> --		
<b>Feb 21</b> +	<b>Thursday</b>	<b>House Finance 519</b>	<b>5:00 PM</b>
	Joint w/ House Fish & Game Matanuska Susitna Fishery Issues Other Dept. of Fish & Game Budget Items -- Testimony <Invitation Only> --		
<b>Feb 25</b>	<b>Monday</b>	<b>Senate Finance 532</b>	<b>3:00 PM</b>
	Department Budget Overview -- Testimony <Invitation Only> --		
<b>Feb 27</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>3:00 PM</b>
	-- MEETING CANCELED -- Department Budget Overview -- Testimony <Invitation Only> --		
<b>Mar 04</b>	<b>Monday</b>	<b>Senate Finance 532</b>	<b>3:00 PM</b>
	Department Budget Overview -- Testimony <Invitation Only> --		
<b>Mar 06</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>3:00 PM</b>
	Department Budget Overview -- Testimony <Invitation Only> --		
<b>Mar 11</b>	<b>Monday</b>	<b>Senate Finance 532</b>	<b>3:00 PM</b>
	Department Budget Overview -- Testimony <Invitation Only> --		

**HEALTH & SOCIAL SERVICES**

<b>Feb 19</b> +	<b>Tuesday</b>	<b>Fahrenkamp 203</b>	<b>8:00 AM</b>
	Medicaid -- Testimony <Invitation Only> --		

**HEALTH & SOCIAL SERVICES (continued)**

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

**PUBLIC SAFETY**

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

**TRANSPORTATION & PUBLIC FACILITIES**

<b>Feb 20</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>2:00 PM</b>
	Budget Overview		

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

<b>Feb 19</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>7:30 AM</b>
+	Overview: Susitna Watana Hydro Project Alaska Energy Authority (AEA) Sara Fisher-Goad, Wayne Dyok, Nick Szymoniak		
<b>Feb 21</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>7:30 AM</b>
+	Overview: Alaska Independent Power Producers Mike Craft, Duff Mitchell		

-----

**SENATE SPECIAL COMM ON TAPS THROUGHPUT**

<b>Feb 19</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
	No Meeting Scheduled		
<b>Feb 21</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
	No Meeting Scheduled		

-----

**JOINT COMMITTEES****LEGISLATIVE BUDGET & AUDIT**

<b>Feb 22</b>	<b>Friday</b>	<b>House Finance 519</b>	<b>8:00 AM</b>
	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**

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

-----

**SELECT COMMITTEE ON LEGISLATIVE ETHICS**

<b>Feb 26</b>	<b>Tuesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>9:00 AM</b>
+	FULL COMMITTEE Public Comment Chair/Staff Report Budget: FY13 & FY14 Office Allowance Funds Disclosure Waiver Board of an Organization Procedure to Address Recommendations for Changes to AS 24.60 2013 Legislation Update		
<b>Feb 26</b>	<b>Tuesday</b>	<b>Sen Conf Rm 103 Tsb</b>	<b>1:00 PM</b>
+	JOINT HOUSE AND SENATE SUBCOMMITTEE Public Comment Executive Session Public Session		

-----

**OTHER MEETINGS****JOINT SESSION**

<b>Feb 21</b>	<b>Thursday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
	Annual Address by the Honorable Lisa Murkowski, U.S. Senator		
<b>Mar 04</b>	<b>Monday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
	Annual Address by the Honorable Mark Begich, U.S. Senator		

-----

**MISCELLANEOUS MEETING**

<b>Feb 20</b>	<b>Wednesday</b>	<b>Capitol 106</b>	<b>12:00 PM</b>
	Lunch and Learn: "Chinook Bycatch" Presenters - Alaska Marine Conservation Council Sponsored by Sen. Micciche		