

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-EIGHTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Monday

March 4, 2013

Forty-ninth Day

Pursuant to adjournment the Senate was called to order by President Huggins at 10:45 a.m.

The roll showed seventeen members present. Senators Fairclough, Stedman, Wielechowski were excused from a call of the Senate.

The prayer was offered by the Chaplain, Rabbi Dov Gartenberg of the Congregation Sukkat Shalom. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Today is the 152nd anniversary of Abraham Lincoln's first inaugural. The most famous passage of the speech was originally composed by William Seward, the Secretary of State, who of course is remembered here for Seward's Folly. Seward wrote an ending from which Lincoln adapted the conclusion of the inaugural.

"I close. We are not, we must not be aliens or enemies, but fellow-countrymen and brethren. Although passion has strained our bonds of affection too hardly, they must not, I am sure they will not, be broken. The mystic chords which, proceeding from so many battlefields and so many patriot graves, pass through all the hearts and the hearths in this broad continent of ours, will yet again harmonize in their ancient music when breathed upon by the guardian angel of the nation." (from the book Team of Rivals)

Lincoln rewrote it this way:

"I am loath to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature."

These words, spoken at a time when the nation was on the brink of civil war, remain relevant when good people are engaged in a bitter dispute. As we go forward in our weighty business, may we be touched by the better angels of our nature.

Senator Ellis led the Senate in the Pledge of Allegiance.

Certification

Senator Coghill moved and asked unanimous consent that the journals for the forty-sixth through forty-eighth legislative days and Senate Journal Supplement No. 4 be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the House

Message dated March 1 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 46

HOUSE BILL NO. 46 BY REPRESENTATIVES SADDLER, Feige, Thompson, Lynn, Kerttula, LeDoux, Kreiss-Tomkins, Keller, Isaacson, Tarr, Johnson, Gattis, P.Wilson, Olson, Gara, Reinbold, T.Wilson, Stoltze, entitled:

"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."

was read the first time and referred to the State Affairs and Transportation Committees

Communications

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

School Capital Project Funding Under SB 237
from Mike Hanley, Commissioner
Department of Education and Early Development
in accordance with AS 14.11.035

Thirty-ninth Annual Report 2012
from Gerard Godfrey, Chair, Violent Crimes Compensation Board
Department of Administration
in accordance with AS 18.67.170

Standing Committee Reports

SB 41

The Education Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 41 "An Act relating to student participation in interscholastic activities; and providing for an effective date." Signing do pass: Senator Stevens, Chair; Senators Dunleavy, Huggins. Signing no recommendation: Senator Gardner.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Education and Early Development

The bill was referred to the Rules Committee.

Recess

Senator Coghill moved and asked unanimous consent that the Senate stand in recess to the Joint Session. Without objection, the Senate recessed at 10:52 a.m.

After Recess**Joint Session in the House**

Speaker Chenault called the House to order and in accordance with Uniform Rule 51 turned the gavel over to President Huggins, who called the Joint Session to order at 11:08 a.m.

The purpose of the Joint Session was to hear an address by the Honorable Mark Begich, U.S. Senator.

Senator Coghill moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. Without objection, it was so ordered.

Representative Pruitt moved and asked unanimous consent that the roll call of the House be waived and all members be shown as present. Without objection, it was so ordered.

President Huggins appointed Representative Kerttula and Senator Ellis to escort U.S. Senator Mark Begich to the Joint Session.

The Senate Sergeant-at-Arms, Grace Ellsworth, announced Senator Begich's entrance to the House Chamber.

The Honorable Mark Begich was escorted to the rostrum and welcomed by President Huggins.

U.S. Senator Begich delivered his address. This address appears in Senate and House Joint Journal Supplement No. 4.

Following his address, there was a question and answer period. Senator Begich received a standing ovation and was escorted from the chamber by Senator Ellis and Representative Kerttula.

Senator Coghill moved and asked unanimous consent that the Joint Session stand in adjournment. Without objection, President Huggins adjourned the Joint Session at 12:00 p.m.

After Recess**In the Senate**

The Senate reconvened at 12:09 p.m.

Introduction and Reference of Senate Bills**SB 70**

SENATE BILL NO. 70 BY SENATOR MICCICHE, entitled:

"An Act allowing appropriations to the civil legal services fund from court filing fees."

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

Consideration of the Calendar**Second Reading of Senate Bills****SB 1**

SENATE BILL NO. 1 "An Act establishing May 10 of each year as Alaska Mining Day" was read the second time.

Senator Coghill 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.

SENATE BILL NO. 1 was read the third time.

The question being: "Shall SENATE BILL NO. 1 "An Act establishing May 10 of each year as Alaska Mining Day" pass the Senate?" The roll was taken with the following result:

SB 1

Third Reading - Final Passage

YEAS: 16 NAYS: 0 EXCUSED: 3 ABSENT: 1

Yea: Bishop, Coghill, Dunleavy, Dyson, Egan, Ellis, French, Gardner, Giessel, Huggins, Kelly, McGuire, Meyer, Micciche, Olson, Stevens

Excused: Fairclough, Stedman, Wielechowski

Absent: Hoffman

and so, SENATE BILL NO. 1 passed the Senate and was referred to the Secretary for engrossment.

SB 2

SENATE BILL NO. 2 "An Act enacting the Interstate Mining Compact and relating to the compact; relating to the Interstate Mining Commission; and providing for an effective date" was read the second time.

SENATE BILL NO. 2 will advance to third reading on the next legislative calendar.

SB 27

SENATE BILL NO. 27 "An Act establishing authority for the state to evaluate and seek primacy for administering the regulatory program for dredge and fill activities allowed to individual states under federal law and relating to the authority; and providing for an effective date" was read the second time.

SENATE BILL NO. 27 will advance to third reading on the next legislative calendar.

Citations

In Memoriam - Patrick Lewis Carter, Jr.

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

Unfinished Business**SJR 10**

Senator Gardner moved and asked unanimous consent to be shown as a cosponsor on SENATE JOINT RESOLUTION NO. 10 Relating to the presence and interests of the state and the nation in the Arctic; urging appointment of a representative of the state to the Arctic Council; relating to icebreakers; and relating to United States Coast Guard operations and facilities in the Arctic. Without objection, it was so ordered.

SB 2

Senator Gardner moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 2 "An Act enacting the Interstate Mining Compact and relating to the compact; relating to the Interstate Mining Commission; and providing for an effective date." Without objection, it was so ordered.

SB 1

Senator Olson moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 1 "An Act establishing May 10 of each year as Alaska Mining Day." Without objection, it was so ordered.

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

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

Senator French moved and asked unanimous consent to be excused from a call of the Senate on March 11, March 12 and on March 13, to morning plane time. Without objection, Senator French was excused.

Announcements

Announcements are at the end of the journal.

Engrossment

SB 1

SENATE BILL NO. 1 "An Act establishing May 10 of each year as Alaska Mining Day" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Coghill moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., March 6, 2013. Without objection, the Senate adjourned at 12:21 p.m.

Liz Clark
Secretary of the Senate

SENATE JOURNAL

March 4, 2013

483

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

Mar 05	Tuesday	Butrovich 205	3:30 PM
	No Meeting Scheduled		
Mar 07	Thursday	Butrovich 205	3:30 PM
	No Meeting Scheduled		

EDUCATION

Mar 04	Monday	Beltz 105 (tsbldg)	8:00 AM
+	Presentation: The Alaska Learning Network By the Alaska Council of School Administrators Bills Previously Heard/Scheduled		
+= SB 41	SCHOOL SPORTS/INTERSCHOLASTIC ACTIVITIES		
Mar 06	Wednesday	Beltz 105 (tsbldg)	8:00 AM
	No Meeting Scheduled		
Mar 08	Friday	Beltz 105 (tsbldg)	8:00 AM
	No Meeting Scheduled		

FINANCE

Mar 04	Monday	Senate Finance 532	9:00 AM
+= SB 21	OIL AND GAS PRODUCTION TAX -- Testimony <Invitation Only> -- PFC Energy, Roger Marks Bills Previously Heard/Scheduled		

FINANCE (continued)

Mar 04 **Monday** **Senate Finance 532** **1:30 PM**
+= SB 21 OIL AND GAS PRODUCTION TAX
-- Testimony <Invitation Only> --
PFC Energy
Roger Marks
Bills Previously Heard/Scheduled

Mar 05 **Tuesday** **Senate Finance 532** **9:00 AM**
+= SB 21 OIL AND GAS PRODUCTION TAX
-- Testimony <Invitation Only> --
Bills Previously Heard/Scheduled

Mar 05 **Tuesday** **Senate Finance 532** **1:30 PM**
+= SB 21 OIL AND GAS PRODUCTION TAX
-- Testimony <Invitation Only> --
Bills Previously Heard/Scheduled

Mar 06 **Wednesday** **Senate Finance 532** **9:00 AM**
+ SB 16 BD OF ARCHITECTS, ENGINEERS, SURVEYORS
+= SB 21 OIL AND GAS PRODUCTION TAX
-- Testimony <Invitation Only> --
Department of Natural Resources
Department of Revenue
EconOne
PFC Energy
Roger Marks
Bills Previously Heard/Scheduled

Mar 06 **Wednesday** **Senate Finance 532** **1:30 PM**
+ SB 16 BD OF ARCHITECTS, ENGINEERS, SURVEYORS
+= SB 21 OIL AND GAS PRODUCTION TAX
-- Testimony <Invitation Only> --
Department of Natural Resources
Department of Revenue
EconOne
PFC Energy
Roger Marks
Bills Previously Heard/Scheduled

SENATE JOURNAL

March 4, 2013

485

FINANCE (continued)

Mar 06	Wednesday	Senate Finance 532	3:00 PM
+ = SB 21	OIL AND GAS PRODUCTION TAX		
	-- Public Testimony --		
Mar 07	Thursday	Senate Finance 532	9:00 AM
	No Meeting Scheduled		
Mar 08	Friday	Senate Finance 532	9:00 AM
	No Meeting Scheduled		

HEALTH & SOCIAL SERVICES

Mar 04	Monday	Butrovich 205	1:30 PM
	No Meeting Scheduled		
Mar 06	Wednesday	Butrovich 205	1:30 PM
	No Meeting Scheduled		
Mar 08	Friday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

JUDICIARY

Mar 04	Monday	Beltz 105 (tsbldg)	1:30 PM
+ SB 56	RECLASSIFYING CERTAIN DRUG OFFENSES		
+ = SB 49	MEDICAID PAYMENT FOR ABORTIONS; TERMS		
	-- Public Testimony < Time Limit May Be Set> --		
+ = SB 22	CRIMES; VICTIMS; CHILD ABUSE AND NEGLECT		
	-- Public Testimony < Time Limit May Be Set> --		
+	Bills Previously Heard/Scheduled		
Mar 05	Tuesday	Beltz 105 (tsbldg)	1:30 PM
+ = SB 56	RECLASSIFYING CERTAIN DRUG OFFENSES		
	-- Public Testimony < Time Limit May Be Set> --		
+ = SB 49	MEDICAID PAYMENT FOR ABORTIONS; TERMS		
	-- Public Testimony < Time Limit May Be Set> --		
+	Bills Previously Heard/Scheduled		

JUDICIARY (continued)

Mar 06	Wednesday	Beltz 105 (tsbldg)	1:30 PM
No Meeting Scheduled			
Mar 08	Friday	Beltz 105 (tsbldg)	1:30 PM
No Meeting Scheduled			

LABOR & COMMERCE

Mar 05	Tuesday	Beltz 105 (tsbldg)	1:30 PM
No Meeting Scheduled			
Mar 07	Thursday	Beltz 105 (tsbldg)	1:30 PM
No Meeting Scheduled			
Mar 12	Tuesday	Beltz 105 (tsbldg)	1:30 PM
No Meeting Scheduled			
Mar 14	Thursday	Beltz 105 (tsbldg)	1:30 PM
No Meeting Scheduled			

RESOURCES

Mar 04	Monday	Butrovich 205	3:30 PM
+ SJR 10	ARCTIC: POLICY, USCG, ARCTIC COUNCIL		
+ SB 54	EXTEND HAIR CRAB & SCALLOP LIMITED ENTRY		
+ HB 36	EXEMPT DISCHARGES FROM USE OF MUNITIONS		
Mar 06	Wednesday	Butrovich 205	3:30 PM
No Meeting Scheduled			
Mar 08	Friday	Butrovich 205	3:30 PM
No Meeting Scheduled			

STATE AFFAIRS

Mar 05	Tuesday	Butrovich 205	9:00 AM
+ SB 63	CONTRACTS FOR PREPARATION OF BALLOTS		
Bills Previously Heard/Scheduled			

SENATE JOURNAL

March 4, 2013

487

STATE AFFAIRS (continued)

Mar 07	Thursday	Butrovich 205	9:00 AM
	No Meeting Scheduled		

TRANSPORTATION

Mar 05	Tuesday	Barnes 124	1:30 PM
+	Joint w/ House Transportation		
	Design Concept Report for the Day Boat Ferry		
	-- Public Testimony --		

Mar 07	Thursday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

FINANCE SUBCOMMITTEES

ADMINISTRATION

Mar 12	Tuesday	Sen Conf Rm 103 Tsb	5:00 PM
+	Department Overview		

Mar 15	Friday	Sen Conf Rm 103 Tsb	5:00 PM
+	Department Overview		

CORRECTIONS

Mar 11	Monday	Senate Finance 532	5:00 PM
+	Department Overview		

Mar 13	Wednesday	Senate Finance 532	5:00 PM
+	House Budget and Specific Concerns or Issues		

Mar 15	Friday	Senate Finance 532	5:00 PM
+	Final Considerations and Closeout		

COURT SYSTEM

Mar 06 **Wednesday** **Senate Finance 532** **8:30 AM**
FY14 Budget Overview

EDUCATION & EARLY DEVELOPMENT

Mar 11 **Monday** **Senate Finance 532** **3:00 PM**
+ Digitizing Education in Alaska Initiative
 Mike Hanley, Commissioner, DEED
 Carl Rose, Association of Alaska School Boards

ENVIRONMENTAL CONSERVATION

Mar 05 **Tuesday** **Senate Finance 532** **5:00 PM**
+ Division of Administrative Services
 Tom Cherian, Director
 Division of Environmental Health
 Elaine Busse Floyd

FISH & GAME

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

Mar 06 **Wednesday** **Senate Finance 532** **3:00 PM**
 -- MEETING CANCELED --
 Department Budget Overview
 -- Testimony <Invitation Only> --

Mar 11 **Monday** **Senate Finance 532** **3:00 PM**
 -- MEETING CANCELED --
 Department Budget Overview
 -- Testimony <Invitation Only> --

Mar 15 **Friday** **Senate Finance 532** **11:00 AM**
 Department Overview
 -- Testimony <Invitation Only> --

SENATE JOURNAL

March 4, 2013

489

HEALTH & SOCIAL SERVICES

Mar 14	Thursday	Fahrenkamp 203	8:00 AM
+	-- Location Change --		
	Budget Close-out		
	-- Testimony <Invitation Only> --		

LAW

Mar 06	Wednesday	Senate Finance 532	8:00 AM
	FY14 Budget Overview		

PUBLIC SAFETY

Mar 12	Tuesday	Senate Finance 532	3:30 PM
+	-- Rescheduled to 3/19/13 --		
	Budget Close-out		
	-- Testimony <Invitation Only> --		

Mar 19	Tuesday	Senate Finance 532	3:30 PM
+	Budget Close-out		
	-- Testimony <Invitation Only> --		

REVENUE

Mar 05	Tuesday	Sen Conf Rm 103 Tsb	8:00 AM
+	Department Overview		

Mar 12	Tuesday	Sen Conf Rm 103 Tsb	8:00 AM
+	Department Overview		

UNIVERSITY OF ALASKA

Mar 13	Wednesday	Sen Conf Rm 103 Tsb	12:00 PM
+	Overview		

Mar 14	Thursday	Sen Conf Rm 103 Tsb	12:00 PM
+	Overview		

UNIVERSITY OF ALASKA (continued)

Mar 15 **Friday** **Sen Conf Rm 103 Tsb** **12:00 PM**
+ Overview

SPECIAL COMMITTEES

SENATE SPECIAL COMM ON IN-STATE ENERGY

Mar 05 **Tuesday** **Butrovich 205** **7:30 AM**
No Meeting Scheduled

Mar 07 **Thursday** **Butrovich 205** **7:30 AM**
No Meeting Scheduled

SENATE SPECIAL COMM ON TAPS THROUGHTPUT

Mar 07 **Thursday** **Butrovich 205** **3:30 PM**
No Meeting Scheduled

JOINT COMMITTEES

LEGISLATIVE BUDGET & AUDIT

Mar 11 **Monday** **House Finance 519** **8:00 AM**

Audits - Executive Session
- DOT/PF, Knik Arm Bridge and Toll Authority, and
Select Issues - Preliminary Release

+ Other Committee Issues
- Legislative Audit Furniture Purchase

OTHER MEETINGS**JOINT SESSION**

Mar 04	Monday	House Chamber	11:00 AM
Annual Address by the Honorable			
Mark Begich, U.S. Senator			