SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-EIGHTH LEGISLATURE

FIRST SESSION

Juneau, Alaska

Thursday

March 21, 2013

Sixty-sixth Day

Pursuant to adjournment the Senate was called to order by President Huggins at 11:12 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Reverend Nancy Campbell of the Gospel Outreach Christian Center. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear Heavenly Father,

May your blessing be upon the Senate now as they labor together for the good of Alaska. Light their path as each member considers the assignments set before them this day. Bring resolution for any burdens they may be carrying. Grant them good health and give them energy for the days ahead in this session.

May your peace, that passes all understanding, reign in this place.

I pray this, in Jesus' name.

Amen.

Senator Meyer led the Senate in the Pledge of Allegiance.

Certification

Senator Coghill moved and asked unanimous consent that the journal for the sixty-fifth legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the House

Message dated March 20 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 50

CS FOR HOUSE BILL NO. 50(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act authorizing the Alaska Housing Finance Corporation to allow certain commercial uses in a multi-unit residential housing development owned or financed by the corporation and limiting the Alcoholic Beverage Control Board's issuance of certain licenses to premises in the residential housing development."

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

Communications

Commemorative Profiles of Senate District P, Senate District Q and Senate District R will be published in Senate Journal Supplement No. 7 (page 240).

Standing Committee Reports

Report dated March 21 was read stating:

In accordance with AS 39.05.080, the State Affairs Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

State Commission for Human Rights

Christa Bruce-Kotrc – Ketchikan Grace Merkes – Sterling

Board of Parole

Sarah Possenti – Fairbanks

Violent Crimes Compensation Board

Gerad Godfrey – Eagle River

Alaska Police Standards Council

Mark Mew – Eagle River

This does not reflect an intent by any of the members to vote for or against the confirmation of the individuals during any further sessions.

Signing the report: Senator Dyson, Chair; Senators Giessel, Coghill.

Introduction and Reference of Senate Bills

SB 84

SENATE BILL NO. 84 BY SENATOR GIESSEL, entitled:

"An Act relating to the Alaska Challenge Youth Academy; and providing for an effective date."

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

SB 85

SENATE BILL NO. 85 BY SENATOR BISHOP, entitled:

"An Act relating to experimental vehicles."

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

Consideration of the Calendar

Reconsideration of Senate Bills

SB 21

Senator Ellis requested that the reconsideration on CS FOR SENATE BILL NO. 21(FIN) am(efd fld) "An Act relating to the interest rate applicable to certain amounts due for fees, taxes, and payments made and property delivered to the Department of Revenue; providing a tax credit against the corporation income tax for qualified oil and gas service industry expenditures; relating to the oil and gas production tax rate; relating to gas used in the state; relating to monthly installment payments of the oil and gas production tax; relating to oil and gas production tax credits for certain losses and expenditures; relating to oil and gas production tax credit certificates; relating to nontransferable tax credits based on production; relating to the oil and gas tax credit fund; relating to annual statements by producers and explorers; establishing the Oil and Gas Competitiveness Review Board; and making conforming amendments" be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 21(FIN) am "An Act relating to the interest rate applicable to certain amounts due for fees, taxes, and payments made and property delivered to the Department of Revenue; providing a tax credit against the corporation income tax for qualified oil and gas service industry expenditures; relating to the oil and gas production tax rate; relating to gas used in the state; relating to monthly installment payments of the oil and gas production tax; relating to oil and gas production tax credits for certain losses and expenditures; relating to oil and gas production tax credit certificates; relating to nontransferable tax credits

based on production; relating to the oil and gas tax credit fund; relating to annual statements by producers and explorers; establishing the Oil and Gas Competitiveness Review Board; making conforming amendments; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 21(FIN) am

Third Reading - On Reconsideration

YEAS: 11 NAYS: 9 EXCUSED: 0 ABSENT: 0

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

Nays: Egan, Ellis, French, Gardner, Hoffman, Olson, Stedman, Stevens, Wielechowski

and so, CS FOR SENATE BILL NO. 21(FIN) am passed the Senate on reconsideration.

Senator Coghill moved for the adoption of the effective date clauses.

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

CSSB 21(FIN) am Effective Date Clauses

YEAS: 11 NAYS: 9 EXCUSED: 0 ABSENT: 0

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

Nays: Egan, Ellis, French, Gardner, Hoffman, Olson, Stedman, Stevens, Wielechowski

and so, the effective date clauses failed and CS FOR SENATE BILL NO. 21(FIN) am(efd fld) "An Act relating to the interest rate applicable to certain amounts due for fees, taxes, and payments made and property delivered to the Department of Revenue; providing a tax credit against the corporation income tax for qualified oil and gas service industry expenditures; relating to the oil and gas production tax rate; relating to gas used in the state; relating to monthly installment payments of the oil and gas production tax; relating to oil and gas

production tax credits for certain losses and expenditures; relating to oil and gas production tax credit certificates; relating to nontransferable tax credits based on production; relating to the oil and gas tax credit fund; relating to annual statements by producers and explorers; establishing the Oil and Gas Competitiveness Review Board; and making conforming amendments" was referred to the Secretary for engrossment.

Second Reading of House Resolutions

HCR 2

HOUSE CONCURRENT RESOLUTION NO. 2 Proclaiming the state as a Purple Heart State to honor the service and sacrifice of our nation's men and women in uniform wounded or killed by the enemy while serving to protect the freedom enjoyed by all Americans, was read the second time and was before the Senate on final passage.

Senators French, Olson moved and asked unanimous consent to be shown as cross sponsors on the resolution. Without objection, it was so ordered.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 2 Proclaiming the state as a Purple Heart State to honor the service and sacrifice of our nation's men and women in uniform wounded or killed by the enemy while serving to protect the freedom enjoyed by all Americans, pass the Senate?" The roll was taken with the following result:

HCR 2

Final Passage

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, HOUSE CONCURRENT RESOLUTION NO. 2 passed the Senate, was signed by the President and Secretary and returned to the House.

HCR 5

HOUSE CONCURRENT RESOLUTION NO. 5 Relating to awarding the Alaska Decoration of Honor to certain members of the military, was read the second time and was before the Senate on final passage.

Senators Kelly, French, Stevens, Coghill, Hoffman moved and asked unanimous consent to be shown as cross sponsors on the resolution. Without objection, it was so ordered.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 5 Relating to awarding the Alaska Decoration of Honor to certain members of the military, pass the Senate?" The roll was taken with the following result:

HCR 5

Final Passage

YEAS: 19 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Olson

and so, HOUSE CONCURRENT RESOLUTION NO. 5 passed the Senate, was signed by the President and Secretary and returned to the House.

Citations

Honoring - Shaylee Rizzo

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

Honoring - Sharon Cox

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

Honoring - Mitch Seavey Winner - Iditarod XLI Representative(s) Chenault Senator(s) Giessel, Huggins, Bishop, Coghill, Dunleavy, Dyson, Egan, Ellis, Fairclough, Gardner, Hoffman, Kelly, McGuire, Meyer, Micciche, Olson, Stedman, Stevens, Wielechowski

Commemorating - The Southcentral Power Project Representative(s) Tuck, Millett Senator(s) McGuire, Meyer, Huggins, Bishop, Coghill, Dunleavy, Dyson, Egan, Ellis, Fairclough, Gardner, Giessel, Hoffman, Kelly, 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

Senators Ellis, French moved and asked unanimous consent to be excused from a call of the Senate on March 25, to morning plane time. Without objection, Senators Ellis, French were excused.

Announcements

Announcements are at the end of the journal.

Engrossment

SB 21

CS FOR SENATE BILL NO. 21(FIN) am(efd fld) "An Act relating to the interest rate applicable to certain amounts due for fees, taxes, and payments made and property delivered to the Department of Revenue; providing a tax credit against the corporation income tax for qualified oil and gas service industry expenditures; relating to the oil and gas production tax rate; relating to gas used in the state; relating to monthly installment payments of the oil and gas production tax; relating to oil and gas production tax credits for certain losses and

expenditures; relating to oil and gas production tax credit certificates; relating to nontransferable tax credits based on production; relating to the oil and gas tax credit fund; relating to annual statements by producers and explorers; establishing the Oil and Gas Competitiveness Review Board; and making conforming amendments" 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 25, 2013. Without objection, the Senate adjourned at 11:47 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

Mar 21 Thursday Butrovich 205 3:30 PM -- MEETING CANCELED --

Bills Previously Heard/Scheduled, if needed

Mar 26 Tuesday Butrovich 205 3:30 PM

-- Rescheduled from 3/19/13 --

+= SB 73 PROPERTY TAX EXEMPTION/MILITARY WIDOW(ER)

Mar 28 Thursday Butrovich 205 3:30 PM

Bills Previously Heard/Scheduled

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EDUCATION

Mar 22 Friday Beltz 105 (tsbldg) 8:00 AM

+ Discussion: Voucher #2, Continuation of a

Discussion of Voucher Systems
-- Testimony <Invitation Only> -Bills Previously Heard/Scheduled

Mar 25 Monday Beltz 105 (tsbldg) 8:00 AM

+ SB 82 BROADBAND DISCOUNTS FOR SCHOOLS

Bills Previously Heard/Scheduled

EDUCATION (continued)

Mar 27	Wednesday	Beltz 105 (tsbldg)	8:00 AM	
+	Confirmation Hearing	ngs:		
	State Board of Educ	ation & Early Development		
	Sue Hull			
	University of Alaska Board of Regents			
	Dale Anderson			
	Gloria O'Neill			
	Bills Previously Heard/Scheduled			
Mar 29	Friday	Beltz 105 (tsbldg)	8:00 AM	
+	Discussion: Vouche	rs #3, Continuation of a		
	Discussion on Voucher Systems			
	Testimony <invitation only=""></invitation>			
	Bills Previously Hea	ard/Scheduled		
	•			

FINANCE

Ma + + +	r 21 HB HB		APPROP: Subcomm	OPERATING MENTAL HE	Senate Finance 532 BUDGET/LOANS/FUNDS ALTH BUDGET Full Committee cheduled	9:00 AM
Ma	r 22		Friday		Senate Finance 532	9:00 AM
						7.00 AM
+=	HB	65	APPROP:	OPERATING	BUDGET/LOANS/FUNDS	
+=	HB	66	APPROP:	MENTAL HE	ALTH BUDGET	
+			Statewide	Public Testimo	ony	
			(Public te	stimony may be	limited to no more than	
			3 minutes)		
			9:00 am	Bethel, Nome,	Kotzebue, Unalaska	
			9:30 am	Barrow, Tok, I	Delta Junction	
			10:00 am	Ketchikan, Wi	rangell, Petersburg	
			10:30 am	Sitka, Cordova	a, Valdez	

FINANCE (continued)

Mar 22 += HB 65 = HB 66 +	
Mar 23 += HB 65 += HB 66 +	
Mar 25 += HB 65 += HB 66	
Mar 26 += HB 65 += HB 66	
Mar 27 += SB 17 += SB 56	Wednesday Senate Finance 532 9:00 AM EXTEND SPECIAL EDUCATION SERVICE AGENCY RECLASSIFYING CERTAIN DRUG OFFENSES Bills Previously Heard/Scheduled

FINANCE (continued)

Mar 28 += SB 22 + SB 83 + SB 57	INTEREST ON CORPO	Senate Finance 532 HILD ABUSE AND NEGL RATION INCOME TAX ANSP, TEACHER NOTICE Cheduled	
Mar 29 + SB 49	Friday MEDICAID PAYMENT Bills Previously Heard/S	Senate Finance 532 FOR ABORTIONS; TERI cheduled	9:00 AM MS
Mar 30 += SB 49	Saturday MEDICAID PAYMENT Public Testimony Bills Previously Heard/S	Senate Finance 532 FOR ABORTIONS; TERI	1:00 PM MS
	HEALTH & SOO	CIAL SERVICES	
Mar 22	Friday No Meeting Scheduled	Butrovich 205	1:30 PM
Mar 25	Monday No Meeting Scheduled	Butrovich 205	1:30 PM
Mar 27 +	Wednesday Presentation by Health & Regarding the Office of		1:30 PM
Mar 29	Friday No Meeting Scheduled	Butrovich 205	1:30 PM
		CIARY	
Mar 22 + SB 72 + SJR 9 +	Friday Confirmation Hearings: Janie Leask, Legislative James Brown, Commissi OMBUDSMAN <bill <invitation="" am:="" bills="" const.="" educat="" heard="" hearing="" postponed="" previously="" s<="" td="" testimony=""><td>on on Judicial Conduct > ION FUNDING Only></td><td>1:30 PM</td></bill>	on on Judicial Conduct > ION FUNDING Only>	1:30 PM

JUDICIARY (continued)

Mar 25	Monday	Beltz 105 (tsbldg)	1:30 PM
+	Confirmation Hearings:		
	H. Connor Thomas, Legis	lative Ethics	
+= SB 72	OMBUDSMAN		
+= HB 69	EXEMPT FIREARMS FF	ROM FEDERAL REGULAT	ΓΙΟΝ
+= SJR 9	CONST. AM: EDUCATION	ON FUNDING	
	Bills Previously Heard/Sc	heduled	
Mar 27	Wednesday	Beltz 105 (tsbldg)	1:30 PM
+= SB 72	OMBUDSMAN		
	Public Hearing		
+ SB 36	MISSING VULNERABL	E ADULT RESPONSE PLA	AN
+= HJR 4	OPPOSE GUN CONTRO	L ORDERS & LEGISLATI	ION
+ HB 24	SELF DEFENSE		
	<pending referral=""></pending>		
	Bills Previously Heard/Sc	heduled	
Mar 29	Friday	Beltz 105 (tsbldg)	1:30 PM
+= HB 24	•	(
	<pending referral=""></pending>		
	Public Hearing		
+ HB 81	•		
+ HB 83		ECUTIVE ORDERS	
	Bills Previously Heard/Sc		

LABOR & COMMERCE

Ma	r 21	Thursday	Beltz 105 (tsbldg)	1:30 PM
+	SB 65	RETIREMENT PLANS; R	OTH IRAS; PROBATE	
		Public Testimony		
+=	HB 26	EXTEND BOARD OF PU	BLIC ACCOUNTANCY	
		Public Testimony		
+=	SB 55	INSURER'S USE OF CRE	DIT SCORES	
		Public Testimony		
+=	SB 52	PORTABLE ELECTRONI	CS INSURANCE	
		Public Testimony		
		Bills Previously Heard/Sch	eduled	
		Confirmation Hearing of G	overnor's Appointees	
		<above hearing="" postponed<="" td=""><td> ></td><td></td></above>	 >	

LABOR & COMMERCE (continued)

Mar 26 + += HB 26 += SB 65 += SB 4	Public Testimony	1:30 PM		
	Testimony <invitation only=""> Bills Previously Heard/Scheduled</invitation>			
Mar 28	Thursday Beltz 105 (tsbldg)	1:30 PM		
+ HB 22	BOARD OF MARINE PILOTS			
+= SB 8	Public Testimony PHARMACY AUDITS Public Testimony			
+ HB 50	MULTI-UNIT HOUSING: COMMERCIAL USE			
+ SB 79	Testimony <invitation only=""></invitation>			
	Bills Previously Heard/Scheduled			
RESOURCES				
Mar 22 + HJR 6	Friday Butrovich 205 LEGACY OIL WELL CLEAN UP/AWARENESS; N	3:30 PM PR-A		

+ HJR 6 +	LEGACY OIL WELL CLEAN UP/AWARENESS; NPR-A Bills Previously Heard/Scheduled			
Mar 25 += HJR 6	Monday LEGACY OIL WELL CLEAN AOGCC BLM Bills Previously Heard/Schedule	,	3:30 PM PR-A	
Mar 27 + SB 71	Wednesday I PAYMENT OF FISHERY RES	Butrovich 205 OURCE LANDING T	3:30 PM AX	
	Bills Previously Heard/Schedule	ed		
Mar 29	Friday	Butrovich 205	3:30 PM	

STATE AFFAIRS

Mar 21	Thursday	Butrovich 205	9:00 AM		
	Public Testimony <time be="" limit="" may="" set=""></time>				
	Confirmation Hearing: Governo	or's Appointments			
+	Bills Previously Heard/Schedul	ed			
Mar 26		Butrovich 205	9:00 AM		
	Public Testimony <time lim<="" td=""><td>iit May Be Set></td><td></td></time>	iit May Be Set>			
+	Confirmation Hearing:				
	State Commission for Human R	C			
	Alaska Oil & Gas Conservation	Commission: Cathy			
	Foerster				
+ SB 11	KNIVES, GRAVITY KNIVES	, & SWITCHBLADES			
	Bills Previously Heard/Schedul	ed			
Mar 28	Thursday	Butrovich 205	9:00 AM		
	Public Testimony <time lim<="" td=""><td>nit May Be Set></td><td></td></time>	nit May Be Set>			
+ SB 73		•	W(FR)		
. 52 /6	<pending referral=""></pending>	1 ((1)1121111111 ((1)12)	(211)		
+ HCR 4	HMONG-AMERICAN VETER	PANS DAY			
1 HCK 4					
	Bills Previously Heard/Schedul	-u			

TRANSPORTATION

Mar 21	Thursday	Butrovich 205	1:30 PM		
+	Bills Previously Heard/Sched	uled			
+= SB 13	KNIK ARM BRIDGE AND	ΓOLL AUTHORITY			
+= HB 46	WAIVE CDL SKILL TEST I	FOR CERTAIN VETE	RANS		
+= HB 56	PASSENGER VEHICLE RE	NTAL TAX			
Mar 26	Tuesday	Barnes 124	1:00 PM		
+	Joint w/ House Transportation	ı			
	Presentation: Marine Exchange of Alaska				
	Captain Ed Page, Executive I	Director			
Mar 26 +	Tuesday Immediately Following 1 p Bills Previously Heard/Sched	•	1:30 PM		
Mar 28 +	Thursday Bills Previously Heard/Sched	Butrovich 205 uled	1:30 PM		

FINANCE SUBCOMMITTEES

LABOR & WORKFORCE DEVELOPMENT

Mar 22	Friday	Senate Finance 532	5:00 PM
+	Final Considerations a	nd Closeout	

NATURAL RESOURCES

Mar 21 Thursday Senate Finance 532 5:30 PM

Closeout (If needed)

SPECIAL COMMITTEES

SENATE SPECIAL COMM ON IN-STATE ENERGY

Mar 21 +	Thursday Alaska Gas Pipeline Projec	Butrovich 205	7:30 AM
Mar 26 +	Tuesday Tanana Chiefs Conference,	Butrovich 205 Conference, Interior Energy Needs Messier, Rural Energy Coordinator	
Mar 28	Thursday No Meeting Scheduled	Butrovich 205	7:30 AM

SENATE SPECIAL COMM ON TAPS THROUGHPUT

Mar 21	Thursday No Meeting Scheduled	Butrovich 205	3:30 PM
Mar 26	Tuesday No Meeting Scheduled	Butrovich 205	3:30 PM
Mar 28	Thursday No Meeting Scheduled	Butrovich 205	3:30 PM

JOINT COMMITTEES

ADMINISTRATIVE REGULATION REVIEW

Mar 21 Thursday Capitol 120 1:00 PM

Alaska's Administrative Regulations Process and Possible Improvements

-- Testimony <Invitation Only> --

LEGISLATIVE BUDGET & AUDIT

Mar 28 Thursday House Finance 519 5:30 PM

Audits - Executive Session

State of AK Single Audit for FY12 - Final Release

+ Other Committee Business

Audit Request - Regional Economic Assistance Fund

by Rep. Hughes

LEGISLATIVE COUNCIL

Mar 21 Thursday Senate Finance 532 4:00 PM

+ Ratification of Charity Events

<Above Item Removed from Agenda>

Contract Approvals Anchorage LIO Lease Other Committee Business

Social Media Policy & Facebook Access

Capitol Security

<Teleconference Listen Only>

SELECT COMMITTEE ON LEGISLATIVE ETHICS

Mar 26 Tuesday Anch Lio Rm 210 8:30 AM

+ FULL COMMITTEE (Open Session)

Public Comment

EXECUTIVE SESSION
Public Session (Open Session)
- Advisory Opinion 13-01

Other Business

OTHER MEETINGS

JOINT SESSION

Apr 08 Monday House Chamber 11:00 AM

Confirmation of Governor's Appointees

MISCELLANEOUS MEETING

Mar 21 Thursday Capitol 106 12:00 PM

Lunch & Learn:

"Maximizing Success in Non-Profits" Presentation by Set Free Alaska, Inc. and Areli & Associates, LLC

Co-Sponsored by: Sen. Kelly and Rep. Keller

Mar 23 Saturday Juneau 12:00 PM

Alaska Arctic Policy Commission Centennial Hall Convention Center