

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

**FIRST SESSION**

**Juneau, Alaska**

**Monday**

**March 25, 2013**

**Seventieth Day**

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

The roll showed nineteen members present. Senator Kelly was absent.

The prayer was offered by the Chaplain, Senator Dyson. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Heavenly Father,

We thank you for your love for us, the blessings you have given us and a constituency who trusts us to be about their business and yours.

We ask your blessing on all of our families and on armed services personnel who are serving in dangerous places. Thank you for their service. Look out for them. We ask you to guide our day. Give us peace and clarity of thought. Guide us to be about your sense of mercy and justice.

I pray in Christ's name.

Amen.

Senator Micciche led the Senate in the Pledge of Allegiance.

**Certification**

Senator Coghill moved and asked unanimous consent that the journals for the sixty-sixth through sixty-ninth legislative days and Senate Journal Supplement No. 7 be approved as certified by the Secretary. Without objection, it was so ordered.

The presence of Senator Kelly was noted.

**Messages from the House**

Message dated March 22 was read stating the House passed and transmitted for consideration:

**First Reading and Reference of  
House Resolutions****HJR 11**

CS FOR HOUSE JOINT RESOLUTION NO. 11(MLV) BY THE HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS,

Commemorating the 30th anniversary of President Ronald Reagan's address to the nation concerning the Strategic Defense Initiative, recognizing the strategic importance of Alaska in the missile interceptor defense system, and urging the United States to deploy the number of ground-based interceptors originally intended at Fort Greely

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

**First Reading and Reference of House Bills****HB 24**

CS FOR HOUSE BILL NO. 24(JUD) BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to self-defense in any place where a person has a right to be."

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

**HB 94**

HOUSE BILL NO. 94 BY REPRESENTATIVES ISAACSON, Costello, Kawasaki, Thompson, T.Wilson, Kerttula, Pruitt, entitled:

"An Act naming the northbound Chena Flood Channel Crossing Bridge the Nellie Miller Bridge and naming the southbound Chena Flood Channel Crossing Bridge the Con Miller Bridge."

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

**HB 153**

CS FOR HOUSE BILL NO. 153(TRA) BY THE HOUSE TRANSPORTATION COMMITTEE, entitled:

"An Act designating Minnesota Drive and a portion of O'Malley Road in Anchorage the Walter J. Hickel Parkway."

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

**Communications**

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

State of Alaska Citizens' Advisory Commission on Federal Areas  
2012 Annual Report  
from Stan Leaphart, Executive Director  
Department of Natural Resources  
in accordance with AS 41.37.220(f)

Alaska Salmon Fisheries Enhancement Program 2012 Annual Report  
from Lorraine Vercessi, Private Nonprofit Hatchery Program  
Divisions of Sport Fish and Commercial Fisheries  
Department of Fish and Game

### **Standing Committee Reports**

Report dated March 22 was read stating:

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

#### **Big Game Commercial Services Board**

Gene Peltola Sr. – Bethel

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

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

#### **SB 13**

The Transportation Committee considered SENATE BILL NO. 13 "An Act relating to bonds of the Knik Arm Bridge and Toll Authority; relating to reserve funds of the authority; relating to taxes and assessments on a person that is a party to an agreement with the authority; and establishing the Knik Arm Crossing fund." Signing no recommendation: Senator Egan, Chair; Senators Bishop, Fairclough. Signing do pass: Senator Dyson. Signing amend: Senator French.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Transportation and Public  
Facilities

The bill was referred to the Finance Committee.

**SB 52**

The Labor and Commerce Committee considered SENATE BILL NO. 52 "An Act providing that portable electronics insurance is not a service contract; defining portable electronics insurance; authorizing the director of insurance to issue a limited producer license to a portable electronics vendor for the sale of portable electronics insurance; and authorizing the employees and representatives of a vendor to transact portable electronics insurance" and recommended it be replaced with

CS FOR SENATE BILL NO. 52(L&C) "An Act providing that portable electronics insurance is not a service contract; providing that a portable electronics manufacturer's warranty or extended warranty is not regulated as insurance; relating to portable electronics insurance; authorizing the director of insurance to issue a limited producer license to a portable electronics vendor for the sale of portable electronics insurance; and relating to authorization and training of employees and representatives of a vendor to transact portable electronics insurance; and providing for an effective date."

Signing do pass: Senator Dunleavy, Chair. Signing no recommendation: Senators Olson, Micciche, Stedman, Ellis.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Commerce, Community and Economic Development

The bill was referred to the Rules Committee.

**SB 55**

The Labor and Commerce Committee considered SENATE BILL NO. 55 "An Act relating to actions by insurers based on credit history or insurance score." Signing do pass: Senator Dunleavy, Chair. Signing do not pass: Senator Ellis. Signing no recommendation: Senators Olson, Micciche, Stedman.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Commerce, Community and Economic Development

The bill was referred to the Rules Committee.

**SB 59**

The Resources Committee considered SENATE BILL NO. 59 "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." Signing do pass: Senator Giessel, Chair; Senators Micciche, Bishop, Dyson. Signing no recommendation: Senator French.

The following previously published fiscal information applies:

Fiscal Note No. 1, Department of Natural Resources

The bill was referred to the Finance Committee.

**HB 46**

The Transportation Committee considered HOUSE BILL NO. 46 "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." Signing do pass: Senator Egan, Chair; Senators French, Bishop, Dyson, Fairclough.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Administration

The bill was referred to the Rules Committee.

**HB 56**

The Transportation Committee considered HOUSE BILL NO. 56 "An Act excluding motorcycles and motor-driven cycles from the passenger vehicle rental tax; and providing for an effective date." Signing do pass: Senator Egan, Chair; Senators French, Bishop, Dyson, Fairclough.

The following previously published fiscal information applies:  
Fiscal Note No. 1, Department of Revenue

The bill was referred to the Finance Committee.

### **Consideration of the Calendar**

#### **Second Reading of House Resolutions**

##### **HJR 5**

CS FOR HOUSE JOINT RESOLUTION NO. 5(FSH) Opposing the United States Food and Drug Administration's preliminary finding relating to genetically engineered salmon; urging further examination of genetically engineered salmon; opposing AquaBounty's petition to produce genetically engineered salmon; and proposing, if AquaBounty's petition is approved, that its product should be labeled as "genetically modified" was read the second time.

Senator Coghill moved and asked unanimous consent that the resolution be advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR HOUSE JOINT RESOLUTION NO. 5(FSH) was read the third time.

Senator Micciche moved and asked unanimous consent to abstain from voting due to a conflict of interest. Objections were heard and Senator Micciche was required to vote.

Senator Hoffman declared a conflict of interest.

The question being: "Shall CS FOR HOUSE JOINT RESOLUTION NO. 5(FSH) Opposing the United States Food and Drug Administration's preliminary finding relating to genetically engineered salmon; urging further examination of genetically engineered salmon; opposing AquaBounty's petition to produce genetically engineered salmon; and proposing, if AquaBounty's petition is approved, that its product should be labeled as "genetically modified" pass the Senate?" The roll was taken with the following result:

CSHJR 5(FSH)

Third Reading - 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, CS FOR HOUSE JOINT RESOLUTION NO. 5(FSH) passed the Senate, was signed by the President and Secretary and returned to the House.

### Citations

Honoring - Parachutes Teen Club and Resource Center on the Occasion of Their 10th Anniversary

Representative(s) Tuck

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

Honoring - Aware Women of Distinction 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 - Sidney Mervin Omlid

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

Representative(s) Austerman

In Memoriam - Donald Finney

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

#### **HJR 5**

Senators McGuire, Coghill, Giessel, Fairclough, Hoffman, Stedman, Meyer, Bishop, Stevens, Olson, French moved and asked unanimous consent to be shown as cross sponsors on CS FOR HOUSE JOINT RESOLUTION NO. 5(FSH) Opposing the United States Food and Drug Administration's preliminary finding relating to genetically engineered salmon; urging further examination of genetically engineered salmon; opposing AquaBounty's petition to produce genetically engineered salmon; and proposing, if AquaBounty's petition is approved, that its product should be labeled as "genetically modified." Without objection, it was so ordered.

Senator Gardner moved and asked unanimous consent to be excused from a call of the Senate from morning ferry time, March 28 through evening ferry time, March 30. Without objection, Senator Gardner was excused.

Senator Dunleavy moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, March 29 through evening plane time, March 31. Without objection, Senator Dunleavy was excused.

### **Announcements**

Senator Giessel, Chair, moved and asked unanimous consent that Uniform Rule 23 be waived for the Resources Committee meetings on March 27 and March 29 for informational hearings regarding gasline projects. Without objection, it was so ordered.

Announcements are at the end of the journal.

**Enrollment****SJR 2**

HOUSE CS FOR CS FOR SENATE JOINT RESOLUTION NO. 2(JUD) Commending and supporting actions taken by the Office of the Governor, the attorney general, and the commissioner of natural resources to protect the state from federal government incursion into the care and management of state resources and to promote the economic prosperity of the state; and urging the United States Congress and the President of the United States to limit federal government overreach into management of state resources, was enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 11:13 a.m., March 22, 2013.

Legislative Resolve No. 2

**SJR 6**

HOUSE CS FOR SENATE JOINT RESOLUTION NO. 6(JUD) am H Urging the United States Congress not to relinquish to the office of the President of the United States the legislative duty to safeguard one of our most fundamental rights; and urging the President of the United States to refrain from any further efforts to restrict ownership of firearms, was enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 11:13 a.m., March 22, 2013.

Legislative Resolve No. 3

**Adjournment**

Senator Coghill moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., March 27, 2013. Without objection, the Senate adjourned at 11:46 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 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 25 Monday Beltz 105 (tsbldg) 8:00 AM**  
 + SB 82 BROADBAND DISCOUNTS FOR SCHOOLS  
 Bills Previously Heard/Scheduled

**Mar 27 Wednesday Beltz 105 (tsbldg) 8:00 AM**  
 + Confirmation Hearings:  
 State Board of Education & 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: Vouchers #3, Continuation of a  
 Discussion on Voucher Systems  
 -- Testimony <Invitation Only> --  
 Bills Previously Heard/Scheduled

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**FINANCE**

- Mar 25 Monday Senate Finance 532 1:30 PM**  
 -- MEETING CANCELED --  
 += HB 65 APPROP: OPERATING BUDGET/LOANS/FUNDS  
 += HB 66 APPROP: MENTAL HEALTH BUDGET  
 Consideration of Amendments  
 Bills Previously Heard/Scheduled
- Mar 26 Tuesday Senate Finance 532 9:00 AM**  
 += HB 65 APPROP: OPERATING BUDGET/LOANS/FUNDS  
 += HB 66 APPROP: MENTAL HEALTH BUDGET  
 Bills Previously Heard/Scheduled
- Mar 27 Wednesday Senate Finance 532 9:00 AM**  
 += SB 17 EXTEND SPECIAL EDUCATION SERVICE AGENCY  
 += SB 56 RECLASSIFYING CERTAIN DRUG OFFENSES  
 Bills Previously Heard/Scheduled
- Mar 28 Thursday Senate Finance 532 9:00 AM**  
 += SB 22 CRIMES; VICTIMS; CHILD ABUSE AND NEGLECT  
 + SB 83 INTEREST ON CORPORATION INCOME TAX  
 + SB 57 LITERACY, PUPIL TRANSP, TEACHER NOTICES  
 Bills Previously Heard/Scheduled
- Mar 29 Friday Senate Finance 532 9:00 AM**  
 + SB 49 MEDICAID PAYMENT FOR ABORTIONS; TERMS  
 Bills Previously Heard/Scheduled
- Mar 30 Saturday Senate Finance 532 1:00 PM**  
 += SB 49 MEDICAID PAYMENT FOR ABORTIONS; TERMS  
 -- Public Testimony --  
 Bills Previously Heard/Scheduled
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**HEALTH & SOCIAL SERVICES**

- Mar 25 Monday Butrovich 205 1:30 PM**  
 No Meeting Scheduled
- Mar 27 Wednesday Butrovich 205 1:30 PM**  
 + Presentation by Health & Social Services  
 Regarding the Office of Children's Services

**HEALTH & SOCIAL SERVICES (continued)**

**Mar 29 Friday Butrovich 205 1:30 PM**  
 No Meeting Scheduled

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**JUDICIARY**

**Mar 25 Monday Beltz 105 (tsbldg) 1:30 PM**  
 + Confirmation Hearings:  
 H. Connor Thomas, Legislative Ethics  
 += SB 72 OMBUDSMAN  
 += HB 69 EXEMPT FIREARMS FROM FEDERAL REGULATION  
 += SJR 9 CONST. AM: EDUCATION FUNDING  
 Bills Previously Heard/Scheduled

**Mar 27 Wednesday Beltz 105 (tsbldg) 1:30 PM**  
 += SB 72 OMBUDSMAN  
 -- Public Hearing --  
 + SB 36 MISSING VULNERABLE ADULT RESPONSE PLAN  
 += HJR 4 OPPOSE GUN CONTROL ORDERS & LEGISLATION  
 + HB 24 SELF DEFENSE  
 Bills Previously Heard/Scheduled

**Mar 29 Friday Beltz 105 (tsbldg) 1:30 PM**  
 += HB 24 SELF DEFENSE  
 -- Public Hearing --  
 + HB 81 2013 REVISOR'S BILL  
 + HB 83 FEDERAL LAWS & EXECUTIVE ORDERS  
 Bills Previously Heard/Scheduled

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**LABOR & COMMERCE**

**Mar 26 Tuesday Beltz 105 (tsbldg) 1:30 PM**  
 + Confirmation Hearing of Governor's Appointments  
 -- Public Testimony --  
 += HB 26 EXTEND BOARD OF PUBLIC ACCOUNTANCY  
 -- Public Testimony --  
 += SB 65 RETIREMENT PLANS; ROTH IRAS; PROBATE  
 -- Public Testimony --  
 += SB 4 MILITARY TRAINING CREDIT  
 -- Testimony <Invitation Only> --  
 Bills Previously Heard/Scheduled

**LABOR & COMMERCE (continued)**

**Mar 28 Thursday Beltz 105 (tsbldg) 1:30 PM**  
 + HB 22 BOARD OF MARINE PILOTS  
 -- Public Testimony --  
 += SB 8 PHARMACY AUDITS  
 -- Public Testimony --  
 + HB 50 MULTI-UNIT HOUSING: COMMERCIAL USE  
 -- Testimony <Invitation Only> --  
 + SB 79 SPORT FISHING GUIDING SERVICES  
 -- Testimony <Invitation Only> --  
 Bills Previously Heard/Scheduled

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**RESOURCES**

**Mar 25 Monday Butrovich 205 3:30 PM**  
 += HJR 6 LEGACY OIL WELL CLEAN UP/AWARENESS; NPR-A  
 AOGCC  
 BLM  
 Bills Previously Heard/Scheduled

**Mar 27 Wednesday Butrovich 205 3:30 PM**  
 + SB 71 PAYMENT OF FISHERY RESOURCE LANDING TAX  
 Bills Previously Heard/Scheduled  
 Informational Hearings - Gasline Projects  
 Uniform Rule 23 Waived

**Mar 29 Friday Butrovich 205 3:30 PM**  
 + SR 5 CHINOOK BYCATCH LIMITS  
 Bills Previously Heard/Scheduled  
 Informational Hearings - Gasline Projects  
 Uniform Rule 23 Waived

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**STATE AFFAIRS**

**Mar 26 Tuesday Butrovich 205 9:00 AM**  
 -- Public Testimony <Time Limit May Be Set> --  
 + Confirmation Hearing:  
 State Commission for Human Rights: Jason Hart  
 Alaska Oil & Gas Conservation Commission: Cathy Foerster  
 + SB 11 KNIVES, GRAVITY KNIVES, & SWITCHBLADES  
 Bills Previously Heard/Scheduled

**STATE AFFAIRS (continued)**

**Mar 28 Thursday Butrovich 205 9:00 AM**  
 -- Public Testimony <Time Limit May Be Set> --  
 + SB 73 PROPERTY TAX EXEMPTION/MILITARY WIDOW(ER)  
 <Pending Referral>  
 + HCR 4 HMONG-AMERICAN VETERANS DAY  
 Bills Previously Heard/Scheduled

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**TRANSPORTATION**

**Mar 26 Tuesday Barnes 124 1:00 PM**  
 + Joint w/ House Transportation  
 Presentation: Marine Exchange of Alaska  
 Captain Ed Page, Executive Director

**Mar 26 Tuesday Butrovich 205 1:30 PM**  
 -- MEETING CANCELED --  
 + Bills Previously Heard/Scheduled

**Mar 28 Thursday Butrovich 205 1:30 PM**  
 -- MEETING CANCELED --  
 + Bills Previously Heard/Scheduled

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

**Mar 26 Tuesday Butrovich 205 7:30 AM**  
 + Tanana Chiefs Conference, Interior Energy Needs  
 Dave Pelunis-Messier, Rural Energy Coordinator  
 Bernie Carl, Renewable Energy in Alaska

**Mar 28 Thursday Butrovich 205 7:30 AM**  
 No Meeting Scheduled

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**SENATE SPECIAL COMM ON TAPS THROUGHPUT**

**Mar 26 Tuesday Butrovich 205 3:30 PM**  
 No Meeting Scheduled

**SENATE SPECIAL COMM ON TAPS THROUGHPUT  
(continued)**

**Mar 28      Thursday                      Butrovich 205              3:30 PM**  
No Meeting Scheduled

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**JOINT COMMITTEES**

**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

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**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

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**OTHER MEETINGS**

**JOINT SESSION**

**Apr 08      Monday                      House Chamber              11:00 AM**  
Confirmation of Governor's Appointees