

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-EIGHTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Tuesday

April 22, 2014

Ninety-second Day

Pursuant to adjournment the Senate was called to order by President Huggins at 12:50 p.m.

The roll showed twenty members present.

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

My prayer today will focus on the most powerful force in the universe, love. For hate may make someone do harm or kill another but only love will inspire someone to give their own life for a stranger. With this in mind I would ask everyone here with children to imagine the pain and helplessness they have felt when they see their own child in pain, knowing you cannot alleviate their hurt. Imagine now God, looking down at his only son experiencing the most pain a human can experience and knowing he could stop his child's misery at any moment, yet he chose not to, so that we all may be free.

Let this most brilliant and magnificent love fill the hearts of these elected officials and grant them peace as they go about the arduous and often thankless work of the people of Alaska. Amen.

Senator Giessel led the Senate in the Pledge of Allegiance.

Messages from the House**SB 214**

Message dated April 20 was received stating the House passed and returned:

CS FOR SENATE BILL NO. 214(L&C) am "An Act relating to independent portable electronics adjuster licensing."

The bill was referred to the Secretary for enrollment.

HB 75

Message dated April 21 was received stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 75(FIN) "An Act amending certain audit requirements for entities receiving contributions from permanent fund dividends; requiring the three main campuses of the University of Alaska to apply to be included on the contribution list for contributions from permanent fund dividends; and requiring the university to pay an application fee for each campus separately listed on the contribution list for contributions from permanent fund dividends" thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 75(FIN) "An Act amending certain audit requirements for entities receiving contributions from permanent fund dividends; requiring the three main campuses of the University of Alaska to apply to be included on the contribution list for contributions from permanent fund dividends; relating to notice provided on the electronic dividend application form; relating to administrative costs for administering the program of contributions from permanent fund dividends; relating to a coordination fee for entities that receive contributions from permanent fund dividends; and requiring the university to pay an application fee for each campus separately listed on the contribution list for contributions from permanent fund dividends." (Title Change SCR 23)

HB 140

Message dated April 21 was received stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 140(FIN) am, thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 140(JUD) "An Act relating to the proposed adoption, amendment, or repeal of a regulation; and relating to contact with agencies about regulations."

HB 206

Message dated April 21 was received stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 206(L&C), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 206(L&C) "An Act relating to motor vehicle service contracts; exempting motor vehicle service contracts from regulation as insurance; and providing for an effective date."

HB 246

Message dated April 20 was received stating the House concurred in the Senate amendment to HOUSE BILL NO. 246, thus adopting:

HOUSE BILL NO. 246 am S "An Act adding additional land and water to the Creamer's Field Migratory Waterfowl Refuge; designating the House of Wickersham as the official residence of the lieutenant governor and making the House of Wickersham available for other uses; and relating to per diem claims by the lieutenant governor that are related to the location of the official residence of the lieutenant governor."

HB 263

Message dated April 21 was received stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 263(HSS), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL
NO. 263(FIN) "An Act extending the Alaska senior
benefits payment program."

HB 266

Message dated April 20 was received stating the House has adopted the report of the Conference Committee with limited powers of free conference considering SENATE CS FOR CS FOR HOUSE BILL NO. 266(FIN) and CS FOR HOUSE BILL NO. 266(FIN), thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 266
"An Act making appropriations for the operating and
loan program expenses of state government and for
certain programs, capitalizing funds, and making
reappropriations; and providing for an effective date."

The Senate adopted CONFERENCE CS FOR HOUSE BILL NO. 266 on April 20 (page 2654).

HB 267

Message dated April 20 was received stating the House has adopted the report of the Conference Committee with limited powers of free conference considering SENATE CS FOR CS FOR HOUSE BILL NO. 267(FIN) and CS FOR HOUSE BILL NO. 267(FIN), thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 267
"An Act making appropriations for the operating and
capital expenses of the state's integrated
comprehensive mental health program; and providing
for an effective date."

The Senate adopted CONFERENCE CS FOR HOUSE BILL NO. 267 on April 20 (page 2655).

HB 287

Message dated April 21 was received stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 287(RLS) am "An Act relating to the determination of the royalty received by the

state on oil production refined or processed in the state; providing tax credits for qualified infrastructure expenditures for in-state refineries and hydrocarbon processing facilities; approving and ratifying the sale of royalty oil by the State of Alaska to Tesoro Corporation and Tesoro Refining and Marketing Company LLC; and providing for an effective date" thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 287(FIN) "An Act relating to the determination of the royalty received by the state on oil production refined or processed in the state; providing tax credits for qualified infrastructure expenditures for in-state refineries; approving and ratifying the sale of royalty oil by the State of Alaska to Tesoro Corporation and Tesoro Refining and Marketing Company LLC; and providing for an effective date."

(Title Change SCR 31)

HB 385

Message dated April 20 was received stating the House concurred in the Senate amendment to HOUSE BILL NO. 385 "An Act relating to additional state contributions to the teachers' defined benefit retirement plan and the public employees' defined benefit retirement plan; and providing for an effective date" thus adopting:

SENATE CS FOR HOUSE BILL NO. 385(FIN) "An Act relating to the past service liabilities of the defined benefit plan in the teachers' retirement system and the defined benefit plan in the public employees' retirement system, and to excess assets of those plans on termination of the plans; and providing for an effective date." (Title Change SCR 28)

Concur Messages**SB 64**

Message dated April 20 was read stating the House passed and returned for consideration CS FOR SENATE BILL NO. 64(FIN) "An Act relating to theft and property offenses; relating to the definition of 'prior convictions' for certain theft offenses; establishing the Alaska

Criminal Justice Commission and providing an expiration date; relating to the crime of custodial interference; relating to the duties of the Alaska Judicial Council; relating to jail-time credit for offenders in court-ordered treatment programs; relating to conditions of release, probation, and parole; relating to duties of the commissioner of corrections and board of parole; establishing a fund for reducing recidivism in the Department of Health and Social Services; requiring the commissioner of health and social services to establish programs for persons on conditions of release or probation that require testing for controlled substances and alcoholic beverages; requiring the board of parole to establish programs for persons on parole that require testing for controlled substances and alcoholic beverages; relating to the duties of the Department of Health and Social Services; and providing for an effective date" with the following amendments:

HOUSE CS FOR CS FOR SENATE BILL NO. 64(FIN) am H "An Act relating to theft and property offenses; relating to the definition of 'prior convictions' for certain theft offenses; establishing the Alaska Criminal Justice Commission and providing an expiration date; relating to electronic monitoring for certain persons convicted of driving while under the influence; relating to the crime of custodial interference; relating to the duties of the Alaska Judicial Council; relating to jail-time credit for offenders in court-ordered treatment programs; relating to conditions of release, probation, and parole; relating to a mitigating factor for a person suffering from combat-related post-traumatic stress disorder or combat-related traumatic brain injury; relating to duties of the commissioner of corrections and board of parole; establishing a program for reducing recidivism in the Department of Health and Social Services; requiring the commissioner of health and social services to establish programs for persons on conditions of release or probation that require testing for controlled substances and alcoholic beverages; requiring the board of parole to establish programs for persons on parole that require testing for controlled substances and alcoholic beverages; relating to the duties of the Department of Health and Social Services; and providing for an effective date."

(Title Change HCR 27)

Senator Coghill moved that the Senate concur in the House amendments.

The question being: "Shall the Senate concur in the House amendments?" The roll was taken with the following result:

HCS CSSB 64(FIN) am H
Shall the Senate Concur in the House
Amendments to CSSB 64(FIN)? Effective Dates
YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, the Senate concurred in the House amendments, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 64(FIN) am H "An Act relating to theft and property offenses; relating to the definition of 'prior convictions' for certain theft offenses; establishing the Alaska Criminal Justice Commission and providing an expiration date; relating to electronic monitoring for certain persons convicted of driving while under the influence; relating to the crime of custodial interference; relating to the duties of the Alaska Judicial Council; relating to jail-time credit for offenders in court-ordered treatment programs; relating to conditions of release, probation, and parole; relating to a mitigating factor for a person suffering from combat-related post-traumatic stress disorder or combat-related traumatic brain injury; relating to duties of the commissioner of corrections and board of parole; establishing a program for reducing recidivism in the Department of Health and Social Services; requiring the commissioner of health and social services to establish programs for persons on conditions of release or probation that require testing for controlled substances and alcoholic beverages; requiring the board of parole to establish programs for persons on parole that require testing for controlled substances and alcoholic beverages; relating to the duties of the Department of Health and Social Services; and providing for an effective date."

Senator Coghill moved and asked unanimous consent that the vote on concurrence be considered the vote on the effective date clauses. Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

HCR 27

Senator Coghill moved and asked unanimous consent to take up HOUSE CONCURRENT RESOLUTION NO. 27. Without objection, the resolution was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 27 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 64, relating to theft and property offenses; relating to the definition of "prior convictions" for certain theft offenses; establishing the Alaska Criminal Justice Commission and providing an expiration date; relating to the crime of custodial interference; relating to the duties of the Alaska Judicial Council; relating to jail-time credit for offenders in court-ordered treatment programs; relating to conditions of release, probation, and parole; relating to duties of the commissioner of corrections and board of parole; establishing a fund for reducing recidivism in the Department of Health and Social Services; requiring the commissioner of health and social services to establish programs for persons on conditions of release or probation that require testing for controlled substances and alcoholic beverages; requiring the board of parole to establish programs for persons on parole that require testing for controlled substances and alcoholic beverages; and relating to the duties of the Department of Health and Social Services, pass the Senate?" The roll was taken with the following result:

HCR 27
Final Passage

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

Yea: 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. 27 passed the Senate, was signed by the President and Secretary and returned to the House.

Recess

Senator Coghill moved and asked unanimous consent that the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 1:02 p.m.

After Recess

The Senate reconvened at 6:18 p.m.

Unfinished Business**HB 306**

CS FOR HOUSE BILL NO. 306(FIN) "An Act relating to the review and administration of tax credit programs; requiring the Department of Revenue to report indirect expenditures; relating to the duties of state agencies; requiring the legislative finance division to analyze certain indirect expenditures; relating to lapse dates for appropriations for capital projects; repealing the insurance tax education credit, the income tax education credit, the veteran employment tax credit, the oil or gas producer education credit, the property tax education credit, the mining business education credit, the fisheries business education credit, the fisheries business tax credit for scholarship contributions, the fisheries business salmon product development tax credit, the fisheries business salmon utilization tax credit, the fisheries business landing tax credit for scholarship contributions, the fisheries resource landing tax credit for the fisheries resource harvested under the community development quota, the fisheries resource landing tax education credit, and the film production tax credit; and providing for an effective date" was not taken up.

The bill will be on the April 23 calendar.

HB 316

CS FOR HOUSE BILL NO. 316(FIN) "An Act relating to workers' compensation fees for medical treatment and services; relating to workers' compensation regulations; and providing for an effective date" was not taken up.

The bill will be on the April 23 calendar.

HB 361

HOUSE BILL NO. 361 "An Act relating to licensing of behavior analysts" was not taken up.

The bill will be on the April 23 calendar.

HB 366

CS FOR HOUSE BILL NO. 366(JUD) "An Act relating to reporting an involuntary mental health commitment to the National Instant Criminal Background Check System; relating to the sealing of records of mental health proceedings; and relating to relief from a disability resulting from an involuntary commitment or an adjudication of mental illness or mental incompetence" was not taken up.

The bill will be on the April 23 calendar.

HB 369

CS FOR HOUSE BILL NO. 369(JUD) "An Act relating to restrictions on the criminal prosecution for certain offenses for a person who seeks medical assistance for a person experiencing a drug overdose" was not taken up.

The bill will be on the April 23 calendar.

Announcements

Rule 23(d) of the Alaska State Legislature Uniform Rules is currently in effect.

Announcements are at the end of the journal.

Adjournment

Senator Coghill moved and asked unanimous consent that the Senate stand in adjournment until 9:00 a.m., April 23, 2014. Without objection, the Senate adjourned at 6:19 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.

JOINT COMMITTEES**LEGISLATIVE BUDGET & AUDIT**

Apr 29	Tuesday	Anch Lio Conf Rm	3:00 PM
		-- Subcommittee Meeting --	
		Department of Corrections Performance Review	
+		Other Committee Business:	
		Public Testimony Regarding the Operations and	
		Interactions of the Dept. of Corrections, its	
		Facilities and its Community Programs and	
		Resources	
		Streamed live on AKL.TV	
May 08	Thursday	Bethel Lio	10:00 AM
		-- Subcommittee Meeting --	
		Department of Corrections Performance Review	
+		Other Committee Business:	
		Public Testimony Regarding the Operations and	
		Interactions of the Dept. of Corrections, its	
		Facilities and its Community Programs and	
		Resources	
		Streamed live on AKL.TV	
May 14	Wednesday	Fbx Lio Conf Rm	1:30 PM
		-- Subcommittee Meeting --	
		Department of Corrections Performance Review	
+		Other Committee Business:	
		Public Testimony Regarding the Operations and	
		Interactions of the Dept. of Corrections, its	
		Facilities and its Community Programs and	
		Resources	
		Streamed live on AKL.TV	

SENATE JOURNAL

April 22, 2014

2741

CONFERENCE COMMITTEES

CONFERENCE COMMITTEE ON HB278

Apr 22 Tuesday House Finance 519 10:00 AM
-- Recessed to a Call of the Chair --
= HB 278 EDUCATION