

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE

FIRST SESSION

Juneau, Alaska

Thursday

April 9, 2015

Eightieth Day

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

The roll showed twenty members present.

The prayer was offered by the Chaplain, Deacon Charles Rohrbacher, Cathedral of the Nativity of the Blessed Virgin Mary. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Prayer of St. Francis

Lord, make me an instrument of Your peace.
Where there is hatred, let me sow love;
where there is injury, pardon;
where there is doubt, faith;
where there is despair, hope;
where there is darkness, light;
where there is sadness, joy.

O, Divine Master,
grant that I may not so much seek
to be consoled as to console;
to be understood as to understand;
to be loved as to love;
For it is in giving that we receive;
it is in pardoning that we are pardoned;
it is in dying that we are born again to eternal life.

Amen.

Senator Stoltze led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House

HB 56

Message dated April 8 was read stating the House concurred in the Senate amendment to HOUSE BILL NO. 56, thus adopting:

SENATE CS FOR HOUSE BILL NO. 56(STA) "An Act establishing Alaska Firefighters' Day."

Message dated April 8 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Resolutions

HJR 18

CS FOR HOUSE JOINT RESOLUTION NO. 18(RES) BY THE HOUSE RESOURCES COMMITTEE,

Urging the United States Congress to pass the Improved National Monument Designation Process Act.

was read the first time and referred to the Resources Committee.

First Reading and Reference of House Bills

HB 61

CS FOR HOUSE BILL NO. 61(STA) BY THE HOUSE STATE AFFAIRS COMMITTEE, entitled:

"An Act relating to special motor vehicle registration plates for recipients of the Bronze Star awarded for valor, Silver Star, Navy Cross, Distinguished Service Cross, Air Force Cross, Coast Guard Cross, and other awards reflecting valor; and providing for an effective date."

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

HB 153

CS FOR HOUSE BILL NO. 153(RES) BY THE HOUSE RESOURCES COMMITTEE, entitled:

"An Act expanding the Palmer Hay Flats State Game Refuge."

was read the first time and referred to the Resources Committee.

HB 158

CS FOR HOUSE BILL NO. 158(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to a refined fuel surcharge; relating to the motor fuel tax; relating to a qualified dealer license; and providing for an effective date."

was read the first time and referred to the Finance Committee.

Standing Committee Reports

Report dated April 8 was read stating:

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

Board of Fisheries

Orville Huntington – Huslia

Robert Ruffner – Soldotna

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 Giessel, Chair; Senators Costello, Wielechowski, Coghill, Micciche, Stoltze.

SB 15

The Finance Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 15 "An Act relating to the tax on policy year premiums for life insurance policies." Signing no recommendation: Senator MacKinnon, Cochair; Senator Olson. Signing do pass: Senators Bishop, Dunleavy, Hoffman.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

SB 39

The Finance Committee considered SENATE BILL NO. 39 "An Act repealing the film production tax credit; providing for an effective date by repealing the effective dates of secs. 31 - 33, ch. 51, SLA 2012; and providing for an effective date" and recommended the adoption of the Labor and Commerce Committee Substitute offered on page 464. Signing do pass: Senator MacKinnon, Cochair; Senator Dunleavy. Signing no recommendation: Senator Kelly, Cochair; Senators Bishop, Hoffman. Signing do not pass: Senator Olson.

The following previously published fiscal information applies:

Fiscal Note No. 1, indeterminate, Department of Revenue

The bill was referred to the Rules Committee.

SB 76

The Judiciary Committee considered SENATE BILL NO. 76 "An Act relating to private actions and remedies against real estate licensees for licensee relationships, disclosures, and activity before January 1, 2005; and providing for an effective date." Signing do pass: Senator McGuire, Chair; Senators Coghill, Micciche, Costello. Signing no recommendation: Senator Wielechowski.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Department of Commerce, Community
and Economic Development

The bill was referred to the Rules Committee.

Introduction and Reference of Senate Bills

SB 102

SENATE BILL NO. 102 BY SENATOR DUNLEAVY, entitled:

"An Act relating to the duties of the Department of Education and Early Development; relating to the duties of school districts; relating to course mastery requirements; relating to school funding; relating to training for school employees and mandatory reporters of child abuse or neglect; relating to layoff of tenured teachers; relating to fiscal notes prepared by the Department of Education and Early Development; relating to notification of proposed agency actions; and repealing requirements for minimum expenditures for instruction."

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

Consideration of the Calendar

Second Reading of Senate Bills

SB 33

SENATE BILL NO. 33 "An Act relating to remittance of tire fees; and providing for an effective date" 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. 33 was read the third time.

The question being: "Shall SENATE BILL NO. 33 "An Act relating to remittance of tire fees; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SB 33

Third Reading - Final Passage

Effective Date

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

Yeas: Bishop, Coghill, Costello, Dunleavy, Egan, Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Meyer, Micciche, Olson, Stedman, Stevens, Stoltze, Wielechowski

and so, SENATE BILL NO. 33 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. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

Third Reading of Senate Bills

SB 47

SENATE BILL NO. 47 "An Act relating to exemptions for cash surrender values, accrued dividends, and loan values of life insurance and annuity contracts" was read the third time.

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

The question being: "Shall SENATE BILL NO. 47 "An Act relating to exemptions for cash surrender values, accrued dividends, and loan values of life insurance and annuity contracts" pass the Senate?" The roll was taken with the following result:

SB 47

Third Reading - Final Passage

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

Yeas: Bishop, Coghill, Costello, Egan, Ellis, Gardner, Giessel, Hoffman, Huggins, Kelly, MacKinnon, McGuire, Meyer, Micciche, Olson, Stedman, Stevens, Stoltze, Wielechowski

Nays: Dunleavy

and so, SENATE BILL NO. 47 passed the Senate and was referred to the Secretary for engrossment.

Senate Bills in Third Reading

SB 86

CS FOR SENATE BILL NO. 86(FIN) "An Act relating to a refined fuel surcharge; relating to the motor fuel tax; relating to a qualified dealer license; and providing for an effective date" which had been held in third reading to the April 9 calendar (page 871), was before the Senate in third reading.

Senator Coghill moved and asked unanimous consent that CS FOR SENATE BILL NO. 86(FIN) be returned to the Rules Committee. Without objection, the bill was returned to the Rules Committee.

Citations

Honoring - Glennallen High School Panthers 2015 2A State Girls Basketball Champions

Representative(s) Colver, Talerico

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

Honoring - Bob and Lora Craig

Representative(s) Seaton

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

Honoring - Knik 11-12 Majors All-Star Baseball Team

Representative(s) Saddler

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

In Memoriam - Raymond Pederson

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

Representative(s) Kreiss-Tomkins

In Memoriam - Emma Jean Thompson

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

Representative(s) Kawasaki

In Memoriam - Bruce Willard

Representative(s) Seaton

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

In Memoriam - Dr. James Madonna

Representative(s) Kawasaki

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

In Memoriam - Peter Hupperton Jr.

Representative(s) Johnson, Tilton

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

In Memoriam - William Bruu

Representative(s) Neuman

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

In Memoriam - Evelyn Bush

Representative(s) Hughes, Colver, Gattis, Keller, Neuman, Tilton
Senator(s) Stoltze, Huggins, Dunleavy, Meyer, Bishop, Coghill,
Costello, Egan, Ellis, Gardner, Giessel, Hoffman, Kelly, MacKinnon,
McGuire, 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

HB 4

Senator Giessel moved and asked unanimous consent to be shown as a cross sponsor on HOUSE BILL NO. 4 "An Act relating to automated external defibrillators." Without objection, it was so ordered.

Announcements

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

Announcements are at the end of the journal.

Engrossment

SB 33

SENATE BILL NO. 33 "An Act relating to remittance of tire fees; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 47

SENATE BILL NO. 47 "An Act relating to exemptions for cash surrender values, accrued dividends, and loan values of life insurance and annuity contracts" 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., April 10, 2015. Without objection, the Senate adjourned at 12:10 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

Apr 09 Thursday Beltz 105 (tsbldg) 3:30 PM
 + SB 88 TEACHERS & PUB EMPLOYEE RETIREMENT PLANS
 + Bills Previously Heard/Scheduled:
 + SB 79 REEMPLOYMENT OF RETIRED TEACHERS & ADMIN

Apr 14 Tuesday Beltz 105 (tsbldg) 3:30 PM
 += HB 75 MARIJUANA REG;CLUBS;MUNIS;LOCAL OPT ELECT
 + SB 100 NORTH SLOPE GAS PROJ PROP TAX;ASSESSMENT

Apr 16 Thursday Beltz 105 (tsbldg) 3:30 PM
 + Bills Previously Heard/Scheduled

EDUCATION

Apr 09 Thursday Butrovich 205 3:30 PM
 + Bills Previously Heard/Scheduled:
 += SB 89 PARENT RIGHTS: EDUCATION; SCHOOL ABSENCE
 += SB 37 SEXUAL ABUSE/ASSAULT PREVENTION PROGRAMS

Apr 14 Tuesday Butrovich 205 3:30 PM
 + SB 84 LANG. IMMERSION SCHOOLS/TEACHER CERTS.
 + SB 102 UNFUNDED ED. MANDATES;TRAINING; TEACHERS

FINANCE

Apr 09 Thursday Senate Finance 532 9:00 AM

-- MEETING CANCELED --
 += SB 26 BUDGET: CAPITAL
 + Bills Previously Heard/Scheduled

Apr 09 Thursday Senate Finance 532 1:30 PM

-- Recessed to 7:00 pm --
 + Bills Previously Heard/Scheduled
 + SB 56 MUNI ENERGY IMPROVEMNT ASSESSMNTS/BONDS
 += SCR 1 CIVICS EDUCATION TASK FORCE
 += SJR 2 CONST. AM: G.O. BONDS FOR STUDENT LOANS
 + SB 22 MOTOR VEHICLE REG. TAX: COLLECTION COSTS
 SB 50 AIDEA: BONDS;PROGRAMS;LOANS;LNG PROJECT
 <Pending Referral>

Apr 10 Friday Senate Finance 532 9:00 AM

+ HB 140 LEG. APPROVAL: AK RAILROAD REVENUE BONDS
 + SB 70 GAS PIPELINE RIGHT-OF-WAY;PARKS;REFUGES
 + Bills Previously Heard/Scheduled:
 += SB 71 VACCINE CERTIFICATION FOR PHARMACISTS
 += SB 26 BUDGET: CAPITAL

Apr 10 Friday Senate Finance 532 1:30 PM

+ Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

Apr 10 Friday Butrovich 205 1:30 PM

+ HB 8 POWERS OF ATTORNEY
 + SB 72 DESIGNATED CAREGIVERS FOR PATIENTS
 Bills Previously Heard/Scheduled

Apr 13 Monday Butrovich 205 1:30 PM

+ SB 98 PRESCRIPTION WITHOUT PHYS. EXAM.
 -- Public Testimony <Time Limit May Be Set> --
 + SB 65 JUVENILE JUSTICE ADJUDICATIONS
 -- Public Testimony <Time Limit May Be Set> --
 Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES (continued)

Apr 15 Wednesday Butrovich 205 1:30 PM
 Bills Previously Heard/Scheduled

Apr 17 Friday Butrovich 205 1:30 PM
 Bills Previously Heard/Scheduled

JUDICIARY

Apr 10 Friday Beltz 105 (tsbldg) 1:30 PM

-- MEETING CANCELED --
 -- Testimony <Public and Invited> --

- + SB 14 MEDICAL BOARD; MEDICAL REVIEW ORG.
- + HB 65 LEG./PUB. OFFICIAL FINANCIAL DISCLOSURE
- + SJR 3 CONST. AM: MEMBERSHIP OF JUDICIAL COUNCIL
- + SB 8 INDUSTRIAL HEMP PRODUCTION LICENSES
- + Bills Previously Heard/Scheduled

LABOR & COMMERCE

Apr 09 Thursday Beltz 105 (tsbldg) 1:30 PM

-- Public Testimony --

- + SB 61 MUSEUM CONSTRUCTION GRANT PROGRAM
 Senate Bill: INSURANCE; RISK MGT; HOLDING COMPANIES
 <Pending Introduction & Referral>
- + SB 99 ALCOHOLIC BEVERAGE CONTROL; ALCOHOL REG
- + HB 149 NATIVE CORP. ART. AMENDMENTS
- + Bills Previously Heard/Scheduled

RESOURCES

Apr 10 Friday Butrovich 205 3:30 PM

-- Public Testimony --

- + HJR 18 LIMIT DECLARATION OF NATL. MONUMENTS
- + SB 101 STATE PARKS FEES & SALES OF MERCHANDISE
- + SB 50 AIDEA: BONDS;PROGRAMS;LOANS;LNG PROJECT
- + Bills Previously Heard/Scheduled

STATE AFFAIRS

Apr 09 Thursday Butrovich 205 9:00 AM

- + SB 83 PEACE OFFICER/FIREFIGHTER RETIREMENT
- + SB 89 PARENT RIGHTS: EDUCATION; SCHOOL ABSENCE
<Pending Referral>
- + SB 1 REGULATION OF SMOKING
-- Public Testimony --
- + Bills Previously Heard/Scheduled

Apr 13 Monday Butrovich 205 8:00 AM

- Time & Date Change --
8:00 am
- + SB 74 MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES
<Pending Referral>
< Sponsor Presentation >
9:00 am
-- Public Testimony --
- + Confirmation of Governor's Appointments:
Board of Fisheries: Orville Huntington &
Robert Ruffner
- + Bills Previously Heard/Scheduled

TRANSPORTATION

Apr 09 Thursday Butrovich 205 1:00 PM

- + Bills Previously Heard/Scheduled:
- + SB 66 PASSENGER & REC. VEHICLE RENTAL TAX

JOINT COMMITTEES**LEGISLATIVE COUNCIL**

Apr 09 Thursday House Finance 519 5:00 PM

- Teleconference <Listen Only> --
- EXECUTIVE SESSION
- Testimony <Invitation Only> --

CONFERENCE COMMITTEES

CONFERENCE COMMITTEE ON HB72 AND HB73

Apr 10 Friday Senate Finance 532 4:00 PM
HB 72 APPROP: OPERATING BUDGET/LOANS/FUNDS
HB 73 APPROP: MENTAL HEALTH BUDGET
 Organizational Meeting

OTHER MEETINGS

JOINT SESSION

Apr 17 Friday House Chamber 1:00 PM
 Consideration of Governor's Appointees