

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-NINTH LEGISLATURE
THIRD SPECIAL SESSION

Juneau, Alaska

Tuesday

November 3, 2015

Eleventh Day

Pursuant to adjournment the Senate was called to order by President Meyer at 10:06 a.m.

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

Senator Coghill moved and asked unanimous consent Senator McGuire be excused from a call of the Senate today. Without objection, Senator McGuire was excused.

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

Our most precious heavenly Father, we communicate with you today; number one we ask for your blessings and guidance as we move forward in voting today. But you know, Father, the important thing that I ask you to remind each of us is that without your blessing, without your guidance, we often are mistaken of our individual or group importance. We would ask you to remind us of that. Further, Father, our state has challenges, both operationally and financially, and once again, we would ask your assistance, your thoughtfulness and your blessings as we work on those challenges.

And if we look outside the state, Father, it doesn't matter whether it's Afghanistan, Syria, Iraq, Ukraine, wherever it is, the potential for many great Americans - which we've already seen the results of in their death and maiming - is catastrophic to many families and to our nation. We ask for your assistance and again guidance that we can deconflict these sort of dilemmas on our globe.

And finally, Father, we all have personal tragedies. One of our member's fathers has passed away. We ask for your blessings upon their family.

In Jesus' name I pray.

Amen.

Senator Huggins led the Senate in the Pledge of Allegiance.

Certification

Senator Coghill moved and asked unanimous consent that the journal for the tenth legislative day of the Third Special Session be approved as certified by the Secretary. Without objection, it was so ordered.

Communications

The following report is on file in the Office of the Secretary of the Senate:

Professional Licensing Report to the Legislature, October 2015
from Janey Hovenden, Director
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community and Economic Development

Introduction and Reference of Senate Resolutions

SR 301

SENATE RESOLUTION NO. 301 BY THE SENATE RESOURCES
COMMITTEE,

Urging the state, the Alaska Gasline Development Corporation, BP Exploration (Alaska) Inc., ConocoPhillips Alaska, Inc., and ExxonMobil Alaska Production Inc. to continue to honor the Heads of Agreement commitments if the state terminates the participation of TransCanada Alaska Development Inc.; urging that the transfer of the interests of TransCanada Alaska Development Inc. occur under the process outlined in current law; and urging all parties to support the 2016 work plan and budget.

was read the first time and held on the Secretary's desk.

Consideration of the Calendar

Third Reading of Senate Bills

SB 3001

CS FOR SENATE BILL NO. 3001(FIN) "An Act making supplemental appropriations; making appropriations to capitalize funds; and providing for an effective date" was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 3001(FIN) "An Act making supplemental appropriations; making appropriations to capitalize funds; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 3001(FIN)
Third Reading - Final Passage
Effective Date

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

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

Nays: Dunleavy, Huggins, Stoltze

Excused: McGuire

and so, CS FOR SENATE BILL NO. 3001(FIN) 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.

SR 301

Senator Coghill moved and asked unanimous consent to take up SENATE RESOLUTION NO. 301 Urging the state, the Alaska Gasline Development Corporation, BP Exploration (Alaska) Inc., ConocoPhillips Alaska, Inc., and ExxonMobil Alaska Production Inc. to continue to honor the Heads of Agreement commitments if the state terminates the participation of TransCanada Alaska Development Inc.; urging that the transfer of the interests of TransCanada Alaska Development Inc. occur under the process outlined in current law; and urging all parties to support the 2016 work plan and budget, which had been held on the Secretary's desk (page 1515). Senator Wielechowski objected. Senator Coghill moved and asked unanimous consent to withdraw his motion. Without objection, the motion was withdrawn.

Reconsideration of Senate Bills**SB 3001**

Senator Coghill gave notice of reconsideration on CS FOR SENATE BILL NO. 3001(FIN) and moved and asked unanimous consent that it be taken up. Without objection, it was so ordered and the bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 3001(FIN) "An Act making supplemental appropriations; making appropriations to capitalize funds; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 3001(FIN)

Third Reading - On Reconsideration

Effective Date

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

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

Nays: Dunleavy, Huggins, Stoltze

Excused: McGuire

and so, CS FOR SENATE BILL NO. 3001(FIN) passed the Senate on reconsideration.

Senator Coghill moved and asked unanimous consent that the vote on reconsideration 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.

Recess

President Meyer stated the Senate would stand in recess to 12:30 p.m. There being no objection, the Senate recessed at 11:29 a.m.

After Recess

The Senate reconvened at 12:44 p.m.

Consideration of the Calendar (continued)

Third Reading of Senate Resolutions

SJR 301

CS FOR SENATE JOINT RESOLUTION NO. 301(RES) Opposing the recent decisions to cancel future lease sales in the Chukchi and Beaufort Seas and to deny the suspension of Shell and Statoil's leases; urging the United States Department of the Interior to continue to promote oil exploration in the Chukchi and Beaufort Seas; urging the United States Bureau of Safety and Environmental Enforcement to reconsider and approve requests from Shell and Statoil for lease suspensions in the Chukchi Sea Planning Area and Beaufort Sea Planning Area; and urging the ongoing efforts to develop offshore oil and gas in the Arctic Outer Continental Shelf, was read the third time.

Senator Wielechowski moved that the bill be returned to second reading for the purpose of a specific amendment, that being Amendment No. 1. Without objection, the bill was returned to second reading.

Senator Wielechowski offered Amendment No. 1:

Page 1, line 6, following "Area;":

Insert "**urging the Alaska Congressional delegation to continue its efforts to achieve consistent and equitable outer continental shelf revenue sharing for the state; urging the United States Congress to provide a means for equitable outer continental shelf revenue sharing across all coastal oil and gas producing states to ensure the states develop necessary infrastructure to support outer continental shelf development and preserve environmental integrity;**"

Page 3, following line 6:

Insert new material to read:

WHEREAS, under the Gulf of Mexico Energy Security Act of 2006, the federal government recognizes the effect that oil and gas development in federal offshore areas has on the states of Alabama, Louisiana, Mississippi, and Texas, and recognizes the contributions to national energy, security, and economic interests made by sharing with those states 37.5 percent of revenue from leases covered under phase one of the Gulf of Mexico Energy Security Act of 2006; phase two of the Gulf of Mexico Energy Security Act of 2006 expands the definition of "qualified outer continental shelf revenue" and continues to share revenue on an adjacency factor but includes an annual revenue-sharing cap of \$500,000,000 that applies through 2055; and

WHEREAS the federal government fails to recognize the same effects on and contributions made by other oil and gas producing states adjacent to federal outer continental shelf areas, such as this state; and

WHEREAS, had outer continental shelf revenue sharing of 37.5 percent been in place since 2003, the state would have benefitted from additional revenue, in an amount estimated to be between \$942,000,000 and \$1,300,000,000, for necessary infrastructure, such

as marine ports, airports, utilities and housing, and increased state services, such as oil spill and emergency response and environmental monitoring and mitigation; and"

Page 3, following line 25:

Insert new material to read:

"FURTHER RESOLVED that the Alaska State Legislature urges the Alaska Congressional delegation to continue its efforts to achieve consistent and equitable outer continental shelf revenue sharing for this state, as is granted the Gulf States of Alabama, Louisiana, Mississippi, and Texas; and be it

FURTHER RESOLVED that the Alaska State Legislature urges the United States Congress to provide a means for equitable outer continental shelf revenue sharing across all coastal oil and gas producing states to ensure the states develop necessary infrastructure to support outer continental shelf development and preserve environmental integrity; and be it"

Page 3, line 29, following "Area":

Insert "after equitable outer continental shelf revenue sharing has been achieved by the state"

Page 4, line 1, following "responsibly":

Insert "and acknowledge the need for equitable revenue sharing with oil and gas producing states adjacent to federal outer continental shelf areas"

Senator Wielechowski moved for the adoption of Amendment No. 1. Senator Stoltze objected.

Senator Stoltze moved and asked unanimous consent for the adoption of the following amendment to Amendment No. 1:

In Amendment No. 1, delete the following:

"Page 2, lines 17 - 19"

Senator Wielechowski objected.

The question being: "Shall Amendment to Amendment No. 1 be adopted?" The roll was taken with the following result:

CSSJR 301(RES)

Second Reading

Amendment to Amendment No. 1

YEAS: 12 NAYS: 6 EXCUSED: 2 ABSENT: 0

Yeas: Bishop, Coghill, Costello, Dunleavy, Giessel, Huggins, MacKinnon, Meyer, Micciche, Stedman, Stevens, Stoltze

Nays: Egan, Ellis, Gardner, Kelly, Olson, Wielechowski

Excused: Hoffman, McGuire

and so, Amendment No. 1 was amended.

Senator Stoltze withdrew his objection.

There being no further objection, Amendment No. 1 as amended was adopted.

CS FOR SENATE JOINT RESOLUTION NO. 301(RES) am was automatically in third reading.

The question being: "Shall CS FOR SENATE JOINT RESOLUTION NO. 301(RES) am Opposing the recent decisions to cancel future lease sales in the Chukchi and Beaufort Seas and to deny the suspension of Shell and Statoil's leases; urging the United States Department of the Interior to continue to promote oil exploration in the Chukchi and Beaufort Seas; urging the United States Bureau of Safety and Environmental Enforcement to reconsider and approve requests from Shell and Statoil for lease suspensions in the Chukchi Sea Planning Area and Beaufort Sea Planning Area; urging the Alaska Congressional delegation to continue its efforts to achieve consistent and equitable outer continental shelf revenue sharing for the state; urging the United States Congress to provide a means for equitable outer continental shelf revenue sharing across all coastal oil and gas producing states to ensure the states develop necessary infrastructure to support outer continental shelf development and preserve environmental integrity; and urging the ongoing efforts to develop offshore oil and gas in the Arctic Outer Continental Shelf, pass the Senate?" The roll was taken with the following result:

CSSJR 301(RES) am
Third Reading - Final Passage

YEAS: 15 NAYS: 3 EXCUSED: 2 ABSENT: 0

Yeas: Bishop, Coghill, Costello, Dunleavy, Egan, Giessel, Huggins, Kelly, MacKinnon, Meyer, Micciche, Olson, Stedman, Stevens, Stoltze

Nays: Ellis, Gardner, Wielechowski

Excused: Hoffman, McGuire

and so, CS FOR SENATE JOINT RESOLUTION NO. 301(RES) am passed the Senate and was referred to the Secretary for engrossment.

SR 301

Senator Coghill moved and asked unanimous consent to take up SENATE RESOLUTION NO. 301, which had been held on the Secretary's desk (page 1515). Senator Gardner objected.

The question being: "Shall the resolution be taken from the Secretary's desk?" The roll was taken with the following result:

SR 301

Take from Secretary's Desk?

YEAS: 15 NAYS: 3 EXCUSED: 2 ABSENT: 0

Yeas: Bishop, Coghill, Costello, Dunleavy, Egan, Giessel, Huggins, Kelly, MacKinnon, Meyer, Micciche, Olson, Stedman, Stevens, Stoltze

Nays: Ellis, Gardner, Wielechowski

Excused: Hoffman, McGuire

and so, the resolution was taken up and was before the Senate on final passage.

The question being: "Shall SENATE RESOLUTION NO. 301 Urging the state, the Alaska Gasline Development Corporation, BP Exploration (Alaska) Inc., ConocoPhillips Alaska, Inc., and ExxonMobil Alaska Production Inc. to continue to honor the Heads of

Agreement commitments if the state terminates the participation of TransCanada Alaska Development Inc.; urging that the transfer of the interests of TransCanada Alaska Development Inc. occur under the process outlined in current law; and urging all parties to support the 2016 work plan and budget, pass the Senate?" The roll was taken with the following result:

SR 301

Final Passage

YEAS: 16 NAYS: 2 EXCUSED: 2 ABSENT: 0

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

Nays: Ellis, Wielechowski

Excused: Hoffman, McGuire

and so, SENATE RESOLUTION NO. 301 passed the Senate and was referred to the Secretary for engrossment and enrollment.

President Meyer stated in accordance with Rule 43(b) of the Uniform Rules, engrossment may be waived on all bills and resolutions considered this legislative day.

Special Order of Business

Senator Coghill moved and asked unanimous consent that the following Citation Calendar be made a special order of business. Without objection, it was so ordered.

Citation Calendar

Honoring - Nick Hanson "Eskimo Ninja"

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

Honoring - West High School Eagles 2015 Class 4A Football State Champions

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

Honoring - The Lucky Wishbone Restaurant 60th Anniversary

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

Honoring - Garrett Stortz

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

Honoring - Brittany Tregarthen

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

Honoring - Christine Quick

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

Honoring - CJ Umbs

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

Honoring - Special Olympics Alaska Team 2015 World Summer Games

Representative(s) Millett

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

Honoring - East High School Flag Football Team 2015 Cook Inlet Conference Champions

Representative(s) Pruitt

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

Honoring - Principal Sam Spinella

Representative(s) Pruitt

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

In Memoriam - Teresa Sockpealuk Perry

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

Representative(s) Foster

In Memoriam - Mildred McKenzie Johnson

Representative(s) Colver, Hughes

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

In Memoriam - Karen Davey Stewart

Representative(s) Colver

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

In Memoriam - Peggy Anne Stout

Representative(s) Pruitt

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

In Memoriam - Xavier Alexander Engle

Representative(s) Tarr, Drummond

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

Senator Stevens moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, November 16 through evening plane time, November 25. Without objection, Senator Stevens was excused.

Senator Coghill moved and asked unanimous consent President Meyer be excused from a call of the Senate from evening plane time, November 3 through afternoon plane time, November 4. Without objection, Senator Meyer was excused.

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 3001**

CS FOR SENATE BILL NO. 3001(FIN) "An Act making supplemental appropriations; making appropriations to capitalize funds; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SJR 301

CS FOR SENATE JOINT RESOLUTION NO. 301(RES) am Opposing the recent decisions to cancel future lease sales in the Chukchi and Beaufort Seas and to deny the suspension of Shell and Statoil's leases; urging the United States Department of the Interior to continue to promote oil exploration in the Chukchi and Beaufort Seas; urging the United States Bureau of Safety and Environmental Enforcement to reconsider and approve requests from Shell and Statoil for lease suspensions in the Chukchi Sea Planning Area and Beaufort Sea Planning Area; urging the Alaska Congressional delegation to continue its efforts to achieve consistent and equitable outer continental shelf revenue sharing for the state; urging the United States Congress to provide a means for equitable outer continental shelf revenue sharing across all coastal oil and gas producing states to ensure the states develop necessary infrastructure to support outer continental shelf development and preserve environmental integrity; and urging the ongoing efforts to develop offshore oil and gas in the Arctic Outer Continental Shelf, 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 9:00 a.m., November 5, 2015. Without objection, the Senate adjourned at 1:54 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

Nov 17 Tuesday Anch Lio Auditorium 9:00 AM
 -- Testimony <Invitation Only> --
 + School Design and Construction Report
 -Department of Education and Early Development
 Evaluation of Salary & Benefits Schedule for School Districts
 -UAA Center for Alaska Education Policy Research
 Department of Administration, Personnel and
 Labor Relations
 Meeting will be teleconferenced. A live audio
 stream will be available in Juneau from the
 Beltz Room in the Tom Stewart Bldg., Room 105

SELECT COMMITTEE ON LEGISLATIVE ETHICS

Nov 03 Tuesday Anch Lio Rm 203 1:00 PM
 + Public Comment
 EXECUTIVE SESSION:
 Confidential Advisory Opinion 15-01
 + Public Session

TASK FORCE ON UNMANNED AIRCRAFT SYSTEMS

Nov 05 Thursday Beltz 105 (tsbldg) 1:00 PM
 + - News Review and Task Force Updates
 - UAS and Privacy Guidelines - Final Reports
 and Recommendations of the Subcommittees
 -- Public Testimony --
 ** Teleconferenced for anyone to call in to
 listen or provide public testimony **