

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SIXTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Friday

January 22, 2010

Fourth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 10:01 a.m.

The roll showed sixteen members present. Senators Coghill, McGuire, Meyer, Wagoner were excused from a call of the Senate.

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

Spirit of God,

The prophet Isaiah tells us that you dwell in the high and holy places, but that you also dwell with the humble and contrite. This morning, as this body gathers together to serve the people of Alaska, we also ask that you give us vision that takes us beyond these walls, beyond this beautiful city, and beyond this awesome state.

Help us to remember those in tragic circumstances, especially those who are suffering the great devastation of the earthquake in Haiti. Today I pray for my friends in the village of Croix Fer; hard working people who have seen more than their fair share of tragedy over the years. I pray for their physical well being, as well as their ability to see open doors to offer compassion to those around them.

I pray for those caught in war zones around the world - either as combatants or simply as residents who live in the midst of violent strife. I pray they may see and seek the peace that comes from the Prince of Peace, and that we may all, in the words of the hymn, "bid our strife and envy cease."

Help us to remember those who are consumed by hunger, be it physical lack of food, emotional valleys in the Shadow of Death, or spiritual deserts where hope and faith have little place to find root.

But we also pray for those who dwell in high and mighty places. We pray for those who make law and policy in our nation's capital. And today I pray for those who work for the State of Alaska, who seek to serve her best interest, who strive to see that her people are given every opportunity available to carve out an existence bountiful with life, liberty and the pursuit of happiness.

Spirit of the living God, may your spirit of peace and wisdom fall in a mighty way on the people who stand in this chamber today, and who serve this state. Amen.

Senator Paskvan led the Senate in the Pledge of Allegiance.

Certification

Senator Ellis moved and asked unanimous consent that the journals for the second and third legislative days and House and Senate Joint Journal Supplement No. 9 be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the House

Message dated January 21 was read stating the House confirmed Representative Gatto and Representative Johnson (alternate) as House members to the Select Committee on Legislative Ethics.

Communications

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

Improving Health, Protecting Alaskans, Annual Report 2009
Alaska Department of Health and Social Services
from Bill Hogan, Commissioner

Alaska Industrial Development Export Authority (AIDEA)
Annual Report 2009
from Ted Leonard, Executive Director
in accordance with AS 44.88.210(a)
available at: www.aidea.org

Alaska Industrial Development Export Authority (AIDEA)
Annual Review of Assets
from Ted Leonard, Executive Director
in accordance with AS 44.88.205

Report from the Alaska Retirement Management Board (ARMB)
from Patrick S. Galvin, Commissioner, Department of Revenue
in accordance with AS 37.10.220(a)(13)

Investment Earnings Report for Alaska Marine Highway System Fund
from Patrick S. Galvin, Commissioner, Department of Revenue
in accordance with AS 19.65.070(c)

Alaska Marine Highway Fund Annual Financial Report 2009
for the Fiscal Year ended June 30, 2009
from Leo von Scheben, Commissioner
Department of Transportation and Public Facilities
in accordance with AS 19.65.070

Report of Lease-Purchase Agreements entered into by the Executive
Branch, Fiscal Year 2009
from Karen Rehfeld, Director, Office of Management and Budget
Office of the Governor
in accordance with AS 37.07.040(11)

State of Alaska Comprehensive Annual Financial Report
Fiscal Year ended June 30, 2009
from Annette Kreitzer, Commissioner, Department of Administration
in accordance with AS 37.05.210

Executive Branch Biennial Procurement Report
July 1, 2006 through June 30, 2008
from Annette Kreitzer, Commissioner, Department of Administration
in accordance with AS 36.30.540

Report of the Joint Armed Services Committee
from Representative Nancy Dahlstrom and
Senator Bill Wielechowski, Cochairs
in accordance with AS 24.20.675

2010 Report to the Legislature from Dick Mylius, Director
Division of Mining, Land and Water
Department of Natural Resources, including:
 Report of Identified R.S. 2477 Rights-of-Way
 Notification of Annual Mining Report
 Land Disposal Income Fund Report
 Notification of Annual Report on the Status of Land in the Land
 Disposal Bank
 Notification of Annual Report on Water Removals and Exports
 Notification of Interim Land Classifications (Closing Land to
 Mineral Entry)
 Summary of Cooperative Resource Management or Development
 Agreements

A corrected report from the Commissioner of the Department of Administration dated April 20, 2009 was received stating the monetary terms for the collective bargaining agreement reached with the International Organization of Masters, Mates and Pilots (MM&P) in accordance with AS 23.40.215.

The President referred the report to the Finance Committee.

A corrected report from the Commissioner of the Department of Administration dated April 20, 2009 was received stating the monetary terms for the collective bargaining agreement reached with the Marine Engineers Beneficial Association (MEBA) in accordance with AS 23.40.215.

The President referred the report to the Finance Committee.

The following Budget and Audit Reports were received from Pat Davidson, Legislative Auditor, in accordance with AS 24.20.311 and are on file in the Office of the Secretary of the Senate:

2009 Division of Legislative Audit Unabridged Annual Report

Legislative Budget and Audit Committee 2009 Condensed Annual Report

Introduction and Reference of Senate Bills

SB 233

SENATE BILL NO. 233 BY SENATOR MEYER, entitled:

"An Act relating to the duties of the commissioner of fish and game and to the interest of the Board of Game in public safety as it relates to game."

was read the first time and referred to the State Affairs and Resources Committees.

SB 234

SENATE BILL NO. 234 BY SENATOR MEYER, entitled:

"An Act extending the termination date of the Alcoholic Beverage Control Board; and providing for an effective date."

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

SB 235

SENATE BILL NO. 235 BY THE SENATE EDUCATION COMMITTEE, entitled:

"An Act relating to charter school approval and funding."

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

SB 236

SENATE BILL NO. 236 BY THE SENATE EDUCATION COMMITTEE, entitled:

"An Act relating to tax credits for cash contributions by taxpayers that are accepted for certain educational purposes or for a college facility; and providing for an effective date."

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

SB 237

SENATE BILL NO. 237 BY THE SENATE EDUCATION COMMITTEE, entitled:

"An Act extending the deadline for authorizing school construction debt reimbursed by the state."

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

SB 238

SENATE BILL NO. 238 BY SENATOR DAVIS, entitled:

"An Act amending the eligibility threshold for medical assistance for persons in a medical or intermediate care facility."

was read the first time and referred to the Health and Social Services and Finance Committees.

Consideration of the Calendar

Citations

In Memoriam - George Patrick "Pat" Spartz
Representative(s) Kerttula, Munoz
Senator(s) Egan, Stevens, Bunde, Coghill, Davis, Dyson, Ellis, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

Senator Ellis moved and asked unanimous consent that the citation be adopted. Without objection, the citation was adopted and referred to the Secretary for transmittal.

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

Special Order of Business

Honoring - Dr. Martin Luther King Jr. Day
Senator(s) Davis, Stevens, Bunde, Coghill, Dyson, Egan, Ellis, French, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

Senator Ellis moved and asked unanimous consent that the citation be adopted. Without objection, the citation was adopted and referred to the Secretary for transmittal.

Unfinished Business

President Stevens made the following clarification regarding appointments (page 1255):

Select Committee on Legislative Ethics

Senator Coghill replaces Senator Wagoner

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

Senator Davis moved and asked unanimous consent to be excused from a call of the Senate from March 11 through March 15. Without objection, Senator Davis was excused.

Senator Olson moved and asked unanimous consent to be excused from a call of the Senate from January 25 through morning plane time, January 26. Without objection, Senator Olson was excused.

Senator Paskvan moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, January 22 through evening plane time, January 24. Without objection, Senator Paskvan was excused.

Senator Wielechowski moved and asked unanimous consent to be excused from a call of the Senate on February 1, to morning plane time. Without objection, Senator Wielechowski was excused.

Senator Hoffman moved and asked unanimous consent to be excused from a call of the Senate on January 29. Without objection, Senator Hoffman was excused.

SB 33

Senator Ellis moved and asked unanimous consent that President Stevens be shown as a cosponsor on SENATE BILL NO. 33 "An Act creating a postsecondary scholarship grant program for Alaska residents based on high achievement and financial need." Without objection, it was so ordered.

SB 79

Senator Ellis moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 79 "An Act waiving payment of premiums for major medical insurance under the defined benefit

retirement plan for public employees for disabled peace officers who have at least 20 years of credited service as peace officers." Without objection, it was so ordered.

SB 228

Senator Ellis moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 228 "An Act providing for an industrial incentive investment tax credit and including a gas-to-liquids facility as an eligible investment; and providing for a production tax limit on gas used as a raw material for producing liquids or petrochemicals from gas in the state." Without objection, it was so ordered.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Ellis moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., January 25, 2009. Without objection, the Senate adjourned at 10:27 a.m.

Kirsten Waid
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

Jan 26	Tuesday	Beltz 105 (tsbldg)	3:30 PM
	No Meeting Scheduled		
Jan 28	Thursday	Beltz 105 (tsbldg)	3:30 PM
+ SB 43	SECOND VERSE OF ALASKA'S STATE SONG		
+ SB 212	MUNICIPAL ENERGY IMPROVEMENTS PROGRAM		

EDUCATION

Jan 22	Friday	Beltz 105 (tsbldg)	8:00 AM
	No Meeting Scheduled		
Jan 27	Wednesday	Fahrenkamp 203	8:00 AM
+ SB 221	LEGISLATIVE TASK FORCE ON HIGHER ED		
Jan 29	Friday	Fahrenkamp 203	8:00 AM
+ SB 109	REPEAL SECONDARY SCHOOL EXIT EXAM		

FINANCE

Jan 22	Friday	Senate Finance 532	9:00 AM
	No Meeting Scheduled		

SENATE JOURNAL

January 22, 2010

1293

FINANCE (continued)

Jan 25	Monday	Senate Finance 532	9:00 AM
	No Meeting Scheduled		
Jan 26	Tuesday	Senate Finance 532	9:00 AM
+	Dept of Revenue, Commissioner Pat Galvin Oil Production & Revenue Forecast State Revenue Forecast - FY2011		
Jan 27	Wednesday	Senate Finance 532	9:00 AM
+	FY2011 Budget Overview & Fiscal Summary Office of Management & Budget, Director, Karen Rehfeld Legislative Finance Division, Director, David Teal		
Jan 28	Thursday	Senate Finance 532	9:00 AM
+	FY2011 Budget Overview & Fiscal Summary Office of Management & Budget, Director, Karen Rehfeld Legislative Finance Division, Director, David Teal		
Jan 29	Friday	Senate Finance 532	9:00 AM
	No Meeting Scheduled		

HEALTH & SOCIAL SERVICES

Jan 22	Friday	Butrovich 205	1:30 PM
	No Meeting Scheduled		
Jan 25	Monday	Butrovich 205	1:30 PM
+ SB 199	MEDICAID COVERAGE FOR DENTURES		
Jan 27	Wednesday	Butrovich 205	1:30 PM
	No Meeting Scheduled		
Jan 29	Friday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

JUDICIARY

Jan 25 Monday Beltz 105 (tsbldg) 1:30 PM
 + SB 222 SEX OFFENSES; OFFENDER REGIS.; SENTENCING
 + HB 98 ALCOHOL: MINOR CONSUMING/LOCAL OPTION

Jan 27 Wednesday Beltz 105 (tsbldg) 1:30 PM
 + Overview: Juvenile Justice Programs
 -- Testimony <Invitation Only> --

Jan 29 Friday Beltz 105 (tsbldg) 1:30 PM
 No Meeting Scheduled

LABOR & COMMERCE

Jan 26 Tuesday Beltz 105 (tsbldg) 2:00 PM
 -- Time Change --
 += SB 97 CRANE OPERATOR LICENSES
 Bills Previously Heard/Scheduled

Jan 28 Thursday Beltz 105 (tsbldg) 2:00 PM
 -- Time Change --
 + Gasline Training Overview:
 By Commissioner Bishop, Labor and
 Workforce Development
 Bills Previously Heard/Scheduled

RESOURCES

Jan 22 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

Jan 25 Monday Butrovich 205 3:30 PM
 = SB 220 ENERGY EFFICIENCY/ ALTERNATIVE ENERGY
 Energy-Related Budget Recommendations
 Bills Previously Heard/Scheduled
 -- Testimony <Invitation Only> --

Jan 26 Tuesday Butrovich 205 1:30 PM
 + Joint w/(S) Special Committee on Energy
 Presentation: Denali Biodiesel

RESOURCES (continued)

Jan 27 Wednesday Butrovich 205 3:30 PM
 = SB 220 ENERGY EFFICIENCY/ ALTERNATIVE ENERGY
 Energy-Related Budget Recommendations
 -- Public Testimony --
 Bills Previously Heard/Scheduled

Jan 28 Thursday Butrovich 205 3:30 PM
 Overview of the "Open Season" Process for
 Building Fuel Transportation Pipelines
 Scott Hobbs - Administration Consultant
 Bills Previously Heard/Scheduled

Jan 29 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

STATE AFFAIRS

Jan 26 Tuesday Beltz 105 (tsbldg) 9:00 AM
 + HB 6 CRUELTY TO ANIMALS

Jan 28 Thursday Beltz 105 (tsbldg) 9:00 AM
 + SB 62 COMMUNITY PROPERTY OF MARRIED PERSONS
 + SB 184 INTERNET ACCESS TO LEG COMMITTEE MTGS
 + SB 194 CIVIL DAMAGES FOR ALCOHOL VIOLATIONS

TRANSPORTATION

Jan 26 Tuesday Butrovich 205 1:00 PM
 No Meeting Scheduled

Jan 28 Thursday Butrovich 205 1:00 PM
 + SB 218 SUSPENDING MOTOR FUEL TAX

FINANCE SUBCOMMITTEES**ADMINISTRATION**

Jan 27	Wednesday	Beltz 105 (tsbldg)	3:30 PM
	Joint w/(H) Administration Subcommittee Commissioner Departmental Overview Office of Administrative Hearings Division of Retirement & Benefits Office of Risk Management		
Feb 03	Wednesday	Beltz 105 (tsbldg)	3:30 PM
	Division of General Services Division of Motor Vehicles Public Communications Services Public Defender Agency		
Feb 10	Wednesday	Beltz 105 (tsbldg)	3:30 PM
	Division of Finance Division of Personnel & Labor Relations Office of Public Advocacy Violent Crimes Compensation Board		
Feb 17	Wednesday	Beltz 105 (tsbldg)	3:30 PM
	Oil & Gas Conservation Commission Public Offices Commission		
Feb 24	Wednesday	Beltz 105 (tsbldg)	3:30 PM
	Enterprise Technology Services		

COMMERCE, COMMUNITY & ECONOMIC DEV

Feb 02	Tuesday	Fahrenkamp 203	11:00 AM
	DCCED Budget Overview by Commissioner Emil Notti Department Overview Introduction of Division Directors, Commissioner's Office, Administrative Services		
Feb 11	Thursday	Fahrenkamp 203	11:00 AM
	DCCED Overview Continued - Other Items of Interest or Concerns (if necessary)		

FINANCE SUBCOMMITTEES (continued)**HEALTH & SOCIAL SERVICES**

Feb 02	Tuesday	Butrovich 205	8:00 AM
+	Department Budget Overview -- Testimony <Invitation Only> --		
Feb 04	Thursday	Butrovich 205	8:00 AM
+	Department Budget Overview Continuation -- Testimony <Invitation Only> --		
Feb 09	Tuesday	Butrovich 205	8:00 AM
+	Medicaid, FMAP, Provider Rates -- Testimony <Invitation Only> --		
Feb 11	Thursday	Butrovich 205	8:00 AM
+	To Be Determined -- Testimony <Invitation Only> --		
Feb 16	Tuesday	Butrovich 205	8:00 AM
+	To Be Determined -- Testimony <Invitation Only> --		

NATURAL RESOURCES

Feb 04	Thursday	Fahrenkamp 203	10:00 AM
	Department Overview		
Feb 09	Tuesday	Fahrenkamp 203	1:00 PM
	Division of Oil and Gas		
Feb 11	Thursday	Beltz 105 (tsbldg)	11:00 AM
	Gas Pipeline Implementation		
Feb 16	Tuesday	Fahrenkamp 203	1:00 PM
	Division of Mining, Land, and Water Division of Geological and Geophysical Surveys		

FINANCE SUBCOMMITTEES (continued)

NATURAL RESOURCES (continued)

Feb 23	Tuesday Division of Agriculture Office of Project Management & Permitting Support Services Division	Fahrenkamp 203	2:00 PM
Mar 09	Tuesday Close Out	Fahrenkamp 203	1:00 PM

PUBLIC SAFETY

Feb 04 +	Thursday Department Budget Overview -- Testimony <Invitation Only> --	Fahrenkamp 203	1:30 PM
Feb 11 +	Thursday Status of VPSO Program and Recruitment Efforts for Them and the State Troopers -- Testimony <Invitation Only> --	Fahrenkamp 203	1:30 PM
Feb 25 +	Thursday To Be Determined -- Testimony <Invitation Only> --	Fahrenkamp 203	1:30 PM

SPECIAL COMMITTEES

ENERGY

Jan 26 +	Tuesday Joint w/(S) Resources Presentation: Denali Biodiesel	Butrovich 205	1:30 PM
--------------------	---	----------------------	----------------

SPECIAL COMMITTEES (continued)

WORLD TRADE, TECH, INNOVATIONS

Jan 26	Tuesday	House Finance 519	10:00 AM
	Joint w/(H) EDT		
+	PNWER Regional Collaboration on Economic Revitalization		

JOINT COMMITTEES

ARMED SERVICES COMMITTEE

Feb 02	Tuesday	Senate Finance 532	11:30 AM
+	Briefings from Alaska Marines; Updates on VA Health Care, Education Benefits, Alaska Territorial Guard, Fisher House, Veterans Summit, and PTA Report Summaries.		
	-- Testimony <Invitation Only> --		

Feb 04	Thursday	Senate Finance 532	11:30 AM
+	Briefings from Alaskan Command and Alaska Army National Guard		
	-- Testimony <Invitation Only> --		

SELECT COMMITTEE ON LEGISLATIVE ETHICS

Jan 29	Friday	Fahrenkamp 203	12:00 PM
	Update - Campaign Year Restrictions and Prohibitions		

OTHER MEETINGS

FISH CAUCUS

Jan 29	Friday	Capitol 106	12:00 PM
+	Brown Bag Lunch		

OTHER MEETINGS (continued)**JOINT LEGISLATIVE HEALTH CAUCUS**

Feb 03 **Wednesday** **Butrovich 205** **12:00 PM**
Health Care Commission Report and Recommendations

JOINT SESSION

Feb 18 **Thursday** **House Chamber** **11:00 AM**
Annual Address by the Honorable
Lisa Murkowski, U.S. Senator

MISCELLANEOUS MEETINGS

Feb 08 **Monday** **Senate Finance 532** **1:00 PM**
School District Legislative Fly-In
Informal Q&A Session Regarding Alaska's
Public School System

Mar 29 **Monday** **Senate Finance 532** **1:00 PM**
School District Legislative Fly-In
Informal Q&A Session Regarding Alaska's
Public School System