

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SIXTH LEGISLATURE

SECOND SESSION

Juneau, Alaska Friday February 19, 2010

Thirty-second Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:01 a.m.

The roll showed fifteen members present. Senators Huggins, McGuire, Olson were excused from a call of the Senate. Senators Stedman, Wagoner were absent.

Senator Ellis moved and asked unanimous consent that Senator Wagoner be excused from a call of the Senate today through plane time, February 22. Without objection, Senator Wagoner was excused.

The prayer was offered by the Chaplain, Mickey Pico of Congregation Sukkat Shalom. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Eternal, help guide us in our deliberations so that all Alaskans and our descendants will appreciate the care, work, reasoning and intelligence we put into making the decisions that are before us now and in the future.

Please bless our world with peace, and an end to suffering, brutality and hunger. Please also keep reminding us that all those acts of random kindness really do help make this world a better place. Amen.

Senator Menard led the Senate in the Pledge of Allegiance.

Certification

Senator Ellis moved and asked unanimous consent that the journal for the thirty-first legislative day and House and Senate Joint Journal Supplement No. 13 be approved as certified by the Secretary. Without objection, it was so ordered.

The presence of Senator Stedman was noted.

Standing Committee Reports**SB 232**

The Community and Regional Affairs Committee considered SENATE BILL NO. 232 "An Act relating to an optional municipal property tax exemption for residential property." Signing do pass: Senator Thomas, Vice Chair; Senators French, Menard, Kookesh.

The following fiscal information was published today:

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

The bill was referred to the Finance Committee.

Introduction and Reference of Senate Bills**SB 284**

SENATE BILL NO. 284 BY THE SENATE JUDICIARY COMMITTEE, entitled:

"An Act relating to state election campaigns, the duties of the Alaska Public Offices Commission, the reporting and disclosure of expenditures and independent expenditures, the filing of reports, and the identification of certain communications in state election campaigns; and providing for an effective date."

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

SB 285

SENATE BILL NO. 285 BY SENATOR FRENCH, entitled:

"An Act providing that for-profit corporations and limited liability companies organized in this state are not persons for purposes of influencing the outcomes of public office elections, initiatives, referendums, or recalls."

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

Consideration of the Calendar**Citations**

Honoring - Donna Kirby
Senator(s) Wielechowski, Stevens, Bunde, Coghill, Davis, Dyson, Egan, Ellis, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner
Representative(s) Petersen

Honoring - Vienna Schmitter-Schrier
Representative(s) Olson
Senator(s) Wagoner, Stevens, Bunde, Coghill, Davis, Dyson, Egan, Ellis, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wielechowski

Honoring - Miranda Rizzo
Representative(s) Chenault, Olson
Senator(s) Wagoner, Stevens, Bunde, Coghill, Davis, Dyson, Egan, Ellis, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wielechowski

In Memoriam - William Demmert, Jr.

Senator(s) Kookesh, Stevens, Bunde, Coghill, Davis, Dyson, Egan, Ellis, Hoffman, Huggins, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

Representative(s) Thomas

In Memoriam - Sarah Kerr "Sally" Ramaglia

Senator(s) Stevens, Bunde, Coghill, Davis, Dyson, Egan, Ellis, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

Representative(s) Austerman

In Memoriam - Florence Welch

Senator(s) Stevens, Bunde, Coghill, Davis, Dyson, Egan, Ellis, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

Representative(s) Austerman

In Memoriam - Frank Anthony Roetman

Representative(s) Harris

Senator(s) Coghill, Stevens, Bunde, Davis, 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 citations be adopted. Without objection, the citations were 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 - 2010 Inductees, Alaska Sports Hall of Fame

Senator(s) Olson, Stevens, Bunde, Coghill, Davis, Dyson, Egan, Ellis, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

Representative(s) Edgmon

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

Senator Bunde moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, March 2 through morning plane time, March 8. Without objection, Senator Bunde was excused.

Senator French moved and asked unanimous consent to be excused from a call of the Senate on February 22, to morning plane time. Without objection, Senator French was excused.

Senator Stedman moved and asked unanimous consent to withdraw a prior excusal (page 1570) for afternoon plane time, February 26 through evening plane time, March 7. Without objection, the motion was withdrawn.

Senator Thomas moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, March 2 through evening plane time, March 8. Without objection, Senator Thomas was excused.

Senator Ellis moved and asked unanimous consent that the Judiciary Committee Report, which had been held on the Secretary's desk (page 1565), be taken up. Without objection, the confirmation of Gary J. Turner and H. Conner Thomas to the Select Committee on Legislative Ethics was before the Senate.

Select Committee on Legislative Ethics - Confirmation

Senator Ellis moved that Gary J. Turner and H. Conner Thomas be confirmed as public members to the Select Committee on Legislative Ethics.

The question being: "Shall Gary J. Turner and H. Conner Thomas be confirmed as public members to the Select Committee on Legislative Ethics?" The roll was taken with the following result:

Shall Gary J. Turner and H. Conner Thomas be confirmed as public members to the Select Committee on Legislative Ethics?

YEAS: 16 NAYS: 0 EXCUSED: 4 ABSENT: 0

Yeas: Bunde, Coghill, Davis, Dyson, Egan, Ellis, French, Hoffman, Kookesh, Menard, Meyer, Paskvan, Stedman, Stevens, Thomas, Wielechowski

Excused: Huggins, McGuire, Olson, Wagoner

and so, Gary J. Turner and H. Conner Thomas were confirmed by the Senate.

The Secretary was requested to notify the House.

SB 257

Senators Ellis, French, Davis moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 257 "An Act relating to funding for youth courts; and relating to accounting for criminal fines." 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., February 22, 2010. Without objection, the Senate adjourned at 11:19 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

Feb 23 Tuesday Beltz 105 (tsbldg) 3:30 PM
 + HB 276 FORT ROUSSEAU CAUSEWAY HIST PARK
 Bills Previously Heard/Scheduled

Feb 25 Thursday Beltz 105 (tsbldg) 3:30 PM
 No Meeting Scheduled

EDUCATION

Feb 19 Friday Beltz 105 (tsbldg) 8:00 AM
 += SB 224 POSTSECONDARY SCHOLARSHIPS
 Bills Previously Heard/Scheduled

Feb 22 Monday Beltz 105 (tsbldg) 8:00 AM
 += SB 224 POSTSECONDARY SCHOLARSHIPS
 Bills Previously Heard/Scheduled

Feb 24 Wednesday Capitol 106 8:00 AM
 + Joint w/(H) Education Committee
 Board of Regents UA Report

Feb 26 Friday Beltz 105 (tsbldg) 8:00 AM
 + SB 283 LEGAL AGE FOR SCHOOL ATTENDANCE
 += SB 224 POSTSECONDARY SCHOLARSHIPS
 + Bills Previously Heard/Scheduled

SENATE JOURNAL

1594

February 19, 2010

FINANCE

Feb 19	Friday	Senate Finance 532	9:00 AM
+	Production Tax Review: Tax Payment Penalties Revenue Forecasting/Modeling Under Historical Tax Regimes Dept of Revenue & other Administrative Representatives -- Testimony <Invitation Only> --		
Feb 20	Saturday	Senate Finance 532	9:00 AM
	No Meeting Scheduled		
Feb 21	Sunday	Senate Finance 532	9:00 AM
	No Meeting Scheduled		
Feb 22	Monday	Senate Finance 532	9:00 AM
+	Production Tax Review: Tax Rates, Net Profit Sharing, Government Take Gas Value Under ACES Tax Provisions <Postponed to 2/24/10> Dept of Revenue & other Administrative Representatives -- Testimony <Invitation Only> --		
+	Bills Previously Heard/Scheduled		
Feb 22	Monday	Senate Finance 532	2:30 PM
	-- MEETING CANCELED --		
+	Production Tax Review -- Testimony <Invitation Only> --		
Feb 23	Tuesday	Senate Finance 532	9:00 AM
+	Production Tax Review: Industry Testimony -- Testimony <Invitation Only> -- Technical Review & Perspective <Above Item Removed from Agenda> Legislative Consultants <Above Item Removed from Agenda>		
Feb 23	Tuesday	Senate Finance 532	2:30 PM
+	Production Tax Review		
+	Bills Previously Heard/Scheduled		

SENATE JOURNAL

February 19, 2010

1595

FINANCE (continued)

Feb 24	Wednesday	Senate Finance 532	9:00 AM
+	Gas Value Under ACES Tax Provisions		
	Dept of Revenue & Administration Representatives		
	-- Testimony <Invitation Only> --		
Feb 24	Wednesday	Senate Finance 532	1:30 PM
+	Alaska Oil/Gas Fiscal Regime		
	Legislative Consultants		
+	Bills Previously Heard/Scheduled		
Feb 25	Thursday	Senate Finance 532	9:00 AM
+	Gas Tax		
	-- Testimony <Invitation Only> --		
Feb 25	Thursday	Senate Finance 532	2:30 PM
+	Gas Tax		
+	Bills Previously Heard/Scheduled		
Feb 26	Friday	Senate Finance 532	9:00 AM
+	Gas Tax		
+	Bills Previously Heard/Scheduled		
Feb 26	Friday	Senate Finance 532	1:30 PM
+	Gas Tax		
+	Bills Previously Heard/Scheduled		

HEALTH & SOCIAL SERVICES

Feb 19	Friday	Butrovich 205	1:30 PM
	No Meeting Scheduled		
Feb 22	Monday	Butrovich 205	1:30 PM
+= SB 168	TRAUMA CARE CENTERS/FUND		
	Bills Previously Heard/Scheduled		
Feb 24	Wednesday	Butrovich 205	1:30 PM
+	Presentation: Best Beginnings		
	Bills Previously Heard/Scheduled		
Feb 26	Friday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

JUDICIARY

Feb 19 Friday Beltz 105 (tsbldg) 1:30 PM
 + SB 92 U.S. PRESIDENTIAL ELECTION COMPACT
 + SB 257 YOUTH COURTS AND CRIMINAL FINES
 + Bills Previously Heard/Scheduled

Feb 22 Monday Beltz 105 (tsbldg) 1:30 PM
 + SJR 21 CONST. AM: INCREASE NUMBER OF LEGISLATORS
 + SB 265 2010 REVISOR'S BILL
 += SB 252 FAILURE TO APPEAR; RELEASE PROCEDURES
 + SB 241 POST-CONVICTION DNA TESTING; EVIDENCE
 + Bills Previously Heard/Scheduled

Feb 24 Wednesday Beltz 105 (tsbldg) 1:30 PM
 + SB 209 STATE COUNCIL ON THE ARTS; REGULATIONS
 + SB 239 IGNITION INTERLOCK DEVICES/DUI/CHEM. TEST
 + SB 244 GOVERNOR'S DUTY STATION/TRAVEL ALLOWANCES
 + Bills Previously Heard/Scheduled

Feb 26 Friday Beltz 105 (tsbldg) 1:30 PM
 No Meeting Scheduled

LABOR & COMMERCE

Feb 23 Tuesday Beltz 105 (tsbldg) 2:00 PM
 Bills Previously Heard/Scheduled

Feb 25 Thursday Beltz 105 (tsbldg) 2:00 PM
 + SB 279 MORTGAGE LENDING
 + SB 234 EXTEND ALCOHOLIC BEVERAGE CONTROL BOARD
 + Bills Previously Heard/Scheduled

RESOURCES

Feb 22 Monday Butrovich 205 3:30 PM
 += SB 220 ENERGY EFFICIENCY/ ALTERNATIVE ENERGY
 + SB 277 PUB. UTILITY EXEMPTION: RENEWABLE ENERGY
 Bills Previously Heard/Scheduled

RESOURCES (continued)

Feb 24 Wednesday Senate Finance 532 12:00 PM
 -- Time and Location Change --
 + Joint w/(H) Resources
 Presentations: Alaska Mining
 -- Testimony <Invitation Only> --

Feb 24 Wednesday Butrovich 205 3:30 PM
 Overview: Alaska Railroad Bonding
 Authority and Gasline Development
 += SB 220 ENERGY EFFICIENCY/ ALTERNATIVE ENERGY
 Bills Previously Heard/Scheduled

Feb 25 Thursday Butrovich 205 3:30 PM
 += SB 220 ENERGY EFFICIENCY/ ALTERNATIVE ENERGY
 += SB 203 COOK INLET GAS STORAGE FACILITIES
 Bills Previously Heard/Scheduled

STATE AFFAIRS

Feb 23 Tuesday Beltz 105 (tsbldg) 9:00 AM
 + HB 274 ESTABLISHING PURPLE HEART DAY
 + SB 259 LEGISLATIVE AUDIT DIVISION POWERS
 <Bill Hearing Postponed>
 + Bills Previously Heard/Scheduled

Feb 25 Thursday Beltz 105 (tsbldg) 9:00 AM
 + SB 266 VIOLENT CRIMES EMERGENCY COMPENSATION
 + SB 278 LEAVE FOR MILITARY SPOUSES
 + Bills Previously Heard/Scheduled

TRANSPORTATION

Feb 23 Tuesday Butrovich 205 1:00 PM
 + SB 272 RENTAL CAR CHARGES

Feb 25 Thursday Butrovich 205 1:00 PM
 += HB 114 USE STATE TRANS FACILITY FOR DISASTER AID
 + SB 280 SAM SCHUYLER MEMORIAL BRIDGE

FINANCE SUBCOMMITTEES

ADMINISTRATION

Feb 24 **Wednesday** **Beltz 105 (tsbldg)** **3:30 PM**
 + Enterprise Technology Services
 -- Testimony <Invitation Only> --

CORRECTIONS

Feb 23 **Tuesday** **Fahrenkamp 203** **5:00 PM**
 Population Management

Mar 02 **Tuesday** **Fahrenkamp 203** **5:00 PM**
 Population Management (if necessary)

Mar 09 **Tuesday** **Fahrenkamp 203** **5:00 PM**
 Inmate Health Care

Mar 16 **Tuesday** **Fahrenkamp 203** **5:00 PM**
 Closeout

COURT SYSTEM

Feb 25 **Thursday** **Sen Conf Rm 103 Tsb** **4:00 PM**
 + FY11 Budget Request

Mar 02 **Tuesday** **Sen Conf Rm 103 Tsb** **4:00 PM**
 + FY11 Budget Request

Mar 11 **Thursday** **Sen Conf Rm 103 Tsb** **4:00 PM**
 + FY11 Budget Request

Mar 18 **Thursday** **Sen Conf Rm 103 Tsb** **4:00 PM**
 + Closeout

EDUCATION & EARLY DEVELOPMENT

Feb 26 **Friday** **Sen Conf Rm 103 Tsb** **3:00 PM**
 + FY11 Budget Request

FINANCE SUBCOMMITTEES (continued)**EDUCATION & EARLY DEVELOPMENT (continued)**

Mar 10	Wednesday	Sen Conf Rm 103 Tsb	12:00 PM
+	FY11 Budget Request		
Mar 17	Wednesday	Sen Conf Rm 103 Tsb	12:00 PM
+	Closeout		

ENVIRONMENTAL CONSERVATION

Feb 23	Tuesday	Butrovich 205	4:00 PM
	Environmental Health/Building Maintenance & Operations/Division of Water		
Mar 02	Tuesday	Fahrenkamp 203	3:30 PM
	Division of Water (if necessary)		
Mar 09	Tuesday	Fahrenkamp 203	3:30 PM
	Spill Prevention & Response		
Mar 16	Tuesday	Fahrenkamp 203	3:30 PM
	Closeout		

FISH & GAME

Feb 22	Monday	Senate Finance 532	3:00 PM
	Dept Overview		
Mar 15	Monday	Senate Finance 532	3:00 PM
	Closeout		

GOVERNOR

Feb 24	Wednesday	Senate Finance 532	3:00 PM
	Dept Overview		
Mar 17	Wednesday	Senate Finance 532	3:00 PM
	Closeout		

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

Mar 12 **Friday** **Beltz 105 (tsbldg)** **3:30 PM**
 + Pre-Closeout and Question/Answer Session
 -- Testimony <Invitation Only> --

Mar 17 **Wednesday** **Beltz 105 (tsbldg)** **3:00 PM**
 + Budget Closeout
 -- Testimony <Invitation Only> --

LABOR & WORKFORCE DEVELOPMENT

Feb 23 **Tuesday** **Sen Conf Rm 103 Tsb** **12:00 PM**
 DOLWD Budget Overview by Commissioner Clark Bishop;
 Dept Overview and Introduction of Division Directors;
 Commissioner's Office, Administrative Services

Feb 25 **Thursday** **Sen Conf Rm 103 Tsb** **12:00 PM**
 DOLWD Overview Continued - Other Items of
 Interest or Concern

LAW

Feb 23 **Tuesday** **Sen Conf Rm 103 Tsb** **1:00 PM**
 -- Time Change --
 Budget Overview: Department of Law

Mar 09 **Tuesday** **Sen Conf Rm 103 Tsb** **1:30 PM**
 Budget Detail

Mar 16 **Tuesday** **Fahrenkamp 203** **1:30 PM**
 Closeout

LEGISLATURE

Feb 24 **Wednesday** **Senate Finance 532** **3:30 PM**
 Dept Overview

Mar 17 **Wednesday** **Senate Finance 532** **3:15 PM**
 Closeout

FINANCE SUBCOMMITTEES (continued)

NATURAL RESOURCES

Feb 23	Tuesday	Sen Conf Rm 103 Tsb	4:15 PM
		-- Time and Location Change --	
+		Division of Agriculture Office of Project Management; State Parks	
		-- Testimony <Invitation Only> --	
		Support Services Division	
		<Above Item Removed from Agenda>	
Feb 24	Wednesday	Fahrenkamp 203	1:30 PM
		-- MEETING CANCELED --	
+		Division of Mining, Land and Water Division of Geological and Geophysical Services	
		-- Testimony <Invitation Only> --	
Mar 02	Tuesday	Sen Conf Rm 103 Tsb	1:30 PM
+		Division of Mining, Land and Water Division of Geological and Geophysical Services	
		-- Testimony <Invitation Only> --	
Mar 09	Tuesday	Fahrenkamp 203	1:00 PM
		Discussion	
		-- Testimony <Invitation Only> --	
Mar 16	Tuesday	Fahrenkamp 203	3:00 PM
+		CLOSE OUT	
		-- Testimony <Invitation Only> --	

PUBLIC SAFETY

Feb 25	Thursday	Fahrenkamp 203	1:00 PM
		-- Time Change --	
+		Domestic Violence & Sexual Assault Programs	
		-- Testimony <Invitation Only> --	
Mar 11	Thursday	Fahrenkamp 203	1:00 PM
+		Pre-Closeout & Question/Answer Session	
		-- Testimony <Invitation Only> --	
Mar 18	Thursday	Fahrenkamp 203	1:00 PM
+		Budget Closeout	
		-- Testimony <Invitation Only> --	

FINANCE SUBCOMMITTEES (continued)**REVENUE**

Feb 25	Thursday	Sen Conf Rm 103 Tsb	1:00 PM
	-- Time Change -- Budget Overview: Dept of Revenue		
Mar 11	Thursday	Sen Conf Rm 103 Tsb	1:30 PM
	Budget Detail		
Mar 18	Thursday	Sen Conf Rm 103 Tsb	1:30 PM
	Subcommittee closeout		

TRANSPORTATION & PUBLIC FACILITIES

Feb 23	Tuesday	Fahrenkamp 203	8:00 AM
	Budget Overview: Dept of Transportation		
Mar 09	Tuesday	Fahrenkamp 203	8:00 AM
	Budget Details		
Mar 16	Tuesday	Fahrenkamp 203	8:00 AM
	Closeout		

UNIVERSITY OF ALASKA

Feb 24	Wednesday	Senate Finance 532	8:00 AM
	Dept Overview		
Mar 16	Tuesday	Senate Finance 532	3:00 PM
	Closeout		

JOINT COMMITTEES**LEGISLATIVE BUDGET & AUDIT**

Feb 25	Thursday	Senate Finance 532	4:00 PM
+	RPL's Audits - Executive Session AEA Renewable Energy Project Update Other Committee Business -- Testimony <Invitation Only> --		

OTHER MEETINGS**BUSH CAUCUS**

Feb 25	Thursday	House Finance 519	4:00 PM
	Presentation by Southcentral Foundation & Cook Inlet Tribal Council		
	Presentation Outline: Services Provided, Innovative Programs, Partnership Roles with the State, Numbers Served, Efforts on Telemedicine.		
Mar 03	Wednesday	Capitol 106	4:00 PM
+	Presentation to Full Legislature: Native Education Issues		

JOINT LEGISLATIVE HEALTH CAUCUS

Feb 24	Wednesday	Butrovich 205	12:00 PM
+	"Tending the Net"		

JOINT SESSION

Mar 31	Wednesday	House Chamber	11:00 AM
	Annual Address by the Honorable Mark Begich, U.S. Senator		

MISCELLANEOUS MEETINGS

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

UNIVERSITY BOOSTERS CAUCUS

Feb 22	Monday	Beltz 105 (tsbldg)	3:30 PM
	-- Location Change --		
	Student Leaders Report		