

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SIXTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Monday

February 22, 2010

Thirty-fifth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:03 a.m.

The roll showed sixteen members present. Senators French, Kookesh, McGuire, Wielechowski were excused from a call of the Senate.

The prayer was offered by the Chaplain, Pastor Sam Dalin of the River of Glory Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear Father of Heaven and Earth,

We give thanks to God who gives us victory through our Lord Jesus Christ. As these men and women serve the great state of Alaska we thank you for the victory even before the business begins.

Heavenly Father, there are so many decisions before us this day. We come to ask for intervention from above. We rely on, put our trust in you for the great state of Alaska. You, Father, can help us as we ask you to guide and direct our path as we move forward with the task at hand.

Grant us divine favor this day on each and every decision made. Let us be aware that your goodness and presence is upon us as we go about this business. Let every decision we make be guided by your hand, Almighty God. We lean not on our own understanding, but we lean on and trust in you.

Thank you for Alaska and these men and women who humbly serve.

In the name of the Father, Son, and Holy Spirit.
Amen.

Senator Meyer led the Senate in the Pledge of Allegiance.

Certification

Senator Ellis moved and asked unanimous consent that the journals for the thirty-second through thirty-fourth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Standing Committee Reports

SB 120

The Community and Regional Affairs Committee considered SENATE BILL NO. 120 "An Act relating to an optional exemption from municipal property taxes for residential property" and recommended it be replaced with

CS FOR SENATE BILL NO. 120(CRA)

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

Fiscal Note No. 2, Department of Commerce, Community and Economic Development

The bill was referred to the Finance Committee.

**Introduction and Reference of
Senate Resolutions****SR 10**

SENATE RESOLUTION NO. 10 BY SENATOR WAGONER,

Supporting expansion of the use of domestic natural gas and alternative energies and urging agencies to use vehicles that run on compressed natural gas.

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

Introduction and Reference of Senate Bills**SB 286**

SENATE BILL NO. 286 BY SENATORS WIELECHOWSKI, Menard, Davis, entitled:

"An Act allowing peace officers to use purchased credit to satisfy the credited service requirements for retiree medical benefits."

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

SB 287

SENATE BILL NO. 287 BY SENATORS MCGUIRE, Davis, entitled:

"An Act amending the powers and duties of the Alaska Railroad Corporation and the Alaska Housing Finance Corporation related to the exercise of authority to purchase, transport, and sell natural gas produced on the North Slope for in-state use, and transferring exclusive and primary responsibility for the initiation and development of that project from the Office of the Governor and the Department of Natural Resources to those corporations; and providing for an effective date."

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

SB 288

SENATE BILL NO. 288 BY SENATOR HUGGINS, entitled:

"An Act relating to the disposition of human remains."

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

SB 289

SENATE BILL NO. 289 BY SENATOR HUGGINS, entitled:

"An Act relating to the adoption of the Uniform Disclaimer of Property Interests Act, to the exemption from creditors of certain retirement plan interests, and to the disclaimer of property rights under the Uniform Probate Code."

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

SB 290

SENATE BILL NO. 290 BY SENATOR WAGONER, entitled:

"An Act providing a credit against the tax on the production of oil and gas for drilling certain exploration wells in the Cook Inlet sedimentary basin."

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

SB 291

SENATE BILL NO. 291 BY SENATORS HUGGINS, Menard, entitled:

"An Act relating to nuclear facilities and nuclear energy production and the transportation of nuclear waste material; amending the definition of 'power project' or 'project' as it relates to rural and statewide energy programs and the Alaska Energy Authority; amending the definition of 'alternative energy system' as it relates to the conservation of energy and materials; and providing for an effective date."

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

Consideration of the Calendar

Second Reading of Senate Bills

SB 194

SENATE BILL NO. 194 "An Act relating to civil damages for certain alcohol violations" was read the second time.

Senator Egan moved and asked unanimous consent for the adoption of the Judiciary Committee Substitute offered on page 1566. Without objection, CS FOR SENATE BILL NO. 194(JUD) "An Act relating to penalties and civil damages for certain alcohol violations" was adopted.

Senator Ellis 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.

CS FOR SENATE BILL NO. 194(JUD) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 194(JUD) "An Act relating to penalties and civil damages for certain alcohol violations" pass the Senate?" The roll was taken with the following result:

CSSB 194(JUD)

Third Reading - Final Passage

YEAS: 15 NAYS: 1 EXCUSED: 4 ABSENT: 0

Yeas: Bunde, Davis, Dyson, Egan, Ellis, Hoffman, Huggins, Menard, Meyer, Olson, Paskvan, Stedman, Stevens, Thomas, Wagoner

Nays: Coghill

Excused: French, Kookesh, McGuire, Wielechowski

and so, CS FOR SENATE BILL NO. 194(JUD) passed the Senate and was referred to the Secretary for engrossment.

Citations

Honoring - Dr. Roberta Stell

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

Honoring - Service High School Boys Cross Country Running, 2009
4A State Champions

Representative(s) Millett

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

Honoring - Dr. George Brown

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

In Memoriam - Frank Jackson Schreiber

Representative(s) Fairclough

Senator(s) Dyson, Stevens, Bunde, Coghill, Davis, Egan, Ellis, 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.

Unfinished Business

Senator Huggins moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 26 through evening plane time, February 28. Without objection, Senator Huggins was excused.

Senator Menard moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, March 3 through evening plane time, March 7. Without objection, Senator Menard was excused.

Announcements

Announcements are at the end of the journal.

Engrossment

SB 194

CS FOR SENATE BILL NO. 194(JUD) "An Act relating to penalties and civil damages for certain alcohol violations" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Ellis moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 24, 2010. Without objection, the Senate adjourned at 11:36 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 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		

FINANCE

Feb 22	Monday	Senate Finance 532	9:00 AM
+	Production Tax Review: Tax Rates, Net Profit Sharing, Government Take Dept of Revenue & other Administrative Representatives -- Testimony <Invitation Only> -- Gas Value Under ACES Tax Provisions <Postponed to 2/24/10> 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		
+=	SB 159	WORKERS' COMPENSATION FUNERAL EXPENSES	
+=	SB 163	MAXIMUM BENEFIT FROM FISHERMEN'S FUND	
+=	SB 199	MEDICAID COVERAGE FOR DENTURES	
Feb 24	Wednesday	Senate Finance 532	9:00 AM
+	Gas Value under ACES Tax Provisions Dept of Revenue & Administration Representatives -- Testimony <Invitation Only> --		

FINANCE (continued)

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 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 22 Monday Beltz 105 (tsbldg) 1:30 PM

-- MEETING CANCELED --

- + 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

Feb 24 Wednesday Senate Finance 532 12:00 PM

-- Time and Location Change --

- + Joint w/(H) Resources
- Presentations: Alaska Mining
- Testimony <Invitation Only> --

RESOURCES (continued)

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

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

Feb 26 +	Friday FY11 Budget Request	Sen Conf Rm 103 Tsb	3:00 PM
Mar 10 +	Wednesday FY11 Budget Request	Sen Conf Rm 103 Tsb	12:00 PM
Mar 17 +	Wednesday Closeout	Sen Conf Rm 103 Tsb	12:00 PM

ENVIRONMENTAL CONSERVATION

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

FISH & GAME

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

FINANCE SUBCOMMITTEES (continued)**GOVERNOR**

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

HEALTH & SOCIAL SERVICES

Mar 12 +	Friday Pre-Closeout and Question/Answer Session -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	3:30 PM
Mar 17 +	Wednesday Budget Closeout -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	3:00 PM

LABOR & WORKFORCE DEVELOPMENT

Feb 23	Tuesday DOLWD Budget Overview by Commissioner Clark Bishop; Dept Overview and Introduction of Division Directors; Commissioner's Office, Administrative Services	Sen Conf Rm 103 Tsb	12:00 PM
Feb 25	Thursday DOLWD Overview Continued - Other Items of Interest or Concern	Sen Conf Rm 103 Tsb	12:00 PM

LAW

Feb 23	Tuesday -- Time Change -- Budget Overview: Department of Law	Sen Conf Rm 103 Tsb	1:00 PM
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FINANCE SUBCOMMITTEES (continued)**LAW (continued)**

Mar 09	Tuesday Budget Detail	Sen Conf Rm 103 Tsb	1:30 PM
Mar 16	Tuesday Closeout	Fahrenkamp 203	1:30 PM

LEGISLATURE

Feb 24	Wednesday Dept Overview	Senate Finance 532	3:30 PM
Mar 17	Wednesday Closeout	Senate Finance 532	3:15 PM

NATURAL RESOURCES

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

FINANCE SUBCOMMITTEES (continued)**NATURAL RESOURCES (continued)**

Mar 02 +	Tuesday Division of Mining, Land and Water Division of Geological and Geophysical Services -- Testimony <Invitation Only> --	Sen Conf Rm 103 Tsb	1:30 PM
Mar 09	Tuesday Discussion -- Testimony <Invitation Only> --	Fahrenkamp 203	1:00 PM
Mar 16 +	Tuesday CLOSE OUT -- Testimony <Invitation Only> --	Fahrenkamp 203	3:00 PM

PUBLIC SAFETY

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

REVENUE

Feb 25	Thursday -- Time Change -- Budget Overview: Dept of Revenue	Sen Conf Rm 103 Tsb	1:00 PM
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FINANCE SUBCOMMITTEES (continued)

REVENUE (continued)

Mar 11	Thursday Budget Detail	Sen Conf Rm 103 Tsb	1:30 PM
Mar 18	Thursday Subcommittee closeout	Sen Conf Rm 103 Tsb	1:30 PM

TRANSPORTATION & PUBLIC FACILITIES

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

UNIVERSITY OF ALASKA

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

JOINT COMMITTEES

LEGISLATIVE BUDGET & AUDIT

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

OTHER MEETINGS (continued)

UNIVERSITY BOOSTERS CAUCUS

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