

**SENATE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-SIXTH LEGISLATURE**

**SECOND SESSION**

**Juneau, Alaska**

**Tuesday**

**March 2, 2010**

**Forty-third Day**

Pursuant to adjournment the Senate was called to order by President Stevens at 11:00 a.m.

The roll showed fourteen members present. Senators Bunde, Dyson, Stedman, Thomas, Wagoner were excused from a call of the Senate. Senator McGuire was absent.

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

The prayer was offered by the Chaplain, Pastor Tari Stage-Harvey of Shepherd of the Valley Lutheran Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

We give thanks for the beauty of this earth, and especially this land. May it give us strength to face the brokenness and darkness of this world with courage and compassion.

We give thanks for the willingness of leaders to serve the people. May they maintain integrity and faithfulness in all that they do.

We give thanks for conflict and disagreement. May it teach us to be people who listen and seek the common good together.

We give thanks for the generous who share resources so freely. May we learn how to use those resources to care for those in prison, those struggling with abuse, those caught in cycles of poverty, and those burdened by mental illness

Give us thankful hearts so we begin every day, every moment, every meeting knowing what a gift it is to be here.  
Amen.

Senator Wielechowski led the Senate in the Pledge of Allegiance.

### **Certification**

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

### **Messages from the House**

Message dated March 1 was read stating the House passed and transmitted for consideration:

### **First Reading and Reference of House Resolutions**

#### **HJR 40**

CS FOR HOUSE JOINT RESOLUTION NO. 40(RES) BY THE HOUSE RESOURCES COMMITTEE,

Opposing the proposed designation by the National Marine Fisheries Service of 3,000 square miles of upper Cook Inlet, the mid-inlet, all of the inlet's western shores, and Kachemak Bay as critical habitat for beluga whales.

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

**First Reading and Reference of House Bills****HB 315**

HOUSE BILL NO. 315 BY THE HOUSE LABOR AND COMMERCE COMMITTEE, entitled:

"An Act relating to public accounting; and providing for an effective date."

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

**HB 345**

HOUSE BILL NO. 345 BY REPRESENTATIVE RAMRAS, entitled:

"An Act designating the bridge to be built on the Dalton Highway at approximately mile post 308 as the Sam Schuyler Memorial Bridge."

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

**Communications**

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

Alaska Renewable Energy Legislative Task Force  
Report to the Legislature, dated February 28, 2010  
from the Alaska Renewable Energy Legislative Task Force  
in accordance with Chapter 31, SLA 08

Alaska Commission on Aging FY 09 Annual Report  
from Sharon Howerton-Clark, Chair and  
Denise Daniello, Executive Director, Alaska Commission on Aging  
Department of Health and Social Services  
in accordance with AS 47.45.240

**Standing Committee Reports****SB 203**

The Resources Committee considered SENATE BILL NO. 203 "An Act relating to a tax credit for a facility to store Cook Inlet gas for sale and delivery in the state; relating to an exemption from the oil and gas exploration, production, and pipeline transportation property tax for a facility that stores Cook Inlet gas for sale and delivery in the state; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 203(RES) "An Act relating to the regulation of a gas storage facility by the Regulatory Commission of Alaska; relating to a tax credit for a facility to store Cook Inlet gas for sale and delivery in the state; and providing for an effective date."

Signing do pass: Senators Wielechowski, McGuire, Cochairs; Senator French. Signing no recommendation: Senator Stevens.

The following fiscal information was published today:

Fiscal Note No. 1, indeterminate, Department of Natural Resources

The bill was referred to the Finance Committee.

**SB 277**

The Resources Committee considered SENATE BILL NO. 277 "An Act exempting from regulation by the Regulatory Commission of Alaska and by municipalities generators of electricity from renewable energy resources that sell electricity to regulated utilities" and recommended it be replaced with

CS FOR SENATE BILL NO. 277(RES) "An Act exempting from regulation by the Regulatory Commission of Alaska and by municipalities certain generators of electricity from renewable energy resources that sell electricity to regulated utilities."

Signing do pass: Senator McGuire, Cochair. Signing no recommendation: Senator Wielechowski, Cochair; Senators Stevens, French.

The following fiscal information was published today:

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

The bill was referred to the Judiciary Committee.

**SB 284**

The State Affairs Committee considered SENATE BILL NO. 284 "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." Signing do pass: Senator Menard, Chair; Senators French, Meyer, Paskvan, Kookesh.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Office of the Governor  
Fiscal Note No. 2, Department of Administration

President Stevens added a Finance Committee referral to the bill.

The bill was referred to the Judiciary, then Finance Committees.

**HB 114**

The Transportation Committee considered CS FOR HOUSE BILL NO. 114(TRA) am "An Act relating to availability of state transportation facilities and state-owned or state-operated transportation modes for delivering compassionate aid" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL  
NO. 114(TRA)

Signing do pass: Senator Kookesh, Chair; Senators Davis, Meyer, Paskvan, Menard.

The following fiscal information was published today:

Fiscal Note No. 5, zero, Department of Military and Veterans  
Affairs

Fiscal Note No. 6, zero, Department of Fish and Game

Fiscal Note No. 7, zero, Department of Transportation and Public  
Facilities

The bill was referred to the Finance Committee.

### **HJR 16**

The State Affairs Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 16(L&C) Relating to federal procurement preferences for small businesses in the state that are owned and controlled by service-disabled veterans. Signing do pass: Senator Menard, Chair; Senators French, Meyer, Paskvan, Kookesh.

The following previously published fiscal information applies:

Fiscal Note No. 2, zero, House Rules Committee

The resolution was referred to the Rules Committee.

## **Consideration of the Calendar**

### **Citations**

Honoring - Jim Hickerson

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

Honoring - Alaska Office of Boating Safety, Raising Boater Awareness

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

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**

In accordance with AS 24.20.650 and in conjunction with Speaker Chenault, President Stevens made the following appointment:

#### **Joint Armed Services Committee**

William S. (Bill) Brophy

Senators French, Ellis moved and asked unanimous consent to be excused from a call of the Senate on March 8, to morning plane time. Without objection, Senators French, Ellis were excused.

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

Senator Olson moved and asked unanimous consent to be excused from a call of the Senate from March 7 through plane time, March 8. Without objection, Senator Olson was excused.

### **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., March 4, 2010. Without objection, the Senate adjourned at 11:22 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**

<b>Mar 02</b>	<b>Tuesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>3:30 PM</b>
	-- MEETING CANCELED --		
+	Bills Previously Heard/Scheduled		
<b>Mar 04</b>	<b>Thursday</b>	<b>Beltz 105 (tsbldg)</b>	<b>3:30 PM</b>
	No Meeting Scheduled		
<b>Mar 09</b>	<b>Tuesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>3:30 PM</b>
+	HJR 46	SUPPORTING DENALI COMMISSION	
+	SJR 29	TRIBAL SEATS ON N. PAC. FISHERIES COUNCIL	
+	Bills Previously Heard/Scheduled		
<b>Mar 11</b>	<b>Thursday</b>	<b>Beltz 105 (tsbldg)</b>	<b>3:30 PM</b>
+	Bills Previously Heard/Scheduled		

**EDUCATION**

<b>Mar 03</b>	<b>Wednesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>8:00 AM</b>
	No Meeting Scheduled		
<b>Mar 05</b>	<b>Friday</b>	<b>Beltz 105 (tsbldg)</b>	<b>8:00 AM</b>
	No Meeting Scheduled		



SENATE JOURNAL

March 2, 2010

1709

**FINANCE**

<b>Mar 02</b>	<b>Tuesday</b> No Meeting Scheduled	<b>Senate Finance 532</b>	<b>9:00 AM</b>
<b>Mar 03</b>	<b>Wednesday</b> No Meeting Scheduled	<b>Senate Finance 532</b>	<b>9:00 AM</b>
<b>Mar 04</b>	<b>Thursday</b> No Meeting Scheduled	<b>Senate Finance 532</b>	<b>9:00 AM</b>
<b>Mar 05</b>	<b>Friday</b> No Meeting Scheduled	<b>Senate Finance 532</b>	<b>9:00 AM</b>

-----  
**HEALTH & SOCIAL SERVICES**

<b>Mar 03</b>	<b>Wednesday</b> No Meeting Scheduled	<b>Butrovich 205</b>	<b>1:30 PM</b>
<b>Mar 05</b>	<b>Friday</b> No Meeting Scheduled	<b>Butrovich 205</b>	<b>1:30 PM</b>
<b>Mar 08</b>	<b>Monday</b> No Meeting Scheduled	<b>Butrovich 205</b>	<b>1:30 PM</b>
<b>Mar 10</b>	<b>Wednesday</b> -- Location Change -- Confirmation of Governor's Appointments + SB 46 CHILD SUPPORT AWARDS + SB 172 ALASKA HEALTH CARE COMMISSION Bills Previously Heard/Scheduled	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>
<b>Mar 12</b>	<b>Friday</b> No Meeting Scheduled	<b>Butrovich 205</b>	<b>1:30 PM</b>

-----  
**JUDICIARY**

<b>Mar 03</b>	<b>Wednesday</b> No Meeting Scheduled	<b>Beltz 105 (tsbldg)</b>	<b>1:30 PM</b>
---------------	--	---------------------------	----------------

**JUDICIARY (continued)**

**Mar 05 Friday Beltz 105 (tsbldg) 1:30 PM**  
No Meeting Scheduled

**Mar 08 Monday Beltz 105 (tsbldg) 1:30 PM**  
 += SB 209 STATE COUNCIL ON THE ARTS; REGULATIONS  
 += SB 260 ELECTRIC & TELEPHONE COOPERATIVES' VOTING  
 + SB 202 HATE CRIMES  
 + SB 284 CAMPAIGN EXPENDITURES  
 + Bills Previously Heard/Scheduled

**Mar 10 Wednesday Butrovich 205 1:30 PM**  
 -- Location Change --  
 + Confirmation Hearing: Attorney General  
 Daniel S. Sullivan

**Mar 12 Friday Beltz 105 (tsbldg) 1:30 PM**  
 += SB 239 IGNITION INTERLOCK DEVICES/DUI/CHEM. TEST  
 += SB 92 U.S. PRESIDENTIAL ELECTION COMPACT  
 + Bills Previously Heard/Scheduled

-----  
**LABOR & COMMERCE**

**Mar 02 Tuesday Beltz 105 (tsbldg) 1:30 PM**  
 += SB 279 MORTGAGE LENDING  
 + SB 258 DENTAL CARE INSURANCE  
 + SB 129 RESIDENTIAL SPRINKLER SYSTEMS  
 + Bills Previously Heard/Scheduled

**Mar 04 Thursday Beltz 105 (tsbldg) 2:00 PM**  
No Meeting Scheduled

-----

**RESOURCES**

**Mar 03 Wednesday Butrovich 205 10:00 AM**  
 -- Time Change --  
 + Overview: AHFC Weatherization Program

**Mar 04 Thursday Butrovich 205 3:30 PM**  
No Meeting Scheduled

SENATE JOURNAL

March 2, 2010

1711

**RESOURCES (continued)**

**Mar 05      Friday                      Butrovich 205              3:30 PM**  
No Meeting Scheduled

-----

**STATE AFFAIRS**

**Mar 02      Tuesday                      Beltz 105 (tsbldg)              9:00 AM**  
+ SB 190 BIOMETRIC INFORMATION FOR ID  
+ SB 284 CAMPAIGN EXPENDITURES  
+ HJR 16 DISABLED VETERANS PROCUREMENT PREFERENCE  
+ Bills Previously Heard/Scheduled

**Mar 04      Thursday                      Beltz 105 (tsbldg)              9:00 AM**  
No Meeting Scheduled

-----

**TRANSPORTATION**

**Mar 02      Tuesday                      Butrovich 205              1:00 PM**  
No Meeting Scheduled

**Mar 04      Thursday                      Butrovich 205              1:00 PM**  
No Meeting Scheduled

-----

**FINANCE SUBCOMMITTEES**

**ADMINISTRATION**

**Mar 19      Friday                      Beltz 105 (tsbldg)              3:30 PM**  
Dept Closeout

-----

**CORRECTIONS**

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

**FINANCE SUBCOMMITTEES (continued)****CORRECTIONS (continued)**

<b>Mar 09</b>	<b>Tuesday</b> Inmate Health Care	<b>Fahrenkamp 203</b>	<b>5:00 PM</b>
<b>Mar 16</b>	<b>Tuesday</b> Closeout	<b>Fahrenkamp 203</b>	<b>5:00 PM</b>

**COURT SYSTEM**

<b>Mar 02</b>	<b>Tuesday</b> -- MEETING CANCELED -- FY11 Budget Request	<b>Sen Conf Rm 103 Tsb</b>	<b>4:00 PM</b>
<b>Mar 11</b>	<b>Thursday</b> FY11 Budget Request	<b>Sen Conf Rm 103 Tsb</b>	<b>4:00 PM</b>
<b>Mar 18</b>	<b>Thursday</b> Closeout	<b>Sen Conf Rm 103 Tsb</b>	<b>4:00 PM</b>

**EDUCATION & EARLY DEVELOPMENT**

<b>Mar 10</b>	<b>Wednesday</b> FY11 Budget Request	<b>Sen Conf Rm 103 Tsb</b>	<b>12:00 PM</b>
<b>Mar 17</b>	<b>Wednesday</b> Closeout	<b>Sen Conf Rm 103 Tsb</b>	<b>12:00 PM</b>

**ENVIRONMENTAL CONSERVATION**

<b>Mar 02</b>	<b>Tuesday</b> -- MEETING CANCELED -- Division of Water (if necessary)	<b>Fahrenkamp 203</b>	<b>3:30 PM</b>
<b>Mar 09</b>	<b>Tuesday</b> Spill Prevention & Response	<b>Fahrenkamp 203</b>	<b>3:30 PM</b>

**FINANCE SUBCOMMITTEES (continued)**

**ENVIRONMENTAL CONSERVATION (continued)**

**Mar 16      Tuesday                      Fahrenkamp 203              3:30 PM**  
 Closeout

-----

**FISH & GAME**

**Mar 15      Monday                      Senate Finance 532              3:00 PM**  
 Closeout

-----

**GOVERNOR**

**Mar 17      Wednesday                      Senate Finance 532              3:00 PM**  
 Closeout

-----

**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> --

-----

**LAW**

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

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

-----

**FINANCE SUBCOMMITTEES (continued)**

**LEGISLATURE**

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

-----

**MILITARY & VETERANS' AFFAIRS**

**Mar 08**      **Monday**                      **Sen Conf Rm 103 Tsb**                      **12:15 PM**  
 Committee Discussion and Close Out  
 -- Testimony <Invitation Only> --

-----

**NATURAL RESOURCES**

**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**

**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**

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

-----

**TRANSPORTATION & PUBLIC FACILITIES**

<b>Mar 09</b>	<b>Tuesday</b> Budget Details	<b>Fahrenkamp 203</b>	<b>8:00 AM</b>
<b>Mar 16</b>	<b>Tuesday</b> Closeout	<b>Fahrenkamp 203</b>	<b>8:00 AM</b>

-----

**UNIVERSITY OF ALASKA**

<b>Mar 16</b>	<b>Tuesday</b> Closeout	<b>Senate Finance 532</b>	<b>3:00 PM</b>
---------------	----------------------------	---------------------------	----------------

-----

**JOINT COMMITTEES****ADMINISTRATIVE REGULATION REVIEW**

<b>Mar 08</b>	<b>Monday</b> (18 AAC 32) Proposed Regulations Relating to Cheese Production -- Public Testimony -- (11 AAC 65.010 - 11 AAC 65.900, particularly 11 AAC 65.010) Regulations Relating to Personal Use Cabin Permits -- Public Testimony -- Executive Session	<b>Capitol 17</b>	<b>3:00 PM</b>
---------------	---	-------------------	----------------

-----

**OTHER MEETINGS****BUSH CAUCUS**

**Mar 03**      **Wednesday**                      **Capitol 106**              **4:00 PM**  
 -- MEETING CANCELED --  
 +              Presentation to Full Legislature:  
                  Native Education Issues  
 -----

**JOINT LEGISLATIVE HEALTH CAUCUS**

**Mar 24**      **Wednesday**                      **Butrovich 205**              **12:00 PM**  
 +              The State of the Uninsured: Let's Ensure  
                  Their Health  
 -----

**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**

**Mar 08**      **Monday**                              **House Finance 519**              **4:00 PM**  
                  Q & A with UA Regents

**Mar 17**      **Wednesday**                      **House Finance 519**              **4:00 PM**  
                  Business Leaders to Legislature: We need  
                  to Grow Our Own Alaska Workforce