

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

**SECOND SESSION**

**Juneau, Alaska**

**Sunday**

**April 11, 2010**

**Eighty-third Day**

Pursuant to adjournment the Senate was called to order by President Stevens at 1:05 p.m.

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

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

Let us pray.

As we go into our final week of this legislative session, I pray our actions will be guided by the words of the Reverend Martin Luther King when he said the following:

"The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy."

Amen.

Senator Kookesh led the Senate in the Pledge of Allegiance.

**Certification**

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

**Messages from the House**

Message dated April 10 was read stating the House passed and transmitted for consideration:

**First Reading and Reference of  
House Resolutions****HCR 22**

CS FOR HOUSE CONCURRENT RESOLUTION NO. 22(FIN) BY THE HOUSE FINANCE COMMITTEE,

Establishing and relating to the Alaska Northern Waters Task Force.

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

**First Reading and Reference of House Bills****HB 70**

CS FOR HOUSE BILL NO. 70(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act establishing the farm-to-school program in the Department of Natural Resources, and relating to school gardens, greenhouses, and farms."

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

**HB 363**

CS FOR HOUSE BILL NO. 363(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to the membership of the Alaska Industrial Development and Export Authority."

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

**HB 408**

CS FOR HOUSE BILL NO. 408(JUD) BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to misconduct involving weapons."

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

**Standing Committee Reports****SB 139**

The Finance Committee considered SENATE BILL NO. 139 "An Act establishing a loan repayment program and employment incentive program for certain health care professionals employed in the state; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 139(FIN) "An Act establishing an employment incentive program for certain health care professionals employed in the state; and providing for an effective date."

Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Huggins, Thomas, Egan, Olson, Ellis.

The following fiscal information was published today:

Fiscal Note No. 3, Department of Health and Social Services

The bill was referred to the Rules Committee.

**SB 230**

The Finance Committee considered SENATE BILL NO. 230 "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, and other appropriations; making appropriations to capitalize funds; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 230(FIN)

Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Huggins, Thomas, Egan, Olson, Ellis.

The bill is on today's calendar.

**SB 234**

The Finance Committee considered SENATE BILL NO. 234 "An Act extending the termination date of the Alcoholic Beverage Control Board; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 234(FIN) "An Act relating to the voting procedures of the Alcoholic Beverage Control Board; allowing the Alcoholic Beverage Control Board to release information contained in the statewide database of alcohol purchases and shipments to the person who purchased the alcohol or to whom the alcohol was shipped; relating to the access of persons under 21 to premises where alcoholic beverages are sold, served, or consumed; extending the termination date of the Alcoholic Beverage Control Board; and providing for an effective date."

Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Thomas, Egan. Signing no recommendation: Senators Huggins, Olson, Ellis.

The following previously published fiscal information applies:  
Fiscal Note No. 1, Department of Public Safety

The bill was referred to the Rules Committee.

**HB 292**

The Finance Committee considered HOUSE BILL NO. 292 "An Act relating to grants to victims of a disaster in this state; and providing for an effective date." Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Huggins, Thomas, Egan, Ellis. Signing no recommendation: Senator Olson.

The following previously published fiscal information applies:  
Fiscal Note No. 2, zero, Department of Military and Veterans'  
Affairs

The bill was referred to the Rules Committee.

**HB 342**

The Labor and Commerce Committee considered HOUSE BILL NO. 342 "An Act extending the termination date of the Board of Certified Real Estate Appraisers; and providing for an effective date." Signing do pass: Senator Paskvan, Chair; Senators Meyer, Davis, Bunde.

The following previously published fiscal information applies:  
Fiscal Note No. 1, Department of Commerce, Community and  
Economic Development

The bill was referred to the Finance Committee.

**HB 376**

The Labor and Commerce Committee considered HOUSE BILL NO. 376 "An Act extending the termination date of the Board of Psychologist and Psychological Associate Examiners; and providing for an effective date." Signing do pass: Senator Paskvan, Chair; Senators Meyer, Davis, Bunde.

The following previously published fiscal information applies:  
Fiscal Note No. 1, Department of Commerce, Community and  
Economic Development

The bill was referred to the Finance Committee.

**HJR 40**

Forthcoming Resources Senate Committee Substitute (page 2232) for CS FOR HOUSE JOINT RESOLUTION NO. 40(RES) 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 received today:

SENATE CS FOR CS FOR HOUSE JOINT  
RESOLUTION NO. 40(RES)

**HJR 51**

The Labor and Commerce Committee considered HOUSE JOINT RESOLUTION NO. 51 Supporting certain changes to proposed regulations to implement the Secure and Fair Enforcement for Mortgage Licensing Act of 2008. Signing no recommendation: Senator Paskvan, Chair. Signing do pass: Senators Bunde, Davis, Meyer.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, House Labor and Commerce Committee

The resolution was referred to the Rules Committee.

**HCR 19**

The Labor and Commerce Committee considered HOUSE CONCURRENT RESOLUTION NO. 19 Urging the Alaska Industrial Development and Export Authority to present a business case to the Alaska State Legislature that includes a method for financing, a plan to solicit proposals for a public and private venture, and an analysis of the economic feasibility of a state-built and privately operated fuel storage facility that would serve the public interest by providing Alaskans with a reliable source of jet fuel, diesel, and gasoline at competitive prices. Signing do pass: Senator Paskvan, Chair; Senators Davis, Meyer. Signing no recommendation: Senator Bunde.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, House Labor and Commerce Committee

The resolution was referred to the Finance Committee.

**Consideration of the Calendar****Second Reading of Senate Bills****SB 222**

SENATE BILL NO. 222 "An Act relating to the crimes of harassment, possession of child pornography, and distribution of indecent material to a minor; relating to suspending imposition of sentence and conditions of probation or parole for certain sex offenses; relating to

aggravating factors in sentencing; relating to registration as a sex offender or child kidnapper; amending Rule 16, Alaska Rules of Criminal Procedure; and providing for an effective date" was read the second time.

Senator French, Chair, moved and asked unanimous consent for the adoption of the Judiciary Committee Substitute offered on page 2160. Without objection, CS FOR SENATE BILL NO. 222(JUD) "An Act relating to the crimes of harassment, distribution and possession of child pornography, failure to register as a sex offender or child kidnapper, and distribution of indecent material to a minor; relating to suspending imposition of sentence and conditions of probation or parole for human trafficking or for certain sex offenses; relating to aggravating factors in sentencing; relating to reporting of crimes; relating to administrative subpoenas for certain records involving exploitation of children; amending Rule 16, Alaska Rules of Criminal Procedure; and providing for an effective date" 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. 222(JUD) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 222(JUD) "An Act relating to the crimes of harassment, distribution and possession of child pornography, failure to register as a sex offender or child kidnapper, and distribution of indecent material to a minor; relating to suspending imposition of sentence and conditions of probation or parole for human trafficking or for certain sex offenses; relating to aggravating factors in sentencing; relating to reporting of crimes; relating to administrative subpoenas for certain records involving exploitation of children; amending Rule 16, Alaska Rules of Criminal Procedure; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 222(JUD)

Third Reading - Final Passage

Court Rule Change      Effective Date

**YEAS: 19    NAYS: 0    EXCUSED: 0    ABSENT: 1**

Yeas: Bunde, Coghill, Davis, Dyson, Egan, Ellis, French, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Stedman, Stevens, Thomas, Wagoner, Wielechowski

Absent: Paskvan

and so, CS FOR SENATE BILL NO. 222(JUD) passed the Senate.

Senator Ellis moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the Court Rule change. Without objection, it was so ordered.

Senator Ellis 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 and the bill was referred to the Secretary for engrossment.

**SB 230**

SENATE BILL NO. 230 "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, and other appropriations; making appropriations to capitalize funds; and providing for an effective date" was read the second time.

Senator Stedman, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 2247 Without objection, CS FOR SENATE BILL NO. 230(FIN) was adopted.

President Stevens stated CS FOR SENATE BILL NO. 230(FIN) will advance to third reading on the April 12 calendar.



**Second Reading of House Bills****HB 10**

CS FOR HOUSE BILL NO. 10(FIN) "An Act authorizing a borough to charge a city for costs of collecting certain taxes; relating to a mandatory exemption from municipal property taxes for residences of certain widows or widowers, and to optional exemptions from municipal property taxes for property of certain fraternal organizations, for certain college property, and for certain residential property; and providing for an effective date" was read the second time.

Senator Stedman, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 2229. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 10(FIN) "An Act relating to mandatory exemptions from municipal property taxes for certain assets of the Alaska Industrial Development and Export Authority and for property owned by certain private colleges or universities; relating to optional exemptions from municipal property taxes for certain residential property; and providing for an effective date" (Title change SCR 5) was adopted.

Senator Ellis offered Amendment No. 1:

Page 3, line 11:

Delete "**private or**"

Insert "**private,**"

Page 5, line 6:

Delete "private or"

Insert "private,"

Page 6, line 25:

Delete "private or"

Insert "private,"

Senator Ellis moved for the adoption of Amendment No. 1. Senator Bunde objected, then withdrew his objection. There being no further objection, Amendment No. 1 was adopted.

Senator Ellis moved and asked unanimous consent that SENATE CS FOR CS FOR HOUSE BILL NO. 10(FIN) am S be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE CS FOR CS FOR HOUSE BILL NO. 10(FIN) am S was read the third time.

Senators Wielechowski, Menard, Egan, Ellis, Olson, Kookesh moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 10(FIN) am S "An Act relating to mandatory exemptions from municipal property taxes for certain assets of the Alaska Industrial Development and Export Authority and for property owned by certain private colleges or universities; relating to optional exemptions from municipal property taxes for certain residential property; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 10(FIN) am S  
Third Reading - Final Passage  
Effective Dates

**YEAS: 19 NAYS: 0 EXCUSED: 0 ABSENT: 1**

Yeas: Bunde, Coghill, Davis, Dyson, Egan, Ellis, French, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Stedman, Stevens, Thomas, Wagoner, Wielechowski

Absent: Paskvan

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 10(FIN) am S passed the Senate.

Senator Ellis moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clauses. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

**SCR 5**

Senator Ellis moved and asked unanimous consent that SENATE CONCURRENT RESOLUTION NO. 5 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 10, authorizing a borough to charge a city for costs of collecting certain taxes; relating to a mandatory exemption from municipal property taxes for residences of certain widows or widowers, and to optional exemptions from municipal property taxes for property of certain fraternal organizations, for certain college property, and for certain residential property, which had been held on the Secretary's desk (page 855), be taken up. Without objection, the resolution was before the Senate on final passage.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 5 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 10, authorizing a borough to charge a city for costs of collecting certain taxes; relating to a mandatory exemption from municipal property taxes for residences of certain widows or widowers, and to optional exemptions from municipal property taxes for property of certain fraternal organizations, for certain college property, and for certain residential property, pass the Senate?" The roll was taken with the following result:

**SCR 5**

Final Passage

**YEAS: 19 NAYS: 0 EXCUSED: 0 ABSENT: 1**

Yeas: Bunde, Coghill, Davis, Dyson, Egan, Ellis, French, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Stedman, Stevens, Thomas, Wagoner, Wielechowski

Absent: Paskvan

and so, SENATE CONCURRENT RESOLUTION NO. 5 passed the Senate and was referred to the Secretary for engrossment.

**Citations**

Honoring - Priscilla Rice 2009 4-H Volunteer of the Year  
Senator(s) Thomas, Stevens, Bunde, Coghill, Davis, Dyson, Egan,  
Ellis, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson,  
Paskvan, Stedman, Wagoner, Wielechowski  
Representative(s) Guttenberg

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****HB 190**

Senator Davis, Chair, moved and asked unanimous consent that the Health and Social Services Committee referral be waived on CS FOR HOUSE BILL NO. 190(FIN) "An Act amending the Alaska children's trust and relating to the trust; establishing a children's trust grant account; relating to birth certificates and certificates of marriage; relating to special request Alaska children's trust license plates; and amending the State Procurement Code to exempt the Alaska children's trust and the Alaska Children's Trust Board." Without objection, the bill was referred to the Finance Committee.

**HB 190**

Senator Davis moved and asked unanimous consent to be shown as a cross sponsor on CS FOR HOUSE BILL NO. 190(FIN) "An Act amending the Alaska children's trust and relating to the trust; establishing a children's trust grant account; relating to birth certificates and certificates of marriage; relating to special request Alaska children's trust license plates; and amending the State Procurement Code to exempt the Alaska children's trust and the Alaska Children's Trust Board." Without objection, it was so ordered.

**Announcements**

Announcements are at the end of the journal.

Rule 23(d) of the Alaska State Legislature Uniform Rules is currently in effect.

**Engrossment****SB 222**

CS FOR SENATE BILL NO. 222(JUD) "An Act relating to the crimes of harassment, distribution and possession of child pornography, failure to register as a sex offender or child kidnapper, and distribution of indecent material to a minor; relating to suspending imposition of sentence and conditions of probation or parole for human trafficking or for certain sex offenses; relating to aggravating factors in sentencing; relating to reporting of crimes; relating to administrative subpoenas for certain records involving exploitation of children; amending Rule 16, Alaska Rules of Criminal Procedure; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**HB 10**

SENATE CS FOR CS FOR HOUSE BILL NO. 10(FIN) am S "An Act relating to mandatory exemptions from municipal property taxes for certain assets of the Alaska Industrial Development and Export Authority and for property owned by certain private colleges or universities; relating to optional exemptions from municipal property taxes for certain residential property; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**SCR 5**

SENATE CONCURRENT RESOLUTION NO. 5 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 10, authorizing a borough to charge a city for costs of collecting certain taxes; relating to a mandatory exemption from municipal property taxes for residences of certain widows or widowers, and to optional exemptions from

municipal property taxes for property of certain fraternal organizations, for certain college property, and for certain residential property, 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., April 12, 2010. Without objection, the Senate adjourned at 1:49 p.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**

**Apr 13      Tuesday                      Beltz 105 (tsbldg)              3:30 PM**  
 Arctic Industrial Activity & Prevention  
 Systems, Informational Hearing  
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**FINANCE**

**Apr 11      Sunday                      Senate Finance 532              11:00 AM**  
 += SB 139 INCENTIVES FOR CERTAIN MEDICAL PROVIDERS  
 += SB 174 PROF STUDENT EXCHANGE LOAN FORGIVENESS  
 += SB 234 EXTEND ALCOHOLIC BEVERAGE CONTROL BOARD  
 += HB 292 GRANTS TO DISASTER VICTIMS  
 + Bills Previously Heard/Scheduled

**Apr 12      Monday                      Senate Finance 532              9:00 AM**  
 += SB 174 PROF STUDENT EXCHANGE LOAN FORGIVENESS  
 + HB 20 FISHERIES LOANS:ENERGY EFFICIENCY/AMOUNT  
 + HB 344 SALMON PRODUCT DEVELOP. TAX CREDIT  
 + HB 52 POST-TRIAL JUROR COUNSELING  
 + HB 354 AK CAPSTONE AVIONICS REVOLVING LOAN FUND  
 + Bills Previously Heard/Scheduled

**Apr 12      Monday                      Senate Finance 532              1:30 PM**  
 + Bills Previously Heard/Scheduled  
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**HEALTH & SOCIAL SERVICES**

**Apr 12      Monday                      Butrovich 205              1:30 PM**  
 += HB 277 EMERGENCY USE OF EPINEPHRINE  
 + Bills Previously Heard/Scheduled

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**HEALTH & SOCIAL SERVICES (continued)**

**Apr 14      Wednesday                      Butrovich 205              1:30 PM**  
No Meeting Scheduled

**Apr 16      Friday                                      Butrovich 205              1:30 PM**  
No Meeting Scheduled

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**JUDICIARY**

**Apr 12      Monday                                      Butrovich 205              8:30 AM**  
+ HB 408 MISCONDUCT INVOLVING WEAPONS  
+ Bills Previously Heard/Scheduled

**Apr 12      Monday                                      Beltz 105 (tsbldg)              1:30 PM**  
+= SB 46 CHILD SUPPORT AWARDS  
+ Bills Previously Heard/Scheduled

**Apr 14      Wednesday                                      Beltz 105 (tsbldg)              1:30 PM**  
+ Bills Previously Heard/Scheduled

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**LABOR & COMMERCE**

**Apr 11      Sunday                                      Butrovich 205              11:30 AM**  
-- Time and Location Change --  
+ HB 342 EXTEND BOARD OF REAL ESTATE APPRAISERS  
+ HB 376 EXTEND BD OF PSYCHOLOGIST & PSYCH. ASSOC.  
+ HCR 19 AIDEA REPORT ON IN-STATE FUEL STORAGE  
+ HJR 51 PROPOSED FED. MORTGAGE LICENSING REGS  
+ Bills Previously Heard/Scheduled

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**RESOURCES**

**Apr 12      Monday                                      Butrovich 205              3:30 PM**  
+= HB 369 IN-STATE PIPELINE/ MANAGER/TEAM  
+ HJR 45 OPPOSE FEDERAL CAP AND TRADE LEGISLATION  
+= HJR 49 OPPOSING EPA CLEAN AIR ACT REGULATIONS  
+ Bills Previously Heard/Scheduled

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**RULES**

**Apr 11 Sunday Butrovich 205 1:45 PM**  
-- Immediately Following Session --  
SB 303 WORKERS' COMP; CONTRACTORS & OTHERS  
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**TRANSPORTATION**

**Apr 13 Tuesday Butrovich 205 1:00 PM**  
+ HB 357 AK RAILROAD CORP. LAND SALES

**Apr 15 Thursday Butrovich 205 1:00 PM**  
Bills Previously Heard/Scheduled  
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**CONFERENCE COMMITTEES**

**CONFERENCE COMMITTEE ON HB 300 & HB 302**

**Apr 12 Monday Senate Finance 532 3:00 PM**  
HB 300 APPROP: OPERATING BUDGET/LOANS/FUNDS  
HB 302 APPROP: MENTAL HEALTH BUDGET  
Departments to be announced.