SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SIXTH LEGISLATURE

SECOND SESSION

Juneau, Alaska

Thursday

March 25, 2010

Sixty-sixth Day

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

The roll showed twenty members present.

The prayer was offered by the Chaplain, Reverend Judy Shook of Aldersgate United Methodist Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Holy One,

We humans come from many cultures, speak various languages and bring many varied gifts. Yet, we often get lost in our differences rather than seeing them as strengths. Give us a compassionate openness to see the gifts in others. Give us holy awe that helps us celebrate each person, each perspective, each culture.

Your creation is filled with amazing diversity and that leads to the strength of the whole. Just as our body is made up of parts that function in ways still beyond total comprehension of the wisest scientists and medical professionals, so, too, we need the gifts of all of your peoples and all your creation. One part cannot say to another you do not belong, I have no need of you. May we function together like a skilled and disciplined athlete or dancer in coordination, grace and ease.

Guide us in ways that lead to a healthy relationship with all your creation. Guide these leaders that they may work in balance and harmony with each other and those they represent. May each of us bring our unique gifts as a gift of service building us up as a community, state, nation and world.

Amen.

Senator Meyer led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House

Messages dated March 24 were read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 273

CS FOR HOUSE BILL NO. 273(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to general grant land entitlements for the City and Borough of Wrangell and for the Haines Borough; and providing for an effective date."

was read the first time and referred to the Community and Regional Affairs Committee.

HB 280

CS FOR HOUSE BILL NO. 280(FIN) am BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to a gas storage facility; relating to the Regulatory Commission of Alaska; relating to the participation by the attorney general in a matter involving the approval of a rate or a gas supply contract; relating to an income tax credit for a gas storage facility; relating to oil and gas production tax credits; relating to the powers and duties of the Alaska Oil and Gas Conservation Commission; relating to production tax credits for certain losses and expenditures, including exploration expenditures; relating to the powers and duties of the director of the division of lands and to lease fees for a gas storage facility on state land; and providing for an effective date."

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

HB 369

CS FOR HOUSE BILL NO. 369(FIN) am BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to an in-state natural gas pipeline, the office of in-state gasline project manager, and the Joint In-State Gasline Development Team; requiring the development of an in-state natural gas pipeline plan, to be delivered to the legislature by July 1, 2011, that provides for a gasline that is operational by December 31, 2015; directing the Joint In-State Gasline Development Team to assume responsibilities under sec. 19, ch. 14, SLA 2009; requiring expedited review and action by state agencies or entities relating to the in-state natural gas pipeline project; and providing for an effective date."

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

HB 377

HOUSE BILL NO. 377 BY REPRESENTATIVES STOLTZE, Harris, T.Wilson, Buch, Lynn, Holmes, Kawasaki, Gara, Joule, Neuman, Herron, Ramras, Thomas, Chenault, Petersen, entitled:

"An Act exempting certain volunteer work by amateur sports officials from certain requirements of the Alaska Employment Security Act."

was read the first time and referred to the Labor and Commerce Committee.

Standing Committee Reports

SB 277

The Judiciary 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 the adoption of the Resources Committee Substitute offered on page 1704. Signing no recommendation: Senator French, Chair; Senators Wielechowski, Egan. Signing do pass: Senator McGuire.

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

The bill was referred to the Rules Committee.

HCR 20

The State Affairs Committee considered HOUSE CONCURRENT RESOLUTION NO. 20 Proclaiming the month of April 2010 to be Sexual Assault Awareness Month. Signing do pass: Senator Menard, Chair; Senators Kookesh, Paskvan, Meyer.

The following previously published fiscal information applies: Fiscal Note No. 1, zero, House State Affairs Committee

The resolution was referred to the Rules Committee.

Introduction and Reference of Senate Bills

SB 309

SENATE BILL NO. 309 BY THE SENATE RULES COMMITTEE BY REQUEST, entitled:

"An Act amending and extending the exploration and development incentive tax credit under the Alaska Net Income Tax Act for operators and working interest owners directly engaged in the exploration for and development of gas from a lease or property in the state; providing for an effective date by amending the effective date for sec. 2, ch. 61, SLA 2003; 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 247

SENATE BILL NO. 247 "An Act extending the termination date of the Board of Pharmacy; and providing for an effective date" was read the second time.

Senator Paskvan, Chair, moved and asked unanimous consent for the adoption of the Labor and Commerce Committee Substitute offered on page 1634. Without objection, CS FOR SENATE BILL NO. 247(L&C) 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. 247(L&C) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 247(L&C) "An Act extending the termination date of the Board of Pharmacy; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 247(L&C) Third Reading - Final Passage Effective Date

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, CS FOR SENATE BILL NO. 247(L&C) 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 clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

SB 248

SENATE BILL NO. 248 "An Act extending the termination date of the Board of Marital and Family Therapy; and providing for an effective date" was read the second time.

Senator Paskvan, Chair, moved and asked unanimous consent for the adoption of the Labor and Commerce Committee Substitute offered on page 1635. Without objection, CS FOR SENATE BILL NO. 248(L&C) 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. 248(L&C) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 248(L&C) "An Act extending the termination date of the Board of Marital and Family Therapy; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 248(L&C) Third Reading - Final Passage Effective Date

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, CS FOR SENATE BILL NO. 248(L&C) 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 clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

SB 262

SENATE BILL NO. 262 "An Act extending the termination date of the Board of Social Work Examiners; and providing for an effective date" was read the second time.

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.

SENATE BILL NO. 262 was read the third time.

The question being: "Shall SENATE BILL NO. 262 "An Act extending the termination date of the Board of Social Work Examiners; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SB 262

Third Reading - Final Passage Effective Date

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, SENATE BILL NO. 262 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 clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

SB 263

SENATE BILL NO. 263 "An Act extending the termination date of the Board of Professional Counselors; and providing for an effective date" was read the second time.

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.

SENATE BILL NO. 263 was read the third time.

The question being: "Shall SENATE BILL NO. 263 "An Act extending the termination date of the Board of Professional Counselors; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SB 263

Third Reading - Final Passage

Effective Date

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, SENATE BILL NO. 263 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 clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

Citations

Honoring - Lieutenant Colonel (Ret.) Dean M. Owen Representative(s) Dahlstrom Senator(s) Wielechowski, Dyson, Stevens, Bunde, Coghill, Davis, Egan, Ellis, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner

In Memoriam - Melvin F. Daroff Senator(s) Egan, Stevens, Bunde, Coghill, Davis, Dyson, Ellis, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski Representative(s) Kerttula, Munoz

In Memoriam - Dr. Susan Herman Representative(s) Guttenberg Senator(s) Thomas, Stevens, Bunde, Coghill, Davis, Dyson, Egan, Ellis, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Wagoner, Wielechowski

In Memoriam - Geneva Lee Martens Representative(s) Gardner Senator(s) Ellis, Stevens, Bunde, Coghill, Davis, Dyson, Egan, 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

HB 377

Senators Huggins, Meyer, McGuire, Egan, Ellis, Menard, Kookesh, Paskvan moved and asked unanimous consent to be shown as cross sponsors on HOUSE BILL NO. 377 "An Act exempting certain volunteer work by amateur sports officials from certain requirements of the Alaska Employment Security Act." Without objection, it was so ordered.

Senator Kookesh moved and asked unanimous consent to be excused from a call of the Senate from 8:00 a.m. through 5:00 p.m. on March 26. Without objection, Senator Kookesh was excused.

Senator Wielechowski moved and asked unanimous consent to be excused from a call of the Senate on March 29, to morning plane time. Without objection, Senator Wielechowski was excused.

Announcements

Announcements are at the end of the journal.

Engrossment

SB 247

CS FOR SENATE BILL NO. 247(L&C) "An Act extending the termination date of the Board of Pharmacy; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 248

CS FOR SENATE BILL NO. 248(L&C) "An Act extending the termination date of the Board of Marital and Family Therapy; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 262

SENATE BILL NO. 262 "An Act extending the termination date of the Board of Social Work Examiners; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 263

SENATE BILL NO. 263 "An Act extending the termination date of the Board of Professional Counselors; and providing for an effective date" 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., March 26, 2010. Without objection, the Senate adjourned at 11:35 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

Mar 25 + SB 201 +	•	Y TAX EXEMPTIONS	3:30 PM
Mar 30 +	Tuesday Senate Concurrent Resolut ALASKAN NORTHERN <pending &="" bills="" f="" heard="" introduction="" previously="" sch<="" td=""><td>WATERS TASK FORCE Referral></td><td>3:30 PM</td></pending>	WATERS TASK FORCE Referral>	3:30 PM
	Thursday COMMUNITY REVENU Bills Previously Heard/Sch	E SHARING PROGRAM neduled	3:30 PM
Mar 26 +	Friday Bills Previously Heard/Sch	Beltz 105 (tsbldg) neduled	8:00 AM
Mar 29	Monday Bills Previously Heard/Sch	Beltz 105 (tsbldg) neduled	8:00 AM
Mar 31	Wednesday Bills Previously Heard/Sch	, 0,	8:00 AM
Apr 02	Friday Bills Previously Heard/Sch	Beltz 105 (tsbldg) neduled	8:00 AM

FINANCE

Mar 25 + SB 220 +	Thursday Meeting Delayed to 9 ENERGY EFFICIENCY Bills Previously Heard/S	// ALTERNATIVE ENERC	
+= HB 302 +	APPROP: MENTAL HI Bills Previously Heard/S		
+ SB 264 + += HB 300	COMMERCIAL FISHIR Bills Previously Heard/S	C BEVERAGE CONTROL NG & AGRICULTURE BA Scheduled G BUDGET/LOANS/FUND	NK
+= HB 302 + += SB 92 += SB 234	APPROP: MENTAL HI Bills Previously Heard/S U.S. PRESIDENTIAL E EXTEND ALCOHOLIC	Scheduled	BOARD
Mar 27 +	Saturday Bills Previously Heard/S	Senate Finance 532 Scheduled	10:00 AM
+= SB 279 += SB 284 + SB 117	TRAUMATIC BRAIN I MORTGAGE LENDIN CAMPAIGN EXPENDI PRICE OF CIGARETTI IGNITION INTERLOC	TURES ES K DEVICES/DUI/CHEM. 7 OTHERMAL RESOURCE	EANS ICAID FEST
Mar 30 += HCR 2 += SB 237 + SB 4 +	Tuesday IN-STATE GAS PIPEL SCHOOL CONSTRUC' COASTAL MANAGEM Bills Previously Heard/S	TION DEBT REIMBURSE ⁄IENT PROGRAM	9:00 AM MENT

FINANCE (continued)

Mar 31	Wednesday	Senate Finance 532	9:00 AM	
+ SB 33	B POSTSECONDARY S	CHOLARSHIPS		
+ SB 13	9 INCENTIVES FOR CE	INCENTIVES FOR CERTAIN MEDICAL PROVIDERS		
+ SB 17	4 PROF STUDENT EXC			
+ SB 23	5 CHARTER/ALTERNA	TIVE SCHOOL FUNDING	3	
+ SB 23	6 TAX CREDITS FOR E	DUCATIONAL CONTRIB	BUTIONS	
+ SB 22	4 POSTSECONDARY S	CHOLARSHIPS		
	<pending referral=""></pending>			
+	Bills Previously Heard/S	Scheduled		
	•			
Apr 01	Thursday	Senate Finance 532	9:00 AM	
+= SB 23	0 BUDGET: CAPITAL, S	SUPP. & OTHER APPROF	PS	
+ HB 32	26 SUPPLEMENTAL/CA	PITAL/OTHER APPROPR	LIATIONS	
	<pending referral=""></pending>			
+	Bills Previously Heard/S	Scheduled		
Apr 02	Friday	Senate Finance 532	9:00 AM	
+	Dept of Natural Resource	ces- Presentation		
	On AGIA Regulations			
	Testimony <invitation< th=""><th></th><th></th></invitation<>			
+	Bills Previously Heard/S	Scheduled		
A 02	C - 4 J	C4- E! 522	11.00 434	
Apr 03	Saturday	Senate Finance 532	11:00 AM	
+	Bills Previously Heard/S	Scheduled		
	HEALTH & SO	CIAL SERVICES		
Mar 26	Friday	Butrovich 205	1:30 PM	
11111 20	No Meeting Scheduled	Dutiovicii 200	1.50 1 1/1	
	140 Meeting Beneduled			
Mar 29	Monday	Butrovich 205	1:30 PM	
1,141 _>	No Meeting Scheduled	20010 (1011 200	2000 2 2112	
	Tto Miceting Benedated			
Mar 31	Wednesday	Butrovich 205	1:30 PM	
	No Meeting Scheduled			
Apr 02	Friday	Butrovich 205	1:30 PM	
•	No Meeting Scheduled			
	-			

JUDICIARY

Mar 26 + SB 190 + SJR 28 +	Friday Beltz 105 (tsbldg) BIOMETRIC INFORMATION FOR ID ECUMENICAL PATRIARCHATE OF TURKEY Bills Previously Heard/Scheduled	1:30 PM
	Monday Beltz 105 (tsbldg) Confirmations: Violent Crimes Compensation Board PAWNBROKERS EXEMPTIONS: LIFE INSURANCE; ANNUITIES Bills Previously Heard/Scheduled	1:30 PM
	Wednesday Beltz 105 (tsbldg) Confirmations: Select Committee on Legislative Ethic PUBLIC RECORDS/ELECTRONIC TRANSMISSIO PROP. FORECLOSURE/EXECUTION/TRUST DEE Bills Previously Heard/Scheduled	NS
Apr 02 += SB 241 +	Friday Beltz 105 (tsbldg) POST-CONVICTION DNA TESTING; EVIDENCE Bills Previously Heard/Scheduled	1:30 PM
	LABOR & COMMERCE	
Mar 25 += SB 258 + SCR 16 + SB 303 +	Thursday Beltz 105 (tsbldg) Please Note Time Change DENTAL CARE INSURANCE ECONOMIC DEVELOPMENT PLANNING COMM WORKERS' COMPENSATION AND CONTRACTO Bills Previously Heard/Scheduled	
Mar 30 + + SB 298 + HB 377 +	Tuesday Beltz 105 (tsbldg) Please Note Time Change Governor's Nominations ST. EMPLOYEE GEOGRAPHIC PAY DIFFERENT VOLUNTEER AMATEUR SPORTS OFFICIALS Bills Previously Heard/Scheduled	1:30 PM IAL
+ SB 38 += SB 303 += SB 304 +	Thursday Please Note Time Change PHARMACY BENEFITS MANAGERS; MANAGER WORKERS' COMPENSATION AND CONTRACTO ENTITY TRANSACTIONS ACT Bills Previously Heard/Scheduled	

RESOURCES

Mar 25 += SR 10 += SB 143 +	Thursday DOMESTIC NATURAL GAS RAILBELT ENERGY & TRA Bills Previously Heard/Schedu	ANSMISSION CORP.	3:30 PM
Mar 29 + SB 245 + SB 255 + HB 162 +	Monday SALMON PRODUCT DEVE FISH PROCESSOR FEES, LI SOUTHEAST STATE FORE Bills Previously Heard/Schedu	CENSES, RECORDS ST	3:30 PM
Mar 31 + + SB 309 + SB 290 + HB 280	Wednesday Overview by DOR & DNR on GAS EXPLORATION\DEVE TAX CREDIT TO DRILL WI NATURAL GAS: STORAGE Bills Previously Heard/Schedu	LOPMENT TAX CRE ELLS IN COOK INLE E/ TAX CREDITS	DIT
Apr 01 +	Thursday Overview from the Administra		3:30 PM
+ + + HB 369 +	Overview from Experts on Ex Update from Conoco Philips of IN-STATE PIPELINE/ MANA Bills Previously Heard/Schedu	on Gas Export Facility AGER/TEAM	
+ + HB 369	Update from Conoco Philips of IN-STATE PIPELINE/ MANA	n Gas Export Facility AGER/TEAM alled Butrovich 205 s or Bills earings	3:30 PM

STATE AFFAIRS

Ma	r 25	Thursday	Beltz 105 (tsbldg)	9:00 AM
+	HCR 20	SEXUAL ASSAULT AW	ARENESS MONTH	
+	HB 24	PROCUREMENT PREFE	RENCE FOR VETERANS	
		<bill canceled="" hearing=""></bill>		
+		Bills Previously Heard/Sch	neduled	

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STATE AFFAIRS (continued)

Ma	ar 30	Tuesday No Meeting Scheduled	Beltz 105 (tsbldg)	9:00 AM
Ap	or 01	Thursday	Beltz 105 (tsbldg)	9:00 AM
+	HB 73	FIREFIGHTER/EMT LIC	ENSE PLATES	
+	HB 225	STATE PROCUREMENT	ΓCODE	
		Bills Previously Heard/Sch	heduled	

TRANSPORTATION

Mar 25	Thursday No Meeting Scheduled	Butrovich 205	1:00 PM
Mar 30	Tuesday No Meeting Scheduled	Butrovich 205	1:00 PM
Apr 01 HB 262	Thursday MOTORCYCLE/SCOOTER	Butrovich 205 AWARENESS MONTH	1:00 PM

JOINT COMMITTEES

LEGISLATIVE BUDGET & AUDIT

Mar 30	Tuesday	House Finance 519	4:30 PM
	Executive Session -	Audit Review	
+ Other Committee Business			
	Testimony <invit< td=""><td>ation Only></td><td></td></invit<>	ation Only>	

OTHER MEETINGS

JOINT SESSION

Mar 31	Wednesday Annual Address by th Mark Begich, U.S. Se		11:00 AM
Apr 09	Friday Confirmation of Gove	House Chamber	11:00 AM

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