

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Friday

February 11, 2011

Twenty-fifth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 10:00 a.m.

The roll showed sixteen members present. Senators Dyson, Hoffman, Olson were excused from a call of the Senate. Senator McGuire was absent.

The prayer was offered by the Chaplain, Pastor Steve Evenson of the Juneau Seventh-day Adventist Church. Senator Ellis moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

O God of the universe, whose power is great, who is ever ready to hear from his children, who loves us, we come before you this day, recognizing our need of you for guidance in the matters of state. This day is a new day and the matters that are before us require us to be of sound mind and judgment. We ask today for wisdom, understanding, patience, so it is our desire this day for your presence in this session today. Many have gone before us that have paved the way for where we are today. May we be faithful to all who have gone before us as we lead this great state. The want of the world is for men and women to stand for the right and call wrong, wrong. May each one here today be of sober thought and actions.

In the Name of Lord Jesus.

Amen.

Senator Menard led the Senate in the Pledge of Allegiance.

Certification

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

The presence of Senator McGuire was noted.

Standing Committee Reports

SB 17

The Health and Social Services Committee considered SENATE BILL NO. 17 "An Act classifying certain synthetic cannabinoids as schedule IIA controlled substances; and providing for an effective date." Signing do pass: Senator Davis, Chair; Senators Ellis, Meyer, Egan, Dyson.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Public Safety

Fiscal Note No. 2, Department of Public Safety

Fiscal Note No. 3, zero, Department of Law

Fiscal Note No. 4, indeterminate, Department of Corrections

President Stevens added a Finance Committee referral to the bill.

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

SB 18

The State Affairs Committee considered SENATE BILL NO. 18 "An Act relating to the duration of regular sessions of the legislature; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 18(STA) "An Act relating to the convening and duration of regular sessions of the legislature; and providing for an effective date."

Signing no recommendation: Senator Wielechowski, Chair; Senators, Meyer, Giessel. Signing do pass: Senator Paskvan.

The following fiscal information was published today:
Fiscal Note No. 1, zero, Legislative Agency

The bill was referred to the Finance Committee.

SB 39

The State Affairs Committee considered SENATE BILL NO. 39 "An Act ratifying an interstate compact to elect the President and Vice-President of the United States by national popular vote; and making related changes to statutes applicable to the selection by voters of electors for candidates for President and Vice- President of the United States and to the duties of those electors." Signing no recommendation: Senator Wielechowski, Chair; Senators Paskvan, Meyer. Signing do not pass: Senator Giessel.

The following fiscal information was published today:
Fiscal Note No. 1, zero, Office of the Governor

The bill was referred to the Judiciary Committee.

SB 62

The Judiciary Committee considered SENATE BILL NO. 62 "An Act allowing appropriations to the civil legal services fund from court filing fees." Signing do pass: Senator French, Chair; Senators Wielechowski, Paskvan, McGuire. Signing no recommendation: Senator Coghill.

The following fiscal information was published today:
Fiscal Note No. 1, zero, Alaska Court System
Fiscal Note No. 2, zero, Department of Law

The bill was referred to the Finance Committee.

Introduction and Reference of Senate Bills**SB 87**

SENATE BILL NO. 87 BY SENATOR FRENCH, entitled:

"An Act establishing a program in the Department of Commerce, Community, and Economic Development for payment of grants to health care providers for care of patients who are 65 years of age or older."

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

SB 88

SENATE BILL NO. 88 BY SENATOR MCGUIRE, entitled:

"An Act relating to display, folding, presentment, and retirement of the state flag."

was read the first time and referred to the State Affairs Committee.

Consideration of the Calendar**Citations**

Honoring - Florence and Harold Esmailka, 50th Wedding Anniversary
Senator(s) Kookesh, Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Huggins, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski
Representative(s) Dick

Honoring - University of Alaska Trio Programs
Representative(s) Guttenberg
Senator(s) Paskvan, Thomas, Stevens, Coghill, Davis, Dyson, Egan, Ellis, French, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Stedman, Wagoner, Wielechowski

Commemorating - March 2011 American Red Cross Month
Representative(s) Millett
Senator(s) McGuire, Meyer, Stevens, Coghill, Davis, Dyson, Egan, Ellis, French, Giessel, Hoffman, Huggins, Kookesh, Menard, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

Commemorating - Law Enforcement Memorial Day, May 6, 2011

Representative(s) Chenault

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

In Memoriam - Beulah Elaine Roppel

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

Representative(s) Johansen

In Memoriam - Maurice Tyrone Mitchell

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

In Memoriam - John W. Billings, Sr.

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

Representative(s) Dick

In Memoriam - Peter F. Mysing

Representative(s) Chenault, Olson

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

In Memoriam - Andrew Lawrence Mullen

Representative(s) Fairclough

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

In Memoriam - Sylvia Carlsson

Representative(s) Gardner

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

Senator Meyer 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 Meyer 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 - Sharon Leon, Executive Director, Anchorage Youth Court
Representative(s) Holmes, Costello
Senator(s) French, McGuire, Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Huggins, Kookesh, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

Senator Meyer moved and asked unanimous consent that the citation be adopted. Without objection, the citation was adopted and referred to the Secretary for transmittal.

Senator Huggins 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 7. Without objection, Senator Huggins was excused.

Senator Ellis moved and asked unanimous consent to be excused from a call of the Senate on February 14, to morning plane time. Without objection, Senator Ellis was excused.

Senator McGuire moved and asked unanimous consent to be excused from a call of the Senate from February 14 through evening plane time, February 15. Without objection, Senator McGuire was excused.

SB 11

Senator Ellis moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 11 "An Act relating to the commission of a crime when the defendant directed the conduct

constituting the crime at the victim based on the victim's race, sex, color, creed, physical or mental disability, sexual orientation, gender identity, ancestry, or national origin." Without objection, it was so ordered.

Announcements

Announcements are at the end of the journal.

Engrossment and Enrollment

SR 2

SENATE RESOLUTION NO. 2 Urging the United States Congress to fund fully the essential air service program, was engrossed and enrolled, signed by the President and Secretary and the engrossed and enrolled copies transmitted to the Office of the Governor at 8:23 a.m., February 10, 2011.

Senate Resolve No. 2

Adjournment

Senator Meyer moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 14, 2011. Without objection, the Senate adjourned at 10:16 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 15	Tuesday	Beltz 105 (tsbldg)	3:30 PM
	No Meeting Scheduled		
Feb 17	Thursday	Beltz 105 (tsbldg)	3:30 PM
	No Meeting Scheduled		

EDUCATION

Feb 11	Friday	Beltz 105 (tsbldg)	8:00 AM
+ SB 43	ALASKA PERFORMANCE SCHOLARSHIPS		
	Bills Previously Heard/Scheduled		
Feb 14	Monday	Beltz 105 (tsbldg)	8:00 AM
+ SB 9	RAISE COMP. SCHOOL ATTENDANCE AGE/TRUANCY		
+ SB 83	TEACHER BOARD CERTIFICATION INCENTIVES		
	Bills Previously Heard/Scheduled		
Feb 16	Wednesday	Beltz 105 (tsbldg)	8:00 AM
+ SB 8	STUDENT QUESTIONNAIRES AND SURVEYS		
	Bills Previously Heard/Scheduled		
Feb 18	Friday	Beltz 105 (tsbldg)	8:00 AM
	No Meeting Scheduled		
Mar 09	Wednesday	Barnes 124	8:00 AM
+	Joint House/Senate Education Committee Meeting		
	Presentation:		
	Best Beginnings/Early Childhood Program		

EDUCATION (continued)

Mar 11	Friday	Barnes 124	8:00 AM
	Joint House/Senate Education Committee Meeting		
+	Presentation:		
	Higher Education and Career Readiness Task Force		
 Mar 18	 Friday	 Barnes 124	 8:00 AM
	Joint House/Senate Education Committee Meeting		
+	Presentation:		
	State Board of Education and Early Development		

FINANCE

Feb 11	Friday	Senate Finance 532	9:00 AM
	-- MEETING CANCELED --		
+	Bills Previously Heard/Scheduled		
 Feb 14	 Monday	 Senate Finance 532	 9:00 AM
+ SB 1	BD OF ED./EARLY DEVELOPMENT ANNUAL REPORT		
+	Bills Previously Heard/Scheduled		
 Feb 15	 Tuesday	 Senate Finance 532	 9:00 AM
+	Bills Previously Heard/Scheduled		
 Feb 16	 Wednesday	 Senate Finance 532	 9:00 AM
+	U of A Budget Subcommittee - Cmte of the Whole		
+	Bills Previously Heard/Scheduled		
 Feb 17	 Thursday	 Senate Finance 532	 9:00 AM
+ SB 46	BUDGET: CAPITAL		
+ SB 47	APPROP: OPERATING BUDGET/LOANS/FUNDS		
+ SB 48	APPROP: MENTAL HEALTH BUDGET		
+	Introduction of the Governor's Budget Amendments		
	by the Office of Management and Budget		
+	Bills Previously Heard/Scheduled		
 Feb 18	 Friday	 Senate Finance 532	 8:00 AM
	-- Time Change --		
+	Goose Creek Correctional Center Presentation by		
	Department of Corrections		
+	Bills Previously Heard/Scheduled		

HEALTH & SOCIAL SERVICES

Feb 11	Friday No Meeting Scheduled	Butrovich 205	1:30 PM
Feb 14	Monday No Meeting Scheduled	Butrovich 205	1:30 PM
Feb 16	Wednesday Presentation: The Alaska Children's Alliance	Butrovich 205	1:30 PM
Feb 18	Friday No Meeting Scheduled	Butrovich 205	1:30 PM

JUDICIARY

Feb 11	Friday -- MEETING CANCELED -- + Bills Previously Heard/Scheduled	Beltz 105 (tsbldg)	1:30 PM
Feb 14	Monday -- Time and Location Change -- + Joint Hearing with House Judiciary Committee Presentation by Attorney General Burns Alaska Department of Law	Capitol 120	1:00 PM
Feb 16	Wednesday += SB 58 INCREASING NUMBER OF SUPERIOR CT JUDGES += SB 72 CRIMES INVOLVING MINORS/STALKING/INFO + SB 11 HATE CRIMES + SB 39 U.S. PRESIDENTIAL ELECTION COMPACT + Bills Previously Heard/Scheduled	Beltz 105 (tsbldg)	1:30 PM
Feb 18	Friday No Meeting Scheduled	Beltz 105 (tsbldg)	1:30 PM

LABOR & COMMERCE

Feb 15	Tuesday + Bills Previously Heard/Scheduled += SB 70 ALASKA HEALTH BENEFIT EXCHANGE	Beltz 105 (tsbldg)	1:30 PM
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LABOR & COMMERCE (continued)

Feb 17 Thursday Beltz 105 (tsbldg) 1:30 PM
 + SB 23 FILM PRODUCTION TAX CREDIT
 + SB 64 RESEARCH AND DEVELOPMENT TAX CREDIT
 + Bills Previously Heard/Scheduled

RESOURCES

Feb 11 Friday Butrovich 205 3:30 PM
 += SB 42 POWER PROJECT; ALASKA ENERGY AUTHORITY
 Presentation by AEA (continued from previous meeting if necessary)
 Public Comment

Feb 14 Monday Butrovich 205 3:30 PM
 + Presentation by Energia Cura
 + Presentation by Larry Persily:
 2/2/11 Report Prepared for the Office of the Federal Coordinator, Alaska Natural Gas Transportation Projects

Feb 16 Wednesday Butrovich 205 3:30 PM
 += SB 42 POWER PROJECT; ALASKA ENERGY AUTHORITY

Feb 18 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

Feb 19 Saturday Butrovich 205 10:00 AM
 -- Note Day and Time Change of Meeting --
 += SB 24 SPORT FISHING GUIDING SERVICES
 Public Comment
 += SB 44 SOUTHEAST STATE FOREST
 Public Comment

STATE AFFAIRS

Feb 15 Tuesday Butrovich 205 9:00 AM
 + SB 61 2011 REVISOR'S BILL
 Bills Previously Heard/Scheduled

Feb 17 Thursday Butrovich 205 9:00 AM
 Bills Previously Heard/Scheduled

TRANSPORTATION

Feb 15	Tuesday	Butrovich 205	1:00 PM
+	SB 79	APPROP.: KNIK ARM CROSSING FUND	
+	SB 80	KNIK ARM BRIDGE AND TOLL AUTHORITY	
+		Bills Previously Heard/Scheduled	
Feb 17	Thursday	Butrovich 205	1:00 PM
+	SB 19	PASSENGER VEHICLE RENTAL TAX	
+		Bills Previously Heard/Scheduled	

FINANCE SUBCOMMITTEES**COMMERCE, COMMUNITY & ECONOMIC DEV**

Feb 22	Tuesday	Senate Finance 532	8:00 AM
	Overview		
Mar 08	Tuesday	Senate Finance 532	3:00 PM
	Divisions TBA		
Mar 15	Tuesday	Senate Finance 532	3:00 PM
	Closeout		

CORRECTIONS

Mar 08	Tuesday	Fahrenkamp 203	5:30 PM
	-- Rescheduled from 3/3/11 --		
	Rehabilitation and Parole Initiatives		
Mar 10	Thursday	Fahrenkamp 203	5:30 PM
	Inmate Health Care, Medical Information System		
	Community Residential Centers, Community Jails		
Mar 17	Thursday	Fahrenkamp 203	5:30 PM
	Closeout		

COURT SYSTEM

Feb 22	Tuesday	Sen Conf Rm 103 Tsb	4:00 PM
+	FY12 Budget Request		
Mar 15	Tuesday	Sen Conf Rm 103 Tsb	3:00 PM
+	Closeout		

EDUCATION & EARLY DEVELOPMENT

Feb 24 +	Thursday Overview & FY12 Request	Fahrenkamp 203	4:00 PM
Mar 01 +	Tuesday FY12 Budget Request	Fahrenkamp 203	4:00 PM
Mar 10 +	Thursday FY12 Budget Request	Fahrenkamp 203	4:00 PM
Mar 17 +	Thursday Closeout	Fahrenkamp 203	4:00 PM

ENVIRONMENTAL CONSERVATION

Feb 17 +	Thursday Joint with House Department Overview and FY 12 Budget Request	House Finance 519	11:30 AM
Feb 18 +	Friday Joint with House Department Overview and FY 12 Budget Request	House Finance 519	11:30 AM
Mar 07 +	Monday Department Overview and FY 12 Budget Request	Butrovich 205	12:00 PM
Mar 10 +	Thursday Department Overview and FY 12 Budget Request	Fahrenkamp 203	2:30 PM
Mar 14 +	Monday Department Overview and FY 12 Budget Request	Butrovich 205	12:00 PM

FISH & GAME

Feb 17 +	Thursday Department Budget Overview -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	8:00 AM
Feb 24 +	Thursday Status of FY 2011 Budget -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	8:00 AM

FISH & GAME (continued)

Mar 10 +	Thursday	Beltz 105 (tsbldg)	8:00 AM
	Other topics of interest to the committee not covered previously, Budget Amendments, Q&A		
	-- Testimony <Invitation Only> --		
Mar 17 +	Thursday	Beltz 105 (tsbldg)	8:00 AM
	Budget Close Out		
	-- Testimony <Invitation Only> --		

HEALTH & SOCIAL SERVICES

Feb 14 +	Monday	Beltz 105 (tsbldg)	3:30 PM
	Department Budget Overview		
	-- Testimony <Invitation Only> --		
Feb 16 +	Wednesday	Beltz 105 (tsbldg)	3:30 PM
	Public Health		
	-- Testimony <Invitation Only> --		
Feb 21 +	Monday	Beltz 105 (tsbldg)	3:30 PM
	Behavioral Health - System wide including implications in other areas, not just the Behavioral Health budget component, focus on API.		
	-- Testimony <Invitation Only> --		
Feb 23 +	Wednesday	Beltz 105 (tsbldg)	3:30 PM
	Medicaid, possible Affordable Care Act and impact on Medicaid and the Division of Public Assistance, Home and Community Based Rates, Residential Psychiatric Treatment Center Rates, CMS moratorium, Division of Senior and Disability Services Corrective Action Plan		
	-- Testimony <Invitation Only> --		
Mar 09 +	Wednesday	Beltz 105 (tsbldg)	3:30 PM
	Other topics of interest to the committee not covered previously, Q&A, Governor's Budget Amendments		
	-- Testimony <Invitation Only> --		
Mar 16 +	Wednesday	Beltz 105 (tsbldg)	3:30 PM
	Budget Close Out		
	-- Testimony <Invitation Only> --		

LABOR & WORKFORCE DEVELOPMENT

Feb 14	Monday	Fahrenkamp 203	12:00 PM
	Budget Overview by Commissioner Clark Bishop Department Overview		
Mar 09	Wednesday	Fahrenkamp 203	4:00 PM
	Budget Overview Continued (if necessary)		
Mar 10	Thursday	Fahrenkamp 203	11:00 AM
	Budget: Department Addresses Additional Questions and Overview of House Budget Actions		
Mar 14	Monday	Fahrenkamp 203	4:00 PM
	Budget Closeout		

MILITARY & VETERANS' AFFAIRS

Feb 22	Tuesday	Butrovich 205	12:00 PM
+	Overview of the Department & FY12 Budget Request		
Mar 08	Tuesday	Butrovich 205	12:00 PM
+	Overview of the Department & FY12 Budget Request		
Mar 10	Thursday	Butrovich 205	12:00 PM
+	Overview of the Department & FY 12 Budget Request		
Mar 15	Tuesday	Butrovich 205	12:00 PM
+	Overview of the Department & FY12 Budget Request		

NATURAL RESOURCES

Feb 17	Thursday	Butrovich 205	3:30 PM
	Budget Overview by Commissioner Dan Sullivan Department Overview		
Mar 08	Tuesday	Fahrenkamp 203	12:00 PM
	Budget & Department Overview Continued (if necessary)		
Mar 11	Friday	Fahrenkamp 203	12:00 PM
	Budget - Department Addresses Committee Questions Overview of House Budget Actions		
Mar 17	Thursday	Fahrenkamp 203	12:00 PM
	Budget Closeout		

PUBLIC SAFETY

Feb 15	Tuesday	Beltz 105 (tsbldg)	8:00 AM
+	Status of VPSO Program		
+	Status of AST Recruitment and Retention		
	-- Testimony <Invitation Only> --		
Feb 22	Tuesday	Beltz 105 (tsbldg)	8:00 AM
+	Domestic Violence & Sexual Assault Programs		
	-- Testimony <Invitation Only> --		
Mar 08	Tuesday	Beltz 105 (tsbldg)	8:00 AM
+	Pre-Close-Out and Question/Answer Session		
	-- Testimony <Invitation Only> --		
Mar 15	Tuesday	Beltz 105 (tsbldg)	8:00 AM
+	Budget Close-Out		
	-- Testimony <Invitation Only> --		

JOINT COMMITTEES**ADMINISTRATIVE REGULATION REVIEW**

Feb 15	Tuesday	Fahrenkamp 203	1:30 PM
+	Overview: Regulation Process		

HIGHER EDUC/CAREER READINESS TASK FORCE

Mar 10	Thursday	Terry Miller Gym	9:00 AM
+	Discuss Preliminary (Draft) Recommendations to the Legislature		
	Detailed Agenda to be Announced		
Mar 11	Friday	Terry Miller Gym	1:00 PM
+	Discuss Preliminary (Draft) Recommendations to the Legislature		
	Detailed Agenda to be Announced		

LEGISLATIVE COUNCIL

Feb 17	Thursday	Tba	11:00 AM
	-- Meeting Postponed to 2/24/11 --		
	Agenda Forthcoming		

LEGISLATIVE COUNCIL (continued)

Feb 24	Thursday	House Finance 519	11:00 AM
	-- MEETING CANCELED --		
	-- Rescheduled from 2/17/11 --		
	Agenda Forthcoming		
Mar 17	Thursday	House Finance 519	11:00 AM
	Agenda Forthcoming		
Apr 07	Thursday	House Finance 519	11:00 AM
	Agenda Forthcoming		

OTHER MEETINGS**FISH CAUCUS**

Feb 15	Tuesday	Capitol 106	12:00 PM
+	Totem Ocean Trailer		
	Seafood Product Transportation		

JOINT SESSION

Feb 24	Thursday	House Chamber	11:00 AM
	Annual Address by the Honorable Lisa Murkowski, U.S. Senator		
Mar 09	Wednesday	House Chamber	11:00 AM
	State of the Judiciary Address by Chief Justice Walter Carpeneti		
Mar 22	Tuesday	House Chamber	11:00 AM
	Annual Address by the Honorable Mark Begich, U.S. Senator		