

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Monday

February 14, 2011

Twenty-eighth Day

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

The roll showed eighteen members present. Senator McGuire was excused from a call of the Senate. Senator Kookesh was absent.

The prayer was offered by the Chaplain, The Reverend George Silides of Holy Trinity Episcopal Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear Creator and Father of all mankind, look favorably upon these men and women who offer themselves to service of this Great Land and all its peoples. Keep us ever mindful of those whose work we have been given the privilege and responsibility to continue, whose efforts shaped the opportunities and privileges we now enjoy. We remember today the life and witness of Roy and Elizabeth Peratrovich, whose courage, perseverance and intelligence opened the eyes of the powerful and oppressed alike; and having shown us that vision of dignity to which all people are entitled, turned words into deeds that honor the best ideals of our state and nation. We remember alongside them our personal mentors: aunties, uncles, grandparents, mothers and fathers who have shaped our own lives, who have passed along the wisdom of our families and our cultures which we treasure and trust to guide us along our way. For the great wealth of the many cultures which make up the fabric of this state, and

which is brought together in this body, we give thanks.
May the gifts of each be offered in generosity, and
accepted with thanksgiving. Amen.

Senator Olson led the Senate in the Pledge of Allegiance.

Certification

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

Consideration of the Calendar

Second Reading of Senate Bills

SB 31

SENATE BILL NO. 31 "An Act relating to the counting of write-in votes" was read the second time.

Senator French, Chair, moved and asked unanimous consent for the adoption of the Judiciary Committee Substitute offered on page 169. Without objection, CS FOR SENATE BILL NO. 31(JUD) was adopted.

Senator Meyer 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. 31(JUD) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 31(JUD) "An Act relating to the counting of write-in votes" pass the Senate?" The roll was taken with the following result:

CSSB 31(JUD)

Third Reading - Final Passage

YEAS: 18 NAYS: 0 EXCUSED: 1 ABSENT: 1

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

Excused: McGuire

Absent: Kookesh

and so, CS FOR SENATE BILL NO. 31(JUD) passed the Senate and was referred to the Secretary for engrossment.

Citations

Honoring - Bruce Bartley

Representative(s) Stoltze

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

In Memoriam - Henry (Hank) T. Weil

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

In Memoriam - Edward Roy "Sonny" Hoffman, Jr.

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

In Memoriam - Robert Lloyd Dyer

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

In Memoriam - F. Atlee Dodge

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

In Memoriam - Averill Gay

Representative(s) Gardner, Cissna

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

In Memoriam - Terrence L. "Terry" Kruger

Representative(s) Stoltze

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

In Memoriam - Foster "Leroi" Heaven

Representative(s) Stoltze

Senator(s) Huggins, Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, 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 - The Green Bay Packers Super Bowl XLV Champions

Representative(s) Wilson, T.

Senator(s) Coghill, Stevens, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Huggins, Kookesh, McGuire, 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 Meyer moved and asked unanimous consent that President Stevens be excused from a call of the Senate on February 16. Without objection, Senator Stevens was excused.

Senator Davis moved and asked unanimous consent to be excused from a call of the Senate from 8:00 p.m., February 17 through evening plane time, February 21 and from plane time, March 3 through evening plane time, March 6. Without objection, Senator Davis was excused.

Senator Dyson moved and asked unanimous consent to be excused from a call of the Senate from 1:00 p.m., February 17 through morning plane time, February 21. Without objection, Senator Dyson was excused.

Senator Ellis moved and asked unanimous consent to be excused from a call of the Senate on February 21, to morning plane time. Without objection, Senator Ellis was excused.

Announcements

Announcements are at the end of the journal.

Engrossment

SB 31

CS FOR SENATE BILL NO. 31(JUD) "An Act relating to the counting of write-in votes" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Meyer moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 16, 2011. Without objection, the Senate adjourned at 11:28 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 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
= SB 43 ALASKA PERFORMANCE SCHOLARSHIPS

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

JUDICIARY

Feb 14	Monday	Capitol 120	1:00 PM
	-- Time and Location Change --		
+	Joint Hearing with House Judiciary Committee		
	Presentation by Attorney General Burns		
	Alaska Department of Law		
Feb 16	Wednesday	Beltz 105 (tsbldg)	1:30 PM
+= 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		
Feb 18	Friday	Beltz 105 (tsbldg)	1:30 PM
	No Meeting Scheduled		

LABOR & COMMERCE

Feb 15	Tuesday	Beltz 105 (tsbldg)	1:30 PM
+	Bills Previously Heard/Scheduled		
+= SB 70	ALASKA HEALTH BENEFIT EXCHANGE		
+= SB 38	POLICE & FIREFIGHTER DEATH BENEFITS		
+= SB 67	LOAN FUNDS:CHARTERS/MARICULTURE/MICROLOAN		
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 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**ADMINISTRATION**

Feb 16	Wednesday	Fahrenkamp 203	5:30 PM
+	Office of the Public Advocate		
+	Public Defender Agency		
+	Violent Crimes Compensation Board		
Feb 22	Tuesday	Beltz 105 (tsbldg)	5:30 PM
+	Alaska Oil and Gas Conservation Commission		
+	Alaska Public Offices Commission		

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		

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EDUCATION & EARLY DEVELOPMENT**

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

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ENVIRONMENTAL CONSERVATION**

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

FISH & GAME

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

HEALTH & SOCIAL SERVICES (continued)

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 BUDGET & AUDIT

Feb 28	Monday	House Finance 519	8:00 AM
+	Audits: Executive Session Other Committee Business -- Teleconference <Invitation Only> --		
Mar 29	Tuesday	House Finance 519	8:00 AM
+	Audits: Executive Session Other Committee Business -- Teleconference <Invitation Only> --		

LEGISLATIVE COUNCIL

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