

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Monday

March 14, 2011

Fifty-sixth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:02 a.m.

The roll showed seventeen members present. Senator Coghill was excused from a call of the Senate. Senators McGuire, Stedman were absent.

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

The prayer was offered by the Chaplain, Nancy Campbell of the Gospel Outreach Christian Center. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear Heavenly Father,

I come to you this day on behalf of this Senate body as they convene to conduct the business of our state. Give them the wisdom, the understanding and the knowledge they need as they address the issues set before them.

I pray for clarity of mind as they meet together and a working unity. If there are any here who are sick, I pray for your healing touch upon them. Strengthen them and grant the fortitude needed for the tasks that

lay ahead of them. I lift up their families to you, Lord, watch over them and keep them safe. And now, Lord, I pray for your blessing here in this place and upon these Senators. I pray this in Jesus' name.

Amen.

Senator Giessel led the Senate in the Pledge of Allegiance.

Certification

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

The presence of Senator McGuire was noted.

Messages from the Governor

SB 33

Message was read stating the Governor signed the following bill on March 11 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR SENATE BILL NO. 33(STA) "An Act relating to the disposition of remains of a member of the armed forces if the member dies while in a duty status."

Chapter No. 1, SLA 2011

Effective Date: 6/9/11

Messages from the House

Message dated March 11 was read stating the House passed and transmitted for consideration:

**First Reading and Reference of
House Resolutions**

HCR 8

HOUSE CONCURRENT RESOLUTION NO. 8 BY REPRESENTATIVES TUCK, Cissna, Austerman, Munoz, Dick, Millett, P.Wilson, Gruenberg, Hawker, Guttenberg, Petersen, Fairclough, Costello, Kerttula, Pruitt, Chenault, Miller, Gara, Gardner, Kawasaki, Herron, Johansen,

Urging the Transportation Security Administration to reconsider its use of pat-down search procedures adopted on October 28, 2010, and to conduct pat-down searches using less invasive but equally effective procedures; and urging the United States Congress to exercise greater oversight of the Transportation Security Administration.

was read the first time.

Senator Meyer moved and asked unanimous consent that HOUSE CONCURRENT RESOLUTION NO. 8 be taken up at this time. Without objection, it was so ordered.

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

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 8 Urging the Transportation Security Administration to reconsider its use of pat-down search procedures adopted on October 28, 2010, and to conduct pat-down searches using less invasive but equally effective procedures; and urging the United States Congress to exercise greater oversight of the Transportation Security Administration, pass the Senate?" The roll was taken with the following result:

HCR 8
Final Passage

YEAS: 18 NAYS: 0 EXCUSED: 2 ABSENT: 0

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

Excused: Coghill, Stedman

and so, HOUSE CONCURRENT RESOLUTION NO. 8 passed the Senate, was signed by the President and Secretary and returned to the House.

Message dated March 11 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 130

CS FOR HOUSE BILL NO. 130(L&C) BY THE HOUSE LABOR AND COMMERCE COMMITTEE, entitled:

"An Act relating to municipal building code requirements for fire sprinkler systems in certain residential buildings."

was read the first time and referred to the Community and Regional Affairs and Labor and Commerce Committees.

Introduction and Reference of Senate Bills

SB 99

SENATE BILL NO. 99 BY SENATOR PASKVAN, entitled:

"An Act relating to a heating fuel energy relief program; and providing for an effective date."

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

SB 100

SENATE BILL NO. 100 BY SENATOR PASKVAN, entitled:

"An Act relating to employer contributions to the Public Employees' Retirement System of Alaska; relating to requirements that employers who terminate some or all participation in the Public Employees' Retirement System of Alaska pay termination costs; and making the changes retroactive."

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

SB 101

SENATE BILL NO. 101 BY SENATOR PASKVAN, entitled:

"An Act adopting the Alaska Entity Transactions Act; relating to changing the form of entities, including corporations, partnerships, limited liability companies, business trusts, and other organizations; amending Rule 79, Alaska Rules of Civil Procedure, and Rules 602(b)(2), 602(c), and 605.5, Alaska Rules of Appellate Procedure; and providing for an effective date."

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

SB 102

SENATE BILL NO. 102 BY THE SENATE FINANCE COMMITTEE, entitled:

"An Act relating to certain payments made under the Alaska affordable heating program."

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

Consideration of the Calendar**Citations**

Honoring - South High Boys Varsity Hockey Team, 2010 - 2011 4A State Champions

Representative(s) Lynn, Johnson

Senator(s) Giessel, Stevens, Coghill, Davis, Dyson, Egan, Ellis, 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.

Unfinished Business

Senator Huggins moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, March 18 through evening plane time, March 20. Without objection, Senator Huggins was excused.

Senator Olson moved and asked unanimous consent to be excused from a call of the Senate on March 18. Without objection, Senator Olson was excused.

Senator Egan moved and asked unanimous consent to be excused from a call of the Senate from noon plane time, March 17 through afternoon plane time, March 20. Without objection, Senator Egan was excused.

President Stevens made the following appointments:

Pacific NorthWest Economic Region (PNWER) Delegate Council

Senator McGuire

Senator Dyson

Senator Wagoner, alternate

Senator Huggins, alternate

Citizens' Advisory Commission on Federal Areas

Senator Menard

Rod Arno

Warren Olson (reappointed, page 16)

Energy Council

Senator Davis

Senator Olson

Senator Huggins

Senator Hoffman

Senator Dyson

Senator Stevens

Senator French

Senator Wielechowski

Senator McGuire

Energy Council Executive Committee

Senator Wagoner

Senator Stedman

Energy Council CLEER Board of Directors

Senator Paskvan

Council of State Governments (CSG) - West Executive Committee

Senator Stevens

Senator Huggins

Senator McGuire

CSG - West Education Committee

Senator French

Senator Wielechowski

Senator Davis

CSG - West Energy and Public Lands Committee

Senator French

Senator Wielechowski

Senator Wagoner

Senator Paskvan

Senator McGuire

Senator Egan

Senator Hoffman

Senator Giessel

CSG - West Fiscal Affairs Committee

Senator Wielechowski
Senator Stedman
Senator Hoffman
Senator Giessel

CSG - West International Trade Committee

Senator Menard
Senator Huggins
Senator Coghill

CSG - West Water and Environment Committee

Senator Coghill

CSG - West Western Economic Development Committee

Senator Wielechowski
Senator Giessel

**National Conference of State Legislatures (NCSL) Agriculture
and Energy Committee**

Senator Thomas
Senator McGuire
Senator Wielechowski
Senator Hoffman
Senator Wagoner
Senator Dyson
Senator Giessel

NCSL Budgets and Revenue Committee

Senator Meyer
Senator Menard
Senator Giessel

NCSL Education Committee

Senator Menard
Senator Davis

**NCSL Communications, Financial Services and Interstate
Commerce Committee**

Senator Egan

NCSL Environment Committee

Senator French
Senator Wielechowski

NCSL Health Committee

Senator Davis
Senator Dyson

NCSL Human Services and Welfare Committee

Senator Davis

NCSL Labor and Economic Development Committee

Senator Giessel

NCSL Law and Criminal Justice Committee

Senator French
Senator McGuire
Senator Coghill

NCSL Legislative Effectiveness Committee

Senator Huggins

NCSL Transportation Committee

Senator Menard
Senator Huggins

Statewide Broadband Task Force

Senator Paskvan

Anchorage Economic Development Corporation Board

Senator Ellis, Ex-Officio Member
Senator McGuire, Ex-Officio Member

Legislative Council

Senator Thomas, alternate

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Meyer moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., March 16, 2011. Without objection, the Senate adjourned at 11:47 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 15	Tuesday	Beltz 105 (tsbldg)	3:30 PM
+ SB 96	APPLICATION OF VILLAGE SAFE WATER ACT		
+	Bills Previously Heard/Scheduled		
Mar 17	Thursday	Beltz 105 (tsbldg)	3:30 PM
+	Bills Previously Heard/Scheduled		
Mar 22	Tuesday	Beltz 105 (tsbldg)	3:30 PM
+	Alaska Tsunami Modeling & Emergency Preparedness		
Mar 24	Thursday	Beltz 105 (tsbldg)	3:00 PM
+	Planning for Alaska's Regional Ports and Harbors		
Mar 29	Tuesday	Beltz 105 (tsbldg)	3:00 PM
+	Price of Oil's Impact to State and Municipal Governments		
Mar 31	Thursday	Beltz 105 (tsbldg)	3:30 PM
+	Confirmation Hearing: Susan Bell, Commissioner, Department of Commerce, Community and Economic Development		

EDUCATION

Mar 14 Monday Beltz 105 (tsbldg) 8:00 AM
 += SB 84 VOC ED FUNDING/BASE STUDENT ALLOCATION
 += SB 6 PREKINDERGARTEN SCHOOL PROGRAMS/PLANS
 -- Above Bill: Time Permitting --
 + Bills Previously Heard/Scheduled

Mar 16 Wednesday Beltz 105 (tsbldg) 8:00 AM
 Presentation:
 + Fetal Alcohol Spectrum Disorders in the Schools

Mar 18 Friday Barnes 124 8:00 AM
 Joint Meeting with House Education Committee
 + Presentation:
 Board of Education and Early Development

FINANCE

Mar 14 Monday Senate Finance 532 9:00 AM
 -- MEETING CANCELED --
 += SB 46 BUDGET: CAPITAL
 Agency Overviews
 + Bills Previously Heard/Scheduled

Mar 14 Monday Senate Finance 532 1:00 PM
 -- MEETING CANCELED --
 += SB 46 BUDGET: CAPITAL
 Agency Overviews
 + Bills Previously Heard/Scheduled

Mar 15 Tuesday Senate Finance 532 9:00 AM
 += SB 46 BUDGET: CAPITAL
 Dept of Transportation
 Dept of Health & Social Services
 Dept of Commerce, Community & Economic Development
 Alaska Energy Authority
 + Bills Previously Heard/Scheduled

Mar 15 Tuesday Senate Finance 532 3:00 PM
 += SB 46 BUDGET: CAPITAL
 Dept of Natural Resources
 Alaska Housing Finance Corp
 + Bills Previously Heard/Scheduled

FINANCE (continued)

Mar 16 Wednesday Senate Finance 532 9:00 AM
 += SB 46 BUDGET: CAPITAL
 Agency Overviews
 + Bills Previously Heard/Scheduled

Mar 16 Wednesday Senate Finance 532 1:00 PM
 += SB 46 BUDGET: CAPITAL
 Agency Overviews
 + Bills Previously Heard/Scheduled

Mar 17 Thursday Senate Finance 532 9:00 AM
 += SB 46 BUDGET: CAPITAL
 Agency Overviews
 + Bills Previously Heard/Scheduled

Mar 17 Thursday Senate Finance 532 5:00 PM
 -Statewide Public Testimony-
 += SB 46 BUDGET: CAPITAL
 + Bills Previously Heard/Scheduled

Mar 18 Friday Senate Finance 532 9:00 AM
 += SB 46 BUDGET: CAPITAL
 Agency Overviews
 + Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

Mar 14 Monday Butrovich 205 1:30 PM
 + HB 21 SUICIDE PREVENTION COUNCIL MEMBERS
 + SCR 1 LUPUS AWARENESS MONTH
 + SB 82 FOSTER CARE LICENSING/STATE CUSTODY
 Bills Previously Heard/Scheduled

Mar 16 Wednesday Beltz 105 (tsbldg) 1:30 PM
 -- Location Change --
 += SB 82 FOSTER CARE LICENSING/STATE CUSTODY
 + SB 15 SEX OFFENDER/UNDERAGE ALCOHOL OFFENSE
 + SB 8 STUDENT QUESTIONNAIRES AND SURVEYS
 Bills Previously Heard/Scheduled

Mar 18 Friday Beltz 105 (tsbldg) 1:30 PM
 No Meeting Scheduled

JUDICIARY

Mar 14 Monday Beltz 105 (tsbldg) 1:30 PM
 + Status of Litigation: Criminal Division,
 Department of Law
 + HB 7 SYNTHETIC CANNABINOIDS
 = SB 9 RAISE COMP. SCHOOL ATTENDANCE AGE/TRUANCY
 + Bills Previously Heard/Scheduled

Mar 16 Wednesday Butrovich 205 1:30 PM
 + -- Location Change --
 Confirmation Hearing:
 John J. Burns, Attorney General
 -- Testimony <Invitation Only> --

Mar 18 Friday Beltz 105 (tsbldg) 1:30 PM
 += SB 86 PROTECTION OF VULNERABLE ADULTS/MINORS
 += SB 30 RETURN OF SEIZED PROPERTY
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

Mar 15 Tuesday Beltz 105 (tsbldg) 2:00 PM
 -- Note: Meeting Times Have Changed --
 + SB 40 USE OF RECORDED MESSAGES
 + Bills Previously Heard/Scheduled
 += SB 81 PUBLIC RETIREE MED. BENEFITS: DEPENDENTS

Mar 17 Thursday Beltz 105 (tsbldg) 2:00 PM
 + Bills Previously Heard/Scheduled

RESOURCES

Mar 14 Monday Butrovich 205 3:30 PM
 += SB 49 PRODUCTION TAX ON OIL AND GAS
 Presentation: Oil and Gas Production Tax Status
 Report to the Legislature
 Bryan Butcher, Commissioner, Dept. of Revenue
 Bills Previously Heard/Scheduled

RESOURCES (continued)

Mar 16 Wednesday Butrovich 205 3:30 PM
 += SB 49 PRODUCTION TAX ON OIL AND GAS
 Presentation on Oil and Gas Tax Credits
 Lenny Dees, Master Auditor, Dept. of Revenue
 Bills Previously Heard/Scheduled

Mar 18 Friday Butrovich 205 3:30 PM
 += SB 49 PRODUCTION TAX ON OIL AND GAS
 Petroleum Fiscal System Design
 Florent Rousset, Gaffney Cline & Associates
 Bills Previously Heard/Scheduled

STATE AFFAIRS

Mar 15 Tuesday Butrovich 205 9:00 AM
 Senate Bill:
 + An Act Relating to Biometric Information
 <Pending Introduction & Referral>
 + SB 89 LEGISLATIVE ETHICS ACT
 Bills Previously Heard/Scheduled

Mar 17 Thursday Butrovich 205 9:00 AM
 + Confirmation Hearings:
 State Commission for Human Rights - Jerrad "Shea"
 Hutchings
 Alaska Public Offices Commission - Kenneth Kirk
 += SB 94 SECOND VERSE OF ALASKA'S STATE SONG
 Bills Previously Heard/Scheduled

TRANSPORTATION

Mar 15 Tuesday Butrovich 205 1:00 PM
 += SB 93 SPECIALTY LICENSE PLATES
 + Bills Previously Heard/Scheduled

Mar 17 Thursday Butrovich 205 1:00 PM
 No Meeting Scheduled

FINANCE SUBCOMMITTEES**ADMINISTRATION**

Mar 15 **Tuesday** **Fahrenkamp 203** **5:30 PM**
 + Closeout

COMMERCE, COMMUNITY & ECONOMIC DEV

Mar 15 **Tuesday** **Fahrenkamp 203** **3:00 PM**
 -- Location Change --
 Closeout

CORRECTIONS

Mar 17 **Thursday** **Butrovich 205** **1:00 PM**
 + -- Time Change from 5:30 pm & Location Change --
 Closeout

COURT SYSTEM

Mar 15 **Tuesday** **Sen Conf Rm 103 Tsb** **3:00 PM**
 + Closeout

EDUCATION & EARLY DEVELOPMENT

Mar 15 **Tuesday** **Butrovich 205** **5:15 PM**
 + Closeout

ENVIRONMENTAL CONSERVATION

Mar 14 **Monday** **Butrovich 205** **12:00 PM**
 + -- MEETING CANCELED --
 Department Overview and FY 12 Budget Request

Mar 17 **Thursday** **Beltz 105 (tsbldg)** **11:00 AM**
 + Closeout

FISH & GAME

Mar 17 **Thursday** **Beltz 105 (tsbldg)** **8:00 AM**
 + Budget Close Out
 -- Testimony <Invitation Only> --

GOVERNOR

Mar 16 **Wednesday** **Senate Finance 532** **3:00 PM**
 Closeout

HEALTH & SOCIAL SERVICES

Mar 16 **Wednesday** **Beltz 105 (tsbldg)** **3:30 PM**
 + Budget Close Out
 -- Testimony <Invitation Only> --

LABOR & WORKFORCE DEVELOPMENT

Mar 14 **Monday** **Beltz 105 (tsbldg)** **4:00 PM**
 -- Location Change --
 Budget Closeout

LAW

Mar 15 **Tuesday** **Fahrenkamp 203** **1:30 PM**
 Subcommittee Closeout

LEGISLATURE

Mar 16 **Wednesday** **Senate Finance 532** **3:10 PM**
 Closeout

MILITARY & VETERANS' AFFAIRS

Mar 15 **Tuesday** **Butrovich 205** **12:00 PM**
 Closeout

NATURAL RESOURCES

Mar 17 **Thursday** **Fahrenkamp 203** **12:00 PM**
 Budget Closeout

PUBLIC SAFETY

Mar 15 **Tuesday** **Beltz 105 (tsbldg)** **8:00 AM**
 + Budget Close-Out
 -- Testimony <Invitation Only> --

REVENUE

Mar 17 **Thursday** **Fahrenkamp 203** **1:30 PM**
 Subcommittee Closeout

TRANSPORTATION & PUBLIC FACILITIES

Mar 15 **Tuesday** **Fahrenkamp 203** **8:00 AM**
 -- Meeting Postponed to March 18 --
 Subcommittee Closeout

Mar 18 **Friday** **Fahrenkamp 203** **8:00 AM**
 -- Meeting Postponed from March 15 --
 Subcommittee Closeout

UNIVERSITY OF ALASKA

Mar 17 **Thursday** **Senate Finance 532** **8:30 AM**
 Closeout

JOINT COMMITTEES**ALASKA NORTHERN WATERS TASK FORCE**

Mar 14 **Monday** **Capitol 106** **12:00 PM**
 + Organizational

LEGISLATIVE BUDGET & AUDIT

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

LEGISLATIVE COUNCIL

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**

Mar 15 **Tuesday** **Capitol 106** **12:00 PM**
 + Unveiling of the Financial Report for the
 Community Development Quota Program (CDQ)
 Larry Cotter President of WACDA

JOINT IN-STATE GAS CAUCUS

Mar 15 **Tuesday** **Beltz 105 (tsbldg)** **5:00 PM**
 Update on the In-State Gasline Project by
 Dan Fauske, Alaska Gasline Development Corp

JOINT LEGISLATIVE HEALTH CAUCUS

Mar 24 **Thursday** **Beltz 105 (tsbldg)** **12:00 PM**
+ Highways to Health
 Transportation from Alaska

JOINT SESSION

Mar 22 **Tuesday** **House Chamber** **11:00 AM**
 Annual Address by the Honorable
 Mark Begich, U.S. Senator