

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SIXTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Wednesday

February 3, 2010

Sixteenth Day

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

The roll showed eighteen members present. Senators Stedman, Thomas were absent.

The prayer was offered by the Chaplain, Pastor Patrick Brayton of Valley Chapel. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Heavenly Father, you alone know what tomorrow will be. You alone hold our future in your hand, so I call on you Lord, to grant these who serve us here in the Senate the blessing of your supernatural wisdom and insight. Give them collectively, the ability to look ahead as they make the decisions that will affect our future and choose for us that which is right. May they have always, the best interests of their constituents at heart and may your grace abound to us through them.

Father, I pray for your great blessing to come also to their personal lives. May they and their families be kept in health and prosperity. May they experience the gratitude and honor of the people they represent while, at the same time, retaining the humility that allows them to serve with joy. Be with them, Lord. Watch over them every single day, to guide their thoughts and steer their feet into those paths that will bring them and us to the greatest possible blessing. In Jesus' name I pray. Amen.

Senator Bunde led the Senate in the Pledge of Allegiance.

Certification

Senator Ellis moved and asked unanimous consent that the journals for the fourteenth and fifteenth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

The presence of Senators Thomas, Stedman was noted.

Messages from the Governor

Letter dated and received February 1 was read, stating in accordance with AS 39.05.080 and Art. III, Sec. 25 of the Alaska Constitution, I submit the following names for legislative confirmation of appointment to the positions noted:

State of Alaska Attorney General

Daniel S. Sullivan

Appointed: 6/16/2009

The appointment was referred to the Judiciary Committee.

Commissioner - Department of Military and Veterans Affairs

Adjutant General Thomas Katkus

Appointed: 11/9/2009

The appointment was referred to the State Affairs Committee.

The resumes for these appointments have been submitted to the Offices of the Senate Secretary and the Chief Clerk.

Letter dated and received February 2 was read, stating in accordance with Art. III, Secs. 25 and 26 of the Alaska Constitution and AS 18.85.030 and 39.05.080, I submit the following names for legislative confirmation of appointment to the positions noted:

Alcoholic Beverage Control Board

Belen M. Cook – Cordova

Appointed: 12/29/2008

Reappointed: 3/1/2010 Term Expires: 3/1/2013

State Board of Registration for Architects, Engineers, and Land Surveyors

Brian R. Hanson – Anchorage

Appointed: 3/1/2010 Term Expires: 3/1/2014

Burdett B. Lent – Wasilla

Appointed: 12/15/2005 Reappointed: 7/10/2009

Reappointed: 3/1/2010 Term Expires: 6/30/2013

Donald W. Shiesl – Wasilla

Appointed: 10/16/2008

Reappointed: 3/1/2010 Term Expires: 3/1/2014

State Assessment Review Board

Roger W. Nash – Fairbanks

Appointed: 3/1/2010

Board of Barbers and Hairdressers

Glenda Ledford – Wasilla

Appointed: 3/1/2010 Term Expires: 3/1/2014

Jynal C. Radziukinas – Sitka

Appointed: 3/1/2010 Term Expires: 3/1/2014

Board of Chiropractic Examiners

Verdie A. Bowen, Sr. – Wasilla

Appointed: 3/1/2010 Term Expires: 3/1/2014

Dr. Walter L. Campbell – Palmer

Appointed: 3/1/2010 Term Expires: 3/1/2014

Alaska Labor Relations Agency

Gary P. Bader – Anchorage

Appointed: 3/24/2004 Reappointed: 6/17/2008

Reappointed: 3/1/2010 Term Expires: 3/1/2013

Daniel Repasky – Anchorage

Appointed: 3/1/2010 Term Expires: 3/1/2013

Board of Marine Pilots

Richard A. Erickson – Ketchikan

Appointed: 3/1/2010 Term Expires: 3/1/2014

Personnel Board

Keith J. Hamilton – Soldotna

Appointed: 3/1/2010 Term Expires: 3/1/2016

Board of Certified Real Estate Appraisers

Clint H.A. Lentfer – Anchorage

Appointed: 3/1/2010 Term Expires: 3/1/2014

Donna H. Rulien – Anchorage

Appointed: 3/1/2010 Term Expires: 3/1/2014

Real Estate Commission

Marianne K. Burke – Anchorage

Appointed: 3/1/2010 Term Expires: 3/1/2011

Regulatory Commission of Alaska (RCA)

T.W. Patch – Anchorage

Appointed: 3/1/2010 Term Expires: 3/1/2016

Board of Veterinary Examiners

Dr. Teresa L. Beck – Palmer

Appointed: 3/1/2010 Term Expires: 3/1/2014

Dr. John E. Tuomi – Palmer

Appointed: 7/24/2009

Reappointed: 3/1/2010 Term Expires: 3/1/2012

Alaska Workers' Compensation Board

Jeffrey R. Bizzarro – Two Rivers

Appointed: 3/1/2010 Term Expires: 3/1/2011

James P. Fassler – Soldotna

Appointed: 7/10/2009

Reappointed: 3/1/2010 Term Expires: 3/1/2012

John D. Garrett – Anchorage

Appointed: 3/1/2010 Term Expires: 3/1/2013

Don E. Gray – Anchorage

Appointed: 12/26/2007

Reappointed: 3/1/2010 Term Expires: 3/1/2013

Sarah L. Lefebvre – Fairbanks

Appointed: 3/1/2009

Reappointed: 3/1/2010 Term Expires: 3/1/2013

Michael J. Notar – Juneau

Appointed: 12/26/2007

Reappointed: 3/1/2010 Term Expires: 3/1/2013

Thomas J. Tibor – Anchorage

Appointed: 7/10/2009

Reappointed: 3/1/2010 Term Expires: 3/1/2013

Janet L. Waldron – Anchorage

Appointed: 9/8/2006 Reappointed: 3/1/2007

Reappointed: 3/1/2010 Term Expires: 3/1/2013

Workers' Compensation Appeals Commission

Laurence Keyes – Anchorage

Appointed: 3/1/2010 Term Expires: 3/1/2015

The appointments were referred to the Labor and Commerce Committee.

Board of Governors of the Alaska Bar Association

Donald McLean – Wasilla

Appointed: 3/1/2007

Reappointed: 3/1/2010 Term Expires: 3/1/2013

Board of Parole

Richard O. Larson – Palmer

Appointed: 3/1/2010 Term Expires: 3/1/2015

Public Defender

Quinlan Steiner – Anchorage

Appointed: 10/14/2005

Reappointed: 10/9/2009 Term Expires: 10/14/2013

Alaska Public Offices Commission

Elizabeth Johnston Hickerson – Anchorage

Appointed: 9/8/2006

Reappointed: 3/1/2010 Term Expires: 3/1/2015

Kathleen J. King – Anchorage

Appointed: 5/27/2009

Reappointed: 3/1/2010 Term Expires: 3/1/2014

Violent Crimes Compensation Board

Nora G. Barlow – Anchorage

Appointed: 3/1/2010 Term Expires: 3/1/2011

Gerard G. Godfrey – Eagle River

Appointed: 2/19/2003

Reappointed: 4/6/2004 Reappointed: 3/1/2007

Reappointed: 3/1/2010 Term Expires: 3/1/2013

The appointments were referred to the Judiciary Committee.

Big Game Commercial Services Board

Robert D. Mumford – Anchorage

Appointed: 3/3/2006

Reappointed: 3/1/2010 Term Expires: 3/1/2014

Alaska Commercial Fisheries Entry Commission (CFEC)

Bruce C. Twomley – Juneau

Appointed: 8/2/2005 Reappointed: 3/1/2006

Reappointed: 3/1/2010 Term Expires: 3/1/2014

Board of Game

Allen F. Barrette – Fairbanks

Appointed: 3/1/2010 Term Expires: 3/1/2013

Ben Grussendorf – Sitka

Appointed: 1/31/2001 Reappointed: 3/1/2007

Reappointed: 3/1/2010 Term Expires: 3/1/2013

The appointments were referred to the Resources Committee.

Board of Dental Examiners

Dr. Thomas J. Wells – Anchorage

Appointed: 3/1/2010 Term Expires: 3/1/2014

Board of Marital and Family Therapy

Kenneth E. McCarty – Kodiak

Appointed: 3/1/2010 Term Expires: 3/1/2013

Alaska Mental Health Trust Authority Board of Trustees

Laraine L. Derr – Juneau

Appointed: 10/19/2005

Reappointed: 3/1/2010 Term Expires: 3/1/2015

Mary Jane Michael – Anchorage

Appointed: 3/1/2009

Reappointed: 3/1/2010 Term Expires: 3/1/2015

Carlton R. Smith – Juneau

Appointed: 3/1/2010 Term Expires: 3/1/2014

Board of Certified Direct-Entry Midwives

Jennifer Grimwood – Cordova

Appointed: 3/1/2010 Term Expires: 3/1/2014

Board of Nursing

Nancy Bienvenue – Fairbanks

Appointed: 3/1/2010 Term Expires: 3/1/2014

Kevin B. Dougherty – Eagle River

Appointed: 3/1/2010 Term Expires: 3/1/2014

Board of Examiners in Optometry

JoAnne Bell-Graves – Juneau

Appointed: 3/1/2010 Term Expires: 3/1/2014

James C. Graves – Fairbanks

Appointed: 4/3/2006

Reappointed: 3/1/2010 Term Expires: 3/1/2014

Board of Pharmacy

Anne F. Gruening – Juneau

Appointed: 3/1/2010 Term Expires: 3/1/2014

Richard C. Holm – North Pole

Appointed: 3/31/2006

Reappointed: 3/1/2010 Term Expires: 3/1/2014

State Physical Therapy and Occupational Therapy Board

Darin M. Bell – Seward

Appointed: 6/22/2009

Reappointed: 3/1/2010 Term Expires: 3/1/2012

Judy Bogard – Fairbanks

Appointed: 3/1/2010 Term Expires: 3/1/2014

Mary M. Robinson – Moose Pass

Appointed: 3/1/2010 Term Expires: 3/1/2014

Board of Professional Counselors

Jennifer Burkholder – Anchorage

Appointed: 4/4/2006

Reappointed: 3/1/2010 Term Expires: 3/1/2014

Emily A. Zimbrich – Haines

Appointed: 4/4/2006

Reappointed: 3/1/2010 Term Expires: 3/1/2014

Board of Psychologist and Psychological Associate Examiners

Dr. Iva Greywolf – Sitka

Appointed: 3/1/2010 Term Expires: 3/1/2014

Board of Social Work Examiners

Jason D. Floyd – Valdez

Appointed: 4/4/2006

Reappointed: 3/1/2010 Term Expires: 3/1/2014

Barbara I. Paddock – Juneau

Appointed: 12/24/2009 Term Expires: 3/1/2011

Laura Thiesen – Glennallen

Appointed: 3/1/2010 Term Expires: 3/1/2014

The appointments were referred to the Health and Social Services Committee.

Board of Education and Early Development

Esther J. Cox – Anchorage

Appointed: 2/13/2003 Reappointed: 3/31/2005

Reappointed: 3/1/2010 Term Expires: 3/1/2015

James (Jim) E. Merriner – Anchorage

Appointed: 3/1/2010 Term Expires: 3/1/2015

Professional Teaching Practices Commission

Eric V. Fry – Juneau

Appointed: 3/1/2010 Term Expires: 3/1/2013

Jeffrey A. Hebard – Fairbanks

Appointed: 5/1/2006 Reappointed: 3/1/2007

Reappointed: 3/1/2010 Term Expires: 3/1/2013

Michael D. Husa – Bethel

Appointed: 2/13/2007

Reappointed: 3/1/2010 Term Expires: 3/1/2013

The appointments were referred to the Education Committee.

State Commission for Human Rights

Lester C. Lunceford – Anchorage

Appointed: 2/19/2003 Reappointed: 3/18/2005

Reappointed: 3/1/2010 Term Expires: 3/1/2015

The appointment was referred to the State Affairs Committee.

The resumes for these appointments have been submitted to the Offices of the Senate Secretary and the Chief Clerk.

Messages from the House

Message dated February 1 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills**HB 307**

HOUSE BILL NO. 307 BY REPRESENTATIVES HOLMES, Fairclough, Millett, Munoz, P.Wilson, Dahlstrom, T.Wilson, Cissna, Gardner, Herron, Buch, Kerttula, Gatto, Lynn, Gruenberg, Ramras, Doogan, Tuck, Guttenberg, entitled:

"An Act relating to sexual assault protective orders."

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

Communications

Disclosure letters received in accordance with AS 24.60 will be published in Senate Journal Supplement No. 4 and House and Senate Joint Journal Supplement No. 11.

The following reports are on file in the Office of the Secretary of the Senate:

Annual Report on the Alaska Drinking Water and Clean Water Loan Funds
from Lynn J. Tomich Kent, Director, Division of Water, Department of Environmental Conservation
in accordance with AS 37.05.035

Sixth Annual Report to the Governor and the Alaska Legislature from the Office of Administrative Hearings
from Terry L. Thurbon, Chief Administrative Law Judge, Office of Administrative Hearings, Department of Administration
in accordance with AS 44.64.020(a)(7)

Notice of Availability of 2009 Report on Executive Branch Compensation and Travel Expenses
from Annette Kreitzer, Commissioner, Department of Administration
in accordance with AS 37.05.210
available at:
http://fin.admin.state.ak.us/dof/financial_reports/ctep_toc.jsp

Alaska Legislature 2009 Salary and Business Expense Report
from the Legislative Affairs Agency
in accordance with AS 24.10.120(b)

2009 Annual Report of the Citizens' Advisory Commission on Federal Areas
from Stan Leaphart, Executive Director
in accordance with AS 41.37.220(f)

Fiscal Year 2010 Operating Grants, State of Alaska Department of Health & Social Services
from William H. Hogan, Commissioner

Standing Committee Reports

SB 92

The State Affairs Committee considered SENATE BILL NO. 92 "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 do pass: Senator Menard, Chair; Senators French, Kookesh. Signing no recommendation: Senators Meyer, Paskvan.

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 109

The Education Committee considered SENATE BILL NO. 109 "An Act repealing the secondary student competency examination and related requirements; and providing for an effective date." Signing do pass: Senators Thomas, Meyer, Cochairs; Senator Davis. Signing no recommendation: Senator Olson.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Education and Early Development

The bill was referred to the Community and Regional Affairs Committee.

SB 238

The Health and Social Services Committee considered SENATE BILL NO. 238 "An Act amending the eligibility threshold for medical assistance for persons in a medical or intermediate care facility." Signing do pass: Senator Davis, Chair; Senators Ellis, Thomas, Dyson, Paskvan.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Health and Social Services

The bill was referred to the Finance Committee.

HB 98

The Judiciary Committee considered CS FOR HOUSE BILL NO. 98(FIN) am "An Act relating to minor consuming and repeat minor consuming; relating to penalties for violations of limitations on

possessing, sending, shipping, transporting, or bringing alcoholic beverages to, soliciting or receiving orders for delivery of alcoholic beverages to, and the manufacture, sale, offer for sale, barter, traffic, or possession of alcoholic beverages in, a local option area; and providing for an effective date." Signing do pass: Senator French, Chair; Senators Coghill, Egan.

The following fiscal information was published today:

Fiscal Note No. 5, zero, Department of Law

Fiscal Note No. 6, zero, Department of Public Safety

Fiscal information forthcoming.

The bill was referred to the Finance Committee.

SJR 21

The State Affairs Committee considered SENATE JOINT RESOLUTION NO. 21 Proposing amendments to the Constitution of the State of Alaska relating to and increasing the number of members of the house of representatives to forty-eight and the number of members of the senate to twenty-four. Signing do pass: Senator Menard, Chair; Senators French, Meyer, Paskvan, Kookesh.

The following fiscal information was published today:

Fiscal Note No. 1, Legislative Agency

Fiscal Note No. 2, Office of the Governor

The resolution was referred to the Judiciary Committee.

Introduction and Reference of Senate Bills

SB 252

SENATE BILL NO. 252 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to the crime of failure to appear; relating to arrest for violating certain conditions of release; relating to release before trial, before sentence, and pending appeal; relating to material

witnesses; relating to temporary release; relating to release on a petition to revoke probation; relating to the first appearance before a judicial officer after arrest; relating to service of process for domestic violence protective orders; making conforming amendments; amending Rules 5 and 41, Alaska Rules of Criminal Procedure, and Rules 206 and 603, Alaska Rules of Appellate Procedure; and providing for an effective date."

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

The following fiscal information was published today:

- Fiscal Note No. 1, zero, Department of Law
- Fiscal Note No. 2, zero, Department of Administration
- Fiscal Note No. 3, zero, Department of Administration
- Fiscal Note No. 4, zero, Department of Corrections

Governor's transmittal letter dated February 1:

Dear President Stevens:

Under the authority of Art. III, Sec. 18, of the Alaska Constitution, I am transmitting a bill that revises State bail statutes and provides better direction to judicial officers in making decisions about the release of a person charged with a crime.

A judicial officer's decision to release or detain a person who has been charged with a crime is critical to the justice system and the safety of the community. The guidance currently provided in the State's bail statutes was in effect before statehood, and is in many respects outdated. The bill includes a general revision of the procedures and standards in AS 12.30.

Although the bill retains many of the general guidelines in current law for release of persons charged with crimes, there are important differences that would greatly improve the safety of Alaskans. For example, in cases where a person is charged with a serious crime such as sexual assault, the bill would adopt a rebuttable presumption that no release condition or combination of release conditions would assure

the appearance of the defendant or the safety of others. This would result in a more serious inquiry into the release conditions that would reasonably assure that the person charged would appear in court and would not pose a danger to the victim or the public.

The bill would impose standards on persons who may serve as a third-party custodian for a defendant. Appointment of a third-party custodian is useful in certain cases, but only if the custodian takes their duties seriously. The bill requires a person to appear in court and acknowledge the responsibilities of a custodian, and be notified that failure to undertake these responsibilities can result in the custodian being charged with a crime or being held in contempt. It also prohibits a person from serving as a custodian if the person is a witness in the defendant's case, has recent criminal convictions, or is on probation.

Under current law, a person found guilty of an unclassified or class A felony may not be released before sentencing or during an appeal. The bill extends this prohibition to include persons convicted of a sexual felony, or of a class B or C felony if the person has a previous felony conviction within the past 10 years. There are several reasons for these changes. First, a person convicted of a sexual felony is subject to a potential maximum term of imprisonment of 99 years, and for that reason poses a higher flight risk. Second, the high recidivism rate for sex offenders raises the danger to the public if the person is released. Further, the provision addressing persons convicted of a class B or C felony with a prior conviction responds to a decision by the Alaska Court of Appeals, *Bourdon v. State*, 28 P.3d 319 (Alaska App. 2001). *Bourdon* found the current law on release of persons with prior convictions to violate the equal protection clause of the Alaska Constitution. The bill corrects the concerns noted by the court in *Bourdon*.

The bill also would clarify how to deal with material witnesses that are unlikely to appear for trial even if served with a subpoena. Under current law a material witness may be arrested. Currently, there are no standards allowing for release from confinement. This bill would allow the witness to be released after providing deposition.

Current law requires a person who is arrested for a crime to be brought before a judicial officer within 24 hours of arrest. Many states and the federal law require the first appearance within 48 hours, and this

deadline is proposed in the bill. There are good reasons for the change. Forty-eight hours would allow the prosecutor adequate time to see the police report, make informed charging decisions, and to make more rational bail arguments to the judicial officer. It would also allow time to contact a victim for input about whether the defendant would present a danger if released without particular conditions. A victim has a right to be heard at a bail hearing; 48 hours gives the prosecution time to make this right meaningful.

The bill addresses the safety of a victim of domestic violence by adopting tough standards for when a domestic violence offender may return to the victim's residence. The current statute forbids an offender from returning to the victim's residence. However, this prohibition was overturned by the court in *Williams v. State*, 151 P.3d 460 (Alaska App. 2006). The court found that the absolute prohibition violated the constitutional guarantee of equal protection of the law. In response to *Williams*, the bill adopts standards for the court to apply in deciding whether it is safe and appropriate to allow the person to return to the home of the victim. These standards emphasize the safety of the victim.

Passage of this bill would protect all Alaskans, and particularly many of our most vulnerable friends and neighbors. I urge your prompt and favorable consideration of this bill.

Sincerely,

/s/

Sean Parnell
Governor

SB 253

SENATE BILL NO. 253 BY THE SENATE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR, entitled:

"An Act making capital appropriations for deferred maintenance projects, equipment replacement, and emergency repairs; and providing for an effective date."

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

Governor's transmittal letter dated February 1:

Dear President Stevens,

Under the authority of Art. III, Sec. 18, of the Alaska constitution, I am transmitting a bill relating to supplemental appropriations for deferred maintenance for Fiscal Year 2010.

I am committed to creating construction jobs across the state by addressing the backlog of deferred maintenance projects for State-owned facilities. In November 2009, I announced my proposal to include \$100 million for deferred maintenance projects in the capital budget each year for the next five years. Deferred maintenance funding is necessary to preserve the State's significant investment in infrastructure and will provide Alaskan contractors and laborers with jobs they can depend on, each and every year.

This request will accelerate the availability of these funds for the upcoming construction season. I ask that you approve these funds by March 1, 2010 so that State agencies can start the process to secure contractors to do the work now, rather than waiting until the beginning of the next fiscal year on July 1, 2010. Given the loss of jobs in Alaska's construction sector in 2009, it is important to put Alaskans to work on these projects as soon as possible. The legislation has an immediate effective date.

The State and the University of Alaska have over 2,300 buildings statewide and a \$1.9 billion backlog of deferred maintenance projects. The deferred maintenance budget will fund repair and renovation projects throughout Alaska such as electrical and heating upgrades, replacing leaking roofs and adding insulation, replacing windows and siding for improved heat loss control, and replacing elevators, plumbing, fire alarm, and electrical systems. The deferred maintenance plan also applies to all modes of transportation – highway, aviation, and the marine highway – including road surface repairs, guardrails, culverts, bridges, harbors, terminals, and vessels.

Thank you for your consideration of this legislation.

Sincerely,

/s/

Sean Parnell
Governor

SB 254

SENATE BILL NO. 254 BY THE SENATE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR, entitled:

"An Act making supplemental appropriations, capital appropriations, and other appropriations; amending appropriations; repealing appropriations; making appropriations to capitalize funds; and providing for an effective date."

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

Governor's transmittal letter dated February 1:

Dear President Stevens,

Under the authority of Art. III, Sec. 18, of the Alaska Constitution, I am transmitting a bill relating to supplemental appropriations for the State's operating and capital budgets for Fiscal Year 2010 (FY2010).

My guiding principles for the budget include maintaining budget discipline by limiting State agency growth, focusing on results for Alaskans, and promoting economic opportunities for our families. Supplemental appropriations are intended to respond to unanticipated increases in the current year budget, and provide the opportunity to put more money into savings for future needs.

With the upward trend of oil prices, I asked the Department of Revenue to prepare an interim forecast to update the projection from December 2009. The interim forecast projects a FY2010 surplus of over \$2.2 billion, rather than the original forecasted surplus of \$1.5 billion.

Given the projected surplus for FY2010, the supplemental bill I am submitting today includes a deposit of \$1,116,986,600 into the Public Education Fund for the purpose of funding K-12 education and pupil transportation in the next fiscal year. Putting this money into savings for the next fiscal year and continuing to forward fund a significant component of our annual general fund budget when surplus revenue is available, will keep our reserve accounts healthy and available for those times when the revenue declines.

I am also requesting an appropriation necessary to repay the Constitutional Budget Reserve (CBR), estimated at \$402 million. This request is consistent with the Legislature's and my administration's goals to fully repay the CBR, build up reserves, and forward fund when appropriate. Combined with the Public Education Fund deposit, the supplemental bill sets aside over \$1.5 billion into savings. Consistent with achieving the objective of fully repaying the CBR, I have proposed repealing section 43(c) of Ch. 15, SLA 2009, which, if left intact, would result in unnecessary general fund borrowing from the CBR.

The supplemental request also covers unanticipated increased costs in fire suppression activities and replenishes the disaster relief fund, given the draws on that fund during this fiscal year in response to flooding and other emergencies. State funds of approximately \$45 million and federal funds of \$45 million are requested for formula program costs, particularly in the area of Medicaid, given the increases in enrollments, utilization, and cost of Medicaid services in the current year. Additionally, \$58.3 million are requested for emergency repairs, mitigation, and unanticipated increases. Finally, unanticipated State agency costs due to caseload and other factors are included at \$32 million.

Thank you for your consideration of this bill.

Sincerely,

/s/

Sean Parnell

Governor

SB 255

SENATE BILL NO. 255 BY SENATOR OLSON, entitled:

"An Act relating to sharing records regarding fish purchased by fish processors with certain federal agencies, to requirements to obtain and maintain a fisheries business license, and to payment of industry fees required of fish processors; and providing for an effective date."

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

Consideration of the Calendar**Citations**

Honoring - Lenora Conkle

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

Honoring - Beth Nordlund

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

In Memoriam - Edna Fay Carter

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

In Memoriam - Elmer Eugene "Gene" Seay

Senator(s) Coghill, Stevens, Bunde, Davis, Dyson, Egan, Ellis, French, 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

SB 104

Senator Egan moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 104 "An Act amending the boundaries of the Stan Price State Wildlife Sanctuary and relating to bear viewing in the sanctuary." Without objection, it was so ordered.

HB 307

Senators Davis, McGuire, Wielechowski, Meyer, Egan, Dyson, Kookesh, Thomas, Wagoner, French, Menard, Stedman, Ellis, Stevens, Paskvan moved and asked unanimous consent to be shown as cross sponsors on HOUSE BILL NO. 307 "An Act relating to sexual assault protective orders." Without objection, it was so ordered.

Senators Ellis, Wielechowski moved and asked unanimous consent to be excused from a call of the Senate on February 8, to morning plane time. Without objection, Senators Ellis, Wielechowski were excused.

Senator Hoffman moved and asked unanimous consent to be excused from a call of the Senate on February 5 and February 12. Without objection, Senator Hoffman was excused.

Announcements

Announcements are at the end of the journal.

Enrollment

SB 59

HOUSE CS FOR CS FOR SENATE BILL NO. 59(TRA) "An Act relating to the operation of low-speed vehicles" was enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 3:40 p.m., February 2, 2010.

Adjournment

Senator Ellis moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 5, 2010. Without objection, the Senate adjourned at 11:40 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 04 Thursday Beltz 105 (tsbldg) 3:30 PM
 += SB 43 SECOND VERSE OF ALASKA'S STATE SONG
 <Bill Hearing Canceled>
 += SB 212 MUNICIPAL ENERGY IMPROVEMENTS PROGRAM
 + SB 120 MUNICIPAL PROPERTY TAX EXEMPTION
 + SB 232 MUNICIPAL RESIDENTIAL PROPERTY TAXES

EDUCATION

Feb 03 Wednesday Barnes 124 8:00 AM
 -- Location Change --
 Joint w/(H) Education
 + Overview: Governor's Performance Scholarship
 + SB 224 POSTSECONDARY SCHOLARSHIPS
 Bills Previously Heard/Scheduled

Feb 05 Friday Beltz 105 (tsbldg) 8:00 AM
 + SB 236 TAX CREDITS FOR EDUCATIONAL CONTRIBUTIONS
 Bills Previously Heard/Scheduled

FINANCE

Feb 03 Wednesday Senate Finance 532 9:00 AM
 + Presentations:
 Patrick Gamble, CEO, Alaska Railroad Corp
 Christine Klein, Deputy Commissioner of Aviation
 John Parott, Airport Manager, Ted Stevens
 Anchorage International Airport

Feb 04 Thursday Senate Finance 532 9:00 AM
 No Meeting Scheduled

Feb 05 Friday Senate Finance 532 9:00 AM
 + Overview of State Bonding and Debt
 Instruments

HEALTH & SOCIAL SERVICES

Feb 03 Wednesday Butrovich 205 1:30 PM
 Joint w/ (H) H&SS
 Presentations: United Way - 211 Project
 Presentation; Alaska Health Care Commission Report
 += SB 172 ALASKA HEALTH CARE COMMISSION

Feb 05 Friday Butrovich 205 1:30 PM
 No Meeting Scheduled

JUDICIARY

Feb 03 Wednesday Beltz 105 (tsbldg) 1:30 PM
 + Overview: U.S. Supreme Court Decision:
 Citizens United v. Federal Election Commission
 Tom Dosik and John Ptacin, Alaska Department of Law
 Kathryn Kurtz and Alpheus Bullard,
 Legislative Legal Services
 -- Testimony <Invitation Only> --
 + Bills Previously Heard/Scheduled

JUDICIARY (continued)

Feb 05 Friday Beltz 105 (tsbldg) 1:30 PM
 No Meeting Scheduled

LABOR & COMMERCE

Feb 04 Thursday Beltz 105 (tsbldg) 2:00 PM
 + Overview of Economic Development in the
 State of Alaska
 -- Testimony <Invitation Only> --

RESOURCES

Feb 03 Wednesday Butrovich 205 3:30 PM
 += SB 220 ENERGY EFFICIENCY/ ALTERNATIVE ENERGY
 <Bill Hearing Postponed>
 + SB 104 STAN PRICE STATE WILDLIFE SANCTUARY
 + SB 195 MAKE GOLDSTREAM PUBLIC USE AREA PERMANENT
 + HB 20 FISHERIES LOANS:ENERGY EFFICIENCY/AMOUNT

Feb 04 Thursday Butrovich 205 3:30 PM
 + Update by the Administration - ACES and
 Its Effect on Oil and Gas Investment

STATE AFFAIRS

Feb 04 Thursday Beltz 105 (tsbldg) 9:00 AM
 + SB 216 GRANTS TO DISASTER VICTIMS
 + SB 217 GUARANTEED REVENUE BONDS FOR VETERANS
 + SB 63 TRANSFER RESTRICTIONS ON TRUSTS

TRANSPORTATION

Feb 04 Thursday Butrovich 205 1:00 PM
 + HB 114 USE STATE TRANS FACILITY FOR DISASTER AID
 + Bills Previously Heard/Scheduled

FINANCE SUBCOMMITTEES

ADMINISTRATION

Feb 03	Wednesday Division of General Services Division of Motor Vehicles Public Communications Services Public Defender Agency	Beltz 105 (tsbldg)	3:30 PM
Feb 10	Wednesday Division of Finance Division of Personnel & Labor Relations Office of Public Advocacy Violent Crimes Compensation Board	Beltz 105 (tsbldg)	3:30 PM
Feb 17	Wednesday Oil & Gas Conservation Commission Public Offices Commission	Beltz 105 (tsbldg)	3:30 PM
Feb 24	Wednesday Enterprise Technology Services	Beltz 105 (tsbldg)	3:30 PM

COMMERCE, COMMUNITY & ECONOMIC DEV

Feb 09	Tuesday Division Overviews with Directors	Fahrenkamp 203	11:00 AM
Feb 11	Thursday DCCED Overview Continued - Other Items of Interest or Concerns (if necessary)	Fahrenkamp 203	11:00 AM

CORRECTIONS

Feb 18	Thursday FY2011 Budget Overview	Fahrenkamp 203	5:00 PM
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COURT SYSTEM

Feb 18 +	Thursday Overview	Sen Conf Rm 103 (TSB)	3:30 PM
Feb 25 +	Thursday FY11 Budget Request	Sen Conf Rm 103 (TSB)	4:00 PM
Mar 02 +	Tuesday FY11 Budget Request	Sen Conf Rm 103 (TSB)	4:00 PM
Mar 11 +	Thursday FY11 Budget Request	Sen Conf Rm 103 (TSB)	4:00 PM
Mar 18 +	Thursday Closeout	Sen Conf Rm 103 (TSB)	4:00 PM

EDUCATION & EARLY DEVELOPMENT

Feb 11 +	Thursday Overview	Sen Conf Rm 103 (TSB)	5:00 PM
Feb 18 +	Thursday FY11 Budget Request	Sen Conf Rm 103 (TSB)	5:00 PM
Feb 26 +	Friday FY11 Budget Request	Sen Conf Rm 103 (TSB)	3:00 PM
Mar 10 +	Wednesday FY11 Budget Request	Sen Conf Rm 103 (TSB)	12:00 PM
Mar 17 +	Wednesday Closeout	Sen Conf Rm 103 (TSB)	12:00 PM

ENVIRONMENTAL CONSERVATION

Feb 16	Tuesday FY2011 Budget Overview	Fahrenkamp 203	3:30 PM
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HEALTH & SOCIAL SERVICES

Feb 04 Thursday Butrovich 205 8:00 AM
 + Department Budget Overview Continuation
 -- Testimony <Invitation Only> --

Feb 09 Tuesday Butrovich 205 8:00 AM
 -- Agenda Change --
 + Public Assistance (PA) Programs: LEAN
 Approach, Adult PA Senior Benefit
 Payments, Child Care Assistance, and
 Heating Assistance
 -- Testimony <Invitation Only> --

Feb 11 Thursday Butrovich 205 8:00 AM
 + Medicaid, FMAP, Provider Rates, Denali
 KidCare Update
 -- Testimony <Invitation Only> --

Feb 16 Tuesday Butrovich 205 8:00 AM
 -- Agenda Change --
 + Mental Health Trust Programs
 -- Testimony <Invitation Only> --

MILITARY & VETERANS' AFFAIRS

Feb 05 Friday Fahrenkamp 203 12:00 PM
 + Departmental Overview
 -- Testimony <Invitation Only> --

Feb 16 Tuesday Butrovich 205 9:30 AM
 + Committee Discussion and Draft Closeout
 -- Testimony <Invitation Only> --

NATURAL RESOURCES

Feb 04 Thursday Fahrenkamp 203 10:00 AM
 -- MEETING CANCELED --
 + Department Overview
 -- Testimony <Invitation Only> --

NATURAL RESOURCES (continued)

Feb 09 +	Tuesday Division of Oil and Gas -- Testimony <Invitation Only> --	Fahrenkamp 203	1:00 PM
Feb 11 +	Thursday Gas Pipeline Implementation -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	11:00 AM
Feb 16 +	Tuesday Division of Mining, Land, and Water Division of Geological and Geophysical Surveys -- Testimony <Invitation Only> --	Fahrenkamp 203	1:00 PM
Feb 23 +	Tuesday Division of Agriculture Office of Project Management & Permitting Support Services Division State Parks -- Testimony <Invitation Only> --	Fahrenkamp 203	2:00 PM
Mar 09	Tuesday Discussion -- Testimony <Invitation Only> --	Fahrenkamp 203	1:00 PM
Mar 16 +	Tuesday CLOSE OUT -- Testimony <Invitation Only> --	Fahrenkamp 203	3:00 PM

PUBLIC SAFETY

Feb 04 +	Thursday Department Budget Overview -- Testimony <Invitation Only> --	Fahrenkamp 203	1:30 PM
Feb 11 +	Thursday Status of VPSO Program and Recruitment Efforts for Them and the State Troopers -- Testimony <Invitation Only> --	Fahrenkamp 203	1:30 PM

PUBLIC SAFETY (continued)

Feb 25 Thursday Fahrenkamp 203 1:30 PM
 + Domestic Violence & Sexual Assault Programs
 -- Testimony <Invitation Only> --

SPECIAL COMMITTEES

ENERGY

Feb 04 Thursday Butrovich 205 11:30 AM
 -- Time Change --
 + SB 223 ENERGY EFFICIENCY BONDS; LOANS; FUND
 -- Teleconferenced <Public Testimony> --

JOINT COMMITTEES

ADMINISTRATIVE REGULATION REVIEW

Feb 08 Monday Capitol 17 3:00 PM
 + (9 AAC 52) Proposed Regulations Relating to Executive Branch Ethics
 -- Public Testimony --
 + (15 AAC 55.280 - 15 AAC 55.811) Proposed Regulations Relating to Oil and Gas Tax Credit and Heating Value of Gas
 -- Public Testimony --
 Executive Session

ARMED SERVICES COMMITTEE

Feb 04 Thursday Fahrenkamp 203 9:00 AM
 -- Time and Location Change --
 + Briefings from Alaskan Command and Alaska Army National Guard
 -- Testimony <Invitation Only> --

LEGISLATIVE BUDGET & AUDIT

Feb 25 **Thursday** **Senate Finance 532** **4:00 PM**
 +
 RPL's
 Audits - Executive Session
 AEA Renewable Energy Project Update
 Other Committee Business
 -- Testimony <Invitation Only> --

LEGISLATIVE COUNCIL

Feb 04 **Thursday** **Senate Finance 532** **4:00 PM**
 Legislature FY09 Audit
 Sanctioning of Charitable Events
 Late Per Diem Requests
 Travel & Per Diem Policy Approval
 Presentation of State Flag Policy
 Fosler Law Group Contract Amendment
 Revisor's Bill
 90 Day Session Report
 Building Naming Policy Discussion
 IT Subcommittee Recommendations
 Personal Service Contracts/PERS Waivers
 RFP 505 - Public Relations
 Consultations - ESA
 NOBEL Conference Funding Request
 Legislative Space (Executive Session)
 Other Business

OTHER MEETINGS

BUSH CAUCUS

Feb 11 **Thursday** **Beltz 105 (tsbldg)** **4:00 PM**
 +
 Presentation to Full Legislature:
 Economic Impact of the Native
 Corporations on Alaska's Economy

Mar 03 **Wednesday** **Capitol 106** **4:00 PM**
 +
 Presentation to Full Legislature:
 Native Education Issues

JOINT LEGISLATIVE HEALTH CAUCUS

- Feb 03 Wednesday Butrovich 205 12:00 PM**
 -- Rescheduled to 02/10/10 --
 Health Care Commission Report and Recommendations
- Feb 05 Friday Butrovich 205 12:00 PM**
 "Raising the Dead: Hibernating Animals
 Give Scientists Clues to Help Victims of
 Cardiac Arrest" by Dr. Kelly Drew,
 University of Alaska-Fairbanks,
 Life Sciences Field of Studies
 Bring your Lunch and Join Us
- Feb 10 Wednesday Butrovich 205 12:00 PM**
 -- Rescheduled from 02/03/10 --
 Commissioning Healthy, Safe Families
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JOINT SESSION

- Feb 10 Wednesday House Chamber 11:00 AM**
 State of the Judiciary Address by
 Chief Justice Walter Carpeneti
- Feb 18 Thursday House Chamber 11:00 AM**
 Annual Address by the Honorable
 Lisa Murkowski, U.S. Senator
- Mar 31 Wednesday House Chamber 11:00 AM**
 Annual Address by the Honorable
 Mark Begich, U.S. Senator
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MISCELLANEOUS MEETINGS

- Feb 08 Monday Senate Finance 532 1:00 PM**
 School District Legislative Fly-In
 Informal Q&A Session Regarding Alaska's
 Public School System

MISCELLANEOUS MEETINGS (continued)

Mar 29	Monday	Senate Finance 532	1:00 PM
		School District Legislative Fly-In Informal Q&A Session Regarding Alaska's Public School System	