

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SIXTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Monday

February 15, 2010

Twenty-eighth Day

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

The roll showed fifteen members present. Senators Dyson, McGuire were excused from a call of the Senate. Senators Bunde, Coghill, Olson were absent.

Senator Ellis moved and asked unanimous consent that Senator Bunde be excused from a call of the Senate today through morning plane time, February 16. Without objection, Senator Bunde was excused.

The prayer was offered by the Chaplain, Senator Huggins. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Our Most Precious Heavenly Father,

We thank thee for bringing us together today on the floor as we do the state's business on Presidents' Day.

As we reflect back on the weekend, there were many families that came together on Valentine's Day. Today Father, we would ask you, most appropriately, to keep in our minds and in our hearts, the Bowles family and the tragedy of the loss of Jim Bowles, a leader in our state.

Father, as we look across our nation, there are troubled times and troubled waters. We would ask you to give guidance to our leaders, to bless those actions that are appropriate and guide us into still waters.

We would ask you, Father, to understand our frailty. As Jesus died for our sins that we might be forgiven, we ask for your forgiveness.

In Jesus' name, I pray.

Amen.

Senator French led the Senate in the Pledge of Allegiance.

Certification

Senator Ellis 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.

The presence of Senator Coghill was noted.

Standing Committee Reports

SB 210

The Judiciary Committee considered SENATE BILL NO. 210 "An Act establishing child custody, modification, and visitation standards for a military parent who is deployed; and amending Rule 99, Alaska Rules of Civil Procedure" and recommended it be replaced with

CS FOR SENATE BILL NO. 210(JUD) "An Act establishing child custody, modification, and visitation standards for a military parent; and amending Rule 99, Alaska Rules of Civil Procedure."

Signing do pass: Senator French, Chair; Senators Wielechowski, Egan.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Law

The bill was referred to the Finance Committee.

HB 307

The Judiciary Committee considered HOUSE BILL NO. 307 "An Act relating to sexual assault protective orders." Signing do pass: Senator French, Chair; Senators Wielechowski, Egan.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Law

The bill was referred to the Rules Committee.

The presence of Senator Olson was noted.

Introduction and Reference of Senate Bills**SB 279**

SENATE BILL NO. 279 BY SENATOR PASKVAN, entitled:

"An Act relating to regulation of residential mortgage lending, including the licensing of mortgage lenders, mortgage brokers, and mortgage loan originators, and compliance with certain federal laws relating to residential mortgage lending; and providing for an effective date."

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

SB 280

SENATE BILL NO. 280 BY SENATOR PASKVAN, entitled:

"An Act designating the bridge to be built on the Dalton Highway at approximately mile post 308 as the Sam Schuyler Memorial Bridge."

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

SB 281

SENATE BILL NO. 281 BY SENATOR DAVIS, entitled:

"An Act relating to pest management and the procurement, use, and storage of pesticides and hazardous substances at elementary and secondary schools; and providing for an effective date."

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

Consideration of the Calendar**Citations**

Honoring - U.S. Marshal Rob Heun

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

Honoring - Alaska Tanker Company

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

Honoring - Lynden Transport, The Moving Wall 2006 Alaska Tour

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

In Memoriam - Dee Hubbard

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

In Memoriam - Helen Soares

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

Representative(s) Petersen

In Memoriam - Hermann Ruess

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

In Memoriam - Robert Walker Stratton, Jr.

Representative(s) Harris

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 79

Senators Meyer, Menard, Kookesh moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 79 "An Act waiving payment of premiums for major medical insurance under the defined benefit retirement plan for public employees for disabled peace officers who have at least 20 years of credited service as peace officers." Without objection, it was so ordered.

Senator Olson moved and asked unanimous consent to be excused from a call of the Senate on February 17 and on February 19. Without objection, Senator Olson was excused.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Ellis moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 17, 2010. Without objection, the Senate adjourned at 11:16 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 16	Tuesday	Beltz 105 (tsbldg)	3:30 PM
+ SJR 1	LIMITING TERMS OF STATE LEGISLATORS		
+ SB 109	REPEAL SECONDARY SCHOOL EXIT EXAM		
Feb 18	Thursday	Beltz 105 (tsbldg)	3:30 PM
+	Bills Previously Heard/Scheduled		

EDUCATION

Feb 15	Monday	Beltz 105 (tsbldg)	8:00 AM
+ SB 224	POSTSECONDARY SCHOLARSHIPS		
	Bills Previously Heard/Scheduled		
Feb 17	Wednesday	Beltz 105 (tsbldg)	8:00 AM
+ SB 213	FUNDING FOR SCHOOL MEALS		
	Bills Previously Heard/Scheduled		
Feb 19	Friday	Beltz 105 (tsbldg)	8:00 AM
+ SB 224	POSTSECONDARY SCHOLARSHIPS		
	Bills Previously Heard/Scheduled		

FINANCE

Feb 15	Monday	Senate Finance 532	9:00 AM
+	SB 269	ECON. STIMULUS BONDS: REALLOCATION/WAIVER	
+	SB 270	AK HOUSING FIN CORP DIVIDEND	
		Bills Previously Heard/Scheduled	
Feb 16	Tuesday	Senate Finance 532	9:00 AM
+		Oil & Gas Production Forecast	
		Oil & Gas Exploration & Development	
		Outlook - Dept Natural Resources	
		Oil & Gas Industry Employment in Alaska	
		Dept of Labor & Workforce Development	
		-- Testimony <Invitation Only> --	
Feb 16	Tuesday	Senate Finance 532	1:30 PM
+		Production Tax Review:	
		Introduction & Overview	
		Transportation Costs	
		Dept of Revenue	
		-- Testimony <Invitation Only> --	
Feb 17	Wednesday	Senate Finance 532	9:00 AM
+		Production Tax Review:	
		Lease Expenditures	
		Dept of Revenue & other Administrative	
		Representatives	
		-- Testimony <Invitation Only> --	
Feb 17	Wednesday	Senate Finance 532	1:30 PM
+		Production Tax Review:	
		Lease Expenditures	
		Dept of Revenue & other Administrative	
		Representatives	
		-- Testimony <Invitation Only> --	
Feb 18	Thursday	Senate Finance 532	9:00 AM
+		Production Tax Review:	
		Tax Credits	
		Dept of Revenue & other Administrative	
		Representatives	
		-- Testimony <Invitation Only> --	

FINANCE (continued)

Feb 18	Thursday	Senate Finance 532	1:30 PM
+	Production Tax Review: Tax Credits Dept of Revenue & other Administrative Representatives -- Testimony <Invitation Only> --		
Feb 19	Friday	Senate Finance 532	9:00 AM
+	Production Tax Review: Tax Payment Penalties Revenue Forecasting/Modeling Under Historical Tax Regimes Dept of Revenue & other Administrative Representatives -- Testimony <Invitation Only> --		
Feb 20	Saturday	Senate Finance 532	9:00 AM
	No Meeting Scheduled		
Feb 21	Sunday	Senate Finance 532	9:00 AM
	No Meeting Scheduled		
Feb 22	Monday	Senate Finance 532	9:00 AM
+	Production Tax Review: Tax Rates, Net Profit Sharing, Government Take Gas Value Under ACES Tax Provisions Dept of Revenue & other Administrative Representatives -- Testimony <Invitation Only> --		
Feb 22	Monday	Senate Finance 532	1:30 PM
+	Production Tax Review -- Testimony <Invitation Only> --		
Feb 23	Tuesday	Senate Finance 532	9:00 AM
+	Production Tax Review: Technical Review & Perspective Legislative Consultants -- Testimony <Invitation Only> --		

FINANCE (continued)

Feb 23 Tuesday Senate Finance 532 1:30 PM
 + Production Tax Review:
 Technical Review & Perspective
 Legislative Consultants
 -- Testimony <Invitation Only> --

HEALTH & SOCIAL SERVICES

Feb 15 Monday Butrovich 205 1:30 PM
 + Presentation:
 Facing Foster Care in Alaska
 + SB 258 DENTAL CARE INSURANCE
 + SB 219 TRAUMATIC BRAIN INJURY:PROGRAM/MEDICAID
 + Bills Previously Heard/Scheduled

Feb 17 Wednesday Butrovich 205 1:30 PM
 Bill Previously Heard/Scheduled
 += SB 219 TRAUMATIC BRAIN INJURY:PROGRAM/MEDICAID
 + Presentations:
 The AK Mental Health Trust Authority -
 "Bring the Kids Home Initiative"
 The AK Mental Health Board -
 "Fetal Alcohol Spectrum Disorder"
 Citizen Review Panel - Update on Office
 of Children's Services
 + Bills Previously Heard/Scheduled

Feb 19 Friday Butrovich 205 1:30 PM
 No Meeting Scheduled

JUDICIARY

Feb 15 Monday Beltz 105 (tsbldg) 1:30 PM
 += SB 194 CIVIL DAMAGES FOR ALCOHOL VIOLATIONS
 += SB 252 FAILURE TO APPEAR; RELEASE PROCEDURES
 += SB 222 SEX OFFENSES; OFFENDER REGIS.; SENTENCING
 + Bills Previously Heard/Scheduled

JUDICIARY (continued)

Feb 17 Wednesday Beltz 105 (tsbldg) 1:30 PM

+ HB 186 AK FIREARMS EXEMPT FROM FED. REGULATION
 + Confirmation Hearing: Select Cmte on
 Legislative Ethics
 + Bills Previously Heard/Scheduled

Feb 19 Friday Beltz 105 (tsbldg) 1:30 PM

+ SB 92 U.S. PRESIDENTIAL ELECTION COMPACT
 + SB 257 YOUTH COURTS AND CRIMINAL FINES
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

Feb 16 Tuesday Beltz 105 (tsbldg) 2:00 PM

-- MEETING CANCELED --
 + Bills Previously Heard/Scheduled

Feb 18 Thursday Beltz 105 (tsbldg) 2:00 PM

+ Bills Previously Heard/Scheduled

RESOURCES

Feb 15 Monday Butrovich 205 3:30 PM

+ SB 220 ENERGY EFFICIENCY/ ALTERNATIVE ENERGY
 + Bills Previously Heard/Scheduled

Feb 17 Wednesday Butrovich 205 3:30 PM

+ SB 267 OIL AND GAS PRODUCTION TAX
 + SB 220 ENERGY EFFICIENCY/ ALTERNATIVE ENERGY
 Bills Previously Heard/Scheduled

Feb 18 Thursday Butrovich 205 3:30 PM

+ SB 220 ENERGY EFFICIENCY/ ALTERNATIVE ENERGY
 + Bills Previously Heard/Scheduled

STATE AFFAIRS

Feb 16 Tuesday Beltz 105 (tsbldg) 9:00 AM
+ SB 265 2010 REVISOR'S BILL
+ Bills Previously Heard/Scheduled

Feb 18 Thursday Beltz 105 (tsbldg) 9:00 AM
+ SB 260 ELECTRIC & TELEPHONE COOPERATIVES' VOTING
+ SB 261 ALCOHOLIC BEVERAGE CONTROL BD MEMBERS
+ Bills Previously Heard/Scheduled

TRANSPORTATION

Feb 16 Tuesday Butrovich 205 1:00 PM
-- MEETING CANCELED --
+ Bills Previously Heard/Scheduled

Feb 18 Thursday Butrovich 205 1:00 PM
+ Joint w/(H) Transportation
 Presentation by Marine Transportation
 Advisory Board (MTAB)
 Update: Alaska Marine Highway System, by Jim Beedle,
 Deputy Commissioner, Marine Operations, DOT/PF

FINANCE SUBCOMMITTEES**ADMINISTRATION**

Feb 17 Wednesday Beltz 105 (tsbldg) 3:30 PM
+ Oil & Gas Conservation Commission
+ Public Offices Commission
-- Testimony <Invitation Only> --

Feb 24 Wednesday Beltz 105 (tsbldg) 3:30 PM
+ Enterprise Technology Services
-- Testimony <Invitation Only> --

CORRECTIONS

Feb 16	Tuesday	Fahrenkamp 203	5:00 PM
	FY2011 Budget Overview		

COURT SYSTEM

Feb 18	Thursday	Sen Conf Rm 103 Tsb	3:30 PM
+	Overview		

Feb 25	Thursday	Sen Conf Rm 103 Tsb	4:00 PM
+	FY11 Budget Request		

Mar 02	Tuesday	Sen Conf Rm 103 Tsb	4:00 PM
+	FY11 Budget Request		

Mar 11	Thursday	Sen Conf Rm 103 Tsb	4:00 PM
+	FY11 Budget Request		

Mar 18	Thursday	Sen Conf Rm 103 Tsb	4:00 PM
+	Closeout		

EDUCATION & EARLY DEVELOPMENT

Feb 18	Thursday	Sen Conf Rm 103 Tsb	5:00 PM
+	FY11 Budget Request		

Feb 26	Friday	Sen Conf Rm 103 Tsb	3:00 PM
+	FY11 Budget Request		

Mar 10	Wednesday	Sen Conf Rm 103 Tsb	12:00 PM
+	FY11 Budget Request		

Mar 17	Wednesday	Sen Conf Rm 103 Tsb	12:00 PM
+	Closeout		

ENVIRONMENTAL CONSERVATION

Feb 16 Tuesday Fahrenkamp 203 3:30 PM
 FY2011 Budget Overview

HEALTH & SOCIAL SERVICES

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

Mar 12 Friday Beltz 105 (tsbldg) 3:30 PM
 + Pre-Closeout and Question/Answer Session
 -- Testimony <Invitation Only> --

Mar 17 Wednesday Beltz 105 (tsbldg) 3:00 PM
 + Budget Closeout
 -- Testimony <Invitation Only> --

LABOR & WORKFORCE DEVELOPMENT

Feb 23 Tuesday Sen Conf Rm 103 Tsb 12:00 PM
 DOLWD Budget Overview by Commissioner
 Clark Bishop; Dept Overview and
 Introduction of Division Directors;
 Commissioner's Office, Administrative
 Services

Feb 25 Thursday Sen Conf Rm 103 Tsb 12:00 PM
 DOLWD Overview Continued - Other Items of
 Interest or Concern

LAW

Feb 23 Tuesday Sen Conf Rm 103 Tsb 1:00 PM
 -- Time Change --
 Budget Overview: Department of Law

SENATE JOURNAL

February 15, 2010

1535

LAW (continued)

Feb 23	Tuesday	Sen Conf Rm 103 Tsb	1:30 PM
	Budget Overview: Department of Law		
Mar 09	Tuesday	Sen Conf Rm 103 Tsb	1:30 PM
	Budget Detail		
Mar 16	Tuesday	Fahrenkamp 203	1:30 PM
	Closeout		

MILITARY & VETERANS' AFFAIRS

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

NATURAL RESOURCES

Feb 16	Tuesday	Fahrenkamp 203	1:00 PM
	-- MEETING CANCELED --		
+	Division of Mining, Land, and Water		
	Division of Geological and Geophysical Surveys		
	-- Testimony <Invitation Only> --		
Feb 23	Tuesday	Fahrenkamp 203	3:30 PM
	-- Time Change --		
+	Division of Agriculture		
	Office of Project Management & Permitting		
	Support Services Division		
	<Above Item Removed from Agenda>		
	State Parks		
	-- Testimony <Invitation Only> --		
Feb 24	Wednesday	Fahrenkamp 203	1:30 PM
+	Division of Mining, Land and Water		
	Division of Geological and Geophysical Services		
	-- Testimony <Invitation Only> --		

NATURAL RESOURCES (continued)

Mar 09	Tuesday	Fahrenkamp 203	1:00 PM
	Discussion		
	-- Testimony <Invitation Only> --		
Mar 16	Tuesday	Fahrenkamp 203	3:00 PM
+	CLOSE OUT		
	-- Testimony <Invitation Only> --		

PUBLIC SAFETY

Feb 25	Thursday	Fahrenkamp 203	1:00 PM
	-- Time Change --		
+	Domestic Violence & Sexual Assault Programs		
	-- Testimony <Invitation Only> --		
Mar 11	Thursday	Fahrenkamp 203	1:00 PM
+	Pre-Closeout & Question/Answer Session		
	-- Testimony <Invitation Only> --		
Mar 18	Thursday	Fahrenkamp 203	1:00 PM
+	Budget Closeout		
	-- Testimony <Invitation Only> --		

REVENUE

Feb 25	Thursday	Sen Conf Rm 103 Tsb	1:00 PM
	-- Time Change --		
	Budget Overview: Dept of Revenue		
Mar 11	Thursday	Sen Conf Rm 103 Tsb	1:30 PM
	Budget Detail		
Mar 18	Thursday	Sen Conf Rm 103 Tsb	1:30 PM
	Subcommittee closeout		

SENATE JOURNAL

February 15, 2010

1537

TRANSPORTATION & PUBLIC FACILITIES

Feb 23	Tuesday	Fahrenkamp 203	8:00 AM
	Budget Overview: Dept of Transportation		
Mar 09	Tuesday	Fahrenkamp 203	8:00 AM
	Budget Details		
Mar 16	Tuesday	Fahrenkamp 203	8:00 AM
	Closeout		

SPECIAL COMMITTEES

ENERGY

Feb 18	Thursday	Sen Conf Rm 103 Tsb	1:30 PM
+	Overview: Alaska Statewide Digital Mapping Initiative		
	Bills Previously Heard/Scheduled		

JOINT COMMITTEES

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 18	Thursday	Senate Finance 532	4:30 PM
	FY11 Legislative Council Budget Request		
	Charitable Event Approval		
	Executive Session - Property Purchase		

SELECT COMMITTEE ON LEGISLATIVE ETHICS

Feb 17 Wednesday Sen Conf Rm 103 Tsb 9:00 AM
Senate Subcommittee
Public Comment
Executive Session
Public Session

Feb 17 Wednesday Fahrenkamp 203 3:00 PM
-- Public Comment --
+ Chair/Staff Report: Update on Ethics Disclosures Due Feb. 17
Ethics Training Update
Informal Advice Staff Report
Outreach - Visiting Legislative Offices During the Interim
Committee Member Appointments and Confirmations
Legislation: Update on HB 193, Legislative Ethics
Rules of Procedures:
Sec 5 - Executive Sessions
Sec 6 - Teleconference
Other Business

OTHER MEETINGS**BUSH CAUCUS**

Feb 25 Thursday House Finance 519 4:00 PM
Presentation by Southcentral Foundation &
Cook Inlet Tribal Council
Presentation Outline: Services Provided,
Innovative Programs, Partnership Roles
with the State, Numbers Served, Efforts on Telemedicine.

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

JOINT SESSION

Feb 18 Thursday House Chamber 11:00 AM
Annual Address by the Honorable
Lisa Murkowski, U.S. Senator

JOINT SESSION (continued)

Mar 31	Wednesday	House Chamber	11:00 AM
	Annual Address by the Honorable Mark Begich, U.S. Senator		

MISCELLANEOUS MEETINGS

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

UNIVERSITY BOOSTERS CAUCUS

Feb 22	Monday	Senate Finance 532	3:30 PM
	Student Leaders Report		