

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SIXTH LEGISLATURE
SECOND SESSION

Juneau, Alaska **Wednesday** **February 17, 2010**

Thirtieth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:00 a.m.

The roll showed twenty members present.

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

Precious Heavenly Father, we look to you this morning. Be with all of us here in the Senate chamber and the House. Be with them as they do their work for the State of Alaska. Be with their families as they are away from their loved ones. Be with the governor of our state and his family. We pray that you will guide them through difficult times and through good times, and most of all, we ask that you care for and guide them in all matters that they discuss in these sacred chambers of the Senate.

And now, in my language, I will repeat the Lord's Prayer.

Dikée Aankáawu X'agáax'i - The Lord's Prayer

Dikéex' yéi yateeyí haa éesh

Katooshéex' I saayí

Wé dikée kustí yáx,

yaa diyéex' haat gagoot, ya Lingít Aaní kaadéi

Wé dikée kustí yáx kugaax toostee
 Haa jeet sa.há, a eeteenáx haa yateeyí at
Ka haa lushk'eiyí ch'a aadeí yéi na.óo
 Ch'a waa sá aadeí yéi too.úx.x'u yáx, At géit haaw sineiyí
káa
 Tlél ayáx uwateeyí kustí náx ya haa shugagú
Ka haa saneix a jeedáx
 Ch'as wa.é áwé, yei haa kgasaneix
 I latseení ka i saayí tóonáx
 Yéi ngatee / Yei áyá yan shoowtusítan Amen.

Senator Hoffman led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House

Message dated February 15 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Resolutions

HJR 26

HOUSE JOINT RESOLUTION NO. 26 BY REPRESENTATIVES FAIRCLOUGH, Joule, R. Foster, Thomas, Stoltze, Herron, Harris, P.Wilson, Austerman, Kerttula, Dahlstrom, Johansen,

Urging the United States Congress to adequately fund land surveys in Alaska in order to issue patents to the State of Alaska and Alaska Native corporations.

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

Communications

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

2010 Progress Report on Equal Employment Opportunity and Affirmative Action in Alaska State Government
from Nicki Neal, Director, Division of Personnel & Labor Relations,
Department of Administration
in accordance with AS 39.28.020(a)(12)

Department of Education and Early Development Annual Report to
the Legislature
from Larry LeDoux, Commissioner
in accordance with AS 14.03.078

Standing Committee Reports

SB 209

The Education Committee considered SENATE BILL NO. 209 "An Act providing the Alaska State Council on the Arts the authority to adopt regulations relating to its statutory powers and duties; and providing for an effective date." Signing do pass: Senators Thomas, Meyer, Cochairs; Senators Davis, Stevens, Huggins.

The following fiscal information was published today:

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

The bill was referred to the Judiciary Committee.

SB 258

The Health and Social Services Committee considered SENATE BILL NO. 258 "An Act prohibiting health care insurers that provide dental care coverage from setting a minimum age for receiving dental care coverage, allowing those insurers to set a maximum age for receiving

dental care coverage as a dependent, and prohibiting those insurers from setting fees that a dentist may charge for dental services not covered under the insurer's policy." Signing do pass: Senator Davis, Chair; Senators Ellis, Thomas. Signing no recommendation: Senator Paskvan.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Commerce, Community and Economic Development

The bill was referred to the Labor and Commerce Committee.

SB 265

The State Affairs Committee considered SENATE BILL NO. 265 "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date." Signing do pass: Senator Menard, Chair; Senator Meyer. Signing no recommendation: Senator French.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Law

The bill was referred to the Judiciary Committee.

Introduction and Reference of Senate Bills

SB 282

SENATE BILL NO. 282 BY SENATOR WIELECHOWSKI, entitled:

"An Act relating to the amount of the transfer from the earnings reserve account of the Alaska permanent fund for 2010 permanent fund dividends; and providing for an effective date."

was read the first time and referred to the State Affairs and Finance Committees.

Consideration of the Calendar**Second Reading of Senate Bills****SB 83**

SENATE BILL NO. 83 "An Act repealing the governor's committee on employment of people with disabilities; creating the state vocational rehabilitation committee and relating to the committee; and providing for an effective date" was read the second time.

Senator Paskvan, Chair, moved and asked unanimous consent for the adoption of the Labor and Commerce Committee Substitute offered on page 176. Without objection, CS FOR SENATE BILL NO. 83(L&C) "An Act repealing the Governor's Committee on Employment of People with Disabilities; creating the State Vocational Rehabilitation Committee and relating to the committee; and providing for an effective date" was adopted.

Senator Ellis 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. 83(L&C) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 83(L&C) "An Act repealing the Governor's Committee on Employment of People with Disabilities; creating the State Vocational Rehabilitation Committee and relating to the committee; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 83(L&C)

Third Reading - Final Passage

Effective Date

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, CS FOR SENATE BILL NO. 83(L&C) passed the Senate.

Senator Ellis moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

Citations

Honoring - Dr. Robyn Rehmann

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

In Memoriam - Emma Jane Pease Burton

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

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

Senator Olson moved and asked unanimous consent to withdraw a prior excusal motion for February 17 (page 1525). Without objection, the motion was withdrawn.

Senator Dyson moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, March 2 through afternoon plane time, March 8. Without objection, Senator Dyson was excused.

Senator McGuire moved and asked unanimous consent to be excused from a call of the Senate on February 19 and on February 22. Without objection, Senator McGuire was excused.

Senator Wagoner moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 19 through plane time, February 22. Without objection, Senator Wagoner was excused.

Senator Huggins moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 17 through evening plane time, February 21. Without objection, Senator Huggins was excused.

SB 138

Senator Egan moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 138 "An Act relating to a corporation income tax credit for contributions by a person owning or operating a commercial passenger vessel to a qualified trade association that was awarded a contract by the Department of Commerce, Community, and Economic Development, and used for planning and executing a destination tourism marketing campaign." Without objection, it was so ordered.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 83**

CS FOR SENATE BILL NO. 83(L&C) "An Act repealing the Governor's Committee on Employment of People with Disabilities; creating the State Vocational Rehabilitation Committee and relating to the committee; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Ellis moved and asked unanimous consent that the Senate stand in adjournment until 10:45 a.m., February 18, 2010. Without objection, the Senate adjourned at 11:33 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 18 Thursday Beltz 105 (tsbldg) 3:30 PM
 + Bills Previously Heard/Scheduled

EDUCATION

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 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> --

SENATE JOURNAL

1552

February 17, 2010

FINANCE (continued)

Feb 18	Thursday	Senate Finance 532	9:00 AM
+	Production Tax Review: Tax Credits Dept of Revenue & other Administrative Representatives -- Testimony <Invitation Only> --		
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 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 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

SENATE JOURNAL

1554

February 17, 2010

LABOR & COMMERCE

Feb 18 Thursday Beltz 105 (tsbldg) 2:00 PM
-- MEETING CANCELED --
Bills Previously Heard/Scheduled

RESOURCES

Feb 17 Wednesday Butrovich 205 3:30 PM
+ SB 267 OIL AND GAS PRODUCTION TAX
+= SB 220 ENERGY EFFICIENCY/ ALTERNATIVE ENERGY
<Bill Hearing Canceled>
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 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 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> --

FISH & GAME (continued)

Mar 15 Monday Senate Finance 532 3:00 PM
Closeout

GOVERNOR

Feb 24 Wednesday Senate Finance 532 3:00 PM
Dept Overview

Mar 17 Wednesday Senate Finance 532 3:00 PM
Closeout

HEALTH & SOCIAL SERVICES

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 17, 2010

1557

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	

LEGISLATURE

Feb 24	Wednesday	Senate Finance 532	3:30 PM
		Dept Overview	
Mar 17	Wednesday	Senate Finance 532	3:15 PM
		Closeout	

NATURAL RESOURCES

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> --	
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> --	

SENATE JOURNAL

February 17, 2010

1559

UNIVERSITY OF ALASKA (continued)

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

SPECIAL COMMITTEES

ENERGY

Feb 18 **Thursday** **Beltz 105 (tsbldg)** **1:30 PM**
-- Location Change --
+ 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**
Sanctioning of a Charitable Event:
Dare to Care Banquet
FY11 Legislative Council Budget Proposal
Executive Session: Property Purchase

SELECT COMMITTEE ON LEGISLATIVE ETHICS

Feb 17 **Wednesday** **Sen Conf Rm 103 Tsb** **9:00 AM**
-- Recessed to 4:00 pm Room 111 --
Senate Subcommittee
Public Comment
Executive Session
Public Session

SELECT COMMITTEE ON LEGISLATIVE ETHICS (continued)

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 LEGISLATIVE HEALTH CAUCUS

Feb 24	Wednesday	Butrovich 205	12:00 PM
+	"Tending the Net"		

SENATE JOURNAL

February 17, 2010

1561

JOINT SESSION

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

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 Beltz 105 (tsbldg) 3:30 PM
-- Location Change --
Student Leaders Report