

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SIXTH LEGISLATURE

SECOND SESSION

Juneau, Alaska

Monday

March 22, 2010

Sixty-third 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, Reverend Judy Shook of Aldersgate United Methodist Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Hō mai ka 'ike 'Ike pāpālua ē	Grant us the knowledge Double knowledge (Good/Bad)
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Hō mai ka 'Iini 'Iini pāpālua ē	Grant us the na'au (Desire) Double na'au (Good/Bad)
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Hō mai ka mana Mana pāpālua ē	Grant us spiritually Double spiritually (Wailua)
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Hō mai, Hō mai, Hō mai ka pāpālua ē	Grant, Grant, Grant double vision
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E Ola	Let it live
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(Hawaiian chant written by Kumu Keala Ching)

Senator Kookesh led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House

Message dated March 19 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills**HB 73**

CS FOR HOUSE BILL NO. 73(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to special fire fighter and emergency medical service provider license plates; and providing for an effective date."

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

Communications

Letter dated March 12 and received March 22, from Chief Justice Walter L. Carpeneti of the Alaska Supreme Court, was read stating pursuant to AS 24.60.130(b)(3) the following public member was nominated for appointment to the Select Committee on Legislative Ethics:

Antoinette Mallott

President Stevens referred the nomination to the Judiciary Committee.

Standing Committee Reports**SB 144**

The Finance Committee considered SENATE BILL NO. 144 "An Act relating to hunting permits and tag fees for musk oxen" and recommended it be replaced with

CS FOR SENATE BILL NO. 144(FIN)

Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Egan, Olson. Signing no recommendation: Senator Huggins.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Fish and Game

The bill was referred to the Rules Committee.

SB 215

The Finance Committee considered SENATE BILL NO. 215 "An Act requiring the Department of Health and Social Services to accept federal prescription drug benefits or to provide comparable benefits for residents of the Alaska Pioneers' Home." Signing do pass: Senator Hoffman, Cochair; Senator Egan. Signing no recommendation: Senator Stedman, Cochair; Senators Olson, Huggins.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

SB 238

The Finance 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 Hoffman, Cochair; Senator Egan. Signing no recommendation: Senator Stedman, Cochair; Senators Huggins, Olson.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

SB 242

The Resources Committee considered SENATE BILL NO. 242 "An Act providing income tax credits for geothermal resource exploration and development" and recommended it be replaced with

CS FOR SENATE BILL NO. 242(RES)

Signing do pass: Senator McGuire, Cochair; Senator Wagoner.
Signing no recommendation: Senator Wielechowski, Cochair;
Senators Stevens, French.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Revenue

Fiscal Note No. 2, zero, Department of Natural Resources

The bill was referred to the Finance Committee.

SB 243

The Resources Committee considered SENATE BILL NO. 243 "An Act removing the royalty obligation for geothermal resources" and recommended it be replaced with

CS FOR SENATE BILL NO. 243(RES) "An Act
relating to the royalty obligation for geothermal
resources."

Signing do pass: Senator McGuire, Cochair. Signing no
recommendation: Senator Wielechowski, Cochair; Senators Stevens,
French.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Natural Resources

Fiscal Note No. 2, zero, Department of Revenue

The bill was referred to the Finance Committee.

SB 246

The Finance Committee considered SENATE BILL NO. 246 "An Act increasing the number of superior court judges designated for the third judicial district; and providing for an effective date." Signing no recommendation: Senators Hoffman, Stedman, Cochairs; Senators Huggins, Olson. Signing do pass: Senator Egan.

The following previously published fiscal information applies:

Fiscal Note No. 1, Alaska Court System

Fiscal Note No. 2, zero, Alaska Court System

The bill was referred to the Rules Committee.

SB 257

The Finance Committee considered SENATE BILL NO. 257 "An Act relating to funding for youth courts; and relating to accounting for criminal fines." Signing do pass: Senator Stedman, Cochair; Senators Huggins, Egan. Signing no recommendation: Senator Hoffman, Cochair; Senator Olson.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Alaska Court System

Fiscal Note No. 2, zero, Department of Health and Social Services

Fiscal Note No. 3, zero, Department of Law

The bill was referred to the Rules Committee.

SB 292

The Labor and Commerce Committee considered SENATE BILL NO. 292 "An Act relating to the registration and operation of pawnbrokers and to the exemption for pawnbrokers under the Alaska Small Loans Act; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 292(L&C) "An Act relating to the registration and operation of pawnbrokers, to the exemption for pawnbrokers under the Alaska Small Loans Act, and to the exclusion of pawnbrokers under certain definitions in the Uniform Commercial Code; and providing for an effective date."

Signing do pass: Senator Paskvan, Chair; Senators Davis, Bunde.

The following fiscal information was published today:

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

President Stevens added a Finance Committee referral to the bill.

The bill was referred to the Judiciary, then Finance Committees.

SB 300

The Labor and Commerce Committee considered SENATE BILL NO. 300 "An Act relating to loan participations and development finance projects of the Alaska Industrial Development and Export Authority; and relating to loans from the rural development initiative fund." Signing do pass: Senator Paskvan, Chair; Senator Davis. Signing no recommendation: Senator Bunde.

The following previously published fiscal information applies:

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

Fiscal Note No. 2, zero, Department of Revenue

Fiscal Note No. 3, zero, Department of Transportation and Public
Facilities

The bill was referred to the Finance Committee.

SB 301

The Resources Committee considered SENATE BILL NO. 301 "An Act relating to the power project fund; authorizing the Alaska Energy Authority to charge and collect fees relating to the power project fund; authorizing the Alaska Energy Authority to sell and authorizing the Alaska Industrial Development and Export Authority to purchase loans of the power project fund; providing legislative approval for the sale and purchase of loans of the power project fund under the memorandum of understanding dated February 17, 2010; and providing for an effective date." Signing do pass: Senators McGuire, Wielechowski, Coauthors. Signing no recommendation: Senators Huggins, Stevens, Stedman, Wagoner, French.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Department of Transportation and Public
Facilities
Fiscal Note No. 2, zero, Department of Revenue
Fiscal Note No. 3, zero, Department of Commerce, Community
and Economic Development
Fiscal Note No. 4, indeterminate, Department of Commerce,
Community and Economic Development

The bill was referred to the Finance Committee.

Introduction and Reference of Senate Bills

SB 308

SENATE BILL NO. 308 BY THE SENATE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE, entitled:

"An Act relating to the determination of population
for purposes of per capita payment increases under
the community revenue sharing program; and
providing for an effective date."

was read the first time and referred to the Community and Regional
Affairs Committee.

Consideration of the Calendar

Second Reading of Senate Bills

SB 209

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" was read the
second time.

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.

SENATE BILL NO. 209 was read the third time.

The question being: "Shall 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" pass the Senate?" The roll was taken with the following result:

SB 209

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, SENATE BILL NO. 209 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.

Second Reading of House Resolutions

HJR 24

HOUSE JOINT RESOLUTION NO. 24 Urging the United States Congress and the United States Department of Agriculture to extend the basic housing allowance exclusion to all military families for purposes of the school nutrition program, was read the second time.

Senator Ellis moved and asked unanimous consent that the resolution be advanced to third reading and placed on final passage. Without objection, it was so ordered.

HOUSE JOINT RESOLUTION NO. 24 was read the third time.

The question being: "Shall HOUSE JOINT RESOLUTION NO. 24 Urging the United States Congress and the United States Department of Agriculture to extend the basic housing allowance exclusion to all military families for purposes of the school nutrition program, pass the Senate?" The roll was taken with the following result:

HJR 24

Third Reading - Final Passage

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, HOUSE JOINT RESOLUTION NO. 24 passed the Senate, was signed by the President and Secretary and returned to the House.

Citations

Honoring - The Filipino Community of Anchorage, Alaska Inc. 45th Annual Founder's Day Banquet and Ball

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

Honoring - Dave and Joann Lesh

Representative(s) Thomas

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

Honoring - Oliver Price, 2010 Alaska State Spelling Bee Champion

Representative(s) Thomas

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

In Memoriam - Norman Tibbetts

Senator(s) Bunde, Stevens, Coghill, Davis, 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

SB 143

Senator McGuire, Chair, moved and asked unanimous consent that the Special Committee on Energy referral be waived on SENATE BILL NO. 143 "An Act establishing the Greater Railbelt Energy and Transmission Corporation and relating to the corporation; relating to transition, financial plan, and reporting requirements regarding planning for the initial business operations of the Greater Railbelt Energy and Transmission Corporation; relating to a report on legislation regarding the Regulatory Commission of Alaska and the Greater Railbelt Energy and Transmission Corporation; authorizing the Alaska Energy Authority to convey the Bradley Lake Hydroelectric Project and the Alaska Intertie to the Greater Railbelt Energy and Transmission Corporation; and providing for an effective date." Without objection, the bill was referred to the Resources Committee.

Announcements

Announcements are at the end of the journal.

Engrossment

SB 209

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" 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 11:00 a.m., March 23, 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

Mar 23	Tuesday	Beltz 105 (tsbldg)	3:30 PM
	-- MEETING CANCELED --		
	Bills Previously Heard/Scheduled		
Mar 25	Thursday	Beltz 105 (tsbldg)	3:30 PM
+ SB 201	MUNICIPAL PROPERTY TAX EXEMPTIONS		
+	Bills Previously Heard/Scheduled		

EDUCATION

Mar 22	Monday	Beltz 105 (tsbldg)	8:00 AM
+	Bills Previously Heard/Scheduled		
Mar 24	Wednesday	Beltz 105 (tsbldg)	8:00 AM
+ HB 360	YOUTH ACADEMY: STUDENT RECORDS		
+	Bills Previously Heard/Scheduled		
Mar 26	Friday	Beltz 105 (tsbldg)	8:00 AM
+	Bills Previously Heard/Scheduled		

FINANCE**Mar 22 Monday Senate Finance 532 9:00 AM**

- + SB 144 MUSK OXEN PERMITS
- + SB 215 PIONEERS HOME RX DRUG BENEFIT
- + SB 219 TRAUMATIC BRAIN INJURY:PROGRAM/MEDICAID
- + SB 238 MEDICAID FOR MEDICAL & INTERMEDIATE CARE
- + SB 246 INCREASING NUMBER OF SUPERIOR CT JUDGES
- + SB 257 YOUTH COURTS AND CRIMINAL FINES
- + SB 237 SCHOOL CONSTRUCTION DEBT REIMBURSEMENT
- + Bills Previously Heard/Scheduled

Mar 22 Monday Senate Finance 532 1:30 PM

- + SB 247 EXTENDING BOARD OF PHARMACY
- + SB 248 EXTEND BD OF MARITAL & FAMILY THERAPY
- + SB 262 EXTEND BOARD OF SOCIAL WORK EXAMINERS
- + SB 263 EXTEND BOARD OF PROFESSIONAL COUNSELORS
- + Bills Previously Heard/Scheduled

Mar 23 Tuesday Senate Finance 532 9:00 AM

- + HB 300 APPROP: OPERATING BUDGET/LOANS/FUNDS
- + HB 302 APPROP: MENTAL HEALTH BUDGET
- + Bills Previously Heard/Scheduled

Mar 23 Tuesday Senate Finance 532 1:30 PM

- + SB 217 GUARANTEED REVENUE BONDS FOR VETERANS
- + SB 279 MORTGAGE LENDING
- + SB 284 CAMPAIGN EXPENDITURES
- + Bills Previously Heard/Scheduled

Mar 24 Wednesday Senate Finance 532 9:00 AM

- + Statewide Public Testimony:
- + HB 300 APPROP: OPERATING BUDGET/LOANS/FUNDS
- + HB 302 APPROP: MENTAL HEALTH BUDGET
- + -- Public Testimony 2 Minute Limit --
- 9:00 - 9:45 a.m. Juneau
- 10:00 - 10:45 a.m. Kenai, Valdez, Ketchikan, Kodiak, Seward,
Matsu, Glennallen, Tok
- 1:30 - 2:15 p.m. Fairbanks
- 2:30 - 3:15 p.m. Anchorage
- 3:30 - 4:00 p.m. Sitka, Wrangell, Petersburg, Homer,
Dillingham, Cordova
- 4:15 - 5:00 p.m. Bethel, Kotzebue, Barrow, Nome, Delta
Junction, Offnets
- + Bills Previously Heard/Scheduled

FINANCE (continued)

Mar 25 Thursday Senate Finance 532 9:00 AM
 + SB 220 ENERGY EFFICIENCY/ ALTERNATIVE ENERGY
 + Bills Previously Heard/Scheduled

Mar 25 Thursday Senate Finance 532 1:30 PM
 += HB 300 APPROP: OPERATING BUDGET/LOANS/FUNDS
 += HB 302 APPROP: MENTAL HEALTH BUDGET
 + Bills Previously Heard/Scheduled

Mar 26 Friday Senate Finance 532 9:00 AM
 + SB 92 U.S. PRESIDENTIAL ELECTION COMPACT
 + SB 234 EXTEND ALCOHOLIC BEVERAGE CONTROL BOARD
 + SB 264 COMMERCIAL FISHING & AGRICULTURE BANK
 + Bills Previously Heard/Scheduled

Mar 26 Friday Senate Finance 532 1:30 PM
 += HB 300 APPROP: OPERATING BUDGET/LOANS/FUNDS
 += HB 302 APPROP: MENTAL HEALTH BUDGET
 + Bills Previously Heard/Scheduled

Mar 27 Saturday Senate Finance 532 10:00 AM
 + Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

Mar 22 Monday Butrovich 205 1:30 PM
 + HB 349 SUICIDE PREVENTION COUNCIL MEETINGS
 += SB 295 FLAME RETARDANTS AND TOXIC CHEMICALS
 + Bills Previously Heard/Scheduled

Mar 24 Wednesday Butrovich 205 1:30 PM
 No Meeting Scheduled

Mar 26 Friday Butrovich 205 1:30 PM
 No Meeting Scheduled

JUDICIARY

Mar 22 Monday Beltz 105 (tsbldg) 1:30 PM

- + SB 239 IGNITION INTERLOCK DEVICES/DUI/CHEM. TEST
- + SB 153 MOBILE HOMES AS REAL PROPERTY
- + SB 277 PUB. UTILITY EXEMPTION: RENEWABLE ENERGY
- + HB 319 FIREARMS
- + Bills Previously Heard/Scheduled

Mar 24 Wednesday Beltz 105 (tsbldg) 1:30 PM

- + SB 46 CHILD SUPPORT AWARDS
- + SB 63 TRANSFER RESTRICTIONS ON TRUSTS
- + Bills Previously Heard/Scheduled

Mar 26 Friday Beltz 105 (tsbldg) 1:30 PM

- + SB 190 BIOMETRIC INFORMATION FOR ID
- + SJR 28 ECUMENICAL PATRIARCHATE OF TURKEY
- + Bills Previously Heard/Scheduled

LABOR & COMMERCE

Mar 23 Tuesday Beltz 105 (tsbldg) 1:30 PM

- Please Note Time Change --
- + SB 289 DISCLAIMERS; TRUSTS
<Bill Hearing Canceled>
- + SB 296 LONG-TERM CARE INSURANCE
- + SB 278 LEAVE FOR MILITARY SPOUSES
- + Bills Previously Heard/Scheduled

Mar 25 Thursday Beltz 105 (tsbldg) 1:30 PM

- Please Note Time Change --
- + SB 258 DENTAL CARE INSURANCE
- + SCR 16 ECONOMIC DEVELOPMENT PLANNING COMMISSION
- + SB 303 WORKERS' COMPENSATION AND CONTRACTORS
- + Bills Previously Heard/Scheduled

RESOURCES

Mar 22 Monday Butrovich 205 3:30 PM

- + SB 287 IN-STATE GAS PIPELINE
- + SB 294 SPORT FISH GUIDE LICENSES
- + SR 10 DOMESTIC NATURAL GAS & ALT. ENERGY
- + Bills Previously Heard/Scheduled

RESOURCES (continued)

Mar 24 Wednesday Butrovich 205 3:30 PM
 + SB 275 AQUATIC FARMING
 + SB 143 RAILBELT ENERGY & TRANSMISSION CORP.
 + Bills Previously Heard/Scheduled

Mar 25 Thursday Butrovich 205 3:30 PM
 += SB 143 RAILBELT ENERGY & TRANSMISSION CORP.
 + Bills Previously Heard/Scheduled

STATE AFFAIRS

Mar 23 Tuesday Beltz 105 (tsbldg) 9:00 AM
 + SB 282 PERMANENT FUND DIVIDEND AMOUNT FOR 2010
 + SB 249 PUBLIC RECORDS/ELECTRONIC TRANSMISSIONS
 + Bills Previously Heard/Scheduled

Mar 25 Thursday Beltz 105 (tsbldg) 9:00 AM
 + HCR 20 SEXUAL ASSAULT AWARENESS MONTH
 + HB 24 PROCUREMENT PREFERENCE FOR VETERANS
 + Bills Previously Heard/Scheduled

TRANSPORTATION

Mar 23 Tuesday Butrovich 205 1:00 PM
 No Meeting Scheduled

Mar 25 Thursday Butrovich 205 1:00 PM
 No Meeting Scheduled

JOINT COMMITTEES

LEGISLATIVE BUDGET & AUDIT

Mar 30 Tuesday House Finance 519 4:30 PM
 Executive Session - Audit Review
 + Other Committee Business
 -- Testimony <Invitation Only> --

JOINT COMMITTEES (continued)**LEGISLATIVE COUNCIL**

Mar 22	Monday	Senate Finance 532	5:00 PM
+	Late Per Diem Request Color Copier Approval Legislative Space (Executive Session) Personnel Policies Other Business		

OTHER MEETINGS**BUSH CAUCUS**

Mar 24	Wednesday	House Finance 519	4:00 PM
	Education Forum: Important Educational Services Presentations by Gloria O'Neill, President, Cook Inlet Tribal Council Abbe Hensley, Director, Best Beginnings		

JOINT LEGISLATIVE HEALTH CAUCUS

Mar 24	Wednesday	Butrovich 205	12:00 PM
+	The State of the Uninsured: Let's Ensure Their Health		

JOINT SESSION

Mar 31	Wednesday	House Chamber	11:00 AM
	Annual Address by the Honorable Mark Begich, U.S. Senator		
Apr 09	Friday	House Chamber	11:00 AM
	Confirmation of Governor's Appointees		

OTHER MEETINGS (continued)

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		