

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SIXTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Monday

March 29, 2010

Seventieth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 1:33 p.m.

The roll showed twenty members present.

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

Father God in Heaven, you have blessed us with the ability to take in this scenery of Alaska, which is incomparable to any in your universe.

And Father, if that were not enough, you said in your infinite wisdom "I will allow all in this body to partake with, govern and protect all citizens representing all walks of life in this 49th state."

Please guide us on our legislative trip from committee to committee to the senate floor. May the great North Star be our guiding light on this 51st year of Alaska statehood.

Lord, I stand before you this morning all warm, fed and sheltered and praise you for that. But I ask that we take a moment to stop and pray for our military; and let us never forget we are at war and, sadly, at this very moment a young solider is just an arm's length from death. A death that will be valiant but a death that is far too early.

1999

This is a world of pain, Lord, but you have provided a covering of love and your voice prevails. Never allow us to forget you have anointed us to represent our beautiful Alaska. And finally, Lord, guide our minds by the truth. I petition these words to you Father in Heaven. Amen.

Senator Paskvan led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House

Message dated March 26 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 253

HOUSE BILL NO. 253 BY REPRESENTATIVE RAMRAS, entitled:

"An Act relating to the time periods affecting certain liens related to providing labor, material, service, or equipment to real property, including buildings and other improvements."

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

HB 366

CS FOR HOUSE BILL NO. 366(JUD) BY THE HOUSE JUDICIARY COMMITTEE, entitled:

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"An Act relating to indemnification agreements that relate to motor carrier transportation contracts."

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

Communications

Report from the Commissioner of the Department of Administration dated March 24 was received stating the monetary terms for the collective bargaining agreement reached with the Teachers' Education Association of Mt. Edgecumbe in accordance with AS 23.40.215.

The President referred the report to the Finance Committee.

Report from the Commissioner of the Department of Administration dated March 24 was received stating the monetary terms for the collective bargaining agreement reached with the Public Employees Local 71 representing the Labor, Trades and Crafts Unit in accordance with AS 23.40.215.

The President referred the report to the Finance Committee.

Standing Committee Reports

SB 217

The Finance Committee considered SENATE BILL NO. 217 "An Act relating to the issuance of state-guaranteed revenue bonds by the Alaska Housing Finance Corporation to finance mortgages for qualifying veterans; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 217(FIN) "An Act relating to the issuance of state-guaranteed revenue bonds by the Alaska Housing Finance Corporation to finance mortgages for qualifying veterans; authorizing the Alaska Housing Finance Corporation to acquire the building that it occupies for an amount that does not exceed \$14,500,000; authorizing the

Alaska Housing Finance Corporation to acquire a building or purchase an undesignated site for the relocation of its public housing client intake and assisted housing center for an amount that does not exceed \$3,500,000; and providing for an effective date."

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

The following fiscal information was published today:
Fiscal Note No. 3, Department of Revenue

The bill was referred to the Rules Committee.

SB 219

The Finance Committee considered SENATE BILL NO. 219 "An Act establishing a traumatic brain injury program and registry within the Department of Health and Social Services; and relating to medical assistance coverage for traumatic brain injury services" and recommended it be replaced with

CS FOR SENATE BILL NO. 219(FIN) "An Act establishing a traumatic or acquired brain injury program and registry within the Department of Health and Social Services; and relating to medical assistance coverage for traumatic or acquired brain injury services."

Signing do pass: Senators Hoffman, Stedman, Cochairs. Signing no recommendation: Senators Huggins, Thomas, Egan.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Department of Health and Social Services
Fiscal Note No. 2, Department of Health and Social Services

The bill was referred to the Rules Committee.

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SB 279

The Finance Committee considered SENATE BILL NO. 279 "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" and recommended it be replaced with

CS FOR SENATE BILL NO. 279(FIN)

Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Thomas, Egan.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

SB 284

The Finance Committee considered SENATE BILL NO. 284 "An Act relating to state election campaigns, the duties of the Alaska Public Offices Commission, the reporting and disclosure of expenditures and independent expenditures, the filing of reports, and the identification of certain communications in state election campaigns; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 284(FIN) "An Act relating to state election campaigns, the duties of the Alaska Public Offices Commission, the reporting and disclosure of expenditures and independent expenditures, the filing of reports, and the identification of certain communications in state election campaigns; prohibiting expenditures and contributions by foreign nationals in state elections; and providing for an effective date."

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

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The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Office of the Governor
Fiscal Note No. 2, Department of Administration

The bill was referred to the Rules Committee.

Introduction and Reference of Senate Resolutions

SCR 17

SENATE CONCURRENT RESOLUTION NO. 17 BY THE
SENATE COMMUNITY AND REGIONAL AFFAIRS
COMMITTEE,

Establishing and relating to the Alaska Northern Waters Task Force.

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

Consideration of the Calendar

Second Reading of House Bills

HB 300

CS FOR HOUSE BILL NO. 300(FIN) "An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; and providing for an effective date" was read the second time.

Senator Hoffman, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 1980. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 300(FIN) 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.

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SENATE CS FOR CS FOR HOUSE BILL NO. 300(FIN) was read the third time.

Senator Ellis moved and asked unanimous consent that SENATE CS FOR CS FOR HOUSE BILL NO. 300(FIN) be held in third reading to the March 30 calendar. Without objection, it was so ordered.

HB 302

CS FOR HOUSE BILL NO. 302(FIN) "An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date" was read the second time.

Senator Hoffman, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 1981. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 302(FIN) 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.

SENATE CS FOR CS FOR HOUSE BILL NO. 302(FIN) was read the third time.

Senator Ellis moved and asked unanimous consent that SENATE CS FOR CS FOR HOUSE BILL NO. 302(FIN) be held in third reading to the March 30 calendar. Without objection, it was so ordered.

Third Reading of Senate Bills

SB 277

CS FOR SENATE BILL NO. 277(RES) "An Act exempting from regulation by the Regulatory Commission of Alaska and by municipalities certain generators of electricity from renewable energy resources that sell electricity to regulated utilities" was read the third time.

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Senator Ellis moved and asked unanimous consent that CS FOR SENATE BILL NO. 277(RES) be held in third reading to the April 2 calendar. Without objection, it was so ordered.

Second Reading of House Resolutions

HCR 20

HOUSE CONCURRENT RESOLUTION NO. 20 Proclaiming the month of April 2010 to be Sexual Assault Awareness Month, was read the second time and was before the Senate on final passage.

Senators Davis, French, Wagoner, Bunde, Olson, Dyson, Thomas, Kookesh, Coghill, Ellis, Paskvan, Egan, Meyer, McGuire, Stedman, Huggins moved and asked unanimous consent to be shown as cross sponsors on the resolution. Without objection, it was so ordered.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 20 Proclaiming the month of April 2010 to be Sexual Assault Awareness Month, pass the Senate?" The roll was taken with the following result:

HCR 20 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 CONCURRENT RESOLUTION NO. 20 passed the Senate, was signed by the President and Secretary and returned to the House.

Citations

Honoring - Krystie DePue Red Cross Hero Representative(s) Salmon

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

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Honoring - Dirk Nickisch Red Cross Hero

Representative(s) Salmon

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

Honoring - Kwigillingok Volunteer Child Protection Team

Representative(s) Herron, Fairclough

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

In Memoriam - Candice Berner

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

Representative(s) Edgmon

In Memoriam - Clinton Lee Zaverl

Representative(s) Joule

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

In Memoriam - Lloyd Wynell Cannon

Representative(s) Austerman

Senator(s) Stevens, Bunde, 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.

Announcements

Announcements are at the end of the journal.

2008

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Adjournment

Senator Ellis moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., March 30, 2010. Without objection, the Senate adjourned at 2:11 p.m.

Kirsten Waid
Secretary of the Senate

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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 30	Tuesday	Beltz 105 (tsbldg)	3:30 PM
+ SCR 17	ALASKA NORTHERN WATERS TASK FORCE		
+	Bills Previously Heard/Scheduled		
Apr 01	Thursday	Beltz 105 (tsbldg)	3:30 PM
+ SB 308	COMMUNITY REVENUE SHARING PROGRAM		
+	Bills Previously Heard/Scheduled		

EDUCATION

Mar 29	Monday	Beltz 105 (tsbldg)	8:00 AM
	School District Legislative Fly-In		
	Informal Q&A Session Regarding Alaska's		
	Public School Systems		
	Bills Previously Heard/Scheduled		
Mar 31	Wednesday	Beltz 105 (tsbldg)	8:00 AM
	Bills Previously Heard/Scheduled		
Apr 02	Friday	Beltz 105 (tsbldg)	8:00 AM
	Bills Previously Heard/Scheduled		

FINANCE

Mar 29 Monday Senate Finance 532 9:00 AM

- + SB 217 GUARANTEED REVENUE BONDS FOR VETERANS
- + SB 219 TRAUMATIC BRAIN INJURY:PROGRAM/MEDICAID
- + SB 279 MORTGAGE LENDING
- + SB 284 CAMPAIGN EXPENDITURES
- + SB 117 PRICE OF CIGARETTES
- + SB 239 IGNITION INTERLOCK DEVICES/DUI/CHEM. TEST
- + SB 243 NO ROYALTY ON GEOTHERMAL RESOURCE
- + Bills Previously Heard/Scheduled
- = SB 305 SEPARATE OIL & GAS PRODUCTION TAX
<Bill Hearing Postponed>

Mar 30 Tuesday Senate Finance 532 9:00 AM

- + HCR 2 IN-STATE GAS PIPELINE
- + SB 237 SCHOOL CONSTRUCTION DEBT REIMBURSEMENT
- + SB 4 COASTAL MANAGEMENT PROGRAM
- + Bills Previously Heard/Scheduled

Mar 31 Wednesday Senate Finance 532 9:00 AM

- + SB 33 POSTSECONDARY SCHOLARSHIPS
- + SB 139 INCENTIVES FOR CERTAIN MEDICAL PROVIDERS
- + SB 174 PROF STUDENT EXCHANGE LOAN FORGIVENESS
- + SB 235 CHARTER/ALTERNATIVE SCHOOL FUNDING
- + SB 236 TAX CREDITS FOR EDUCATIONAL CONTRIBUTIONS
- + SB 224 POSTSECONDARY SCHOLARSHIPS
+ Bills Previously Heard/Scheduled

Apr 01 Thursday Senate Finance 532 9:00 AM

- + SB 230 BUDGET: CAPITAL, SUPP. & OTHER APPROPS
- + HB 326 SUPPLEMENTAL/CAPITAL/OTHER APPROPRIATIONS
<Pending Referral>
- + Bills Previously Heard/Scheduled

Apr 02 Friday Senate Finance 532 9:00 AM

- + Dept of Natural Resources- Presentation On AGIA Regulations
-- Testimony <Invitation Only> --
- + Bills Previously Heard/Scheduled

Apr 03 Saturday Senate Finance 532 11:00 AM

- + Bills Previously Heard/Scheduled

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HEALTH & SOCIAL SERVICES

Mar 29	Monday	Butrovich 205	1:30 PM
	No Meeting Scheduled		
Mar 31	Wednesday	Butrovich 205	1:30 PM
	No Meeting Scheduled		
Apr 02	Friday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

JUDICIARY

Mar 29	Monday	Beltz 105 (tsbldg)	1:30 PM
	-- Immediately Following Session --		
+	Confirmations: Violent Crimes Compensation Board		
+	SB 292 PAWNBROKERS		
+=	HB 101 EXEMPTIONS: LIFE INSURANCE; ANNUITIES		
+	Bills Previously Heard/Scheduled		
Mar 31	Wednesday	Beltz 105 (tsbldg)	1:30 PM
+	Confirmations: Select Committee on Legislative Ethics		
+	SB 249 PUBLIC RECORDS/ELECTRONIC TRANSMISSIONS		
+	HB 108 PROP. FORECLOSURE/EXECUTION/TRUST DEEDS		
+	Bills Previously Heard/Scheduled		
Apr 02	Friday	Beltz 105 (tsbldg)	1:30 PM
+=	SB 241 POST-CONVICTION DNA TESTING; EVIDENCE		
+	Bills Previously Heard/Scheduled		

LABOR & COMMERCE

Mar 30	Tuesday	Beltz 105 (tsbldg)	1:30 PM
	-- Please Note Time Change --		
+	Governor's Nominations		
+	SB 298 ST. EMPLOYEE GEOGRAPHIC PAY DIFFERENTIAL		
+	HB 377 VOLUNTEER AMATEUR SPORTS OFFICIALS		
+	Bills Previously Heard/Scheduled		

LABOR & COMMERCE (continued)

Apr 01 Thursday **Beltz 105 (tsbldg)** **1:30 PM**
-- Please Note Time Change --
+ SB 38 PHARMACY BENEFITS MANAGERS; MANAGED CARE
+= SB 303 WORKERS' COMPENSATION AND CONTRACTORS
+= SB 304 ENTITY TRANSACTIONS ACT
+ Bills Previously Heard/Scheduled

RESOURCES

Mar 29 Monday **Butrovich 205** **3:30 PM**
+ SB 245 SALMON PRODUCT DEVELOP. TAX CREDIT
+ SB 255 FISH PROCESSOR FEES, LICENSES, RECORDS
+ HB 162 SOUTHEAST STATE FOREST
+ Bills Previously Heard/Scheduled

Mar 31 Wednesday **Butrovich 205** **3:30 PM**
+ Overview by DOR & DNR on Cook Inlet Gas Incentives
+ SB 309 GAS EXPLORATION\DEVELOPMENT TAX CREDIT
+ SB 290 TAX CREDIT TO DRILL WELLS IN COOK INLET
+ HB 280 NATURAL GAS: STORAGE/ TAX CREDITS
Bills Previously Heard/Scheduled

Apr 01 Thursday **Butrovich 205** **3:30 PM**
+ Overview from the Administration on In-State Gas
+ Overview from Experts on Export License Issues
+ Update from Conoco Philips on Gas Export Facility
+ HB 369 IN-STATE PIPELINE/ MANAGER/TEAM
+ Bills Previously Heard/Scheduled

Apr 02 Friday **Butrovich 205** **3:30 PM**
Continuation of any Overviews or Bills
Not Completed in Previous Hearings
+ Bills Previously Heard/Scheduled

Apr 03 Saturday **Butrovich 205** **11:00 AM**
Continuation of Overviews or Bills Not
Completed in Previous Hearings
Bills Previously Heard/Scheduled

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STATE AFFAIRS

Mar 30	Tuesday	Beltz 105 (tsbldg)	9:00 AM
	No Meeting Scheduled		
Apr 01	Thursday	Beltz 105 (tsbldg)	9:00 AM
+ HB 73	FIREFIGHTER/EMT LICENSE PLATES		
+ HB 225	STATE PROCUREMENT CODE		
	Bills Previously Heard/Scheduled		

TRANSPORTATION

Mar 30	Tuesday	Butrovich 205	1:00 PM
	No Meeting Scheduled		
Apr 01	Thursday	Butrovich 205	1:00 PM
HB 262	MOTORCYCLE/SCOOTER AWARENESS MONTH		

JOINT COMMITTEES

LEGISLATIVE BUDGET & AUDIT

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

OTHER MEETINGS

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 MEETING**

Mar 29	Monday	Senate Finance 532	1:00 PM
	-- MEETING CANCELED --		
	-- Changed to Education Meeting 8 a.m.--		
	-- Location changed to Beltz Room 105 --		
	School District Legislative Fly-In		
	Informal Q&A Session Regarding Alaska's		
	Public School System		
Apr 01	Thursday	Beltz 105 (tsbldg)	12:00 PM
+	Lunch and Learn Session		
	Sponsored by the Senate Energy Committee, 'Rare Earth		
	Elements, Alaska's Bokan Mountain'		
Apr 06	Tuesday	Capitol 106	12:00 PM
	Lunch and Learn Session		
	Sponsored by the Senate Energy Committee		
	and Senator Joe Thomas		
	'The Susitna Dam from Delta to Donlin to Dillingham'		
	Presented by Bryan Carey, AEA Project		
	Engineer & Jim Strandberg, AEA Project Manager		