

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Friday

February 4, 2011

Eighteenth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 10:00 a.m.

The roll showed eighteen members present. Senators Hoffman, Paskvan, were excused from a call of the Senate.

The prayer was offered by the Chaplain, Reverend Dr. Phil Campbell of Northern Light United Church. Senator Ellis moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

On Wednesday I mentioned public theologian, Reinhold Niebuhr, author of the Serenity Prayer. As I prepared for my final morning of prayer with you, other words of Niebuhr came to mind. Those of you gathered here inevitably deal with disagreement and divergent views. At times when I have been in the midst of conflict and divergence, Niebuhr's words spoke to me and thus I offer them to you. He would often say amid the fray, "We must fight their falsehood with our truth, but we must also fight the falsehood in our truth." With the challenge of Niebuhr's words in mind, I invite us into a time of reflection and prayer together. Let us pray:

I thank you, Gracious Creator, for meaningful work and for the opportunity to serve this great state and all its inhabitants. Embolden all of us to act with the courage of our convictions, and grant to us also a spirit of humility that we may be attentive to viewpoints and experiences different

from our own. Remind us that whatever our perspective, it is unavoidably partial, and that together we see a larger portion of the entire picture than any of us can alone. And now, abide with all those gathered here in their deliberations and considerations. O Gracious Creator, in this time of service, hear these and all our prayers. Amen.

Senator Coghill led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House

Message dated February 2 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Resolutions

HJR 13

HOUSE JOINT RESOLUTION NO. 13 BY REPRESENTATIVES STOLTZE, Pruitt, Thomas, Costello, Chenault, Fairclough, Hawker, Johansen, Johnson, Keller, Millett, Neuman, Olson, Seaton, P. Wilson, Gatto, Lynn, Saddler, Munoz, Thompson, Herron,

Honoring President Reagan on the 100th anniversary
of his birth.

was read the first time and referred to the State Affairs Committee.

Senator Wielechowski, Chair, moved and asked unanimous consent that the State Affairs Committee referral be waived on HOUSE JOINT RESOLUTION NO. 13 Honoring President Reagan on the 100th anniversary of his birth. The State Affairs Committee passed SENATE

JOINT RESOLUTION NO. 4 Honoring President Reagan on the 100th anniversary of his birth, out of committee, (page 155) with a do pass recommendation. Without objection, the resolution was referred to the Rules Committee.

Standing Committee Reports

SB 12

The Health and Social Services Committee considered SENATE BILL NO. 12 "An Act extending the termination date of the Board of Nursing; and providing for an effective date." Signing do pass: Senator Davis, Chair; Senators Meyer, Dyson, Egan, Ellis.

The following fiscal information was published today:

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

The bill was referred to the Finance Committee.

SB 31

The Judiciary Committee considered SENATE BILL NO. 31 "An Act relating to the counting of write-in votes" and recommended it be replaced with

CS FOR SENATE BILL NO. 31(JUD)

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

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Office of the Governor

The bill was referred to the Rules Committee.

SB 33

The Judiciary Committee considered SENATE BILL NO. 33 "An Act relating to the disposition of remains of a member of the military if the member dies while in a duty status" and recommended the adoption of the State Affairs Committee Substitute offered on page 111.

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

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Military and Veterans' Affairs

The bill was referred to the Rules Committee.

HB 16

The Health and Social Services Committee considered HOUSE BILL NO. 16 "An Act extending senior benefits." Signing do pass: Senator Davis, Chair; Senators Dyson, Meyer, Egan, Ellis.

The following previously published fiscal information applies:

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

The bill was referred to the Finance Committee.

**Introduction and Reference of
Senate Resolutions****SJR 6**

SENATE JOINT RESOLUTION NO. 6 BY SENATOR OLSON,

Urging the United States Army and United States Air Force to extend the public comment period for the Joint Pacific Alaska Range Complex Modernization and Enhancement Environmental Impact Statement that ends February 18, 2011, for a minimum of 90 days to allow for effective communication and full state and user involvement during the comment period.

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

Introduction and Reference of Senate Bills**SB 78**

SENATE BILL NO. 78 BY SENATOR MCGUIRE BY REQUEST, entitled:

"An Act relating to liability of certain limited liability organizations holding liquor licenses."

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

SB 79

SENATE BILL NO. 79 BY SENATOR MENARD, entitled:

"An Act making a special appropriation to the Knik Arm Crossing fund; and providing for an effective date."

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

SB 80

SENATE BILL NO. 80 BY SENATOR MENARD, entitled:

"An Act relating to the authority and obligations of the Knik Arm Bridge and Toll Authority, to bonds of the authority, and to reserve funds of the authority; authorizing the state to provide support for certain obligations of the authority; relating to taxes and assessments on a person that is a party to an agreement with the authority; and establishing the Knik Arm Crossing fund."

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

SB 81

SENATE BILL NO. 81 BY SENATOR DAVIS, entitled:

"An Act establishing as a standard for the procurement of group life and health insurance for retirement systems for certain public employees a requirement that dependent coverage medical benefits provided to the systems' retiree members may not be less than dependent coverage medical benefits provided to the systems' active members."

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

SB 82

SENATE BILL NO. 82 BY SENATOR DAVIS, entitled:

"An Act relating to the procedures and jurisdiction of the Department of Health and Social Services for the care of children who are in state custody; relating to court jurisdiction and findings pertaining to children who are in state custody; and modifying the licensing requirements for foster care."

was read the first time and referred to the Health and Social Services and Judiciary Committees.

SB 83

SENATE BILL NO. 83 BY THE SENATE EDUCATION COMMITTEE, entitled:

"An Act providing for payment and loan incentives to public school teachers for national board certification."

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

SB 84

SENATE BILL NO. 84 BY THE SENATE EDUCATION COMMITTEE, entitled:

"An Act relating to funding for high school vocational education as a component of funding for public schools; increasing the base student allocation used in the public school funding formula; and providing for an effective date."

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

Consideration of the Calendar**Citations**

In Memoriam - Mary C. Krogstad

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

In Memoriam - M. Celeste Toussaint

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

Senator Meyer 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**Citations**

Senator Meyer moved and asked unanimous consent that the following citation be made a special order of business. Without objection, it was so ordered.

Special Order of Business

Honoring - Edward S. Itta

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

Representative(s) Joule

Senator Meyer moved and asked unanimous consent that the citation be adopted. Without objection, the citation was adopted and referred to the Secretary for transmittal.

Senator Huggins moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 11 through evening plane time, February 13. Without objection, Senator Huggins was excused.

SB 33

Senator McGuire moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 33 "An Act relating to the disposition of remains of a member of the military if the member dies while in a duty status." Without objection, it was so ordered.

HB 16

Senator Thomas moved and asked unanimous consent to be shown as a cross sponsor on HOUSE BILL NO. 16 "An Act extending senior benefits." Without objection, it was so ordered.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Meyer moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 7, 2011. Without objection, the Senate adjourned at 10:14 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 08	Tuesday	Beltz 105 (tsbldg)	3:30 PM
	No Meeting Scheduled		
Feb 10	Thursday	Beltz 105 (tsbldg)	3:30 PM
+	Alaska's Mayors Forum		

EDUCATION

Feb 04	Friday	Beltz 105 (tsbldg)	8:00 AM
+= SB 43	ALASKA PERFORMANCE SCHOLARSHIPS		
	Bills Previously Heard/Scheduled		
Feb 07	Monday	Beltz 105 (tsbldg)	8:00 AM
+= SB 43	ALASKA PERFORMANCE SCHOLARSHIPS		
	Bills Previously Heard/Scheduled		
Feb 09	Wednesday	Beltz 105 (tsbldg)	8:00 AM
+= SB 43	ALASKA PERFORMANCE SCHOLARSHIPS		
	Bills Previously Heard/Scheduled		
Feb 11	Friday	Beltz 105 (tsbldg)	8:00 AM
+= SB 43	ALASKA PERFORMANCE SCHOLARSHIPS		
	Bills Previously Heard/Scheduled		
Mar 09	Wednesday	Barnes 124	8:00 AM
+	Joint House/Senate Education Committee Meeting		
	Presentation:		
	Best Beginnings/Early Childhood Program		

EDUCATION (continued)

Mar 11	Friday	Barnes 124	8:00 AM
	Joint House/Senate Education Committee Meeting		
+	Presentation:		
	Higher Education and Career Readiness Task Force		
Mar 18	Friday	Barnes 124	8:00 AM
	Joint House/Senate Education Committee Meeting		
+	Presentation:		
	State Board of Education and Early Development		

FINANCE

Feb 04	Friday	Senate Finance 532	9:00 AM
	-- MEETING CANCELED --		
+	Bills Previously Heard/Scheduled		
Feb 07	Monday	Senate Finance 532	9:00 AM
+ SB 3	FUNDING FOR SCHOOL MEALS		
+ HB 16	EXTEND SENIOR BENEFITS PAYMENT PROGRAM		
+	Bills Previously Heard/Scheduled		
Feb 08	Tuesday	Senate Finance 532	9:00 AM
	No Meeting Scheduled		
Feb 09	Wednesday	Senate Finance 532	9:00 AM
+	Presentation on the Goose Creek Prison by the		
	Department of Corrections		
+	Bills Previously Heard/Scheduled		
Feb 10	Thursday	Senate Finance 532	9:00 AM
+	Presentation on Oil and Gas Tax Credits by the		
	Department of Revenue		
+	Bills Previously Heard/Scheduled		
Feb 11	Friday	Senate Finance 532	9:00 AM
+	Bills Previously Heard/Scheduled		

HEALTH & SOCIAL SERVICES

Feb 04	Friday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

HEALTH & SOCIAL SERVICES (continued)

Feb 07	Monday	Butrovich 205	1:30 PM
+	Presentations: Department of Health & Social Services Overview Commissioner William Streur Alaska Health Care Commission Report/Update Deborah Erickson, Executive Director and Ward Hurlburt, MD, MPH, Chair		
Feb 09	Wednesday	Butrovich 205	1:30 PM
+ SB 17	SYNTHETIC CANNABINOIDS AS SCHEDULE IIA		
+	Citizen Review Panel		
+	Office of Children's Services Christy Lawton, Acting Director		
Feb 11	Friday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

JUDICIARY

Feb 04	Friday	Beltz 105 (tsbldg)	1:30 PM
	-- MEETING CANCELED --		
+	Bills Previously Heard/Scheduled		
Feb 07	Monday	Beltz 105 (tsbldg)	1:30 PM
+ SB 62	CIVIL LEGAL SERVICES FUND		
+ SB 72	CRIMES INVOLVING MINORS/STALKING/INFO		
+	Bills Previously Heard/Scheduled		
Feb 09	Wednesday	Beltz 105 (tsbldg)	1:30 PM
+	Reducing the Cost of Crime: Therapeutic Courts, Doug Wooliver, Court System Prisoner Reentry Programs Carmen Gutierrez, Department of Corrections Bridge Home Program Jeff Jessee, Mental Health Trust Authority		
+	Bills Previously Heard/Scheduled		
Feb 11	Friday	Beltz 105 (tsbldg)	1:30 PM
+	Bills Previously Heard/Scheduled		

LABOR & COMMERCE

Feb 08	Tuesday	Beltz 105 (tsbldg)	1:30 PM
+ SB 70	ALASKA HEALTH BENEFIT EXCHANGE		
+	Bills Previously Heard/Scheduled		
Feb 10	Thursday	Beltz 105 (tsbldg)	1:30 PM
+ SB 38	POLICE & FIREFIGHTER DEATH BENEFITS		
+ SB 67	LOAN FUNDS:CHARTERS/MARICULTURE/MICROLOAN		
+	Bills Previously Heard/Scheduled		

RESOURCES

Feb 04	Friday	Butrovich 205	3:30 PM
+	Presentation: Larry Hartig, Commissioner, Department of Environmental Conservation		
Feb 07	Monday	Butrovich 205	3:30 PM
+ SB 24	SPORT FISHING GUIDES: BOARD; LICENSES		
	Presentation by Bill Sponsor		
	(public comment at a later date)		
+ SB 44	SOUTHEAST STATE FOREST		
	Presentation and Public Comment		
Feb 09	Wednesday	Butrovich 205	3:30 PM
+ SB 42	POWER PROJECT; ALASKA ENERGY AUTHORITY		
	Presentation by AEA		
Feb 11	Friday	Butrovich 205	3:30 PM
+ SB 42	POWER PROJECT; ALASKA ENERGY AUTHORITY		
	Presentation by AEA (continued from previous meeting if necessary)		
	Public Comment		

STATE AFFAIRS

Feb 08	Tuesday	Butrovich 205	9:00 AM
	There will be no State Affairs Committee Meeting Due to a Meeting of the Joint Armed Services Committee		
Feb 10	Thursday	Butrovich 205	9:00 AM
+ SB 18	DURATION OF REGULAR LEGISLATIVE SESSIONS		
+ SCR 2	UNIFORM RULES: PRESIDING OFFICER PRO TEM		
	Bills Previously Heard/Scheduled		

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TRANSPORTATION

Feb 08 +	Tuesday Joint with House & Senate Transportation Cmte Overview: Alaska Marine Highway System and the Marine Transportation Advisory Board	Barnes 124	1:00 PM
Feb 08 + SJR 6 +	Tuesday MILITARY OPERATIONS AREAS EXPANSION Bills Previously Heard/Scheduled	Barnes 124	2:30 PM
Feb 10	Thursday No Meeting Scheduled	Butrovich 205	1:00 PM

FINANCE SUBCOMMITTEES

ADMINISTRATION

Feb 08 +	Tuesday FY2012 Budget Overview	Fahrenkamp 203	5:30 PM
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CORRECTIONS

Feb 09	Wednesday Goose Creek Correctional Center Subcommittee Members will be Guests of the Senate Finance Committee	Senate Finance 532	9:00 AM
Mar 03	Thursday Rehabilitation and Parole Initiatives	Fahrenkamp 203	5:30 PM
Mar 10	Thursday Inmate Health Care, Medical Information System Community Residential Centers, Community Jails	Fahrenkamp 203	5:30 PM
Mar 17	Thursday Closeout	Fahrenkamp 203	5:30 PM

COURT SYSTEM

Feb 10 +	Thursday Overview and FY12 Budget Request	Sen Conf Rm 103 Tsb	4:00 PM
Feb 22 +	Tuesday FY12 Budget Request	Sen Conf Rm 103 Tsb	4:00 PM

COURT SYSTEM (continued)

Mar 15	Tuesday	Sen Conf Rm 103 Tsb	3:00 PM
+	Closeout		

EDUCATION & EARLY DEVELOPMENT

Feb 24	Thursday	Fahrenkamp 203	4:00 PM
+	Overview & FY12 Request		

Mar 01	Tuesday	Fahrenkamp 203	4:00 PM
+	FY12 Budget Request		

Mar 10	Thursday	Fahrenkamp 203	4:00 PM
+	FY12 Budget Request		

Mar 17	Thursday	Fahrenkamp 203	4:00 PM
+	Closeout		

FISH & GAME

Feb 10	Thursday	Beltz 105 (tsbldg)	8:00 AM
+	Department Budget Overview		
	-- Testimony <Invitation Only> --		

Feb 17	Thursday	Beltz 105 (tsbldg)	8:00 AM
+	Department Budget Overview Continuation		
	-- Testimony <Invitation Only> --		

Feb 24	Thursday	Beltz 105 (tsbldg)	8:00 AM
+	**To be determined**		
	-- Testimony <Invitation Only> --		

Mar 10	Thursday	Beltz 105 (tsbldg)	8:00 AM
+	Other topics of interest to the committee not covered previously, Budget Amendments, Q&A		
	-- Testimony <Invitation Only> --		

Mar 17	Thursday	Beltz 105 (tsbldg)	8:00 AM
+	Budget Close Out		
	-- Testimony <Invitation Only> --		

HEALTH & SOCIAL SERVICES

Feb 14 +	Monday Department Budget Overview -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	3:30 PM
Feb 16 +	Wednesday Public Health -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	3:30 PM
Feb 21 +	Monday Behavioral Health - System wide including implications in other areas, not just the Behavioral Health budget component, focus on API. -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	3:30 PM
Feb 23 +	Wednesday Medicaid, possible Affordable Care Act and impact on Medicaid and the Division of Public Assistance, Home and Community Based Rates, Residential Psychiatric Treatment Center Rates, CMS moratorium, Division of Senior and Disability Services Corrective Action Plan -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	3:30 PM
Mar 09 +	Wednesday Other topics of interest to the committee not covered previously, Q&A, Governor's Budget Amendments -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	3:30 PM
Mar 16 +	Wednesday Budget Close Out -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	3:30 PM

LABOR & WORKFORCE DEVELOPMENT

Feb 14	Monday Budget Overview by Commissioner Clark Bishop Department Overview	Fahrenkamp 203	12:00 PM
Mar 09	Wednesday Budget Overview Continued (if necessary)	Fahrenkamp 203	4:00 PM
Mar 10	Thursday Budget: Department Addresses Additional Questions and Overview of House Budget Actions	Fahrenkamp 203	11:00 AM

LABOR & WORKFORCE DEVELOPMENT (continued)

Mar 14	Monday	Fahrenkamp 203	4:00 PM
	Budget Closeout		

MILITARY & VETERANS' AFFAIRS

Feb 22	Tuesday	Butrovich 205	12:00 PM
+	Overview of the Department & FY12 Budget Request		

Mar 08	Tuesday	Butrovich 205	12:00 PM
+	Overview of the Department & FY12 Budget Request		

Mar 10	Thursday	Butrovich 205	12:00 PM
+	Overview of the Department & FY 12 Budget Request		

Mar 15	Tuesday	Butrovich 205	12:00 PM
+	Overview of the Department & FY12 Budget Request		

NATURAL RESOURCES

Feb 17	Thursday	Butrovich 205	3:30 PM
	Budget Overview by Commissioner Dan Sullivan		
	Department Overview		

Mar 08	Tuesday	Fahrenkamp 203	12:00 PM
	Budget & Department Overview Continued		
	(if necessary)		

Mar 11	Friday	Fahrenkamp 203	12:00 PM
	Budget - Department Addresses Committee Questions		
	Overview of House Budget Actions		

Mar 17	Thursday	Fahrenkamp 203	12:00 PM
	Budget Closeout		

PUBLIC SAFETY

Feb 08	Tuesday	Beltz 105 (tsbldg)	8:00 AM
+	Department Budget Overview		
	-- Testimony <Invitation Only> --		

Feb 15	Tuesday	Beltz 105 (tsbldg)	8:00 AM
+	Status of VPSO Program		
+	Status of AST Recruitment and Retention		
	-- Testimony <Invitation Only> --		

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PUBLIC SAFETY (continued)

Feb 22	Tuesday	Beltz 105 (tsbldg)	8:00 AM
+	Domestic Violence & Sexual Assault Programs		
	-- Testimony <Invitation Only> --		
Mar 08	Tuesday	Beltz 105 (tsbldg)	8:00 AM
+	Pre-Close-Out and Question/Answer Session		
	-- Testimony <Invitation Only> --		
Mar 15	Tuesday	Beltz 105 (tsbldg)	8:00 AM
+	Budget Close-Out		
	-- Testimony <Invitation Only> --		

JOINT COMMITTEES

ADMINISTRATIVE REGULATION REVIEW

Feb 15	Tuesday	Fahrenkamp 203	1:30 PM
+	Overview: Regulation Process		

ARMED SERVICES COMMITTEE

Feb 08	Tuesday	Senate Finance 532	9:00 AM
+	Presentation: Update on Alaska's Military, by Lt. General Dana Atkins, Commander: Alaskan Command, Alaskan North American Aerospace Defense Command Region, Joint Task Force Alaska, and Eleventh Air Force Maj. General Thomas Katkus, Adjutant General, Alaska National Guard; Commissioner, Department of Military and Veterans' Affairs		
	-- Testimony <Invitation Only> --		

HIGHER EDUC/CAREER READINESS TASK FORCE

Mar 10	Thursday	Terry Miller Gym	9:00 AM
+	Discuss Preliminary (Draft) Recommendations to the Legislature Detailed Agenda to be Announced		
Mar 11	Friday	Terry Miller Gym	1:00 PM
+	Discuss Preliminary (Draft) Recommendations to the Legislature Detailed Agenda to be Announced		

LEGISLATIVE BUDGET & AUDIT

Feb 10	Thursday	House Finance 519	10:30 AM
	Audits: Executive Session		
+	Other Committee Business		
	<Teleconference Invitation Only>		

LEGISLATIVE COUNCIL

Feb 17	Thursday	Tba	11:00 AM
	Agenda Forthcoming		
Mar 17	Thursday	House Finance 519	11:00 AM
	Agenda Forthcoming		
Apr 07	Thursday	House Finance 519	11:00 AM
	Agenda Forthcoming		

OTHER MEETINGS**JOINT SESSION**

Feb 24	Thursday	House Chamber	11:00 AM
	Annual Address by the Honorable Lisa Murkowski, U.S. Senator		
Mar 09	Wednesday	House Chamber	11:00 AM
	State of the Judiciary Address by Chief Justice Walter Carpeneti		
Mar 22	Tuesday	House Chamber	11:00 AM
	Annual Address by the Honorable Mark Begich, U.S. Senator		