

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Wednesday

February 16, 2011

Thirtieth Day

Pursuant to adjournment the Senate was called to order by President pro tempore Ellis at 11:07 a.m.

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

The prayer was offered by the Chaplain, The Reverend George Silides of Holy Trinity Episcopal Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Almighty God, from whom comes every good and perfect gift; we give you thanks for the beauty of this new day. We give you thanks for the blessings we have walked in - some we have looked for, and others which have surprised us. Open our eyes to the hidden blessings of the challenges and aggravations of our lives - the truer test of our characters and worthiness of our ambitions. As we remember today those who have broken trail through the social barriers of their time, help us always to remember those who look to us as mentors and moral exemplars in our own day. Help us to show our young people the value of an open heart and generous hand. Help them to take failure, not as a measure of their worth, but as a chance for a new start. Bless these here gathered with thy favor, O Lord, and direct in our time those who speak where many listen and write what many read;

that each may do their part in keeping the heart of
Alaska's people wise, their laws sound, and future
bright with promise. Amen.

Senator Paskvan led the Senate in the Pledge of Allegiance.

Certification

Senator Meyer 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 14 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Resolutions

HJR 11

HOUSE JOINT RESOLUTION NO. 11 BY REPRESENTATIVES MILLETT, Lynn, P.Wilson, Saddler, Chenault, Tuck, Johansen, Joule, Gardner, Costello, Fairclough,

Urging the United States Congress to refrain from passing legislation that designates land in Area 1002 of the Arctic National Wildlife Refuge as wilderness.

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

First Reading and Reference of House Bills

HB 21

CS FOR HOUSE BILL NO. 21(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to the membership of the Statewide Suicide Prevention Council."

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

Concur Messages**SJR 6**

Message dated February 16 was read stating the House passed and returned for consideration CS FOR SENATE JOINT RESOLUTION NO. 6(TRA) 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, which is set to end February 18, 2011, for a minimum of 30 days to allow for effective communication and full state and user involvement during the comment period, with the following amendment:

CS FOR SENATE JOINT RESOLUTION NO. 6(TRA) am H Urging the United States Army and United States Air Force to extend the public comment period for the scoping phase of the Joint Pacific Alaska Range Complex Modernization and Enhancement Environmental Impact Statement, which is set to end February 18, 2011, for a minimum of 30 days to allow for effective communication and full state and user involvement during the comment period.

Senator Meyer moved that the Senate concur in the House amendment.

The question being: "Shall the Senate concur in the House amendment?" The roll was taken with the following result:

CSSJR 6(TRA) am H
Shall the Senate Concur in the House
Amendment to CSSJR 6(TRA)?

YEAS: 18 NAYS: 0 EXCUSED: 2 ABSENT: 0

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

Excused: Huggins, Stevens

and so, the Senate concurred in the House amendment, thus adopting CS FOR SENATE JOINT RESOLUTION NO. 6(TRA) am H Urging the United States Army and United States Air Force to extend the public comment period for the scoping phase of the Joint Pacific Alaska Range Complex Modernization and Enhancement Environmental Impact Statement, which is set to end February 18, 2011, for a minimum of 30 days to allow for effective communication and full state and user involvement during the comment period.

The Secretary was requested to notify the House.

The resolution was referred to the Secretary for enrollment.

Standing Committee Reports

SB 38

The Labor and Commerce Committee considered SENATE BILL NO. 38 "An Act establishing a one-time occupational death benefit for peace officers and firefighters." Signing do pass: Senator Egan, Chair; Senators Davis, Paskvan. Signing no recommendation: Senator Giessel.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Administration

The bill was referred to the Finance Committee.

SB 43

The Education Committee considered SENATE BILL NO. 43 "An Act renaming the Alaska performance scholarship and relating to the scholarship and tax credits applicable to contributions to the scholarship; establishing the Alaska performance scholarship investment fund and the Alaska performance scholarship award fund and relating to the funds; making conforming amendments; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 43(EDC) "An Act renaming the Alaska performance scholarship and relating to the scholarship; relating to education tax

credits; relating to AlaskAdvantage education grant funding and to Alaska performance scholarship funding and establishing an account and funds for those purposes; amending funding for the Alaska capital income fund; making conforming amendments; providing for an effective date by amending the effective date in sec. 57, ch. 92, SLA 2010; and providing for an effective date."

Signing do pass: Senators Meyer, Thomas, Cochairs; Senators Davis, French.

The following previously published fiscal information applies:

Fiscal Note No. 1, Department of Revenue

Fiscal Note No. 2, zero, Department of Revenue

The bill was referred to the Finance Committee.

SB 67

The Labor and Commerce Committee considered SENATE BILL NO. 67 "An Act establishing the commercial charter fisheries revolving loan fund, the mariculture revolving loan fund, and the Alaska microloan revolving loan fund and relating to those funds and loans from those funds; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 67(L&C) "An Act establishing the commercial charter fisheries revolving loan fund and the mariculture revolving loan fund, and relating to those funds and loans from those funds; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 2, Department of Commerce, Community and Economic Development

Fiscal Note No. 3, Department of Commerce, Community and Economic Development

Fiscal Note No. 4, Department of Commerce, Community and Economic Development

The bill was referred to the Finance Committee.

SB 79

The Transportation Committee considered SENATE BILL NO. 79 "An Act making a special appropriation to the Knik Arm Crossing fund; and providing for an effective date." Signing no recommendation: Senator Kookesh, Chair; Senator Thomas. Signing do pass: Senators Menard, Egan.

The bill was referred to the Finance Committee.

SB 80

The Transportation Committee considered SENATE BILL NO. 80 "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." Signing no recommendation: Senator Kookesh, Chair; Senators Thomas, Egan. Signing do pass: Senator Menard.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Transportation and Public Facilities

The bill was referred to the Finance Committee.

SCR 2

The State Affairs Committee considered SENATE CONCURRENT RESOLUTION NO. 2 Proposing amendments to the Uniform Rules of the Alaska State Legislature relating to the presiding officer pro tempore, and recommended it be replaced with

CS FOR SENATE CONCURRENT RESOLUTION
NO. 2(STA)

Signing no recommendation: Senator Wielechowski, Chair; Senators Meyer, Kookesh. Signing do pass: Senator Paskvan. Signing do not pass: Senator Giessel.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Senate State Affairs Committee

The resolution was referred to the Judiciary Committee.

Introduction and Reference of Senate Bills

SB 51

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 51 BY
SENATORS DAVIS, Dyson, Meyer, Wagoner, McGuire, entitled:

"An Act relating to the operation of vending facilities
on public property."

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

SB 89

SENATE BILL NO. 89 BY SENATOR COGHILL, entitled:

"An Act clarifying that a legislator or legislative employee is allowed to accept certain compassionate gifts; allowing legislators and legislative employees to use legislative mailing lists for campaign purposes and nonlegislative purposes; allowing legislators and legislative employees who are representing persons in an administrative hearing to contact hearing officers and attempt to influence the outcome of the hearing if they are professionals licensed in the state, and allowing legislators and legislative employees who are not professionals licensed in the state to contact hearing officers for the purpose of influencing the outcome of the hearing in certain instances; allowing legislators and legislative employees, in certain circumstances, to participate in partisan political activity while on state travel; prohibiting a public member of the Select Committee on Legislative Ethics from disclosing confidential information without authorization; clarifying the ethics disclosure requirements for tickets to or gifts in connection with charity events; amending disclosure

deadlines under the Legislative Ethics Act; relating to requests to refrain from disclosure under the Legislative Ethics Act; and establishing a seat for an alternate public member on the Select Committee on Legislative Ethics and clarifying the requirements related to participation by alternate members in the proceedings of the committee."

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

SB 90

SENATE BILL NO. 90 BY THE SENATE LABOR AND COMMERCE COMMITTEE, entitled:

"An Act classifying and setting a monthly salary for the executive secretary of the Board of Public Accountancy."

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

SB 91

SENATE BILL NO. 91 BY SENATOR MCGUIRE, entitled:

"An Act amending the termination date of the licensing of sport fishing operators and sport fishing guides; and providing for an effective date."

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

Unfinished Business

Senator French moved and asked unanimous consent to be excused from a call of the Senate on February 21, to morning plane time. Without objection, Senator French was excused.

Senator Thomas moved and asked unanimous consent to be excused from a call of the Senate from noon plane time, February 18 through evening plane time, February 20. Without objection, Senator Thomas was excused.

HB 21

Senators Davis, McGuire moved and asked unanimous consent to be shown as cross sponsors on CS FOR HOUSE BILL NO. 21(FIN) "An Act relating to the membership of the Statewide Suicide Prevention Council." 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 17, 2011. Without objection, the Senate adjourned at 11:59 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 17 Thursday Beltz 105 (tsbldg) 3:30 PM
No Meeting Scheduled

EDUCATION

Feb 16 Wednesday Beltz 105 (tsbldg) 8:00 AM
+ SB 8 STUDENT QUESTIONNAIRES AND SURVEYS
Bills Previously Heard/Scheduled
= SB 43 ALASKA PERFORMANCE SCHOLARSHIPS
= SB 83 TEACHER BOARD CERTIFICATION INCENTIVES

Feb 18 Friday Beltz 105 (tsbldg) 8:00 AM
No Meeting Scheduled

Mar 09 Wednesday Barnes 124 8:00 AM
+ Joint House/Senate Education Committee Meeting
Presentation:
Best Beginnings/Early Childhood Program

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 16 Wednesday Senate Finance 532 9:00 AM
 + U of A Budget Subcommittee - Cmte of the Whole
 + Bills Previously Heard/Scheduled

Feb 17 Thursday Senate Finance 532 9:00 AM
 -- MEETING CANCELED --

+ SB 46 BUDGET: CAPITAL
 + SB 47 APPROP: OPERATING BUDGET/LOANS/FUNDS
 + SB 48 APPROP: MENTAL HEALTH BUDGET
 + Introduction of the Governor's Budget Amendments
 by the Office of Management and Budget
 + Bills Previously Heard/Scheduled

Feb 18 Friday Senate Finance 532 8:00 AM
 -- Time Change --
 + Goose Creek Correctional Center Presentation by
 Department of Corrections
 + Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

Feb 16 Wednesday Butrovich 205 1:30 PM
 + Presentation: The Alaska Children's Alliance

Feb 18 Friday Butrovich 205 1:30 PM
 No Meeting Scheduled

JUDICIARY

Feb 16 Wednesday Beltz 105 (tsbldg) 1:30 PM
 += SB 58 INCREASING NUMBER OF SUPERIOR CT JUDGES
 += SB 72 CRIMES INVOLVING MINORS/STALKING/INFO
 + SB 11 HATE CRIMES
 + SB 39 U.S. PRESIDENTIAL ELECTION COMPACT
 + Bills Previously Heard/Scheduled

Feb 18 Friday Beltz 105 (tsbldg) 1:30 PM
 No Meeting Scheduled

LABOR & COMMERCE

Feb 17 Thursday Beltz 105 (tsbldg) 1:30 PM
 + SB 23 FILM PRODUCTION TAX CREDIT
 + SB 64 RESEARCH AND DEVELOPMENT TAX CREDIT
 + Bills Previously Heard/Scheduled

RESOURCES

Feb 16 Wednesday Butrovich 205 3:30 PM
 += SB 42 POWER PROJECT; ALASKA ENERGY AUTHORITY

Feb 18 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

Feb 19 Saturday Butrovich 205 10:00 AM
 -- Note Day and Time Change of Meeting --
 += SB 24 SPORT FISHING GUIDING SERVICES
 Public Comment
 += SB 44 SOUTHEAST STATE FOREST
 Public Comment

STATE AFFAIRS

Feb 17 Thursday Butrovich 205 9:00 AM
 Bills Previously Heard/Scheduled

TRANSPORTATION

Feb 17 Thursday Butrovich 205 1:00 PM
 + SB 19 PASSENGER VEHICLE RENTAL TAX
 + Bills Previously Heard/Scheduled

FINANCE SUBCOMMITTEES**ADMINISTRATION**

Feb 16 Wednesday Fahrenkamp 203 5:30 PM
 + Office of Public Advocacy
 + Public Defender Agency
 + Violent Crimes Compensation Board

ADMINISTRATION (continued)

Feb 22	Tuesday	Beltz 105 (tsbldg)	5:30 PM
+	Alaska Oil and Gas Conservation Commission		
+	Alaska Public Offices Commission		

COMMERCE, COMMUNITY & ECONOMIC DEV

Feb 22	Tuesday	Senate Finance 532	8:00 AM
	Overview		
Mar 08	Tuesday	Senate Finance 532	3:00 PM
	Divisions TBA		
Mar 15	Tuesday	Senate Finance 532	3:00 PM
	Closeout		

CORRECTIONS

Mar 08	Tuesday	Fahrenkamp 203	5:30 PM
	-- Rescheduled from 3/3/11 -- Rehabilitation and Parole Initiatives		
Mar 10	Thursday	Fahrenkamp 203	5:30 PM
	Inmate Health Care, Medical Information System Community Residential Centers, Community Jails		
Mar 17	Thursday	Fahrenkamp 203	5:30 PM
	Closeout		

COURT SYSTEM

Feb 22	Tuesday	Sen Conf Rm 103 Tsb	4:00 PM
+	FY12 Budget Request		
Mar 15	Tuesday	Sen Conf Rm 103 Tsb	3:00 PM
+	Closeout		

EDUCATION & EARLY DEVELOPMENT

Feb 24 +	Thursday Overview & FY12 Request	Fahrenkamp 203	4:00 PM
Mar 01 +	Tuesday FY12 Budget Request	Fahrenkamp 203	4:00 PM
Mar 10 +	Thursday FY12 Budget Request	Fahrenkamp 203	4:00 PM
Mar 17 +	Thursday Closeout	Fahrenkamp 203	4:00 PM

ENVIRONMENTAL CONSERVATION

Feb 17 +	Thursday Joint with House Department Overview and FY 12 Budget Request	House Finance 519	11:30 AM
Feb 18 +	Friday Joint with House Department Overview and FY 12 Budget Request	House Finance 519	11:30 AM
Mar 07 +	Monday Department Overview and FY 12 Budget Request	Butrovich 205	12:00 PM
Mar 10 +	Thursday Department Overview and FY 12 Budget Request	Fahrenkamp 203	2:30 PM
Mar 14 +	Monday Department Overview and FY 12 Budget Request	Butrovich 205	12:00 PM

FISH & GAME

Feb 17 +	Thursday Department Budget Overview -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	8:00 AM
Feb 24 +	Thursday Status of FY 2011 Budget -- Testimony <Invitation Only> --	Beltz 105 (tsbldg)	8:00 AM

FISH & GAME (continued)

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 16 **Wednesday** **Beltz 105 (tsbldg)** **3:30 PM**
 + Public Health
 -- Testimony <Invitation Only> --

Feb 21 **Monday** **Beltz 105 (tsbldg)** **3:30 PM**
 + Behavioral Health - System wide including
 implications in other areas, not just the
 Behavioral Health budget component, focus on API.
 -- Testimony <Invitation Only> --

Feb 23 **Wednesday** **Beltz 105 (tsbldg)** **3:30 PM**
 + 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> --

Mar 09 **Wednesday** **Beltz 105 (tsbldg)** **3:30 PM**
 + Other topics of interest to the committee not
 covered previously, Q&A, Governor's Budget
 Amendments
 -- Testimony <Invitation Only> --

Mar 16 **Wednesday** **Beltz 105 (tsbldg)** **3:30 PM**
 + Budget Close Out
 -- Testimony <Invitation Only> --

LABOR & WORKFORCE DEVELOPMENT

Mar 09	Wednesday	Fahrenkamp 203	4:00 PM
	Budget Overview Continued (if necessary)		
Mar 10	Thursday	Fahrenkamp 203	11:00 AM
	Budget: Department Addresses Additional Questions and Overview of House Budget Actions		
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 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**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 28	Monday	House Finance 519	8:00 AM
	Audits: Executive Session		
+	Other Committee Business		
	-- Teleconference <Invitation Only> --		
 Mar 29	 Tuesday	 House Finance 519	 8:00 AM
	Audits: Executive Session		
+	Other Committee Business		
	-- Teleconference <Invitation Only> --		

LEGISLATIVE COUNCIL

Feb 17	Thursday	Tba	11:00 AM
	-- Meeting Postponed to 2/24/11 -- Agenda Forthcoming		
Feb 24	Thursday	House Finance 519	11:00 AM
	-- MEETING CANCELED -- -- Rescheduled from 2/17/11 -- Agenda Forthcoming		
Feb 24	Thursday	House Finance 519	5:00 PM
	Agenda will contain only pressing issues and will be held to approximately 1/2 hour		
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		