

**SENATE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-SEVENTH LEGISLATURE**  
**FIRST SESSION**

**Juneau, Alaska**

**Wednesday**

**March 9, 2011**

**Fifty-first Day**

Pursuant to adjournment the Senate was called to order by President Stevens at 10:45 a.m.

The roll showed eighteen members present. Senators Hoffman, Wagoner were absent.

The prayer was offered by the Chaplain, Dr. Paul Beran, Pastor Emeritus of Resurrection Lutheran Church. Senator Olson moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Gracious Father, gathering in this hallowed hall, we thank you for the far-reaching responsibilities entrusted to each person. Lift our eyes way beyond partisan politics, the next election, or narrow regionalism. Mold us to be women and men of statesmanship, as faithful stewards before you. As we seek to give wise leadership, grant us that integrity that enables us to hear that still small inner voice, and the courage to heed it. This I pray in the matchless Name of the One Who came, not to be served, but to serve, Jesus the Christ.

Amen.

Senator Ellis led the Senate in the Pledge of Allegiance.

**Certification**

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

The presence of Senator Hoffman was noted.

### **Standing Committee Reports**

#### **SB 7**

The State Affairs Committee considered SENATE BILL NO. 7 "An Act relating to the civil rights of felons." Signing no recommendation: Senator Wielechowski, Chair; Senators Kookesh, Paskvan, Meyer. Signing do not pass: Senator Giessel.

The following fiscal information was published today:

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

Fiscal Note No. 2, indeterminate, Department of Corrections

President Stevens added a Finance Committee referral to the bill. The bill was referred to the Judiciary, then Finance Committees.

#### **SB 36**

The State Affairs Committee considered SENATE BILL NO. 36 "An Act relating to an opt-out charitable giving program offered by an electric or telephone cooperative" and recommended it be replaced with

CS FOR SENATE BILL NO. 36(STA) "An Act relating to an opt-out charitable giving program offered by an electric or telephone cooperative; and allowing for an electric cooperative to assist persons in acquiring and installing weatherization and energy efficiency products and services."

Signing no recommendation: Senator Wielechowski, Chair; Senators Meyer, Giessel. Signing do pass: Senators Kookesh, 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 Judiciary Committee.

**SB 37**

The Transportation Committee considered SENATE BILL NO. 37 "An Act relating to the transportation infrastructure fund, to local public transportation, to motor fuel taxes, and to the motor vehicle registration fee; and providing for an effective date." Signing do pass: Senator Kookesh, Chair; Senators Menard, Thomas, Egan. Signing no recommendation: Senator Huggins.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Transportation and Public Facilities  
Fiscal Note No. 2, Department of Revenue

The bill was referred to the Finance Committee.

**SB 94**

The Community and Regional Affairs Committee considered SENATE BILL NO. 94 "An Act adding a second verse to the official Alaska state song." Signing do pass: Senator Olson, Chair; Senators Kookesh, Wagoner, Ellis, Menard.

The following fiscal information was published today:

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

President Stevens added a Finance Committee referral to the bill. The bill was referred to the State Affairs, then Finance Committees.

**SCR 1**

The State Affairs Committee considered SENATE CONCURRENT RESOLUTION NO. 1 Designating May 2011 as Lupus Awareness Month, and recommended it be replaced with

CS FOR SENATE CONCURRENT RESOLUTION  
NO. 1(STA) Designating May of each year as Lupus  
Awareness Month.

Signing do pass: Senator Wielechowski, Chair; Senators Kookesh, Paskvan, Meyer, Giessel.

The following fiscal information was published today:

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

The resolution was referred to the Health and Social Services Committee.

**HJR 11**

The Resources Committee considered HOUSE JOINT RESOLUTION NO. 11 Urging the United States Congress to refrain from passing legislation that designates land in Area 1002 of the Arctic National Wildlife Refuge as wilderness. Signing do pass: Senators Paskvan, Wagoner, Cochairs; Senators McGuire, Stevens. Signing no recommendation: Senators French, Wielechowski.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Legislative Agency

The resolution was referred to the Rules Committee.

**Introduction and Reference of Senate Bills****SB 96**

SENATE BILL NO. 96 BY SENATOR KOOKESH, entitled:

"An Act relating to the Village Safe Water Act."

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

**Consideration of the Calendar****Citations**

Honoring - Ashton Lund

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

Honoring - Zachary Boyd

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

In Memoriam - Paul Robert Kiunya, Sr.

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

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**

Senator Kookesh moved and asked unanimous consent to be excused from a call of the Senate from 12:30 p.m. plane time, March 16 through evening plane time, March 19. Without objection, Senator Kookesh was excused.

Senator Menard moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, March 17 through evening plane time, March 20. Without objection, Senator Menard was excused.

Senator Olson moved and asked unanimous consent to be excused from a call of the Senate on March 11. Without objection, Senator Olson was excused.

Senator Coghill moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, March 12 through evening plane time, March 14. Without objection, Senator Coghill was excused.

### **Recess**

Senator Meyer moved and asked unanimous consent that the Senate stand in recess to the Joint Session. Without objection, the Senate recessed at 10:56 a.m.

**Joint Session in the House**

Speaker Chenault called the House to order and in accordance with Uniform Rule 51 turned the gavel over to President Stevens, who called the Joint Session to order at 11:03 a.m.

The purpose of the Joint Session was to hear the State of the Judiciary address by the Honorable Walter Carpeneti, Chief Justice of the Alaska Supreme Court.

Senator Meyer moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. Without objection, it was so ordered.

Representative Austerman moved and asked unanimous consent that the roll call of the House be waived and all members be shown as present. Without objection, it was so ordered.

President Stevens appointed Representative Gruenberg and Senator French to escort Chief Justice Carpeneti to the Joint Session.

The Senate Sergeant at Arms, Zachary Mannix, announced Chief Justice Walter Carpeneti's entrance to the House Chamber.

Chief Justice Carpeneti was escorted to the rostrum and welcomed by President Stevens.

Chief Justice Carpeneti delivered his address. This address appears in House and Senate Joint Journal Supplement No. 4.

The Chief Justice received a standing ovation and was escorted from the chamber by Senator French and Representative Gruenberg.

Senator Meyer moved and asked unanimous consent that the Joint Session stand in adjournment. Without objection, President Stevens adjourned the Joint Session at 11:49 a.m.

**After Recess****In the Senate**

The Senate reconvened at 11:54 a.m.

**Announcements**

Announcements are at the end of the journal.

**Adjournment**

Senator Meyer moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., March 11, 2011. Without objection, the Senate adjourned at 11:56 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 10**      **Thursday**      **Beltz 105 (tsbldg)**      **3:30 PM**  
No Meeting Scheduled

## EDUCATION

**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

**Mar 09**      **Wednesday**      **Senate Finance 532**      **9:00 AM**  
-- MEETING CANCELED --  
+                      Bills Previously Heard/Scheduled

**Mar 10**      **Thursday**      **Senate Finance 532**      **9:00 AM**  
+    SB 34      SMALL BUSINESS REVOLVING FUND  
+    SB 58      INCREASING NUMBER OF SUPERIOR CT JUDGES  
+           Bills Previously Heard/Scheduled

SENATE JOURNAL

March 9, 2011

463

**FINANCE (continued)**

**Mar 11 Friday Senate Finance 532 9:00 AM**  
+ Bills Previously Heard/Scheduled

---

**HEALTH & SOCIAL SERVICES**

**Mar 09 Wednesday Butrovich 205 1:30 PM**  
+ Report on Homelessness: Suzi Pearson, Alaska Coalition on  
Housing and Homelessness (online)  
Dan Fauske - Chair of the Alaska Council on the  
Homeless (state appointed council) and CEO of  
AHFC and Jim Gurke of AHFC (both online)  
Mark Romick, AHFC, and Stacy Schubert, AHFC  
(Voucher Program) - Juneau  
Deb Mahoney and Michael Courtney, Neighbor  
Works Anchorage - Affordable Housing (Juneau)  
Kate Burkhardt, Alaska Mental Health Board  
and the Advisory Board on Alcohol and Drug  
Abuse - (Juneau)  
Kenny Scollan, Rural Cap - (Juneau)  
Bills Previously Heard/Scheduled

**Mar 11 Friday Butrovich 205 1:30 PM**  
No Meeting Scheduled

---

**JUDICIARY**

**Mar 09 Wednesday Beltz 105 (tsbldg) 1:30 PM**  
+= SB 61 2011 REVISOR'S BILL  
+ Confirmations:  
Parole Board  
Board of Governors/Bar Association  
Police Standards Council  
+ Bills Previously Heard/Scheduled

**Mar 11 Friday Beltz 105 (tsbldg) 1:30 PM**  
+= SB 9 RAISE COMP. SCHOOL ATTENDANCE AGE/TRUANCY  
+ SCR 2 UNIFORM RULES: PRESIDING OFFICER PRO TEM  
+ Bills Previously Heard/Scheduled

---

SENATE JOURNAL

464

March 9, 2011

**LABOR & COMMERCE**

<b>Mar 10</b>	<b>Thursday</b>	<b>Beltz 105 (tsbldg)</b>	<b>2:00 PM</b>
-- Note: Meeting Times Have Changed --			
+ SB 65	AIDEA: PROCUREMENT; PROJECTS		
+ SB 66	AIDEA: NEW MARKETS TAX CREDIT PROGRAM		
Bills Previously Heard/Scheduled			
+ SB 87	GRANTS FOR SENIORS' MEDICAL CARE		
<b>Mar 15</b>	<b>Tuesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>2:00 PM</b>
-- Note: Meeting Times Have Changed --			
+ SB 40	USE OF RECORDED MESSAGES		
Bills Previously Heard/Scheduled			
<b>Mar 17</b>	<b>Thursday</b>	<b>Beltz 105 (tsbldg)</b>	<b>2:00 PM</b>
+	Bills Previously Heard/Scheduled		

---

**RESOURCES**

<b>Mar 09</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
+	Senate Resources Briefing: SDMI - Statewide Digital Mapping Initiative Commissioner Mark Luiken (DOT) and Deputy Commissioner Fogels (DNR)		
<b>Mar 09</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
Bills Previously Heard/Scheduled			
+ SB 85	TAX CREDIT FOR NEW OIL & GAS DEVELOPMENT		
+ SB 49	PRODUCTION TAX ON OIL AND GAS Presentation by Sponsor		
<b>Mar 11</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
Bills Previously Heard/Scheduled			
+ SB 49	PRODUCTION TAX ON OIL AND GAS Presentation by Sponsor		

---

**STATE AFFAIRS**

<b>Mar 10</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>9:30 AM</b>
-- Please Note Delayed Start Time --			
+ SB 7	FELONS' RIGHT TO VOTE OR BE JURORS <Bill Hearing Rescheduled to 3/8/11> Hearing on Homelessness Among Veterans Bills Previously Heard/Scheduled		

SENATE JOURNAL

March 9, 2011

465

**TRANSPORTATION**

<b>Mar 10</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>1:00 PM</b>
+	Confirmation Hearing: Marc Luiken, Commissioner Dept of Transportation and Public Facilities		
+	Bills Previously Heard/Scheduled		

---

**FINANCE SUBCOMMITTEES**

**ADMINISTRATION**

<b>Mar 15</b>	<b>Tuesday</b>	<b>Fahrenkamp 203</b>	<b>5:30 PM</b>
+	Closeout		

---

**COMMERCE, COMMUNITY & ECONOMIC DEV**

<b>Mar 15</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>3:00 PM</b>
+	Closeout		

---

**CORRECTIONS**

<b>Mar 10</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>5:30 PM</b>
+	Inmate Health Care, Medical Information System		
+	Community Residential Centers, Community Jails		

<b>Mar 17</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>5:30 PM</b>
+	Closeout		

---

**COURT SYSTEM**

<b>Mar 15</b>	<b>Tuesday</b>	<b>Sen Conf Rm 103 Tsb</b>	<b>3:00 PM</b>
+	Closeout		

---

**EDUCATION & EARLY DEVELOPMENT**

<b>Mar 10</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>4:00 PM</b>
+	FY12 Budget Request		

<b>Mar 15</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>5:15 PM</b>
+	Closeout		

---

**ENVIRONMENTAL CONSERVATION**

<b>Mar 10</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>2:30 PM</b>
+		Department Overview and FY 12 Budget Request	
<b>Mar 14</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
+		Department Overview and FY 12 Budget Request	

---

**FISH & GAME**

<b>Mar 10</b>	<b>Thursday</b>	<b>Beltz 105 (tsbldg)</b>	<b>8:00 AM</b>
+		Other topics of interest to the committee not covered previously, Budget Amendments, Q&A -- Testimony <Invitation Only> --	
<b>Mar 17</b>	<b>Thursday</b>	<b>Beltz 105 (tsbldg)</b>	<b>8:00 AM</b>
+		Budget Close Out -- Testimony <Invitation Only> --	

---

**GOVERNOR**

<b>Mar 16</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>3:00 PM</b>
	Closeout		

---

**HEALTH & SOCIAL SERVICES**

<b>Mar 09</b>	<b>Wednesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>3:30 PM</b>
+		Other topics of interest to the committee not covered previously, Q&A, Governor's Budget Amendments -- Testimony <Invitation Only> --	
<b>Mar 16</b>	<b>Wednesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>3:30 PM</b>
+		Budget Close Out -- Testimony <Invitation Only> --	

---

**LABOR & WORKFORCE DEVELOPMENT**

<b>Mar 09</b>	<b>Wednesday</b>	<b>Fahrenkamp 203</b>	<b>4:00 PM</b>
		-- MEETING CANCELED -- Budget Overview Continued (if necessary)	

SENATE JOURNAL

March 9, 2011

467

**LABOR & WORKFORCE DEVELOPMENT (continued)**

<b>Mar 10</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>11:00 AM</b>
	Budget: Department Addresses Additional Questions and Overview of House Budget Actions		
<b>Mar 14</b>	<b>Monday</b>	<b>Fahrenkamp 203</b>	<b>4:00 PM</b>
	Budget Closeout		

---

**LAW**

<b>Mar 15</b>	<b>Tuesday</b>	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
	Subcommittee Closeout		

---

**LEGISLATURE**

<b>Mar 16</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>3:10 PM</b>
	Closeout		

---

**MILITARY & VETERANS' AFFAIRS**

<b>Mar 10</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
+	Overview of the Department & FY 12 Budget Request		
<b>Mar 15</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
+	Overview of the Department & FY12 Budget Request		

---

**NATURAL RESOURCES**

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

<b>Mar 17</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>12:00 PM</b>
	Budget Closeout		

---

**PUBLIC SAFETY**

<b>Mar 15</b>	<b>Tuesday</b>	<b>Beltz 105 (tsbldg)</b>	<b>8:00 AM</b>
+	Budget Close-Out		
	-- Testimony <Invitation Only> --		

---

## REVENUE

<b>Mar 10</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
-- Agenda Change to Include Alaska PFD Corp --			
		<b>Budget Detail Including Perm Fund Dividend Corp</b>	
<b>Mar 17</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
Subcommittee Closeout			

## TRANSPORTATION & PUBLIC FACILITIES

**Mar 15      Tuesday      Fahrenkamp 203      8:00 AM**  
Subcommittee Closeout

## UNIVERSITY OF ALASKA

**Mar 17      Thursday      Senate Finance 532      8:30 AM**  
Closeout

## JOINT COMMITTEES

## ALASKA NORTHERN WATERS TASK FORCE

## **HIGHER EDUC/CAREER READINESS TASK FORCE**

<b>Mar 10</b>	<b>Thursday</b>	<b>Terry Miller Gym</b>	<b>9:00 AM</b>
+		Discuss Preliminary (Draft) Recommendations to the Legislature:	
		-- Public Testimony Available on Request --	
		9:00 - Opening Comments by Co-chair Sen. Stevens	
		9:10 - "Taking Alaska Tech Prep to the Next Step: Alaska School to Careers," by Cathy A. LeCompte, Board Member, Alaska Tech Prep Consortium	
		10:10 - Discussion & Review of Preliminary Recommendations: Slate P	
		11:00 - Discussion & Review of Preliminary Recommendations: Slate D	
		12:00 - Lunch Break	

SENATE JOURNAL

March 9, 2011

469

**HIGHER EDUC/CAREER READINESS TASK FORCE (continued)**

**Mar 10 Thursday Terry Miller Gym 9:00 AM**  
**(continued)**

1:30 - Discussion & Review of Preliminary  
Recommendations: Slate T  
2:40 - Discussion & Review of Preliminary  
Recommendations: Slate S  
3:40 - Wrap Up  
Note: Members of the Public Wishing to Testify May Request  
to do so at Anytime by Signing-In at the Meeting, or by  
Contacting Their Local Legislative Information Office

**Mar 11 Friday Terry Miller Gym 8:00 AM**

-- Time Change --  
+ Discuss Preliminary (Draft) Recommendations  
to the Legislature:  
-- Public Testimony Available on Request --  
8:00 - Roundtable Discussion with both Alaska  
State Senate & House Education Committees  
10:00 - Break for Legislative Business & Lunch  
1:00 - Discussion & Review of Preliminary  
Recommendations: Slate S, cont. (or Slate U)  
1:45 - Discussion & Review of Preliminary  
Recommendations: Slate U  
3:15 - Wrap up, Unfinished Task Force Business,  
Closing Comments  
Note: Members of the Public Wishing to Testify May Request  
to do so at Anytime by Signing-In at the Meeting, or by  
Contacting Their Local Legislative Information Office

---

**LEGISLATIVE BUDGET & AUDIT**

**Mar 29 Tuesday House Finance 519 8:00 AM**

+ Audits: Executive Session  
Other Committee Business  
-- Teleconference <Invitation Only> --

---

**LEGISLATIVE COUNCIL**

**Mar 17 Thursday House Finance 519 11:00 AM**

Agenda Forthcoming

**LEGISLATIVE COUNCIL (continued)**

**Apr 07**      **Thursday**      **House Finance 519**      **11:00 AM**  
Agenda Forthcoming

---

**OTHER MEETINGS****JOINT IN-STATE GAS CAUCUS**

**Mar 09**      **Wednesday**      **H Conf Rm 102 Tsb**      **12:30 PM**  
--Delayed to 1:00 p.m. Today--  
Debriefing by members who attended Energy Council  
meetings in Washington D.C.

---

**JOINT LEGISLATIVE HEALTH CAUCUS**

**Mar 10**      **Thursday**      **Beltz 105 (tsbldg)**      **12:00 PM**  
+      Highways to Health  
Transportation within Alaska

**Mar 24**      **Thursday**      **Beltz 105 (tsbldg)**      **12:00 PM**  
+      Highways to Health  
Transportation from Alaska

---

**JOINT SESSION**

**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