

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Monday

March 21, 2011

Sixty-third Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:01 a.m.

The roll showed sixteen members present. Senator Dyson was excused from a call of the Senate. Senators McGuire, Paskvan, Stedman were absent.

The prayer was offered by the Chaplain, Father Simeon Johnson of St. Nicholas Russian Orthodox Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

If I had to sum up the Orthodox spiritual tradition in one sentence or less, I would have to use the following line from St. Seraphim of Sarov (1759-1833): "Acquire the Spirit of peace, and thousands around you will be saved."

In that vein, I will offer a prayer from the Orthodox Lenten tradition by St. Ephraim the Syrian (A.D. 306-373):

O Lord and Master of my life, take from me the spirit of sloth, despair, lust of power and idle talk. But give rather the spirit of chastity, humility, patience and love to Thy servant. Yea, O Lord and King: Grant me to see my own transgressions and not to judge my brother, for blessed art Thou, unto the ages of ages.

Amen.

Senator Kookesh led the Senate in the Pledge of Allegiance.

Certification

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

The presence of Senators Paskvan, Stedman was noted.

Messages from the House

Message dated March 18 was read stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 13

HOUSE BILL NO. 13 BY REPRESENTATIVES OLSON, Thomas, T.Wilson, entitled:

"An Act relating to fees and charges for medical treatment or services as they relate to workers' compensation; and providing for an effective date."

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

Communications

Report from the Commissioner of the Department of Administration dated March 18 was received stating the monetary terms for the collective bargaining agreement reached with the Alaska Vocational Technical Center Teachers' Association in accordance with AS 23.40.215.

The President referred the report to the Finance Committee.

The presence of Senator McGuire was noted.

Standing Committee Reports

SB 18

The Finance Committee considered SENATE BILL NO. 18 "An Act relating to the duration of regular sessions of the legislature; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 18(FIN) "An Act relating to the convening and duration of regular sessions of the legislature; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 2, Legislative Agency
Fiscal Note No. 3, Legislative Agency

The bill was referred to the Rules Committee.

SB 84

The Education Committee considered SENATE BILL NO. 84 "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" and recommended it be replaced with

CS FOR SENATE BILL NO. 84(EDC) "An Act relating to funding for high school vocational and technical instruction 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."

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

The following fiscal information was published today:

Fiscal Note No. 1, Department of Education and Early

Development

Fiscal Note No. 2, Department of Education and Early

Development

The bill was referred to the Finance Committee.

SCR 2

The Judiciary 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 the adoption of the State Affairs Committee Substitute offered on page 276.

Signing do pass: Senator French, Chair; Senators Paskvan, McGuire. Signing do not pass: Senator Coghill. Signing no recommendation: Senator Wielechowski.

The following previously published fiscal information applies:

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

The resolution was referred to the Finance Committee.

Introduction and Reference of Senate Bills

SB 107

SENATE BILL NO. 107 BY SENATOR ELLIS, entitled:

"An Act making special appropriations for new engineering buildings for the University of Alaska in Anchorage and Fairbanks."

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

SB 108

SENATE BILL NO. 108 BY SENATORS MCGUIRE, Davis, Giessel, Wagoner, Olson, Huggins, Coghill, Meyer, Menard, Thomas, Stevens, Ellis, entitled:

"An Act naming the Dowling Road overpass at milepost 123.7 on the New Seward Highway the Spc. Stephen "Max" Cavanaugh, Jr., Memorial Overpass."

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

SB 109

SENATE BILL NO. 109 BY SENATORS MCGUIRE, Wagoner, Wielechowski, entitled:

"An Act providing for a tax credit for investment in a facility that produces liquids from gas, coal, or biomass."

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

SB 110

SENATE BILL NO. 110 BY SENATORS WIELECHOWSKI, McGuire, entitled:

"An Act relating to human trafficking; and relating to sentencing and conditions of probation in criminal cases involving sex offenses."

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

Consideration of the Calendar

Second Reading of Senate Bills

SB 93

SENATE BILL NO. 93 "An Act relating to special request specialty organization registration plates; and providing for an effective date" was read the second time.

Senator Meyer 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. 93 was read the third time.

The question being: "Shall SENATE BILL NO. 93 "An Act relating to special request specialty organization registration plates; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SB 93

Third Reading - Final Passage

Effective Date

YEAS: 19 NAYS: 0 EXCUSED: 1 ABSENT: 0

Yea: Coghill, Davis, Egan, Ellis, French, Giessel, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Stevens, Thomas, Wagoner, Wielechowski

Excused: Dyson

and so, SENATE BILL NO. 93 passed the Senate.

Senator Meyer 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.

Citations

Honoring - Institute of Social and Economic Research 50th Anniversary

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

Honoring - Timothy Kraska, BP Teacher of Excellence

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

Representative(s) Wilson, T

Honoring - Kenai Chamber of Commerce 2010 Community Service Awards

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

Representative(s) Chenault, Olson

Honoring - Soldotna Chamber of Commerce 2010 Community Service Awards

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

Representative(s) Chenault, Olson

Honoring - 75th Anniversary of Alaska State Fair

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

Honoring - Christa Hayes, Northwest District Elementary School NASPE Teacher of the Year

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

Honoring - Kaylee Miltersen, Alaska State Poetry Out Loud Finalist

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

Honoring - Greg Carlson, 2010 Alaska Music Educator of the Year

Representative(s) Herron

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

In Memoriam - Sarah Lee "Sally" Elliott

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

Representative(s) Herron

In Memoriam - Gregory Moxie

Representative(s) Edgmon

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

In Memoriam - Robert I. Vanderpool

Representative(s) Herron

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

In Memoriam - Joyce Munson

Representative(s) Tuck

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

In Memoriam - Frederick Lyall Lambing

Representative(s) Keller, Stoltze, Gatto, Neuman

Senator(s) Huggins, Menard, Stevens, Coghill, Davis, Dyson, Egan, Ellis, Giessel, Hoffman, Kookesh, McGuire, 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

SB 39

Senator Ellis moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 39 "An Act ratifying an interstate compact to elect the President and Vice-President of the United States by national popular vote; and making related changes to statutes applicable to the selection by voters of electors for candidates for President and Vice-President of the United States and to the duties of those electors." Without objection, it was so ordered.

SB 62

Senator French moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 62 "An Act allowing appropriations to the civil legal services fund from court filing fees." Without objection, it was so ordered.

Senator Giessel moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, March 25 through morning plane time, March 28. Without objection, Senator Giessel was excused.

EO 115

In accordance with Article III, Sec. 23 of the Alaska Constitution, action was not taken on the following Executive Order and it was returned to the Office of the Governor at 9:50 a.m., March 21, 2011:

Executive Order No. 115
"Realigning the oversight authority of the Alaska Aerospace Corporation from the Department of Commerce, Community and Economic Development to the Department of Military and Veterans' Affairs."

Announcements**SB 95**

Senator Kookesh, Chair, moved and asked unanimous consent that Uniform Rule 23 be waived on SENATE BILL NO. 95 "An Act naming the ferry terminal located at Auke Bay in Juneau the Frank Palmer Ferry Terminal" for a 1:00 p.m. Transportation Committee meeting on March 24. Without objection, it was so ordered.

Announcements are at the end of the journal.

Engrossment**SB 93**

SENATE BILL NO. 93 "An Act relating to special request specialty organization registration plates; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

March 21, 2011

Adjournment

Senator Meyer moved and asked unanimous consent that the Senate stand in adjournment until 10:45 a.m., March 22, 2011. Without objection, the Senate adjourned at 11:30 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 22	Tuesday	Beltz 105 (tsbldg)	3:30 PM
+ HB 130	RESIDENTIAL SPRINKLER SYSTEMS		
+	Alaska Tsunami Modeling & Emergency Preparedness		
	John Aho, Chair		
	Alaska Seismic Hazards Safety Commission		
	Rod Combellick, Deputy Director		
	Division of Geological & Geophysical Surveys		
	Roger Hansen, Alaska Earthquake Info Center		
+	Bills Previously Heard/Scheduled		
Mar 24	Thursday	Beltz 105 (tsbldg)	3:00 PM
+	Planning for Alaska's Regional Ports and Harbors		
Mar 29	Tuesday	Beltz 105 (tsbldg)	3:30 PM
	-- Note Time Change --		
+	Price of Oil's Impact to State and Municipal		
	Governments		
	<Above Item Removed from Agenda>		
+	Bills Previously Heard/Scheduled		
Mar 31	Thursday	Beltz 105 (tsbldg)	3:30 PM
+	Confirmation Hearing:		
	Susan Bell, Commissioner, Department of Commerce,		
	Community and Economic Development		

EDUCATION

Mar 21	Monday	Beltz 105 (tsbldg)	8:00 AM
+= SB 84	VOC ED FUNDING/BASE STUDENT ALLOCATION		
+	Bills Previously Heard/Scheduled		

EDUCATION (continued)

Mar 23	Wednesday	Beltz 105 (tsbldg)	8:00 AM
+ =	Parent Teacher Association (PTA) Presentation		
Mar 25	Friday	Beltz 105 (tsbldg)	8:00 AM
+ = SB 6	PREKINDERGARTEN SCHOOL PROGRAMS/PLANS		
+ =	Bills Previously Heard/Scheduled		

FINANCE

Mar 21	Monday	Senate Finance 532	9:00 AM
+ =	SB 18	DURATION OF REGULAR LEGISLATIVE SESSIONS	
+ =	SB 97	COMMUNITY REVENUE SHARING/EDUC FUNDING	
+ =	SB 102	AK AFFORDABLE HEATING PROGRAM PAYMENTS	
+ =	SB 23	FILM PRODUCTION TAX CREDIT	
+ =	Bills Previously Heard/Scheduled		
Mar 22	Tuesday	Senate Finance 532	9:00 AM
+ =	HB 108	Subcommittee Reports	
+ =	HB 109	APPROP: OPERATING BUDGET/LOANS/FUNDS	
+ =	HB 109	APPROP: MENTAL HEALTH BUDGET	
+ =	Bills Previously Heard/Scheduled		
Mar 23	Wednesday	Senate Finance 532	8:30 AM
-- Note Meeting Time --			
+ =	HB 108	APPROP: OPERATING BUDGET/LOANS/FUNDS	
+ =	HB 109	APPROP: MENTAL HEALTH BUDGET	
Statewide Public Testimony			
Public Testimony 2 Minute Limit			
(Testifiers should be signed in no later than 15 minutes prior to the end of their allotted time period)			
8:30 - 9:45 a.m. Juneau			
9:45 - 10:45 a.m. Kenai, Valdez, Kodiak, Seward, Mat-Su, Glennallen, Tok			
1:00 - 2:15 p.m. Anchorage			
2:15 - 3:15 p.m. Fairbanks			
3:30 - 4:30 p.m. Ketchikan, Sitka, Wrangell, Petersburg, Homer, Dillingham, Cordova			
4:45 - 5:45 p.m. Bethel, Kotzebue, Barrow, Nome, Delta Junction, Unalaska, Offnets			
Mar 24	Thursday	Senate Finance 532	9:00 AM
+ =	HB 108	APPROP: OPERATING BUDGET/LOANS/FUNDS	
+ =	HB 109	APPROP: MENTAL HEALTH BUDGET	
+ =	Bills Previously Heard/Scheduled		

SENATE JOURNAL

March 21, 2011

567

FINANCE (continued)

Mar 25	Friday	Senate Finance 532	9:00 AM
+	Department of Transportation Overview: Roads to Resources Uniform Rule 23 Waived		
+= HB 108	APPROP: OPERATING BUDGET/LOANS/FUNDS		
+= HB 109	APPROP: MENTAL HEALTH BUDGET		
+	Bills Previously Heard/Scheduled		

HEALTH & SOCIAL SERVICES

Mar 21	Monday	Butrovich 205	1:30 PM
+	Governor's Appointments/Confirmation Report Bills Previously Heard/Scheduled		
Mar 23	Wednesday	Butrovich 205	1:30 PM
+= SB 5	MEDICAL ASSISTANCE ELIGIBILITY Bills Previously Heard/Scheduled		
Mar 25	Friday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

JUDICIARY

Mar 21	Monday	Beltz 105 (tsbldg)	1:30 PM
+	SB 7 FELONS' RIGHT TO VOTE OR BE JURORS		
+	SB 98 BIOMETRIC INFORMATION FOR ID		
+	Bills Previously Heard/Scheduled		
=	SB 30 RETURN OF SEIZED PROPERTY		
Mar 23	Wednesday	Beltz 105 (tsbldg)	1:30 PM
+	Board Confirmations: Violent Crimes Compensation Board Alaska Police Standards Council Alaska Commission on Judicial Conduct Alaska Judicial Council		
+	Bills Previously Heard/Scheduled		
Mar 25	Friday	Beltz 105 (tsbldg)	1:30 PM
+= HB 7	SYNTHETIC CANNABINOID		
+	SB 101 ENTITY TRANSACTIONS ACT		
+	Bills Previously Heard/Scheduled		

LABOR & COMMERCE

Mar 22	Tuesday	Beltz 105 (tsbldg)	2:00 PM
-- Note: Meeting Time --			
+ SB 78	LIQUOR LICENSE HOLDER LIABILITY		
+ HB 28	TEMP LICENSE/FEE WAIVER FOR PROFESSIONALS <Bill Hearing Rescheduled to 3/24/11>		
+	Bills Previously Heard/Scheduled		
+ = SB 70	ALASKA HEALTH BENEFIT EXCHANGE		
Mar 24	Thursday	Beltz 105 (tsbldg)	2:00 PM
-- Note: Meeting Time --			
+	Presentation: Economic Security for Women in AK by Portia Wu VP National Partnership for Women & Families		
+ SB 32	APPROP: ALTERNATIVE ENERGY REV. LOAN FUND		
+	Bills Previously Heard/Scheduled		
+ = HB 28	TEMP LICENSE/FEE WAIVER FOR PROFESSIONALS <Pending Referral> <Bill Hearing Rescheduled from 3/22/11>		

RESOURCES

Mar 21	Monday	Butrovich 205	3:30 PM
+ SB 13	WAIVE PARK FEE FOR DISABLED VETERANS		
+ = SB 42	POWER PROJECT; ALASKA ENERGY AUTHORITY		
+ HJR 9	ENDORsing ANWR LEASING Bills Previously Heard/Scheduled		
Mar 23	Wednesday	Butrovich 205	3:30 PM
+	Confirmation Hearings: Cora Campbell, Commissioner, DF&G Dan Sullivan, Commissioner, DNR Bills Previously Heard/Scheduled		
Mar 25	Friday	Butrovich 205	3:30 PM
+ SJR 2	LIMIT FEDERAL INTERVENTION IN STATE		
+ = SB 85	TAX CREDIT FOR NEW OIL & GAS DEVELOPMENT Bills Previously Heard/Scheduled		

SENATE JOURNAL

March 21, 2011

569

STATE AFFAIRS

Mar 22 **Tuesday** **Butrovich 205** **9:00 AM**
+= HB 28 TEMP LICENSE/FEE WAIVER FOR PROFESSIONALS

-- Public Testimony Closed --

+= SB 94 SECOND VERSE OF ALASKA'S STATE SONG

-- Public Testimony Closed --

Overview: Japan's Nuclear Crisis: What it Means for Alaska
What is Being Done to Monitor Radiation Levels?

Is There Cause for Concern?

What Are the Health Effects from Small Doses of Radiation?

What Steps Can Alaskans Take to be Better Prepared?

Bills Previously Heard/Scheduled

Mar 24 **Thursday** **Butrovich 205** **9:00 AM**

+= SB 53 COMMISSION ON THE STATUS OF WOMEN

+= HCR 6 SEXUAL ASSAULT AWARENESS MONTH

+= Confirmation Hearing:

Bryan Butcher, Commissioner Designee for the
Department of Revenue

Bills Previously Heard/Scheduled

TRANSPORTATION

Mar 22 **Tuesday** **Butrovich 205** **1:00 PM**

+= SB 95 FRANK PALMER FERRY TERMINAL

<Bill Hearing Moved to March 24>

+= Bills Previously Heard/Scheduled

Mar 24 **Thursday** **Butrovich 205** **1:00 PM**

+= SB 95 FRANK PALMER FERRY TERMINAL

Uniform Rule 23 Waived

FINANCE SUBCOMMITTEES

TRANSPORTATION & PUBLIC FACILITIES

Mar 21 **Monday** **Fahrenkamp 203** **8:00 AM**

-- Meeting Postponed from March 18 --

Subcommittee Closeout

JOINT COMMITTEES

HIGHER EDUC/CAREER READINESS TASK FORCE

Mar 26	Saturday	Capitol 106	9:00 AM
+	Final Meeting		
	Draft Final Recommendations		
	-- Testimony <Invitation Only> --		

LEGISLATIVE BUDGET & AUDIT

Mar 29	Tuesday	House Finance 519	8:00 AM
+	Audits: Executive Session		
	Other Committee Business		
	-- Teleconference <Invitation Only> --		

LEGISLATIVE COUNCIL

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

OTHER MEETINGS

BUSH CAUCUS

Mar 24	Thursday	H Conf Rm 102 Tsb	12:00 PM
+	Legislature and Staff are Invited to a Demonstration of Digital Learning Via the iPad. Participants Will Enjoy Hands-On Demonstrations of Learning Opportunities through Applications and Digital Content on an iPad in a Very Learner-Friendly Format. Coordinators: Assn of Alaska School Boards through the Consortium for Digital Learning		

FISH CAUCUS

Mar 22	Tuesday	Capitol 106	12:00 PM
+	Marine Invasive Species, Tammy Davis, ADF&G		

SENATE JOURNAL

March 21, 2011

571

JOINT LEGISLATIVE HEALTH CAUCUS

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

JOINT SESSION

Mar 22	Tuesday	House Chamber	11:00 AM
	Annual Address by the Honorable		
	Mark Begich, U.S. Senator		

JOINT VETERANS CAUCUS

Mar 21	Monday	Beltz 105 (tsbldg)	4:00 PM
	Joint Veterans Caucus		