

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE
FIRST SESSION

Juneau, Alaska **Wednesday** **March 23, 2011**

Sixty-fifth Day

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

The roll showed twenty members present.

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.

Monday I mentioned that the summation of Orthodox spirituality was to acquire the spirit of peace. Today I will share a brief quotation from one of what we call “the Desert Fathers” a group of monks in the desert of fourth century Egypt:

A brother asked abba Poemen, “How should I behave... in the place where I am living?” [Poemen] replied, “Behave as if you were a stranger, and wherever you are, do not expect your words to have an influence and you will be at peace.”

Today’s prayer, referred to as “O heavenly King” is a prayer to the Holy Spirit that we use at the beginning of most of our services. I will sing the traditional Russian melody that is used at Vespers on Saturday Evenings:

O Heavenly King, the Comforter, the Spirit of Truth,
who art everywhere present and fillest all things,
Treasury of Blessings and Giver of Life: Come and
abide in us; and cleanse us from every impurity, and
save our souls, O Good One.

Senator Menard led the Senate in the Pledge of Allegiance.

Certification

Senator Meyer moved and asked unanimous consent that the journal for the sixty-fourth legislative day and Senate and House Joint Journal Supplement No. 5 be approved as certified by the Secretary. Without objection, it was so ordered.

Standing Committee Reports

SB 70

The Labor and Commerce Committee considered SENATE BILL NO. 70 "An Act establishing the Alaska Health Benefit Exchange; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 70(L&C)

Signing do pass: Senator Egan, Chair; Senators Davis, Paskvan, Menard. Signing no recommendation: Senator Giessel.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Administration
Fiscal Note No. 2, Department of Commerce, Community and
Economic Development
Fiscal Note No. 3, Department of Health and Social Services
Fiscal Note No. 4, zero, Department of Commerce, Community
and Economic Development

The bill was referred to the Finance Committee.

SB 94

The State Affairs Committee considered SENATE BILL NO. 94 "An Act adding a second verse to the official Alaska state song" and recommended the adoption of the following State Affairs Committee Letter of Intent:

Letter of Intent

It is the intent of the Alaska State Legislature that no additional funds be spent to re-print state publications simply to include the second verse of the Alaska State Song. Instead, re-printing of publications should occur on the schedule it would otherwise have occurred had the second verse not been adopted.

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

The following fiscal information was published today:

Fiscal Note No. 2, zero, Senate State Affairs Committee

President Stevens removed the Finance committee referral from the bill. The bill was referred to the Rules Committee.

SB 96

The Community and Regional Affairs Committee considered SENATE BILL NO. 96 "An Act relating to the Village Safe Water Act" and recommended it be replaced with

CS FOR SENATE BILL NO. 96(CRA)

Signing do pass: Senator Olson, Chair; Senators Kookesh, Menard, Ellis.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Environmental Conservation

The bill was referred to the Finance Committee.

HB 28

The State Affairs Committee considered CS FOR HOUSE BILL NO. 28(FIN) "An Act relating to temporary courtesy licenses for certain nonresident professionals and to a temporary exemption from fees and other licensing requirements for active duty members of the armed forces" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL
NO. 28(STA)

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

The following previously published fiscal information applies:

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

The bill was referred to the Labor and Commerce Committee.

**Introduction and Reference of
Senate Resolutions**

SJR 8

SENATE JOINT RESOLUTION NO. 8 BY SENATOR MCGUIRE,

Proposing amendments to the Constitution of the State of Alaska creating and relating to the gas revenue endowment fund, relating to deposits to the fund, limiting appropriations from the fund based on an averaged percent of the fund market value, relating to deposits to the permanent fund, and relating to deposits to the budget reserve fund.

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

SR 3

SENATE RESOLUTION NO. 3 BY SENATOR WAGONER,

Urging the North Pacific Fishery Management Council to amend the groundfish fisheries management plan for the Gulf of Alaska to allow for an annually adjusted cap of prohibited species catch based on an abundance of bycatch species, and expeditiously to implement a Chinook bycatch cap to limit the number of Chinook salmon harvested as bycatch in the Gulf of Alaska.

was read the first time and held on the Secretary's desk.

Introduction and Reference of Senate Bills

SB 111

SENATE BILL NO. 111 BY SENATOR THOMAS, entitled:

"An Act authorizing the transfer of land from the State of Alaska and the Alaska Railroad Corporation to property owners along the Eielson Spur Line; and providing for an effective date."

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

SB 112

SENATE BILL NO. 112 BY SENATOR DYSON, entitled:

"An Act relating to a credit against the oil and gas production tax for drilling certain exploration wells using a jack-up rig in the Cook Inlet sedimentary basin."

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

SB 113

SENATE BILL NO. 113 BY SENATOR MCGUIRE, entitled:

"An Act authorizing an advisory vote on the issuance of general obligation bonds to finance the construction of an in-state gas pipeline and related facilities; and providing for an effective date."

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

Consideration of the Calendar

Second Reading of House Bills

HB 98

HOUSE BILL NO. 98 "An Act relating to display, folding, presentment, and retirement of the state flag" was read the second time.

Senator Wielechowski, Chair, moved and asked unanimous consent for the adoption of the State Affairs Senate Committee Substitute offered on page 539. Without objection, SENATE CS FOR HOUSE BILL NO. 98(STA) was adopted.

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 CS FOR HOUSE BILL NO. 98(STA) was read the third time.

Senators Davis, Olson, Paskvan moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

The question being: "Shall SENATE CS FOR HOUSE BILL NO. 98(STA) "An Act relating to display, folding, presentment, and retirement of the state flag" pass the Senate?" The roll was taken with the following result:

SCS HB 98(STA)
Third Reading - Final Passage

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, SENATE CS FOR HOUSE BILL NO. 98(STA) passed the Senate and was referred to the Secretary for engrossment.

Citations

Honoring - Credit Union 1

Representative(s) Gruenberg

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

Honoring - Chanlyut

Representative(s) Gruenberg

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

In Memoriam - Teresa (Terry) Kathleen Hamilton Dean

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

Representative(s) Thomas

In Memoriam - Karl H. Greenewald Sr.

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

Representative(s) Thomas

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 morning plane time, through evening plane time, on April 1. Without objection, Senator Kookesh was excused.

Senator Thomas moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, March 29 through morning plane time, March 31. Without objection, Senator Thomas was excused.

Senator Huggins moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, March 25 through evening plane time, March 27. Without objection, Senator Huggins was excused.

Senator McGuire moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, March 23 through evening plane time, March 26. Without objection, Senator McGuire was excused.

SB 62

Senators Paskvan, Wielechowski, Menard moved and asked unanimous consent to be shown as cosponsors 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.

SCR 7

Senators Hoffman, McGuire, Menard, Paskvan, Davis, Egan, Kookesh, French, Wagoner, Dyson, Ellis moved and asked unanimous consent to be shown as cosponsors on SENATE CONCURRENT RESOLUTION NO. 7 Proclaiming September 9, 2011, as Fetal Alcohol Spectrum Disorders Awareness Day. Without objection, it was so ordered.

Announcements

Announcements are at the end of the journal.

Engrossment**HB 98**

SENATE CS FOR HOUSE BILL NO. 98(STA) "An Act relating to display, folding, presentment, and retirement of the state flag" was engrossed, signed by the President and Secretary and returned to the House for consideration.

Adjournment

Senator Meyer moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., March 25, 2011. Without objection, the Senate adjourned at 11:38 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 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 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		

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FINANCE

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	3:00 PM
-- Meeting Postponed from 9 am to 3 pm --			
+=	HB 108	APPROP: OPERATING BUDGET/LOANS/FUNDS	
+=	HB 109	APPROP: MENTAL HEALTH BUDGET	
+		Bills Previously Heard/Scheduled	
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 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 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 CANNABINOIDS		
+ SB 101	ENTITY TRANSACTIONS ACT		
+	Bills Previously Heard/Scheduled		

LABOR & COMMERCE

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 <Bill Hearing Rescheduled from 3/22/11>		

RESOURCES

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		

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STATE AFFAIRS

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 24	Thursday	Butrovich 205	1:00 PM
+= SB 95	FRANK PALMER FERRY TERMINAL		
	Uniform Rule 23 Waived		

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 29 **Tuesday** **Capitol 106** **12:00 PM**
+ "The Graying of the Fleet"
Paula Cullenberg and Glenn Haight
A Discussion Related to the Commercial Fishing
Fleets Demographics

JOINT LEGISLATIVE HEALTH CAUCUS

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