

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SEVENTH LEGISLATURE

FIRST SESSION

Juneau, Alaska

Wednesday

March 30, 2011

Seventy-second Day

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

The roll showed eighteen members present. Senators Kookesh, McGuire were absent.

Senator Meyer moved and asked unanimous consent that Senators Kookesh, McGuire be excused from a call of the Senate to evening plane time today. Without objection, Senators Kookesh, McGuire were excused.

The prayer was offered by the Chaplain, The Reverend Dr. Frances A. Williams of the Leake Temple A.M.E. Zion Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Today's prayer for guidance is prefixed with this quote:

"Just as treasures are uncovered from the earth, so virtue appears from good deed, and wisdom appears from a pure and peaceful mind. To walk safely from the maze of human life, one needs the light of wisdom, and the guidance of virtue."

Lord, may this day (as every day should) begin with you in mind, continue with your help and be done under your guidance. May all that be shared in this day be freed from obstacles designed to hinder our way.

Thank you for growth in your love as we continue to serve others and become a pleasing offering to you; and with you to your Father. May your guidance lead us around those mysteries of life set forth that would impede the progress of this day . Amen.

Senator Stedman led the Senate in the Pledge of Allegiance.

Certification

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

SB 8

Senator Meyer moved and asked unanimous consent that the time for reconsideration on SENATE BILL NO. 8 "An Act relating to questionnaires and surveys administered in the public schools" be extended to April 1. Without objection, it was so ordered.

Messages from the House

Messages dated March 28 and 29 were read stating the House passed and transmitted for consideration:

First Reading and Reference of House Resolutions

HJR 15

CS FOR HOUSE JOINT RESOLUTION NO. 15(EDT) BY THE HOUSE SPECIAL COMMITTEE ON ECONOMIC DEVELOPMENT, TRADE, AND TOURISM,

Relating to collaboration with the Yukon and the Northwest Territories through the Pacific NorthWest Economic Region and its Arctic Caucus to address common issues.

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

HCR 7

HOUSE CONCURRENT RESOLUTION NO. 7 BY REPRESENTATIVES SADDLER, Lynn, Fairclough, Costello, Johnson, Petersen, Chenault, Guttenberg, Millett, Pruitt,

Relating to awarding the Alaska Decoration of Honor to certain members of the military.

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

First Reading and Reference of House Bills**HB 18**

CS FOR HOUSE BILL NO. 18(STA) am BY THE HOUSE STATE AFFAIRS COMMITTEE, entitled:

"An Act establishing Alaska Public Gardens Day on the Saturday immediately preceding Memorial Day each year."

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

HB 24

CS FOR HOUSE BILL NO. 24(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act extending the termination date of the Regulatory Commission of Alaska; and providing for an effective date."

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

HB 155

CS FOR HOUSE BILL NO. 155(L&C) BY THE HOUSE LABOR AND COMMERCE COMMITTEE, entitled:

"An Act relating to the applicability of prevailing wage rates to public construction contracts; and, with regard to public construction contracts, relating to

notifications, bonding notifications, filings, notices, primary contractors, final payments, penalties, advertised specifications, required contract provisions, terminations, lists of violating contractors, and remedies."

was read the first time and referred to the Labor and Commerce Committee.

HB 189

CS FOR HOUSE BILL NO. 189(RES) BY THE HOUSE RESOURCES COMMITTEE, entitled:

"An Act relating to the Alaska Gasline Development Corporation and creating an exception to the public records statute for information provided to the Alaska Gasline Development Corporation; amending the composition of the Joint In-State Gasline Development Team; and providing for an effective date."

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

Communications

The following Budget and Audit Report was received from Pat Davidson, Legislative Auditor, in accordance with AS 24.20.311 and is on file in the Office of the Secretary of the Senate:

State of Alaska, Single Audit for the Fiscal Year Ended June 30, 2010

Standing Committee Reports**SB 5**

The Health and Social Services Committee considered SENATE BILL NO. 5 "An Act relating to eligibility requirements for medical assistance for certain children and pregnant women; and providing for an effective date." Signing do pass: Senator Davis, Chair; Senators Ellis, Egan. Signing do not pass: Senator Dyson. Signing amend: Senator Meyer.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Health and Social Services
Fiscal Note No. 2, Department of Health and Social Services
Fiscal Note No. 3, Department of Health and Social Services

The bill was referred to the Finance Committee.

SB 19

The Finance Committee considered SENATE BILL NO. 19 "An Act excluding motorcycles and motor-driven cycles from the passenger vehicle rental tax" and recommended it be replaced with

CS FOR SENATE BILL NO. 19(FIN) "An Act specifying the vehicle rental tax for motorcycles and motor-driven cycles; and providing for an effective date."

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

Fiscal information forthcoming.

The following previously published fiscal information applies:

Fiscal Note No. 1, Department of Revenue

The bill was referred to the Rules Committee.

SB 53

The State Affairs Committee considered SENATE BILL NO. 53 "An Act reestablishing the Alaska Commission on the Status of Women; and relating to the purpose and powers of the Alaska Human Relations Commission." Signing do pass: Senator Wielechowski, Chair; Senators Kookesh, Paskvan. Signing do not pass: Senator Giessel. Signing no recommendation: Senator Meyer.

The following fiscal information was published today:

Fiscal Note No. 1, Office of the Governor

The bill was referred to the Finance Committee.

SB 78

The Labor and Commerce Committee considered SENATE BILL NO. 78 "An Act relating to liability of certain limited liability organizations holding liquor licenses." Signing do pass: Senator Egan, Chair, Senators Giessel, Davis, Paskvan, Menard.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Public Safety

The bill was referred to the Judiciary Committee.

SB 97

The Finance Committee considered SENATE BILL NO. 97 "An Act authorizing additional appropriations for public education and for community revenue sharing based on the price of Alaska North Slope crude oil, and adjusting the formula for payments to communities" and recommended it be replaced with

CS FOR SENATE BILL NO. 97(FIN) "An Act authorizing additional appropriations for public education and for community revenue sharing based on the price of Alaska North Slope crude oil, and adjusting the formula for payments to communities; and providing for an effective date."

Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Thomas, Egan, Olson, Ellis.

The following fiscal information was published today:

Fiscal Note No. 1, indeterminate, Senate Finance Committee

Fiscal Note No. 2, indeterminate, Senate Finance Committee

The bill was referred to the Rules Committee.

SB 108

The Transportation Committee considered SENATE BILL NO. 108 "An Act naming the Dowling Road overpass at milepost 123.7 on the New Seward Highway the Spc. Stephen "Max" Cavanaugh, Jr., Memorial Overpass." Signing do pass: Senator Kookesh, Chair; Senators Huggins, Menard, Egan.

The following fiscal information was published today:

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

The bill was referred to the Finance Committee.

HB 28

The Labor and Commerce 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(L&C) "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; authorizing temporary licenses for
pawnbrokers not currently licensed by a
municipality; and providing for an effective date."
(Title change SCR forthcoming)

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

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 Rules Committee.

HB 130

The Community and Regional Affairs Committee considered CS FOR HOUSE BILL NO. 130(L&C) "An Act relating to municipal building code requirements for fire sprinkler systems in certain residential buildings." Signing no recommendation: Senator Olson, Chair. Signing do pass: Senators Kookesh, Menard, Wagoner.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Department of Public Safety

The bill was referred to the Labor and Commerce Committee.

HJR 19

The Resources Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 19(RES) Urging the United States Senate to ratify the United Nations Convention on the Law of the Sea. Signing do pass: Senators Wagoner, Paskvan, Cochairs; Senators Stevens, Stedman, Wielechowski, French, McGuire.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Legislative Agency

The resolution was referred to the Rules Committee.

HCR 6

The State Affairs Committee considered HOUSE CONCURRENT RESOLUTION NO. 6 Proclaiming the month of April 2011 to be Sexual Assault Awareness Month. Signing do pass: Senator Wielechowski, Chair; Senators Giessel, Meyer, Paskvan, Kookesh.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, House Rules Committee

The resolution was referred to the Rules Committee.

Introduction and Reference of Senate Bills**SB 117**

SENATE BILL NO. 117 BY SENATORS WIELECHOWSKI, Huggins, Davis, entitled:

"An Act relating to the allowable absence for active duty service members of the armed forces for purposes of permanent fund dividend eligibility"

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

Consideration of the Calendar**Second Reading of House Bills****HB 108**

CS FOR HOUSE BILL NO. 108(FIN) "An Act making appropriations for the operating and loan program expenses of state government and for certain programs, capitalizing funds, amending appropriations, and making reappropriations; and providing for an effective date" was read the second time.

Senator Hoffman, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 629. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 108(FIN) was adopted.

President Stevens stated SENATE CS FOR CS FOR HOUSE BILL NO. 108(FIN) will advance to third reading on the April 1 calendar.

HB 109

CS FOR HOUSE BILL NO. 109(FIN) "An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date" was read the second time.

Senator Hoffman, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 629. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 109(FIN) was adopted.

President Stevens stated SENATE CS FOR CS FOR HOUSE BILL NO. 109(FIN) will advance to third reading on the April 1 calendar.

Citations

Honoring - The First-Ever All-American Women's Yukon River Quest Team

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

Honoring - Regent Erik Drygas

Representative(s) Kawasaki

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

In Memoriam - Ginny Sargent

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

Representative(s) Austerman

In Memoriam - Oscar Watsjold

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

Representative(s) Seaton

In Memoriam - Pier Hale

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

Representative(s) Gruenberg

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 - Parrish West, 2010-2011 Division II Ron Lenz National Player of the Year

Representative(s) Guttenberg

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

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 Giessel moved and asked unanimous consent to be excused from a call of the Senate from noon plane time, April 1 through morning plane time, April 3. Without objection, Senator Giessel was excused.

HB 166

Senator Dyson moved and asked unanimous consent to be shown as a cross sponsor on CS FOR HOUSE BILL NO. 166(FIN) am "An Act relating to performance reviews and audits of executive and legislative branch agencies, the University of Alaska, and the Alaska Court System; and providing for an effective date." Without objection, it was so ordered.

HCR 7

Senators Wielechowski, Dyson, Meyer, Menard, Egan, Davis, Paskvan, Thomas, Ellis moved and asked unanimous consent to be shown as cross sponsors on HOUSE CONCURRENT RESOLUTION NO. 7 Relating to awarding the Alaska Decoration of Honor to certain members of the military. Without objection, it was so ordered.

SB 100

Senator Menard moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 100 "An Act relating to employer contributions to the Public Employees' Retirement System of Alaska; relating to requirements that employers who terminate some or all participation in the Public Employees' Retirement System of Alaska pay termination costs; and making the changes retroactive." Without objection, it was so ordered.

Senator Meyer moved and asked unanimous consent that the Senate return to Introduction of Guests. Without objection, the Senate returned to:

Introduction of Guests

Senator Meyer introduced Sten Arne Rosnes, the Consul General of Norway responsible for the thirteen westernmost United States.

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., April 1, 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 31 Thursday Beltz 105 (tsbldg) 3:30 PM
 + Confirmation Hearing:
 Susan Bell, Commissioner, Department of Commerce,
 Community and Economic Development
 + Alaska Coastal Management Plan

EDUCATION

Mar 30 Wednesday Beltz 105 (tsbldg) 8:00 AM
 += SB 6 PREKINDERGARTEN SCHOOL PROGRAMS/PLANS
 + Bills Previously Heard/Scheduled

Apr 01 Friday Beltz 105 (tsbldg) 8:00 AM
 += SB 6 PREKINDERGARTEN SCHOOL PROGRAMS/PLANS
 + Bills Previously Heard/Scheduled

FINANCE

Mar 30 Wednesday Senate Finance 532 9:00 AM
 += SB 19 PASSENGER VEHICLE RENTAL TAX
 + SB 92 DENTISTS/DENTAL HYGIENISTS/ASSISTANTS
 + SB 66 AIDEA: NEW MARKETS TAX CREDIT PROGRAM
 + SB 90 BOARD OF PUBLIC ACCOUNTANCY SECRETARY
 + SB 94 SECOND VERSE OF ALASKA'S STATE SONG
 + Bills Previously Heard/Scheduled
 += SB 97 COMMUNITY REVENUE SHARING/EDUC FUNDING

FINANCE (continued)

Mar 31 Thursday Senate Finance 532 9:00 AM
 + Department of Transportation Overview:
 Roads to Resources (Postponed from 3/25/11)
 + Bills Previously Heard/Scheduled

Apr 01 Friday Senate Finance 532 9:00 AM
 + Confirmation Hearing:
 Commissioner Bryan Butcher, Department of Revenue
 += HB 16 EXTEND SENIOR BENEFITS PAYMENT PROGRAM
 + Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

Mar 30 Wednesday Butrovich 205 1:30 PM
 + SCR 7 FETAL ALCOHOL SPECTRUM DISORDERS DAY
 + SB 22 STUDENT ATHLETE TRAUMATIC BRAIN INJURIES
 + SB 74 INS. COVERAGE: AUTISM SPECTRUM DISORDER
 + Bills Previously Heard/Scheduled

Apr 01 Friday Butrovich 205 1:30 PM
 No Meeting Scheduled

JUDICIARY

Mar 30 Wednesday Beltz 105 (tsbldg) 1:30 PM
 += SB 86 PROTECTION OF VULNERABLE ADULTS/MINORS
 + SB 82 FOSTER CARE LICENSING/STATE CUSTODY
 + SB 110 HUMAN TRAFFICKING/SEX OFFENSES
 + Bills Previously Heard/Scheduled
 = SB 15 SEX OFFENDER/UNDERAGE ALCOHOL OFFENSE
 = SB 101 ENTITY TRANSACTIONS ACT

Apr 01 Friday Beltz 105 (tsbldg) 1:30 PM
 + Board Confirmations: Alaska Judicial Council
 + SB 78 LIQUOR LICENSE HOLDER LIABILITY
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

Mar 31 Thursday Beltz 105 (tsbldg) 2:00 PM
 -- Note Meeting Time Change --
 + Governor's Appointments
 + HB 119 AIDEA: PROCUREMENT; PROJECTS
 + Bills Previously Heard/Scheduled, including:
 += SB 40 USE OF RECORDED MESSAGES
 += SB 51 STATE VENDING LICENSES

RESOURCES

Mar 30 Wednesday Butrovich 205 3:30 PM
 += SB 85 TAX CREDIT FOR NEW OIL & GAS DEVELOPMENT
 -- Public Comment and Invited Testimony --
 += SB 49 PRODUCTION TAX ON OIL AND GAS
 <Above Item Removed from Agenda>
 -- Public Comment and Invited Testimony --

Apr 01 Friday Butrovich 205 3:30 PM
 += SB 85 TAX CREDIT FOR NEW OIL & GAS DEVELOPMENT
 -- Public Comment and Invited Testimony --
 += SB 49 PRODUCTION TAX ON OIL AND GAS
 -- Public Comment and Invited Testimony --

STATE AFFAIRS

Mar 31 Thursday Butrovich 205 9:00 AM
 += SB 89 LEGISLATIVE ETHICS ACT
 -- Public Testimony Closed --
 + Bills Previously Heard/Scheduled

TRANSPORTATION

Mar 31 Thursday Butrovich 205 1:00 PM
 -- MEETING CANCELED --
 + Bills Previously Heard/Scheduled

JOINT COMMITTEES**HIGHER EDUC/CAREER READINESS TASK FORCE**

Mar 30 **Wednesday** **Capitol 106** **5:00 PM**
+ Discuss the Draft Final Recommendations of the
 Task Force
 -- Testimony <Invitation Only> --

LEGISLATIVE COUNCIL

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

OTHER MEETINGS**JOINT SESSION**

Apr 08 **Friday** **House Chamber** **11:00 AM**
 Confirmation of Governor's Appointees