

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Friday

January 26, 2007

Eleventh Day

Pursuant to adjournment the Senate was called to order by President Green at 10:05 am.

The roll showed eleven members present. Senators Bunde, Cowdery, Davis, Elton, Hoffman, McGuire, Olson, Therriault, Wagoner were excused from a call of the Senate.

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

God of mercy and tenderness, we remember before you this day all those who struggle with physical, emotional and mental challenges given them at birth, and who are often invisible to us, or a mystery to how to help. Give them and us the strength and courage to persevere in giving our best efforts to provide for their needs and to celebrate and use their gifts. We pray for the sons and daughters of this state who serve in the armed forces here and abroad. May they fulfill their missions with respect and dignity for all, and may the great power they wield not be commanded to serve for unjust ends. We mourn all who have lost their lives in service to their country and ask your peace and consolation on those they have left behind. To this Senate give your grace. Bless each servant here with a glad heart and patient

perseverance, to see their way through the maze of obligations and desires placed before them by their districts. Help them with wise mentors and sound advisors, and a sharp ear for the still, small voice that is yours. From strife, partisanship and division, Good Lord deliver us. For the sake of our best vision, yet unrealized, but possible through your strength, for the sake of all, in every condition of life throughout this land we pray. Amen.

Senator Thomas led the Senate in the Pledge of Allegiance.

Certification

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

Communications

The following report is on file in the Office of the Secretary of the Senate:

Obtaining Primacy Progress Report
National Pollutant Discharge Elimination System
Wastewater Discharge Program
from Mike Maher, Acting Commissioner
Department of Environmental Conservation
in accordance with Chapter 95 SLA 2005

Standing Committee Reports

SB 19

The Judiciary Committee considered SENATE BILL NO. 19 "An Act relating to a public officer's taking official action regarding a matter in which the public officer has a financial interest; and defining 'official action' under the Alaska Executive Branch Ethics Act and related law" and recommended it be replaced with

CS FOR SENATE BILL NO. 19(JUD) "An Act relating to a public officer's taking official action regarding, or influencing, a matter in which the public officer has a personal or financial interest; and defining 'official action' under the Alaska Executive Branch Ethics Act and related law."

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Law

Fiscal Note No. 2, zero, Department of Administration

Signing do pass: Senator French, Chair; Senators Huggins, Wielechowski, McGuire, Therriault.

The bill was referred to the State Affairs Committee.

SB 20

The Judiciary Committee considered SENATE BILL NO. 20 "An Act relating to disclosure to the Alaska Public Offices Commission of information about certain income received as compensation for personal services by legislators, public members of the Select Committee on Legislative Ethics, and legislative directors subject to the Legislative Ethics Act; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 20(JUD)

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Administration

Signing do pass: Senator French, Chair; Senator McGuire. Signing amend: Senators Huggins, Wielechowski, Therriault.

The bill was referred to the State Affairs Committee.

SB 25

The State Affairs Committee considered SENATE BILL NO. 25 "An Act relating to the state budget and to planning and reports regarding state finances and operations; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 25(STA)

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Administration

Fiscal Note No. 2, indeterminate, Office of the Governor

Fiscal Note No. 3, indeterminate, Department of Revenue

Signing do pass: Senator McGuire, Chair; Senator Bunde. Signing no recommendation: Senators French, Stevens, Green.

The bill was referred to the Finance Committee.

Introduction and Reference of Senate Bills

SB 64

SENATE BILL NO. 64 BY THE SENATE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to the requirement for candidates, groups, legislators, public officials, and other persons to submit reports electronically to the Alaska Public Offices Commission; relating to disclosures by legislators, public members of the Select Committee on Legislative Ethics, legislative directors, public officials, and certain candidates for public office concerning services performed for compensation and concerning certain income, gifts, and other financial matters; requiring legislators, public members of the Select Committee on Legislative Ethics, legislative directors, public officials, and municipal officers to make certain financial disclosures when they leave office; relating to insignificant ownership interest in a business and to gifts from lobbyists for purposes of the Alaska Executive Branch Ethics Act; relating to certain restrictions on employment after leaving state service for purposes of the Alaska Executive Branch Ethics Act; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Administration

Fiscal Note No. 2, zero, Department of Law

Governor's transmittal letter dated January 24:

Dear President Green:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to reports to the Alaska Public Offices Commission and relating to the Alaska Executive Branch Ethics Act.

This bill would (1) generally require candidates, groups, legislators, public officials, and others to submit required reports electronically to the Alaska Public Offices Commission; (2) require legislators and other public officials to make financial disclosures when they leave office; (3) require candidates, legislators, and other public officials to disclose information about services performed for compensation and about certain income, gifts, and other financial matters; (4) establish a presumption that an interest of less than \$5,000 in a business is an "insignificant" interest for purposes of the Alaska Executive Branch Ethics Act; (5) establish a presumption that gifts from a lobbyist to a public officer and the public officer's immediate family members are prohibited under the Alaska Executive Branch Ethics Act, unless the lobbyist is an immediate family member of the gift recipient; and (6) tighten certain restrictions on employment after leaving state service for purposes of the Alaska Executive Branch Ethics Act.

The public's confidence in its government and governmental officials is essential. This bill would foster the openness in government that I have advocated as one means to increase that confidence.

In preparing this bill, I have taken into consideration the advice and counsel of numerous individual Alaskans. The issues addressed by the provisions within this bill have largely been publicly discussed, and may even be addressed in other bills currently pending in the Legislature. For example, provisions to establish a presumption regarding "insignificant" interests were addressed in legislation last year that passed the Senate and moved all the way to the House Rules Committee.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Sarah Palin
Governor

A sectional analysis of SENATE BILL NO. 64 was also received and is on file in the Office of the Secretary of the Senate.

SB 65

SENATE BILL NO. 65 BY SENATOR HUGGINS, entitled:

"An Act amending the certificate of need requirements to apply only to health care facilities that are nursing homes or residential psychiatric treatment centers or that are located in a borough with a population of not more than 25,000, in the unorganized borough, or in a community with a critical access hospital."

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

SB 66

SENATE BILL NO. 66 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act decreasing the fee for a business license; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, Office of the Governor

Governor's transmittal letter dated January 25:

Dear President Green:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill decreasing the fee for a business license to the level in place before the increase was enacted in 2003.

Current law imposes a fee of \$100.00 for each new business license, except that the fee is \$50.00 if the business is a sole proprietorship, owned by a sole proprietor, who is 65 years of age or older.

The enclosed bill decreases the fee to \$25.00 for all business licenses, effective October 1, 2008.

The bill is necessary to show that Alaska is open and ready to attract and retain business in this state.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Sarah Palin
Governor

SB 67

SENATE BILL NO. 67 BY SENATORS STEVENS, Ellis, entitled:

"An Act establishing the Jay Hammond State Game Refuge; and providing for an effective date."

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

SB 68

SENATE BILL NO. 68 BY SENATOR FRENCH, entitled:

"An Act requiring motor vehicle insurers to provide to the commissioner of administration a database listing vehicle insurance policy information that will allow the commissioner to verify whether mandatory motor vehicle insurance has been obtained, limiting access to the database, establishing methods for proving that mandatory motor vehicle insurance is in place, allowing the additional penalties of suspending registration and vehicle impoundment and forfeiture for failure to have mandatory motor vehicle insurance, and authorizing hearings after suspension of registration for failure to have mandatory motor vehicle insurance."

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

Consideration of the Calendar**Citations**

Honoring – Homer Foundation

Representative(s) Seaton

Senator(s) Stevens, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Therriault, Thomas, Wagoner, Wielechowski, Wilken

In Memoriam – Tom Schroder

Representative(s) Seaton

Senator(s) Stevens, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Therriault, Thomas, Wagoner, Wielechowski, Wilken

In Memoriam – James Worster

Representative(s) Coghill

Senator(s) Therriault, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Thomas, Wagoner, Wielechowski, Wilken

Senator Stevens 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 Wilken moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 1 through evening plane time, February 5. Without objection, Senator Wilken was excused.

Senator Stedman moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, January 26 through morning plane time, January 28. Without objection, Senator Stedman was excused.

Senators Wielechowski, Ellis, French moved and asked unanimous consent to be excused from a call of the Senate on January 29 to morning plane time. Without objection, Senators Wielechowski, Ellis, French were excused.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Stevens moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., January 29, 2007. Without objection, the Senate adjourned at 10:20 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

Jan 30	Tuesday	Beltz 211	3:30 PM
	No Meeting Scheduled		
Feb 01	Thursday	Butrovich 205	8:00 AM
	Joint w/ (H) Community & Regional Affairs		
	Overview: Department of Commerce Community and		
	Economic Development, Commissioner Emil Notti;		
	Division of Community Advocacy, Mike Black		

FINANCE

Jan 26	Friday	Senate Finance 532	9:00 AM
	No Meeting Scheduled		
Jan 29	Monday	Senate Finance 532	9:00 AM
	No Meeting Scheduled		
Jan 31	Wednesday	Senate Finance 532	9:00 AM
+	Overview of Governor's FY 2008 Budget		
	Karen Rehfeld, Director, Office of		
	Management & Budget		
	David Teal, Director, Legislative Finance		
Feb 02	Friday	Senate Finance 532	9:00 AM
+	PERS/TRS Overview & Update		
	Dept of Administration		

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HEALTH, EDUCATION & SOCIAL SERVICES

Jan 26	Friday No Meeting Scheduled	Butrovich 205	1:30 PM
Jan 29	Monday No Meeting Scheduled	Butrovich 205	1:30 PM
Jan 31	Wednesday Committee Orientation and Introduction	Butrovich 205	1:30 PM
Feb 02	Friday No Meeting Scheduled	Butrovich 205	1:30 PM

JUDICIARY

Jan 26	Friday -- Meeting Canceled -- Bills Previously Heard/Scheduled	Beltz 211	1:30 PM
Jan 29 +	Monday Joint w/ (H) Judiciary Overviews: Department of Public Safety and Court System -- Teleconference <Listen Only> --	Butrovich 205	1:30 PM
Jan 31 +	Wednesday Confirmation Hearings: Legislative Ethics Committee: Ann Rabinowitz, Juneau H. Conner Thomas, Nome, Gary J. Turner, Soldotna Bills Previously Heard/Scheduled	Beltz 211	1:30 PM
Feb 02	Friday No Meeting Scheduled	Beltz 211	1:30 PM

LABOR & COMMERCE

Jan 30	Tuesday Bills Previously Heard/Scheduled	Beltz 211	1:30 PM
+ SB 24	BUSINESS LICENSE FEE		
+ SB 39	BUSINESS LICENSE FEE		
+ SB 41	REPEAL STUDDERED TIRE FEE		
	Overview Hearing: Workforce Development		

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LABOR & COMMERCE (continued)

Feb 01 Thursday Beltz 211 1:30 PM
 No Meeting Scheduled

RESOURCES

Jan 26 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

Jan 29 Monday Butrovich 205 3:30 PM
 + SB 46 COASTAL MANAGEMENT PROGRAM
 -- Public Testimony --

Jan 31 Wednesday Butrovich 205 3:30 PM
 +
 Presentation: by Division of Geological & Geophysical Surveys
 Cook Inlet Gas: Reality & Potential
 -- Testimony <Invitation Only> --

Feb 02 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

STATE AFFAIRS

Jan 30 Tuesday Beltz 211 9:00 AM
 += SB 36 SENTENCING FOR ALCOHOL-RELATED CRIMES
 += SB 45 PEACE OFFICER CONVICTED OF MURDER
 + SB 19 EXEC. BRANCH ETHICS:INTERESTS & ACTIONS
 + SB 20 LEGISLATIVE DISCLOSURES
 +
 Bills Previously Heard/Scheduled

Feb 01 Thursday Beltz 211 9:00 AM
 +
 Bills Previously Heard/Scheduled

TRANSPORTATION

Jan 30 Tuesday Butrovich 205 2:00 PM
 -- Time Change --
 + SB 15 BOARD OF MARINE PILOTS
 + SB 49 COMMEMORATIVE PLATES: STATEHOOD ANIV.

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TRANSPORTATION (continued)

Feb 01	Thursday	Butrovich 205	1:30 PM
	No Meeting Scheduled		
Feb 08	Thursday	Senate Finance 532	1:00 PM
	Joint w/ (H) Transportation Overview of the Alaska Marine Highway System		
Feb 13	Tuesday	Senate Finance 532	1:00 PM
	Joint w/(H) Transportation Overview of the Department of Transportation Highway System		

SPECIAL COMMITTEES

SPECIAL COMMITTEE ON EDUCATION

Jan 26	Friday	Butrovich 205	8:00 AM
	Overview: No Child Left Behind: School Performance and Program Changes		
Jan 31	Wednesday	Butrovich 205	8:00 AM
	Overview: Foundation Formula		
Feb 02	Friday	Butrovich 205	8:00 AM
	No Meeting Scheduled		

JOINT COMMITTEES

ARMED SERVICES COMMITTEE

Feb 14	Wednesday	Senate Finance 532	10:00 AM
	Presentation by Admiral Timothy J Keating Commander, North American Aerospace Defense Command; Commander, United States Northern Command		

LEGISLATIVE COUNCIL

Jan 30 Tuesday Senate Finance 532 5:00 PM
 Election of Chair & Vice Chair
 Late Per Diem Approvals
 Ratification or Sanctioning of Charitable Events
 Approval of 2007 Drafting Manual
 IT Subcommittee Appointments
 Lawsuit Update - Bachner Company Inc
 IT Password Training
 Contract & Amendment Approvals
 Briefing: Masonic Temple and Capitol Basement
 Other business

OTHER MEETINGS**CHILDREN'S CAUCUS**

Feb 06 Tuesday Butrovich 205 12:00 PM
 + Governor's Council on Disabilities and Special Education:
 Autism and Early Intervention

Feb 14 Wednesday Butrovich 205 12:00 PM
 + -- Note Day Change --
 Alaska Children's Justice Act Task Force: Updates & Trends in
 Child Maltreatment Issues

JOINT LEGISLATIVE HEALTH CAUCUS

Feb 21 Wednesday Butrovich 205 12:00 PM
 "Filling the Need: Mid-Level Health Providers"

Mar 21 Wednesday Butrovich 205 12:00 PM
 "Filling the Need: Complimentary Medicine Workforce"

Apr 18 Wednesday Butrovich 205 12:00 PM
 "Filling the Need: Other Forms of Health Care"

May 02 Wednesday Butrovich 205 12:00 PM
 "Week of the Uninsured: Alaska's Workforce"

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JOINT SESSION

Feb 22	Thursday	House Chamber	11:00 AM
	Annual Address by the Honorable Lisa Murkowski, U.S. Senator		
Feb 28	Wednesday	House Chamber	11:00 AM
	Chief Justice Dana Fabe's Annual State of the Judiciary Message		
Apr 26	Thursday	House Chamber	11:00 AM
	Annual Address by the Honorable Ted Stevens, U.S. Senator		