

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Wednesday

March 21, 2007

Sixty-fifth Day

Pursuant to adjournment the Senate was called to order by President Green at 11:03 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Reverend Paul Beran. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Gracious God our Heavenly Father; Thank you for the responsibilities entrusted to us as elected leaders in this great state. Today we think of those who come after us: our children, grandchildren, and faces with names we will never see or hear. As we face far reaching issues in committees and in this body we acknowledge our sight is so limited, like looking through a frosted glass, for we see only in part. But You know all things, even the endings as we wrestle with beginnings. In silence now we wait upon You; seeking Your face, Your wisdom, Your guidance.
(silence)

This I pray in the 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 Stevens moved and asked unanimous consent that the journals for the sixty-third and sixty-fourth legislative days and House and Senate Joint Journal Supplement No. 4 be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the Governor**SCR 2**

Message dated March 19 was read stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 2
Relating to establishing March 2007 as brain injury
awareness month.

Legislative Resolve No. 2

SR 1

Message dated March 19 was read stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE RESOLUTION NO. 1 Establishing a
Senate Special Committee on Education.

Senate Resolve No. 1

SR 2

Message dated March 19 was read stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE RESOLUTION NO. 2 Establishing a
Senate Special Committee on World Trade and
State/Federal Relations.

Senate Resolve No. 2

SR 4

Message dated March 20 was received stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE RESOLUTION NO. 4 Establishing March 3, 2007, as Susan Butcher Day.

Senate Resolve No. 3

Standing Committee Reports

Report dated March 20 was read, stating:

In accordance with AS 39.05.080, the State Affairs Committee reviewed the following and recommends the appointment be forwarded to a joint session for consideration:

Lieutenant Governor Designee

Talis Colberg

This does not reflect an intent by any of the members to vote for or against the confirmation of the individual during any further sessions.

Signing the report: Senator McGuire, Chair; Senators Green, Bunde, Stevens, French.

SB 18

The Labor and Commerce Committee considered SENATE BILL NO. 18 "An Act relating to property foreclosures and executions; and amending Rule 65, Alaska Rules of Civil Procedure" and recommended it be replaced with

CS FOR SENATE BILL NO. 18(L&C) "An Act relating to real property foreclosures, executions, and deeds of trust."

Signing do pass: Senator Ellis, Chair; Senators Bunde, Davis. Signing no recommendation: Senators Stevens, Hoffman.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Revenue

The bill was referred to the Judiciary Committee.

SB 36

The Judiciary Committee considered SENATE BILL NO. 36 "An Act relating to sentencing for the commission of certain offenses influenced by alcohol and to the offense of consumption of alcohol in violation of sentence" and recommended it be replaced with

CS FOR SENATE BILL NO. 36(JUD)

and further recommended the adoption of the State Affairs Committee Letter of Intent offered on page 349.

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

The following fiscal information was published today:

Fiscal Note No. 6, indeterminate, Department of Law

The following previously published fiscal information applies:

Fiscal Note No. 1, indeterminate, Alaska Court System

Fiscal Note No. 2, indeterminate, Department of Administration

Fiscal Note No. 3, indeterminate, Department of Administration

Fiscal Note No. 4, indeterminate, Department of Corrections

Fiscal Note No. 5, zero, Department of Law

The bill was referred to the Finance Committee.

SB 38

The Health, Education and Social Services Committee considered SENATE BILL NO. 38 "An Act relating to scheduling Salvia divinorum and Salvinorin A as controlled substances. " Signing do pass: Senator Davis, Chair; Senators Elton, Thomas, Cowdery, Dyson.

The following fiscal information was published today:

Fiscal Note No. 1, indeterminate, Department of Corrections

Fiscal Note No. 2, zero, Department of Law

The bill was referred to the Judiciary Committee.

SB 97

The Finance Committee considered SENATE BILL NO. 97 "An Act relating to identification seals for certain articles created or crafted in the state by Alaska Native persons; relating to the Alaska State Council on the Arts; and making certain identification seal violations unfair trade practices." Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Elton, Thomas, Dyson, Huggins, Olson.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Education and Early Development

The bill was referred to the Rules Committee.

SB 100

The Health, Education and Social Services Committee considered SENATE BILL NO. 100 "An Act relating to substance abuse and mental health disorder prevention and treatment programs; and relating to long-term secure treatment programs for persons with substance abuse or co-occurring substance abuse and mental health disorders." Signing do pass: Senator Davis, Chair; Senators Elton, Thomas, Dyson. Signing no recommendation: Senator Cowdery.

The following fiscal information was published today:

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

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

The bill was referred to the State Affairs Committee.

HB 102

The Transportation Committee considered HOUSE BILL NO. 102 "An Act relating to vacating lanes or slowing down for certain vehicles stopped along the side of a road." Signing do pass: Senator Kookesh, Chair; Senators Wilken, Cowdery. Signing no recommendation: Senator Olson.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Administration

Fiscal Note No. 2, zero, Department of Law

Fiscal Note No. 3, zero, Department of Public Safety

The bill was referred to the Rules Committee.

SCR 4

The Health, Education and Social Services Committee considered SENATE CONCURRENT RESOLUTION NO. 4 Relating to public health and a health compact, and recommended it be replaced with

CS FOR SENATE CONCURRENT RESOLUTION
NO. 4(HES)

Signing do pass: Senator Davis, Chair; Senators Elton, Thomas, Dyson. Signing no recommendation: Senator Cowdery.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Senate Health, Education and Social
Services Committee

The resolution was referred to the Rules Committee.

HCR 3

The State Affairs Committee considered HOUSE CONCURRENT RESOLUTION NO. 3 Relating to proclaiming April of 2007 as Sexual Assault Awareness Month. Signing do pass: Senator McGuire, Chair; Senators French, Stevens, Green, Bunde.

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 130

SENATE BILL NO. 130 BY SENATOR GREEN, entitled:

"An Act relating to the registration of certain vehicles owned by ranchers, farmers, or dairy workers."

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

SB 131

SENATE BILL NO. 131 BY SENATORS ELLIS BY REQUEST, Dyson, entitled:

"An Act naming the state parking garage being constructed in Anchorage north of the Robert B. Atwood Building as the Carolyn 'Linny' Pacillo Parking Garage."

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

SB 132

SENATE BILL NO. 132 BY SENATOR WIELECHOWSKI, entitled:

"An Act relating to an appeal to the superior court from a determination by the State Assessment Review Board; and providing for an effective date."

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

SB 133

SENATE BILL NO. 133 BY SENATOR ELLIS, entitled:

"An Act making a special appropriation for a public opinion poll regarding a constitutional amendment concerning benefits for same-sex partners; and providing for an effective date."

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

SB 134

SENATE BILL NO. 134 BY SENATORS WILKEN, Dyson, Bunde, entitled:

"An Act relating to the policy of the state regarding the state budget and the source of funding used to cover a shortfall in general fund revenue."

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

Consideration of the Calendar

Second Reading of Senate Bills

SB 93

SENATE BILL NO. 93 "An Act relating to licensed professional counselors; and relating to the unlicensed use of the title 'professional counselor'" was read the second time.

Senator Stevens 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.

Senators Elton, Ellis, Dyson, McGuire, Wielechowski, Stevens, Olson, Thomas moved and asked unanimous consent to be shown as cosponsors on the bill. Without objection, it was so ordered.

The question being: "Shall SENATE BILL NO. 93 "An Act relating to licensed professional counselors; and relating to the unlicensed use of the title 'professional counselor'" pass the Senate?" The roll was taken with the following result:

SB 93

Third Reading - Final Passage

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

and so, SENATE BILL NO. 93 passed the Senate and was referred to the Secretary for engrossment.

Third Reading of Senate Bills

SB 59

CS FOR SENATE BILL NO. 59(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 59(FIN) "An Act relating to the use of broadcasting to promote charitable raffles and lotteries and to establishing cabbage classics as a form of charitable gaming" pass the Senate?" The roll was taken with the following result:

CSSB 59(FIN)

Third Reading - Final Passage

YEAS: 17 NAYS: 3 EXCUSED: 0 ABSENT: 0

Yeas: Bunde, Cowdery, Davis, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Thomas, Wielechowski, Wilken

Nays: Dyson, Therriault, Wagoner

and so, CS FOR SENATE BILL NO. 59(FIN) passed the Senate and was referred to the Secretary for engrossment.

Citations

Honoring – Tony Gasbarro

Representative(s) Kawasaki

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

In Memoriam – Henry Harris, Sr.

Representative(s) Joule

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

HB 35

Senator Davis moved and asked unanimous consent to be shown as a cross sponsor on HOUSE BILL NO. 35 "An Act extending the termination date for the Board of Certified Direct-Entry Midwives; and providing for an effective date." Without objection, it was so ordered.

Senator Therriault moved and asked unanimous consent to be excused from a call of the Senate on March 23. Without objection, Senator Therriault was excused.

Senator Cowdery moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, March 23 through evening plane time, March 25. Without objection, Senator Cowdery was excused.

Senator Bunde moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, April 15 through afternoon plane time, April 17. Without objection, Senator Bunde was excused.

Announcements

Announcements are at the end of the journal.

Engrossment

SB 59

CS FOR SENATE BILL NO. 59(FIN) "An Act relating to the use of broadcasting to promote charitable raffles and lotteries and to establishing cabbage classics as a form of charitable gaming" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 93

SENATE BILL NO. 93 "An Act relating to licensed professional counselors; and relating to the unlicensed use of the title 'professional counselor'" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Stevens moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., March 23, 2007. Without objection, the Senate adjourned at 11:43 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 Thursday Beltz 211 3:30 PM
 No Meeting Scheduled

FINANCE

Mar 21 Wednesday Senate Finance 532 9:00 AM
 + SB 97 ALASKA NATIVE ART IDENTIFICATION SEALS
 += SB 125 PERS CONTRIBUTIONS; UNFUNDED LIABILITY
 += SB 123 PUBLIC EMP./TEACHERS/JUDGES EMP. BENEFITS
 + Bills Previously Heard/Scheduled

Mar 22 Thursday Senate Finance 532 9:00 AM
 += SB 125 PERS CONTRIBUTIONS; UNFUNDED LIABILITY
 += SB 123 PUBLIC EMP./TEACHERS/JUDGES EMP. BENEFITS
 + Bills Previously Heard/Scheduled

Mar 23 Friday Senate Finance 532 9:00 AM
 += SB 125 PERS CONTRIBUTIONS; UNFUNDED LIABILITY
 += SB 123 PUBLIC EMP./TEACHERS/JUDGES EMP. BENEFITS
 + Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

Mar 21 Wednesday Butrovich 205 1:30 PM
 + SB 85 EXTEND STATE MEDICAL BOARD
 Presentation: Aging and Disability
 Resource Centers

Mar 23 Friday Butrovich 205 1:30 PM
 No Meeting Scheduled

JUDICIARY

Mar 21 Wednesday Beltz 211 1:30 PM
 + SB 84 TESTING & PACKAGING OF CIGARETTES
 + Bills Previously Heard/Scheduled

Mar 22 Thursday Butrovich 205 3:30 PM
 += SB 48 BOND REQUIREMENT ON APPEAL
 <Above Bill Hearing Canceled>
 + SCR 3 POINT THOMSON UNIT APPEAL
 + Bills Previously Heard/Scheduled
 += SB 78 MOTOR VEHICLE WINDOW TINTING

LABOR & COMMERCE

Mar 22 Thursday Beltz 211 1:30 PM
 + SB 120 UNEMPLOYMENT COMPENSATION BENEFITS
 Bills Previously Heard/Scheduled
 += SJR 4 NATURAL GAS FOR STATE RESIDENTS
 += SB 121 CRUISE SHIP DISCHARGE

RESOURCES

Mar 21 Wednesday Senate Finance 532 3:30 PM
 -- Location Change --
 += SB 104 NATURAL GAS PIPELINE PROJECT
 Presentation: Industry Representatives
 -- Testimony <Invitation Only> --

RESOURCES (continued)

Mar 21	Wednesday	Senate Finance 532	5:30 PM
	-- Location Change --		
	Joint w/ (S) Resources and House Sp Cmte on Oil & Gas		
= SB 104	NATURAL GAS PIPELINE PROJECT		
	Public Testimony/Time Limit May Be Set		
	Along with Companion Bill HB 177		
+	Bills Previously Heard/Scheduled		
Mar 23	Friday	Butrovich 205	1:30 PM
+= SB 104	NATURAL GAS PIPELINE PROJECT		
	Presentation: Industry Representatives and/or State of Alaska		
	-- Testimony <Invitation Only> --		
+	Bills Previously Heard/Scheduled		
	--Time Limit May Be Set--		
Mar 24	Saturday	Senate Finance 532	1:00 PM
	-- Location Change --		
+	Joint w/ (S) Resources & House Sp Cmte on Oil & Gas		
+= SB 104	NATURAL GAS PIPELINE PROJECT		
	-Public Testimony/Time Limit May Be Set-		
	Along with Companion Bill HB 177		
Mar 24	Saturday	Senate Finance 532	3:00 PM
+= SB 104	NATURAL GAS PIPELINE PROJECT		
	Bills Previously Heard/Scheduled		

STATE AFFAIRS

Mar 22	Thursday	Beltz 211	9:00 AM
+ SB 16	EXTEND REGULATORY COMMISSION OF ALASKA		
+ HB 117	PROCLAMATION CALLING A SPECIAL SESSION		
+= SB 33	DNA FROM PERSONS CHARGED WITH FELONIES		
+	Bills Previously Heard/Scheduled		

TRANSPORTATION

Mar 22 Thursday Senate Finance 532 1:30 PM
 -- Location Change --
 Joint w/ (H) Transportation
 Confirmation Hearing:
 Leo von Scheben, Commissioner for the
 Department of Transportation and Public
 Facilities

FINANCE SUBCOMMITTEES**CORRECTIONS**

Mar 27 Tuesday Fahrenkamp 203 2:30 PM
 + Closeout

COURT SYSTEM

Mar 26 Monday Fahrenkamp 203 3:30 PM
 + Closeout

EDUCATION & EARLY DEVELOPMENT

Mar 21 Wednesday Butrovich 205 8:00 AM
 Dept of Education & Early Development
 FY'08 Proposed Budget

Mar 30 Friday Butrovich 205 12:00 PM
 Close-out

ENVIRONMENTAL CONSERVATION

Mar 29 Thursday Fahrenkamp 203 3:00 PM
 + Closeout

FINANCE SUBCOMMITTEES (continued)**FISH & GAME**

Apr 03	Tuesday	Senate Finance 532	8:00 AM
	Close-out		

HEALTH & SOCIAL SERVICES

Mar 22	Thursday	Fahrenkamp 203	8:00 AM
	Department Budget Detail		

Mar 28	Wednesday	Senate Finance 532	1:00 PM
+	Close-out		

Apr 05	Thursday	Fahrenkamp 203	8:00 AM
	-- MEETING CANCELED --		
	Department Budget Close-out		

NATURAL RESOURCES

Mar 22	Thursday	Fahrenkamp 203	4:00 PM
	-- MEETING CANCELED --		
	FY'08 Proposed Budget Close-out		

PUBLIC SAFETY

Apr 02	Monday	Beltz 211	8:00 AM
	-- MEETING CANCELED --		
	Department Budget Close-out		

Apr 03	Tuesday	Beltz 211	8:00 AM
+	Department Budget Close-out		

FINANCE SUBCOMMITTEES (continued)**REVENUE**

Mar 22	Thursday Budget Detail	Fahrenkamp 203	1:30 PM
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Mar 29	Thursday -- Time Change -- Budget Detail	Fahrenkamp 203	1:45 PM
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TRANSPORTATION & PUBLIC FACILITIES

Mar 29	Thursday DOT/PF Budget	Beltz 211	8:00 AM
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UNIVERSITY OF ALASKA

Mar 22	Thursday -- MEETING CANCELED -- Budget Detail	Senate Finance 532	7:30 AM
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Mar 29	Thursday -- Note Agenda Change -- Budget Close-out	Senate Finance 532	7:30 AM
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SPECIAL COMMITTEES**SPECIAL COMMITTEE ON EDUCATION**

Mar 21	Wednesday No Meeting Scheduled	Butrovich 205	8:00 AM
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Mar 23	Friday No Meeting Scheduled	Butrovich 205	8:00 AM
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OTHER MEETINGS**JOINT LEGISLATIVE HEALTH CAUCUS**

Mar 21	Wednesday	Butrovich 205	12:00 PM
	"Filling the Need: Complementary 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"		