

**SENATE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-FIFTH LEGISLATURE**

**FIRST SESSION**

**Juneau, Alaska**

**Wednesday**

**April 11, 2007**

**Eighty-sixth Day**

Pursuant to adjournment the Senate was called to order by President Green at 11:08 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Elizabeth Schelle of the Christian Science Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Lord God,

In wisdom, your servant King David wrote in his psalms, "Why art thou cast down, O my soul? and why art thou disquieted within me? hope thou in God: for I shall yet praise him, who is the health of my countenance, and my God." (Psalm 42:11)

David knew that for every challenge, there is divine comfort and guidance. There is no confusion without clarity close at hand. There is no anger without the compassion within to temper it. There is no weariness without inspiration to refresh and renew. And there is no victory without the calm of humility to honor it.

May this day be filled with experiences of triumph over any sense of limitation. Bless each individual here with hope and the assurance of ever-present good.

I offer praise and thanksgiving for life in Spirit, the  
realm of infinite possibilities. Amen.

Senator Stevens led the Senate in the Pledge of Allegiance.

### **Certification**

Senator Stevens moved and asked unanimous consent that the journal for the eighty-fifth legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

### **Consideration of the Calendar**

#### **Second Reading of Senate Bills**

##### **SB 103**

SENATE BILL NO. 103 "An Act authorizing the transfer of land from the Alaska Railroad Corporation to Eklutna, Inc.; and providing for an effective date" 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. 103 was read the third time.

The question being: "Shall SENATE BILL NO. 103 "An Act authorizing the transfer of land from the Alaska Railroad Corporation to Eklutna, Inc.; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SB 103

Third Reading - Final Passage

Effective Date

**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. 103 passed the Senate.

Senator Stevens 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.

### **Senate Bills in Third Reading**

#### **SB 97**

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" which had been read the third time on March 26 (page 657) was before the Senate in third reading.

Senator French, Chair, moved and asked unanimous consent that the bill be returned to second reading for the purpose of adopting the Judiciary Committee Substitute. Without objection, the bill was returned to second reading.

Senator French, Chair, moved and asked unanimous consent for the adoption of the Judiciary Committee Substitute offered on page 745. Senator Therriault objected, then withdrew his objection. There being no further objection, CS FOR SENATE BILL NO. 97(JUD) was adopted.

CS FOR SENATE BILL NO. 97(JUD) was automatically in third reading.

Senator Hoffman moved and asked unanimous consent to be shown as a cosponsor on the bill. Without objection, it was so ordered.

The question being: "Shall CS FOR SENATE BILL NO. 97(JUD) "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" pass the Senate?" The roll was taken with the following result:

CSSB 97(JUD)

Third Reading - Final Passage

**YEAS: 18 NAYS: 2 EXCUSED: 0 ABSENT: 0**

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

Nays: Bunde, Therriault

and so, CS FOR SENATE BILL NO. 97(JUD) passed the Senate and was referred to the Secretary for engrossment.

### **Second Reading of Senate Resolutions**

#### **SJR 3**

SENATE JOINT RESOLUTION NO. 3 Relating to the effect of Medicare rates on senior citizens' access to healthcare; and urging the United States Congress to increase Medicare rates for Alaska, was read the second time.

Senator Stevens moved and asked unanimous consent that the resolution be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE JOINT RESOLUTION NO. 3 was read the third time.

The question being: "Shall SENATE JOINT RESOLUTION NO. 3 Relating to the effect of Medicare rates on senior citizens' access to healthcare; and urging the United States Congress to increase Medicare rates for Alaska, pass the Senate?" The roll was taken with the following result:

#### **SJR 3**

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 JOINT RESOLUTION NO. 3 passed the Senate and was referred to the Secretary for engrossment.

**SR 5**

SENATE RESOLUTION NO. 5 was read the second time and was before the Senate on final passage.

The question being: "Shall SENATE RESOLUTION NO. 5 Recognizing the Prince Hall Grand Chapter, Order of the Eastern Star, Alaska Jurisdiction, 35th Annual Communication Week, pass the Senate?" The roll was taken with the following result:

**SR 5**

Second 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 RESOLUTION NO. 5 passed the Senate and was referred to the Secretary for engrossment and enrollment.

**Citations**

Honoring – Norman D. Wooten, President, National School Boards Association

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

Representative(s) LeDoux

Honoring – Ada Johnson's 75<sup>th</sup> Birthday

Representative(s) Cissna

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

Honoring – Cordova Wolverines Volleyball Team

Representative(s) Thomas

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

In Memoriam – Elspeth “Betts” Conable Johnson

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

Representative(s) LeDoux

In Memoriam – Chief Franklin Madros, Sr.

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

Representative(s) Salmon

In Memoriam – Kelly Ann Kompkoff

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

Representative(s) Thomas

In Memoriam – James Duros

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

Representative(s) LeDoux

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 Stedman moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, April 14 through morning plane time, April 16. Without objection, Senator Stedman was excused.

Senator Cowdery moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, April 12 through evening plane time, April 16. Without objection, Senator Cowdery was excused.

Senator Wagoner moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, April 12 through morning plane time, April 16. Without objection, Senator Wagoner was excused.

**SB 150**

Senator Stevens moved and asked unanimous consent that President Green be shown as a cosponsor on SENATE BILL NO. 150 "An Act relating to an aggravating factor at sentencing for crimes committed at certain shelters and facilities." Without objection, it was so ordered.

Senators Stevens, McGuire, Cowdery, Stedman, Thomas, Dyson, moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 150 "An Act relating to an aggravating factor at sentencing for crimes committed at certain shelters and facilities." Without objection, it was so ordered.

**Announcements**

Announcements are at the end of the journal.

**Engrossment****SB 97**

CS FOR SENATE BILL NO. 97(JUD) "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" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**SB 103**

SENATE BILL NO. 103 "An Act authorizing the transfer of land from the Alaska Railroad Corporation to Eklutna, Inc.; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**SJR 3**

SENATE JOINT RESOLUTION NO. 3 Relating to the effect of Medicare rates on senior citizens' access to healthcare; and urging the United States Congress to increase Medicare rates for Alaska, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**Engrossment and Enrollment****SR 5**

SENATE RESOLUTION NO. 5 Recognizing the Prince Hall Grand Chapter, Order of the Eastern Star, Alaska Jurisdiction, 35th Annual Communication Week, was engrossed and enrolled, signed by the President and Secretary and the engrossed and enrolled copies transmitted to the Office of the Governor at 4:07 p.m., April 11, 2007.

Senate Resolve No. 5

**Adjournment**

Senator Stevens moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., April 13, 2007. Without objection, the Senate adjourned at 12:07 p.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**

**Apr 12      Thursday                      Beltz 211              3:30 PM**

-- MEETING CANCELED --

+ = SB 3    COMMUNITY DIVIDEND PROGRAM  
Bills Previously Heard/Scheduled

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**FINANCE**

**Apr 11      Wednesday                      Senate Finance 532              9:00 AM**

-- MEETING CANCELED --

+ = SB 125    PERS CONTRIBUTIONS; UNFUNDED LIABILITY  
<Bill Hearing Postponed>

Bills Previously Heard/Scheduled

+ = SB 89    ELECTRONIC MONITORING OF GANG PROBATIONER

**Apr 11      Wednesday                      Senate Finance 532              1:00 PM**

+ = HB 95    APPROP: OPERATING BUDGET/LOANS/FUNDS

+ = HB 96    APPROP: MENTAL HEALTH BUDGET

+            Public Testimony Schedule

1:00 - 2:30 pm: Bethel, Kotzebue, Barrow,  
Nome, Delta Junction, Off-Nets

2:30 - 4:00 pm: Anchorage

5:00 - 6:30 pm: Kenai, Valdez, Kodiak,

Ketchikan, Seward, Mat-Su, Glennallen, Tok

**FINANCE (continued)**

<b>Apr 12</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+ SB 61	SUPPLEMENTAL APPROPRIATIONS		
+ HB 95	APPROP: OPERATING BUDGET/LOANS/FUNDS		
+ HB 96	APPROP: MENTAL HEALTH BUDGET		
	Committee Amendments		
+	Bills Previously Heard/Scheduled		
<b>Apr 12</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>5:00 PM</b>
+ HB 95	APPROP: OPERATING BUDGET/LOANS/FUNDS		
+ HB 96	APPROP: MENTAL HEALTH BUDGET		
	Committee Amendments		
<b>Apr 13</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+ HB 95	APPROP: OPERATING BUDGET/LOANS/FUNDS		
+ HB 96	APPROP: MENTAL HEALTH BUDGET		
	Committee Amendments		
+	Bills Previously Heard/Scheduled		
<b>Apr 13</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>5:00 PM</b>
+ HB 95	APPROP: OPERATING BUDGET/LOANS/FUNDS		
+ HB 96	APPROP: MENTAL HEALTH BUDGET		
	Committee Amendments		
<b>Apr 14</b>	<b>Saturday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+ HB 95	APPROP: OPERATING BUDGET/LOANS/FUNDS		
+ HB 96	APPROP: MENTAL HEALTH BUDGET		
	Committee Amendments		
+	Bills Previously Heard/Scheduled		

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**HEALTH, EDUCATION & SOCIAL SERVICES**

<b>Apr 11</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>Apr 12</b>	<b>Thursday</b>	<b>Capitol 106</b>	<b>4:00 PM</b>
	-- Day, Time, and Location Change --		
	Joint w/(H) Health, Education, and Social Services		
	Overview: Reclaiming Futures Project		
<b>Apr 13</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

**JUDICIARY**

**Apr 11      Wednesday                      Butrovich 205              1:30 PM**  
                  -- Location Change --  
 += SB 104 NATURAL GAS PIPELINE PROJECT  
                  -- Invited Testimony --

**Apr 11      Wednesday                      Butrovich 205              5:30 PM**  
 += SB 104 NATURAL GAS PIPELINE PROJECT  
                  -- Invited Testimony --

**Apr 12      Thursday                              Butrovich 205              3:30 PM**  
 += SB 104 NATURAL GAS PIPELINE PROJECT  
                  Public Testimony 5:30 pm to 7:00 pm

**Apr 13      Friday                                  Butrovich 205              1:30 PM**  
                  -- Location Change --  
 += SB 104 NATURAL GAS PIPELINE PROJECT  
                  -- Invited Testimony --

**Apr 13      Friday                                  Butrovich 205              5:30 PM**  
 += SB 104 NATURAL GAS PIPELINE PROJECT  
                  -- Invited Testimony --

**Apr 14      Saturday                                  Butrovich 205              10:00 AM**  
 += SB 104 NATURAL GAS PIPELINE PROJECT  
                  -- Testimony from Industry --

**Apr 15      Sunday                                      Butrovich 205              11:00 AM**  
                  -- MEETING CANCELED --  
 += SB 104 NATURAL GAS PIPELINE PROJECT  
                  -----

**LABOR & COMMERCE**

**Apr 12      Thursday                                  Beltz 211                  1:30 PM**  
 + SB 117 WORKERS' COMP: DISEASE PRESUMPTION  
                  Bills Previously Heard/Scheduled  
 = SB 124 ALASKA WORKFORCE INVESTMENT BD ALLOCATION  
 = SB 115 GIFT CARDS  
 = HB 34 SALES BY WINERY LICENSEE  
                  Overview: Affordable Housing  
                  Dan Fauske, Executive Director, Alaska Housing Finance Corp.

**RESOURCES**

**Apr 11      Wednesday                      Butrovich 205              3:30 PM**  
 +    SB 91    POLLUTANT DISCHARGE PERMITS  
                  -- Testimony <Time Limit May Be Set> --  
 +    SB 44    APPROP: FIRE ISLAND WIND FARM  
                  -- Testimony <Time Limit May Be Set> --  
 +                   Presentation: Natural Gas Pricing and  
                  Trends  
                  -- Testimony <Invitation Only> --  
 +                   Bills Previously Heard/Scheduled

**Apr 13      Friday                              Butrovich 205              3:30 PM**  
 +    SB 96    ESTABLISHING A RENEWABLE ENERGY FUND  
                  -- Testimony <Time Limit May Be Set> --  
 +=   SB 109   OIL & GAS CONSERVATION COMMISSION  
                  -- Testimony <Time Limit May Be Set> --  
 +                   Bills Previously Heard/Scheduled

**Apr 16      Monday                              Butrovich 205              3:30 PM**  
 +                   Presentation: Enstar  
                  -----

**STATE AFFAIRS**

**Apr 12      Thursday                              Beltz 211                  9:00 AM**  
 +    HB 171    ACCOMMODATE 90-DAY SESSION  
 +=   SB 135   ACCOMMODATE 90-DAY SESSION  
 +    SB 40    LONGEVITY BONUS REAPPLICATIONS  
 +                   Bills Previously Heard/Scheduled  
                  -----

**TRANSPORTATION**

**Apr 12      Thursday                              Butrovich 205              1:30 PM**  
                  -- MEETING CANCELED --  
                  SB 139    LIABILITY FOR AIRPORTS AND AIRSTRIPS  
                  -----

**SPECIAL COMMITTEES****SPECIAL COMMITTEE ON EDUCATION**

<b>Apr 11</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
	No Meeting Scheduled		
<b>Apr 13</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
SCR 5	CIVICS EDUC/ CITIZENS ADVISORY TASK FORCE		

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**JOINT COMMITTEES****AK CLIMATE IMPACT ASSESSMENT COMMISSION**

<b>Apr 12</b>	<b>Thursday</b>	<b>Anch Lio Conf Rm</b>	<b>10:00 AM</b>
+	-- Testimony <Invitation Only> --		
	10:00 am to 5:00 pm		
+	-- Open Public Testimony --		
	6:00 pm to 8:00 pm		
<b>Apr 13</b>	<b>Friday</b>	<b>Anch Lio Conf Rm</b>	<b>8:30 AM</b>
+	-- Testimony <Invitation Only> --		
	8:30 am to 12:00 pm		
+	-- Open Public Testimony --		
	1:00 pm to 3:00 pm		

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**SELECT COMMITTEE ON LEGISLATIVE ETHICS**

<b>Apr 17</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>10:00 AM</b>
	-- Teleconference --		
	Full Committee: Open Session		
	Election of Committee Chairs		
	Public Comment		
	Chair/Staff Report		
	Budget		
	Legislation		
<b>Apr 17</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>3:00 PM</b>
	Senate Subcommittee: Executive Session		
	Public Comment		
	Executive Session		
	Public Session		

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**OTHER MEETINGS****CHILDREN'S CAUCUS**

**Apr 24**      **Tuesday**                      **Butrovich 205**      **12:00 PM**  
+      Presentation by The Alaska Trafficking in Persons Task Force  
Dealing with Child Prostitution in Alaska  
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**JOINT LEGISLATIVE HEALTH CAUCUS**

**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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**MISCELLANEOUS MEETINGS**

**Apr 13**      **Friday**                      **Speaker's Chamber**      **12:00 PM**  
Presentation on Russia  
by Masha Mozgovaya