

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

**FIRST SESSION**

**Juneau, Alaska**

**Monday**

**April 23, 2007**

**Ninety-eighth Day**

Pursuant to adjournment the Senate was called to order by President Green at 11:09 a.m.

The roll showed eighteen members present. Senator Wilken was excused from a call of the Senate. Senator Therriault was absent.

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

Almighty God, we ask your blessing upon this House here gathered and upon the labor before them this day. Pour out your heavenly Grace, O Lord, that whatever their hearts may fear be put to rest, whatever clouds their mind be put aside, and whatever dulls their sight be removed, that in their deliberations the very best of their many talents will be brought to bear on behalf of those who trust them for the governance of this state. We ask your blessing and protection upon all who sail upon the sea, who make their living on the deep waters. We remember especially today our brother Bruce, his family, and all who wait for word of him. May we each and all be ever mindful of the gifts each around us shares that make our lives so bountiful and rich, and be given pause to make plain our thanks to friends and family and fellow-laborers in the field. Amen.

Senator Bunde led the Senate in the Pledge of Allegiance.

### **Certification**

Senator Stevens moved and asked unanimous consent that the journals for the ninety-fifth through ninety-seventh legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

### **Messages from the House**

#### **SJR 1**

Message dated April 20 was read, stating the House passed and returned:

SENATE JOINT RESOLUTION NO. 1 Relating to reauthorization of federal funding for children's health insurance; and encouraging the Governor to support additional funding for and access to children's health insurance.

The resolution was referred to the Secretary for enrollment.

Message dated April 20 was read, stating the House passed and transmitted for consideration:

### **First Reading and Reference of House Bills**

#### **HB 113**

CS FOR HOUSE BILL NO. 113(HES) BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE, entitled:

"An Act relating to the prescription and use of pharmaceutical agents, including controlled substances, by optometrists."

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

**HB 149**

CS FOR HOUSE BILL NO. 149(RES) BY THE HOUSE RESOURCES COMMITTEE, entitled:

"An Act relating to the authority of the Department of Environmental Conservation to require certain monitoring, sampling, and reporting and to require permits for certain discharges of pollutants; relating to criminal penalties for violations of the permit program; and providing for an effective date."

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

**HB 196**

CS FOR HOUSE BILL NO. 196(JUD) BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to the handling of matters after a person's death."

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

**HB 220**

CS FOR HOUSE BILL NO. 220(JUD) BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act prohibiting computer-assisted remote hunting."

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

**Standing Committee Reports****SB 84**

The Finance Committee considered SENATE BILL NO. 84 "An Act relating to the burning capability of cigarettes being sold or offered for sale, or possessed for sale; relating to compliance certifications by tobacco product manufacturers, a directory of tobacco product

manufacturers, the affixing of stamps to cigarette packages, and cigarette tax stamps; and providing for an effective date" and recommended the adoption of the Judiciary Committee Substitute offered on page 674. Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Elton, Thomas, Dyson, Huggins, Olson.

The following previously published fiscal information applies:  
Fiscal Note No. 3, Department of Revenue  
Fiscal Note No. 4, Department of Public Safety

The bill was referred to the Rules Committee.

### **Introduction and Reference of Senate Bills**

#### **SB 160**

SENATE BILL NO. 160 BY SENATORS FRENCH, Ellis, Wielechowski, entitled:

"An Act establishing an Alaska health care program to ensure insurance coverage for essential health services for all residents of the state; establishing the Alaska Health Care Board to define essential health care services, to certify health care plans that provide essential health care services, and to administer the Alaska health care program and the Alaska health care fund; establishing the Alaska health care clearinghouse to administer the Alaska health care program under the direction of the Alaska Health Care Board; establishing eligibility standards and premium assistance for persons with low income; establishing standards for accountable health care plans; creating the Alaska health care fund; providing for review of actions and reporting requirements related to the health care program; and providing for an effective date."

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

**Consideration of the Calendar****Second Reading of Senate Bills****SB 76**

SENATE BILL NO. 76 "An Act establishing a higher education savings program for eligible children who were placed in out-of-home care by the state; and providing for confidentiality of identifying information of a beneficiary under the program" was read the second time.

Senator Davis, Chair, moved and asked unanimous consent for the adoption of the Health, Education and Social Services Committee Substitute offered on page 541. Without objection, CS FOR SENATE BILL NO. 76(HES) was adopted.

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.

CS FOR SENATE BILL NO. 76(HES) was read the third time.

Senators French, Kookesh, Thomas, Elton, Stedman, Olson, Wielechowski moved and asked unanimous consent to be shown as cosponsors on the bill. Without objection, it was so ordered.

The question being: "Shall CS FOR SENATE BILL NO. 76(HES) "An Act establishing a higher education savings program for eligible children who were placed in out-of-home care by the state; and providing for confidentiality of identifying information of a beneficiary under the program" pass the Senate?" The roll was taken with the following result:

#AKS00114 04-23-2007 11:26:08

CSSB 76(HES)

Third Reading - Final Passage

**YEAS: 18 NAYS: 0 EXCUSED: 1 ABSENT: 1**

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

Excused: Wilken

Absent: Therriault

#AKS00114 END

and so, CS FOR SENATE BILL NO. 76(HES) passed the Senate.

Senator Wagoner gave notice of reconsideration.

### **Second Reading of House Bills**

#### **HB 35**

HOUSE BILL NO. 35 "An Act extending the termination date for the Board of Certified Direct-Entry Midwives; and providing for an effective date" was read the second time.

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

HOUSE BILL NO. 35 was read the third time.

The question being: "Shall HOUSE BILL NO. 35 "An Act extending the termination date for the Board of Certified Direct-Entry Midwives; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

#### **HB 35**

Third Reading - Final Passage

Effective Date

**YEAS: 18 NAYS: 0 EXCUSED: 1 ABSENT: 1**

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

Excused: Wilken

Absent: Therriault

and so, HOUSE BILL NO. 35 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 signed by the President and Secretary and returned to the House.

**HB 171**

CS FOR HOUSE BILL NO. 171(STA) am "An Act relating to the date and time for convening regular legislative sessions, certain procedures of the legislature, the date for organizing the Legislative Budget and Audit Committee, and deadlines for certain matters or reports to be filed or delivered to the legislature or a legislative committee; prohibiting bonuses for legislative employees; and providing for an effective date" was read the second time.

Senator McGuire, Chair, moved and asked unanimous consent for the adoption of the State Affairs Senate Committee Substitute offered on page 897. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 171(STA) was adopted.

Amendment No. 1 was not offered.

Senator Dyson offered Amendment No. 2:

Page 2, Line 18:

Delete "second"

Insert "**first** [SECOND]"

Senator Dyson moved for the adoption of Amendment No. 2. Senator Cowdery objected.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

SCS CSHB 171(STA)

Second Reading

Amendment No. 2

**YEAS: 4 NAYS: 14 EXCUSED: 1 ABSENT: 1**

Yeas: Bunde, Dyson, French, Wagoner

Nays: Cowdery, Davis, Ellis, Elton, Green, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Thomas, Wielechowski

Excused: Wilken

Absent: Therriault

and so, Amendment No. 2 failed.

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 CS FOR CS FOR HOUSE BILL NO. 171(STA) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 171(STA) "An Act relating to the date and time for convening regular legislative sessions, certain procedures of the legislature, the date for organizing the Legislative Budget and Audit Committee, and deadlines for certain matters or reports to be filed or delivered to the legislature or a legislative committee; prohibiting bonuses for legislative employees; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 171(STA)  
Third Reading - Final Passage  
Effective Date

**YEAS: 17 NAYS: 1 EXCUSED: 1 ABSENT: 1**

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

Nays: Dyson

Excused: Wilken

Absent: Therriault

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 171(STA) 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.

Senator Wagoner gave notice of reconsideration.



**Citations**

Honoring – Brian Oliver

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

Honoring – Buckland High School Boys Basketball Team

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

Honoring – Noorvik High School Boys Basketball Team

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

Honoring – Nunamiut Lady Wolves Basketball Team

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

In Memoriam – Lillian Shaw

Representative(s) Gruenberg

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

**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., April 25, 2007. Without objection, the Senate adjourned at 12:09 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 24 Tuesday Beltz 211 3:30 PM**  
 + SB 145 MUNIS IMPOUND/FORFEIT MOTOR VEHICLE  
 + Bills Previously Heard/Scheduled

**Apr 26 Thursday Beltz 211 3:30 PM**  
 + Bills Previously Heard/Scheduled

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**FINANCE**

**Apr 23 Monday Senate Finance 532 9:00 AM**  
 + SB 104 NATURAL GAS PIPELINE PROJECT  
 <Above Item Removed from Agenda>  
 + SB 84 TESTING & PACKAGING OF CIGARETTES  
 += SB 125 PERS /TRS CONTRIBUT'NS;UNFUNDED LIABILITY  
 + Bills Previously Heard/Scheduled

**Apr 23 Monday Senate Finance 532 2:00 PM**  
 += SB 104 NATURAL GAS PIPELINE PROJECT  
 Introduction by the Administration and  
 Member Q & A  
 -- Testimony <Invitation Only> --  
 + Bills Previously Heard/Scheduled

**Apr 24 Tuesday Senate Finance 532 9:00 AM**  
 + Bills Previously Heard/Scheduled

**Apr 24 Tuesday Senate Finance 532 3:00 PM**  
 + Bills Previously Heard/Scheduled

**FINANCE (continued)**

<b>Apr 25</b> +	<b>Wednesday</b> Bills Previously Heard/Scheduled	<b>Senate Finance 532</b>	<b>9:00 AM</b>
<b>Apr 25</b> +	<b>Wednesday</b> Bills Previously Heard/Scheduled	<b>Senate Finance 532</b>	<b>2:00 PM</b>
<b>Apr 26</b> +	<b>Thursday</b> Bills Previously Heard/Scheduled	<b>Senate Finance 532</b>	<b>9:00 AM</b>
<b>Apr 26</b> +	<b>Thursday</b> Bills Previously Heard/Scheduled	<b>Senate Finance 532</b>	<b>1:30 PM</b>
<b>Apr 27</b> +	<b>Friday</b> Bills Previously Heard/Scheduled	<b>Senate Finance 532</b>	<b>9:00 AM</b>
<b>Apr 27</b> +	<b>Friday</b> Bills Previously Heard/Scheduled	<b>Senate Finance 532</b>	<b>1:30 PM</b>
<b>Apr 28</b> +	<b>Saturday</b> Bills Previously Heard/Scheduled	<b>Senate Finance 532</b>	<b>9:00 AM</b>
<b>Apr 28</b> +	<b>Saturday</b> Bills Previously Heard/Scheduled	<b>Senate Finance 532</b>	<b>1:30 PM</b>

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**HEALTH, EDUCATION & SOCIAL SERVICES**

<b>Apr 23</b> + +=	<b>Monday</b> HB 136 DENTAL HYGIENISTS SB 8 MENTAL HEALTH PATIENT RIGHTS:STAFF GENDER	<b>Butrovich 205</b>	<b>1:30 PM</b>
<b>Apr 25</b> + +	<b>Wednesday</b> SB 119 SCHOOL LIBRARY GRANTS SR 3 REQUEST REMOVAL OF REGENT HAYES	<b>Butrovich 205</b>	<b>1:30 PM</b>
<b>Apr 27</b>	<b>Friday</b> No Meeting Scheduled	<b>Butrovich 205</b>	<b>1:30 PM</b>

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**JUDICIARY (continued)**

**Apr 23 Monday Beltz 211 1:30 PM**

- + SB 150 CRIMES AT DOMESTIC VIOLENCE SHELTERS
- + SB 128 ALCOHOL LOCAL OPTION PROVISIONS
- + SB 141 LIMITED LIABILITY COMPANIES
- + Bills Previously Heard/Scheduled

**Apr 25 Wednesday Beltz 211 1:30 PM**

- + SB 92 LIMITED LICENSE IGNITION INTERLOCK
- + HB 19 LTD. DRIVER'S LICENSES/IGNITION INTERLOCK
- + Bills Previously Heard/Scheduled

**Apr 27 Friday Beltz 211 1:30 PM**

- + Board Confirmations:  
Board of Governors of the Alaska Bar Association, Dr. Donald McLean - Wasilla  
Commission of Judicial Conduct  
Henry Novak - Kenai  
Alaska Judicial Council  
Charles Kopp - Kenai  
Violent Crimes Compensation Board  
Gerad Godfrey - Valdez
- + SB 38 SALVIA DIVINORUM AS CONTROLLED SUBSTANCE
- + Bills Previously Heard/Scheduled

**LABOR & COMMERCE**

**Apr 24 Tuesday Beltz 211 1:30 PM**

- + SB 155 REGULATION OF WATER/WASTEWATER UTILITIES
- + SB 28 LIMIT OVERTIME FOR REGISTERED NURSES  
<Bill Hearing Postponed until Thursday>
- + Bills Previously Heard/Scheduled
- + SB 140 LEAVE FOR BONE MARROW DONATIONS
- + SB 102 MORTGAGE LENDING
- + SB 124 ALASKA WORKFORCE INVESTMENT BD ALLOCATION
- + HB 118 PROHIBIT ALLOWING MINORS TO HAVE ALCOHOL

**Apr 26 Thursday Beltz 211 1:30 PM**

- + SB 118 PLASTIC BAG FEE; ESTABLISH LITTER FUND
- + HB 121 WORKERS' COMPENSATION RECORDS
- + Bills Previously Heard/Scheduled

**RESOURCES**

- Apr 23 Monday Butrovich 205 3:30 PM**  
 += HB 186 SPORT FISHING GUIDE RECORDS  
 -- Testimony <Time Limit May Be Set> --  
 + HB 26 GEODUCK AQUATIC FARMING EXEMPTION  
 <Bill Hearing Canceled>  
 + Bills Previously Heard/Scheduled  
 += SB 111 KODIAK NARROW CAPE PUBLIC USE AREA
- Apr 25 Wednesday Butrovich 205 3:30 PM**  
 -- MEETING CANCELED --  
 += SJR 4 NATURAL GAS FOR STATE RESIDENTS  
 -- Testimony <Time Limit May be Set> --  
 += SB 96 ESTABLISHING A RENEWABLE ENERGY FUND  
 -- Testimony <Time Limit May be Set> --  
 += HB 152 ESTABLISH RENEWABLE ENERGY FUND/ACCOUNT  
 -- Testimony <Time Limit May be Set> --  
 + Bills Previously Heard/Scheduled
- Apr 27 Friday Butrovich 205 3:30 PM**  
 + SB 57 MARINE PARKS ADDITIONS/HUNTING ALLOWED  
 -- Testimony <Time Limit May be Set> --  
 + SB 71 PUBLIC ACCESS TO FISHING STREAMS  
 -- Testimony <Time Limit May be Set> --  
 + Bills Previously Heard/Scheduled

**STATE AFFAIRS**

- Apr 24 Tuesday Beltz 211 9:00 AM**  
 + HB 109 DISCLOSURES & ETHICS/BRIBERY/RETIREMENT  
 += SB 95 COMPETITIVE BIDDING FOR BALLOT PREP  
 += SB 134 FUNDING SHORTFALL POLICY  
 + Bills Previously Heard/Scheduled
- Apr 26 Thursday Beltz 211 9:00 AM**  
 += HB 109 DISCLOSURES & ETHICS/BRIBERY/RETIREMENT  
 + SB 131 NAMING PACILLO PARKING GARAGE  
 += HB 210 QUALIFICATIONS OF THE ADJUTANT GENERAL  
 += HB 8 J. KEVIN LAMM TRAINING FACILITY  
 + Bills Previously Heard/Scheduled

## TRANSPORTATION

**Apr 24 Tuesday Butrovich 205 1:30 PM**  
 SB 158 SHIRLEY DEMIENTIEFF MEMORIAL BRIDGE  
 SB 136 MUNICIPAL ROAD SERVICE AREAS

**Apr 26 Thursday Butrovich 205 1:30 PM**  
 = SB 139 LIABILITY FOR AIRPORTS AND AIRSTRIPS  
 = HB 126 FORMS/DOCUMENTS/RIGHTS RELATED TO DRIVING

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## JOINT COMMITTEES

## LEGISLATIVE BUDGET &amp; AUDIT

**Apr 25 Wednesday House Finance 519 4:00 PM**  
 Presentation: Mega Project Financing by  
 Frederic Rich, Sullivan & Cromwell LLP

**Apr 26 Thursday House Finance 519 8:00 AM**  
 Contracts and Other Committee Business

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## LEGISLATIVE COUNCIL

**Apr 26 Thursday Senate Finance 532 5:00 PM**  
 Block 39  
 IT Subcommittee Recommendations  
 Goldstein Lease Renewal  
 FY 06 Legislature Audit

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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

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

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**OTHER MEETINGS (continued)**

**JOINT SESSION**

<b>May 14</b>	<b>Monday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
Confirmation of Governor's Appointees			