

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Wednesday

January 23, 2008

Ninth Day

Pursuant to adjournment the Senate was called to order by President Green at 11:05 a.m.

The roll showed nineteen members present. Senator Cowdery was excused from a call of the Senate.

The prayer was offered by the Chaplain, Reverend Kenneth Torquil MacLean, Consulting Minister for the Juneau Unitarian Universalist Fellowship. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Eternal God,

May our prayers begin and end with gratitude:

thanksgiving for the gift of life itself,
for the beauty and abundance of our nation,
and for the human bonds which enrich our lives.

We give thanks for the power to make a difference in the human situation:

to pursue equality and justice,
to protect and preserve the earth upon which we live,
to enhance human dignity,
and to build stronger community here and to the outer limits of
our influence.

For all our blessings, we give thanks.

Amen.

Senator Therriault led the Senate in the Pledge of Allegiance.

Certification

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

Communications

The following reports are on file in the Office of the Secretary of the Senate:

Report from the Commissioner of the Department of Administration dated October 23, 2007 was received, stating the monetary terms for the collective bargaining agreement reached with the Alaska State Employees Association representing the General Government bargaining unit, in accordance with AS 23.40.215.

President Green referred the monetary terms of agreement to the Finance Committee.

Report from the Commissioner of the Department of Administration dated November 8, 2007 was received, stating the monetary terms of the arbitration awarded as a result of a dispute between the State and the International Organization of Masters, Mates and Pilots Association, in accordance with AS 23.40.215.

President Green referred the monetary terms of agreement to the Finance Committee.

National Petroleum Reserve-Alaska (NPR-A)
Impact Mitigation Grant Program
Report to the Second Session of the Twenty-Fifth Legislature
from Tara Jollie, Director
Division of Community and Regional Affairs
Department of Commerce, Community and Economic Development
in accordance with AS 37.05.530(c)

Third Annual Report to the Legislature dated January 15, 2008
National Pollutant Discharge Elimination System
Wastewater Discharge Program
from Larry Hartig, Commissioner
Department of Environmental Conservation
in accordance with Chapter 95 SLA 2005

Report to the State of Alaska dated January 2008
from Patrick K. Gamble, President and Chief Executive Officer
Alaska Railroad Corporation
in accordance with AS 42.40.290

Standing Committee Reports

SB 28

The Labor and Commerce Committee considered SENATE BILL NO. 28 "An Act relating to limitations on mandatory overtime for registered nurses and licensed practical nurses in health care facilities; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 28(L&C)

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

The following fiscal information was published today:

Fiscal Note No. 4, zero, Department of Administration

Fiscal Note No. 5, Department of Labor and Workforce
Development

Fiscal Note No. 6, zero, Department of Health and Social Services

Fiscal Note No. 7, zero, Department of Health and Social Services

Fiscal Note No. 8, zero, Department of Health and Social Services

The bill was referred to the Finance Committee.

HB 176

The Resources Committee considered CS FOR HOUSE BILL NO. 176(RES) "An Act creating the Fort Rousseau Causeway State Historical Park." Signing do pass: Senator Huggins, Chair; Senators Stevens, Stedman, Wielechowski, Green.

The following fiscal information was published today:
Fiscal Note No. 2, Department of Natural Resources

The bill was referred to the Finance Committee.

**Introduction and Reference of
Senate Resolutions**

SCR 17

SENATE CONCURRENT RESOLUTION NO. 17 BY SENATORS
MCGUIRE, Ellis,

Relating to establishing March 2008 as Brain Injury
Awareness Month.

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

Introduction and Reference of Senate Bills

SB 247

SENATE BILL NO. 247 BY SENATOR GREEN, entitled:

"An Act relating to missing persons and unidentified
human remains."

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

Unfinished Business

HB 37

Senator Huggins, Chair, moved and asked unanimous consent that the
Resources Committee referral be waived on HOUSE BILL NO. 37(efd
add) "An Act establishing the first Saturday of every March as Susan
Butcher Day; and providing for an effective date." Without objection,
it was so ordered.

President Green added a State Affairs Committee referral to the bill.

The bill was referred to the State Affairs Committee.

SB 246

Senator Wilken moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 246 "An Act establishing a working group to analyze the potential of a hydroelectric power project on the Susitna River; and providing for an effective date." Without objection, it was so ordered.

SB 183

Senator Wielechowski moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 183 "An Act repealing the defined contribution retirement plans for teachers and for public employees; making conforming amendments; and providing for an effective date." Without objection, it was so ordered.

SB 147

Senators Ellis, Davis moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 147 "An Act clarifying when a project owner or general contractor is considered an employer for purposes of workers' compensation exclusive liability." Without objection, it was so ordered.

Senator Bunde moved and asked unanimous consent to amend a prior excusal (page 1630) in order to be excused from a call of the Senate from February 8 through plane time, February 11. Without objection, Senator Bunde was excused.

Senator Davis moved and asked unanimous consent to be excused from a call of the Senate from February 15 through plane time, February 17; and from March 21 through plane time, March 23. Without objection, Senator Davis was excused.

Senator Olson moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, January 25 through evening plane time, January 28. Without objection, Senator Olson was excused.

Senator Wagoner moved and asked unanimous consent to amend a prior excusal (page 1602) in order to be excused from a call of the Senate from afternoon plane time, January 29 through plane time, February 4. Without objection, Senator Wagoner was excused.

Senator Dyson moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, January 25 through evening plane time, January 28. Without objection, Senator Dyson was excused.

Senator Hoffman moved and asked unanimous consent to be excused from a call of the Senate from February 1 through morning plane time, February 4. Without objection, Senator Hoffman was excused.

Senator Thomas moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, February 8 through evening plane time, February 10. Without objection, Senator Thomas was excused.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Ellis moved that the Senate stand in adjournment until 11:00 a.m., January 25, 2008. Without objection, the Senate adjourned at 11:38 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 24 Thursday Beltz 211 3:30 PM
 -- MEETING CANCELED --
 Bills Previously Heard/Scheduled

Jan 29 Tuesday Beltz 211 3:30 PM
 -- Meeting Postponed from 1/22/08 --
 += SB 161 COASTAL MANAGEMENT PROGRAM
 Bills Previously Heard/Scheduled

FINANCE

Jan 23 Wednesday Senate Finance 532 9:00 AM
 + HB 125 BUDGET PLANNING & LONG-RANGE FISCAL PLAN

Jan 24 Thursday House Finance 519 1:00 PM
 -- Please Note Time Change --
 + Joint with House Finance
 Dir. Karen Rehfeld, Office of Management
 and Budget
 Dir. David Teal, Div. of Legislative
 Finance
 FY09 Budget Discussion and Follow-up

Jan 25 Friday Senate Finance 532 9:00 AM
 + Commercial Passenger Vessel Tax Program Update
 Presentations by the Dept of Revenue and Department of
 Environmental Conservation

Jan 23	Wednesday	Butrovich 205	3:30 PM
+	Presentation: ConocoPhillips Gas Pipeline Proposal by Brian Wenzel, VP ANS Gas Development -- Testimony <Invitation Only> --		

SENATE JOURNAL

January 23, 2008

1667

RESOURCES (continued)

Jan 25	Friday	Butrovich 205	3:30 PM
	No Meeting Scheduled		

STATE AFFAIRS

Jan 24	Thursday	Beltz 211	9:00 AM
+ SB 223	G.O. BONDS FOR CRIME LAB		
+ HB 101	UNIFORM TRAFFIC LAWS		
	<Bill Hearing Postponed>		

TRANSPORTATION

Jan 24	Thursday	Butrovich 205	1:00 PM
	-- MEETING CANCELED --		
	Bills Previously Heard/Scheduled		

FINANCE SUBCOMMITTEES

ADMINISTRATION

Jan 23	Wednesday	Senate Finance 532	3:30 PM
+	Joint with House Administration		
	Budget Overview - Commissioner Kreitzer		

COMMERCE, COMMUNITY & ECONOMIC DEV

Jan 28	Monday	House Finance 519	12:15 PM
	Joint with House Commerce, Community & Economic Development		
	Department Overview		
	FY09 Budget Request		
Feb 01	Friday	House Finance 519	12:15 PM
	Joint with House Commerce, Community & Economic Development		
	FY09 Budget Request		

FINANCE SUBCOMMITTEES (continued)**COMMERCE, COMMUNITY & ECONOMIC DEV (continued)**

Feb 08	Friday	House Finance 519	12:15 PM
	Joint with House Commerce, Community & Economic Development FY09 Budget Request		
Feb 15	Friday	House Finance 519	12:15 PM
	Joint with House Commerce, Community & Economic Development FY09 Budget Request		

CORRECTIONS

Jan 24 +	Thursday	Fahrenkamp 203	8:00 AM
	Corrections Budget FY08 Update		
Jan 28	Monday	House Finance 519	12:00 PM
	Joint with House Corrections FY09 Dept of Corrections Budget		

EDUCATION & EARLY DEVELOPMENT

Jan 24	Thursday	House Finance 519	5:00 PM
	Joint Meeting with House Subcommittee FY09 Budget Overview		

ENVIRONMENTAL CONSERVATION

Jan 24	Thursday	House Finance 519	3:30 PM
	-- Please Note Time & Location Change -- Joint with House DEC DEC Budget		
Jan 29	Tuesday	House Finance 519	3:30 PM
	Joint with House DEC Review of FY08 Initiatives, Programs & Supplemental Spending		

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

Jan 24	Thursday	Senate Finance 532	3:30 PM
+	Joint with House Fish & Game Budget Overview - Commissioner Lloyd -----		

LABOR & WORKFORCE DEVELOPMENT

Jan 23	Wednesday	House Finance 519	5:15 PM
	Joint with House Labor & Workforce Development Workers' Compensation Division Labor Standards & Safety Division Employment Security Division		
Jan 28	Monday	House Finance 519	5:15 PM
	Joint with House Labor & Workforce Development FY09 Budget Request		
Jan 30	Wednesday	House Finance 519	5:15 PM
	Joint with House Labor & Workforce Development FY09 Budget Request		
Feb 04	Monday	House Finance 519	5:15 PM
	Joint with House Labor & Workforce Development FY09 Budget Request		
Feb 06	Wednesday	House Finance 519	5:15 PM
	Joint with House Labor & Workforce Development FY09 Budget Request		
Feb 11	Monday	House Finance 519	5:15 PM
	Joint with House Labor & Workforce Development FY09 Budget Request		

FINANCE SUBCOMMITTEES (continued)**LABOR & WORKFORCE DEVELOPMENT (continued)**

Feb 13	Wednesday	House Finance 519	5:15 PM
	Joint with House Labor & Workforce Development FY09 Budget Request		

MILITARY AND VETERANS AFFAIRS

Feb 07	Thursday	House Finance 519	12:00 PM
+	Joint with House Military & Veterans Affairs Budget Overview Presentation by General Campbell -- Testimony <Invitation Only> --		

NATURAL RESOURCES

Jan 29	Tuesday	Fahrenkamp 203	4:00 PM
	FY09 Budget Overview		
Feb 05	Tuesday	Fahrenkamp 203	4:00 PM
	FY09 Budget Overview		
Feb 12	Tuesday	Fahrenkamp 203	4:00 PM
	FY09 Budget Overview		
Feb 19	Tuesday	Fahrenkamp 203	4:00 PM
	FY09 Budget Overview		
Mar 04	Tuesday	Fahrenkamp 203	4:00 PM
	FY09 Budget Closeout		

TRANSPORTATION & PUBLIC FACILITIES

Jan 31	Thursday	Senate Finance 532	4:00 PM
	Department Budget Overview		

SENATE JOURNAL

January 23, 2008

1671

SPECIAL COMMITTEES

SPECIAL COMMITTEE ON EDUCATION

Jan 30 Wednesday Butrovich 205 8:00 AM
+ SCR 15 AMEND UNIFORM RULES: STANDING COMMITTEES
+ SB 240 EDUCATION FUNDING

Feb 01 Friday Butrovich 205 8:00 AM
+ SCR 16 EDUCATION FUNDING/COST FACTOR COMMISSION
+ SB 241 UNIV. REPORT: TEACHER TRAINING/RETENTION

Feb 02 Saturday Butrovich 205 10:00 AM
+ Bills Previously Heard/Scheduled

JOINT COMMITTEES

LEGISLATIVE BUDGET & AUDIT

Jan 29 Tuesday House Finance 519 9:00 AM
Denali Commission Presentation
Consider Final & Preliminary Audits
Audit Software
Other Committee Business

OTHER MEETINGS

CHILDREN'S CAUCUS

Jan 29 Tuesday Butrovich 205 12:00 PM
+ Presentation by Children's Justice Act Task Force:
- Sexual Exploitation of Children via the Internet
- Report on Children's Advocacy Centers (CAC)

SENATE JOURNAL

1672

January 23, 2008

JOINT SESSION

Feb 06 Wednesday House Chamber 11:00 AM
State of the Judiciary Address by Chief Justice Dana Fabe

Feb 19 Tuesday House Chamber 11:00 AM
Annual Address by the Honorable Ted Stevens, U.S. Senator