

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Sunday

April 13, 2008

Ninetieth Day

Pursuant to adjournment the Senate was called to order by President Green at 11:24 a.m.

The roll showed twenty members present.

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

It's So Hard to Say Goodbye to Yesterday
(Condensed)

How do I say goodbye to what we had?
The good times that made us laugh
Outweigh the bad.

I thought we'd get to see forever
But forever's gone away
It's so hard to say goodbye to yesterday.

If we get to see tomorrow
I hope it's worth all the wait
It's so hard to say goodbye to yesterday.

Senator Stedman led the Senate in the Pledge of Allegiance.

Messages from the House**SB 196**

Message dated April 13 was received, stating the House transmitted the engrossed original and committee copies of:

HOUSE CS FOR CS FOR SENATE BILL NO.
196(FIN) am H "An Act relating to establishing a
controlled substance prescription database."

(Engrossment was waived on April 12, 2008, pursuant to Uniform Rule 43(b).)

HCR 13

Message dated April 12 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE CONCURRENT RESOLUTION NO. 13(FIN), thus adopting:

SENATE CS FOR CS FOR HOUSE
CONCURRENT RESOLUTION NO. 13(FIN) am S
Establishing and relating to the Education Funding
District Cost Factor Commission.

HJR 24

Message dated April 12 was received, stating the House concurred in the Senate amendment to HOUSE JOINT RESOLUTION NO. 24 am, thus adopting:

SENATE CS FOR HOUSE JOINT RESOLUTION
NO. 24(L&C) Opposing any law that would establish
a federal insurance regulatory system.

HB 2

Message dated April 12 was received, stating the House concurred in the Senate amendment to HOUSE BILL NO. 2 "An Act relating to the vocational education account and appropriations from that account; and providing for an effective date" thus adopting:

SENATE CS FOR HOUSE BILL NO. 2(FIN) "An Act relating to unemployment contributions for the Alaska technical and vocational education program and to the allocation of money appropriated to the Alaska Workforce Investment Board; relating to the vocational education account and appropriations from that account; and providing for an effective date."
(Title Change SCR 34)

HB 65

Message dated April 12 was received, stating the House concurred in the Senate amendments to CS FOR HOUSE BILL NO. 65(FIN) "An Act relating to breaches of security involving personal information, credit report and credit score security freezes, protection of social security numbers, care of records, disposal of records, identity theft, credit cards, and debit cards, and to the jurisdiction of the office of administrative hearings; amending Rules 60 and 82, Alaska Rules of Civil Procedure; and providing for an effective date" thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 65(FIN) am S "An Act relating to breaches of security involving personal information, credit report and credit score security freezes, protection of social security numbers, care of records, disposal of records, identity theft, credit cards, and debit cards, disclosure of the names and addresses of permanent fund dividend applicants, and to the jurisdiction of the office of administrative hearings; amending Rules 60 and 82, Alaska Rules of Civil Procedure; and providing for an effective date."
(Title Change SCR 35)

HB 88

Message dated April 13 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 88(FIN), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 88(JUD) "An Act relating to televisions, monitors, portable computers, and similar devices in motor

vehicles; relating to the definition of physical injury for the Alaska Uniform Vehicle Code; and providing for an effective date."

HB 111

Message dated April 13 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 111(FIN), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 111(FIN) "An Act decreasing the fee for a business license; relating to a civil fine for not having a current business license, to business license penalties under certain laws relating to financial institutions, occupational licensing, employment agencies, and taxation, and to the duration of certain business licenses; and providing for an effective date."

HB 226

Message dated April 12 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 226(FIN), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 226(FIN) "An Act extending the termination of the state training and employment program; requiring a review of the program; and providing for an effective date."

HB 294

Message dated April 12 was received, stating the House concurred in the Senate amendments to CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 294(TRA) am, thus adopting:

SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 294(FIN) am S "An Act establishing the Alaska Marine Transportation Advisory Board and setting out its powers and duties; making conforming amendments; and providing for an effective date."

HB 314

Message dated April 13 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 314(FIN) am, thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 314(FIN) "An Act providing for and relating to the issuance of general obligation bonds for the purpose of paying the cost of state transportation projects; and providing for an effective date."

SCR 21

Message dated April 12 was received, stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 21
Establishing the Cook Inlet Salmon Task Force as a joint legislative task force.

The resolution was referred to the Secretary for enrollment.

SCR 34

Message dated April 12 was received, stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 34
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 2, relating to the vocational education account and appropriations from that account.

The resolution was referred to the Secretary for enrollment.

SCR 35

Message dated April 12 was received, stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 35
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 65, relating to breaches of
security involving personal information, credit report
and credit score security freezes, protection of social
security numbers, care of records, disposal of
records, identity theft, credit cards, and debit cards,
and to the jurisdiction of the office of administrative
hearings; and amending Rules 60 and 82, Alaska
Rules of Civil Procedure.

The resolution was referred to the Secretary for enrollment.

SB 8

Message dated April 13 was received, stating the House passed and
returned:

SENATE BILL NO. 8 "An Act relating to a mental
health patient's right to choose the gender of hospital
staff providing intimate care to the mental health
patient and to the duties of hospital staff in caring for
patients receiving mental health treatment."

The bill was referred to the Secretary for enrollment.

SB 259

Message dated April 12 was received, stating the House passed and
returned:

SENATE BILL NO. 259 "An Act repealing certain
provisions relating to applications for medical
assistance coverage; making certain provisions of ch.
96, SLA 2006, retroactive; providing for an effective
date by repealing an effective date section in ch. 96,
SLA 2006; providing for an effective date for certain
sections of ch. 96, SLA 2006; and providing for an
effective date."

The bill was referred to the Secretary for enrollment.

SB 289

Message dated April 12 was received, stating the House passed and returned:

SENATE BILL NO. 289 "An Act relating to home energy conservation and weatherization for purposes of certain programs of the Alaska Housing and Finance Corporation."

The bill was referred to the Secretary for enrollment.

SB 306

Message dated April 13 was received, stating the House passed and returned:

SENATE BILL NO. 306 "An Act relating to the adoption of conservation, development, and utilization regulations by the Board of Game to address concerns relating to public assets."

The bill was referred to the Secretary for enrollment.

Message dated April 13 was received, stating the House passed and transmitted for consideration:

HCR 30

HOUSE CONCURRENT RESOLUTION NO. 30 BY THE HOUSE FINANCE COMMITTEE, Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 254, extending the termination date of the Alaska regional economic assistance program.

Concur Messages**SB 221**

Message dated April 12 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 221(FIN) am "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, and appropriations to capitalize funds; and providing for an effective date" with the following amendments:

HOUSE CS FOR CS FOR SENATE BILL NO. 221(FIN) am H "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, and appropriations to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date." (technical title change)

Engrossment was waived in accordance with Uniform Rule 43(b). Certified amendments were attached.

Senator Ellis moved that the Senate concur in the House amendments.

The question being: "Shall the Senate concur in the House amendments?" The roll was taken with the following result:

HCS CSSB 221(FIN) am H

Shall the Senate Concur in the House Amendment to CSSB 221(FIN) am? Effective Dates

YEAS: 15 NAYS: 5 EXCUSED: 0 ABSENT: 0

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

Nays: Bunde, Dyson, Therriault, Wagoner, Wilken

and so, the Senate concurred in the House amendments, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 221(FIN) am H "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, and appropriations to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

Senator Ellis moved and asked unanimous consent that the vote on concurrence be considered the vote on the effective date clauses. Without objection, it was so ordered.

Senator Ellis moved for the adoption of the constitutional budget reserve fund section.

The question being: "Shall the constitutional budget reserve fund section (Article IX, Section 17(c) Constitution of the State of Alaska) be adopted?" The roll was taken with the following result:

HCS CSSB 221(FIN) am H

Adopt Constitutional Budget Reserve Fund Section?

YEAS: 15 NAYS: 5 EXCUSED: 0 ABSENT: 0

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

Nays: Bunde, Dyson, Therriault, Wagoner, Wilken

and so, the constitutional budget reserve fund section was adopted.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

SB 254

Message dated April 13 was read, stating the House passed and returned for consideration SENATE BILL NO. 254 "An Act extending the termination date of the Alaska regional economic assistance program; and providing for an effective date" with the following amendments:

HOUSE CS FOR SENATE BILL NO. 254(FIN)(efd am H) "An Act extending the termination date of the Alaska regional economic assistance program; extending the termination date for the authority of the Commercial Fisheries Entry Commission to maintain a vessel-based limited entry fisheries system for the weathervane scallop and Bering Sea hair crab fisheries; providing for an effective date by amending the effective date under sec. 28, ch. 137, SLA 2002; and providing for an effective date."
(Title Change HCR 30)

Senator Ellis moved that the Senate concur in the House amendments.

Senator Stevens moved that the Senate refer the concur message to the Rules Committee, then withdrew his motion. There being objection, the motion was withdrawn.

The question being: "Shall the Senate concur in the House amendments?" The roll was taken with the following result:

HCS SB 254(FIN)(efd am H)

Shall the Senate Concur in the House Amendments
to SB 254? Effective Date

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

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

Nays: Stevens, Wilken

and so, the Senate concurred in the House amendments, thus adopting HOUSE CS FOR SENATE BILL NO. 254(FIN)(efd am H) "An Act extending the termination date of the Alaska regional economic assistance program; extending the termination date for the authority of the Commercial Fisheries Entry Commission to maintain a vessel-based limited entry fisheries system for the weathervane scallop and Bering Sea hair crab fisheries; providing for an effective date by amending the effective date under sec. 28, ch. 137, SLA 2002; and providing for an effective date."

Senator Ellis moved and asked unanimous consent that the vote on concurrence be considered the vote on the effective date clause. Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

HCR 30

Senator Ellis moved and asked unanimous consent to take up HOUSE CONCURRENT RESOLUTION NO. 30 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 254, extending the termination date of the Alaska regional economic assistance program, which had been transmitted to the Senate for consideration (page 2947). Without objection, the resolution was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 30 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 254, extending the termination date of the Alaska regional economic assistance program, pass the Senate?" The roll was taken with the following result:

HCR 30

Final Passage

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

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

Nays: Stevens, Wilken

and so, HOUSE CONCURRENT RESOLUTION NO. 30 passed the Senate, was signed by the President and Secretary and returned to the House.

Consideration of the Calendar**Citations**

Honoring – The Senate Secretary, Senate Secretary's Assistants, Senate Records

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

Honoring – Senate Sergeant-at-Arms, Senate Assistant Sergeant-at-Arms, Senate Pages

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

Honoring – Legislative Lounge Staff

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

Representative(s) Coghill

In Memoriam – John Patrick Shields

Representative(s) Seaton

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

Senator Ellis moved and asked unanimous consent that the citations be adopted. Without objection, the citations were adopted and referred to the Secretary for transmittal.

Senator Ellis moved and asked unanimous consent that the following citations be made a special order of business. Without objection, it was so ordered.

Special Order of Business

Honoring – Lieutenant General Douglas M. Fraser

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

Representative(s) Dahlstrom

In Memoriam – Sigrid Enatti Karabelnikoff

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

Representative(s) Doogan

Senator Ellis moved and asked unanimous consent that the citations be adopted. Without objection, the citations were adopted and referred to the Secretary for transmittal.

Senator Ellis moved and asked unanimous consent that the following Citation Calendar be made a special order of business. Without objection, it was so ordered.

Citation Calendar

Honoring – Kelsie Ealy 2008 Alaska Youth of the Year Finalist

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

Honoring – Farthest North Girl Scouts Council 2008 Fairbanks Women of Distinction

Representative(s) Kawasaki, Guttenberg

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

Honoring – The Mecca Bar

Representative(s) Kawasaki

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

Honoring –Andrew and Verda Miscovich 50th Wedding Anniversary

Representative(s) Kawasaki

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

Honoring – Jerry Cleworth

Representative(s) Kawasaki

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

Honoring – The Alaska Goldpanners of Fairbanks 49th Season

Representative(s) Kawasaki

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

Honoring – Richard Winther and the Alaska Salmon Bake

Representative(s) Kawasaki

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

Honoring – The American Legion Department of Alaska 89th Annual State Convention

Representative(s) Kawasaki, Guttenberg

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

In Memoriam – Eve Merle Oates Cottle

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

In Memoriam – Jennifer Wilcox Van Ausdal

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

In Memoriam – Sandra Stringer

Representative(s) Kawasaki, Guttenberg

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

Senator Ellis moved and asked unanimous consent that the Citation Calendar be adopted. Without objection, the citations were adopted and referred to the Secretary for transmittal.

Announcements

Announcements are at the end of the journal.

Rule 23(d) of the Alaska State Legislature Uniform Rules is currently in effect.

Engrossment**HB 65**

SENATE CS FOR CS FOR HOUSE BILL NO. 65(FIN) am S "An Act relating to breaches of security involving personal information, credit report and credit score security freezes, protection of social security numbers, care of records, disposal of records, identity theft, credit cards, and debit cards, disclosure of the names and addresses of permanent fund dividend applicants, and to the jurisdiction of the office of administrative hearings; amending Rules 60 and 82, Alaska Rules of Civil Procedure; and providing for an effective date" which passed the Senate April 12 (page 2904) with engrossment waived, was engrossed and transmitted to the House.

Adjournment

Senator McGuire moved and asked unanimous consent that the Twenty-fifth Alaska Senate adjourn sine die. Without objection, the Senate adjourned at 12:55 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

FINANCE

Apr 13	Sunday	Senate Finance 532	9:00 AM
+	Bills Previously Heard/Scheduled		