

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Monday

February 12, 2007

Twenty-eighth Day

Pursuant to adjournment the Senate was called to order by President Green at 11:02 a.m.

The roll showed seventeen members present. Senators Bunde, Dyson, McGuire were excused from a call of the Senate.

The prayer was offered by the Chaplain, the Reverend Bob Stevens of St. Brendan's Episcopal Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Creator God, as we begin this week we ask that you open the minds and hearts of this Senate that they may faithfully carry out their work in making decisions for the people of Alaska. Grant them wisdom as they consider the issues before them, knowing their decisions will affect many cultures and diverse people in this vast land we call Alaska.

Counsel them in the days ahead; help them to understand that you are guiding them in this important work, and that you are close to them always. Help them to make wise decisions in your honor.

Bless their loved ones that cannot be with them during these times and bless this beautiful state we call home.

We ask all these things in your name.

Amen.

Senator Elton led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the Governor

Letter dated February 8 and received February 12 was read, stating I request withdrawal of the following names for legislative confirmation of appointment:

Commissioner - Department of Health and Social Services

Karleen Jackson

The appointment had been referred to the Health, Education and Social Services Committee (page 183).

Commissioner/Adjutant General – Department of Military and Veterans Affairs

Major General Craig E. Campbell

The appointment had been referred to the State Affairs Committee (page 182).

The names were inadvertently included in the presentment. Pursuant to AS 39.05.080(1), a person who has previously been confirmed does not require presentment to the Legislature.

Senator Stevens moved and asked unanimous consent that the Senate accept the governor's request to withdraw the names from the presentment. Without objection, it was so ordered.

Standing Committee Reports**SB 19**

The Finance Committee considered SENATE BILL NO. 19 "An Act relating to a public officer's taking official action regarding a matter in which the public officer has a financial interest; and defining 'official action' under the Alaska Executive Branch Ethics Act and related law" and recommended it be replaced with

CS FOR SENATE BILL NO. 19(FIN)
(forthcoming)

Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Elton, Thomas, Huggins, Olson.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Law
Fiscal Note No. 2, zero, Department of Administration

The bill was referred to the Rules Committee.

SB 20

The Finance Committee considered SENATE BILL NO. 20 "An Act relating to disclosure to the Alaska Public Offices Commission of information about certain income received as compensation for personal services by legislators, public members of the Select Committee on Legislative Ethics, and legislative directors subject to the Legislative Ethics Act; and providing for an effective date" and recommended the adoption of the State Affairs Committee Substitute offered on page 148.

Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Elton, Thomas, Huggins.

The following previously published fiscal information applies:

Fiscal Note No. 2, zero, Department of Administration

The bill was referred to the Rules Committee.

SB 45

The Judiciary Committee considered SENATE BILL NO. 45 "An Act relating to murder in the first degree" and recommended it be replaced with

CS FOR SENATE BILL NO. 45(JUD)

Signing do pass: Senator French, Chair. Signing no recommendation: Senators Therriault, Wielechowski, Huggins. Signing amend: Senator McGuire.

The following previously published fiscal information applies:

- Fiscal Note No. 1, zero, Department of Corrections
- Fiscal Note No. 2, zero, Department of Law
- Fiscal Note No. 3, zero, Alaska Court System
- Fiscal Note No. 4, zero, Department of Administration
- Fiscal Note No. 5, zero, Department of Administration

The bill was referred to the Rules Committee.

HB 69

The Judiciary Committee considered CS FOR HOUSE BILL NO. 69(JUD) "An Act relating to executive clemency" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 69(JUD)

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

The following previously published fiscal information applies:

- Fiscal Note No. 1, zero, Department of Administration
- Fiscal Note No. 2, zero, Department of Corrections
- Fiscal Note No. 3, zero, Office of the Governor
- Fiscal Note No. 4, zero, Department of Law

The bill is on today's calendar.

Introduction and Reference of Senate Bills**SB 81**

SENATE BILL NO. 81 BY SENATOR DAVIS, entitled:

"An Act extending the termination date for the Board of Certified Direct-Entry Midwives; and providing for an effective date."

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

Consideration of the Calendar**Second Reading of House Bills****HB 69**

CS FOR HOUSE BILL NO. 69(JUD) "An Act relating to executive clemency" was read the second time.

Senator French, Chair, moved and asked unanimous consent for the adoption of the Judiciary Senate Committee Substitute offered on page 222. Senator Therriault objected, then withdrew his objection. There being no further objection, SENATE CS FOR CS FOR HOUSE BILL NO. 69(JUD) 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.

SENATE CS FOR CS FOR HOUSE BILL NO. 69(JUD) was read the third time.

Senators Therriault, Wagoner, Kookesh moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 69(JUD) "An Act relating to executive clemency" pass the Senate?" The roll was taken with the following result:

SCS CSHB 69(JUD)

Third Reading - Final Passage

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

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

Excused: Bunde, Dyson, McGuire

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 69(JUD) passed the Senate.

Senator Therriault gave notice of reconsideration.

Citations

Honoring – Alaska Permanent Fund Corporation Board of Trustees

Representative(s) Samuels

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

Honoring – Colony High School's Wrestling Team, State Champions

Representative(s) Gatto

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

In Memoriam – Stanton Oswald Katchatag

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

Representative(s) Foster

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 Stevens moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, February 16 through evening plane time, February 19. Without objection, Senator Stevens was excused.

Senator Wilken moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 15 through morning plane time, February 20. Without objection, Senator Wilken was excused.

Senator Wilken moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 22 through evening plane time, February 25. Without objection, Senator Wilken was excused.

Senator Hoffman moved and asked unanimous consent to be excused from a call of the Senate on February 16. Without objection, Senator Hoffman was excused.

SB 77

President Green added a Labor and Commerce Committee referral to SENATE BILL NO. 77 "An Act prohibiting use of agency shop fees for political contributions or expenditures."

The bill was referred to the State Affairs, then Labor and Commerce Committees.

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., February 14, 2007. Without objection, the Senate adjourned at 11:22 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

Feb 13 Tuesday Beltz 211 3:30 PM
 + SB 72 COMMUNITY REVENUE SHARING
 + SB 3 COMMUNITY DIVIDEND PROGRAM

Feb 15 Thursday Beltz 211 3:30 PM
 + SB 16 EXTEND REGULATORY COMMISSION OF ALASKA
 Bills Previously Heard/Scheduled

FINANCE

Feb 12 Monday Senate Finance 532 9:00 AM
 += SB 19 EXEC. BRANCH ETHICS:INTERESTS & ACTIONS
 += SB 20 LEGISLATIVE DISCLOSURES

Feb 13 Tuesday Senate Finance 532 9:00 AM
 No Meeting Scheduled

Feb 14 Wednesday Senate Finance 532 9:00 AM
 + Presentation by Alaska Mental Health
 Trust Authority, Jeff Jessee, CEO
 -- Testimony <Invitation Only> --

Feb 15 Thursday Senate Finance 532 9:00 AM
 + PERS/TRS Funding Status & Review
 Dept of Administration
 -- Testimony <Invitation Only> --

FINANCE (continued)

Feb 16	Friday	Senate Finance 532	9:00 AM
	No Meeting Scheduled		
Mar 01	Thursday	Senate Finance 532	9:00 AM
+	Joint w/ (H) Finance		
	Alaska Permanent Fund Corporation		
	Presentation; APFC Board of Directors		
	-- Testimony <Invitation Only> --		

HEALTH, EDUCATION & SOCIAL SERVICES

Feb 12	Monday	Butrovich 205	1:30 PM
	Overview: No Child Left Behind		
	Performance and Program Changes		
	Presentation: The Gender Gap in Higher		
	Education in Alaska		
	William S. Pollack, Ph.D.		
Feb 14	Wednesday	Butrovich 205	1:30 PM
SCR 2	BRAIN INJURY AWARENESS MONTH: MARCH 2007		
	Advisory Board on Alcoholism & Drug Abuse		
	Alaska Mental Health Board		
	Presentation: Bring the Kids Home		
	Initiative		
Feb 16	Friday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

JUDICIARY

Feb 12	Monday	Beltz 211	1:30 PM
+	Bills Previously Heard/Scheduled		
+= SB 64	DISCLOSURES & ETHICS		

JUDICIARY (continued)

Feb 14	Wednesday	Capitol 120	1:30 PM
	-- Time Change --		
+	Joint w/ (H) Judiciary		
	Overviews: Alaska Rural Justice		
	Commission & Law Enforcement Commission		
	Sex Offender Management in Alaska		
	- The Following Presentations Canceled -		
	Teresa Foster, Esq. - Office of Special		
	Prosecutions and Appeals		
	John Bodick, Esq. - Assistant Attorney		
	General		
	-- Teleconference <Listen Only> --		

Feb 15	Thursday	Butrovich 205	3:30 PM
+	Bills Previously Heard/Scheduled		

LABOR & COMMERCE

Feb 13	Tuesday	Beltz 211	1:30 PM
+	Overview Hearings: Rural Economic		
	Development; Workforce Development		

Feb 15	Thursday	Beltz 211	1:30 PM
+	Overview Hearing: Workforce Development		

RESOURCES

Feb 12	Monday	Butrovich 205	3:30 PM
+	Presentation:		
	DNR/Division of Oil & Gas		
	Market Analysis of Cook Inlet		
	-- Testimony <Invitation Only> --		
	Kevin Banks, Acting Dir., Division of		
	Oil and Gas		

RESOURCES (continued)

Feb 14	Wednesday	Butrovich 205	3:30 PM
+	Presentation:		
	After the Pipeline Shutdown: Update on Corrosion		
	Dept of Natural Resources		
	Dept of Environmental Conservation		
	Dept of Law		
	BP		
	-- Testimony <Invitation Only> --		
+ HB 37	ESTABLISHING SUSAN BUTCHER DAY		
Feb 16	Friday	Butrovich 205	3:30 PM
	No Meeting Scheduled		

STATE AFFAIRS

Feb 13	Tuesday	Beltz 211	9:00 AM
	No Meeting Scheduled		
Feb 15	Thursday	Beltz 211	9:00 AM
	No Meeting Scheduled		

TRANSPORTATION

Feb 13	Tuesday	Senate Finance 532	1:00 PM
	Joint w/ (H) Transportation		
	Overview of the Department of Transportation Highway System		
Feb 15	Thursday	Butrovich 205	1:30 PM
SB 41	REPEAL STUDDERED TIRE FEE		
= SB 15	BOARD OF MARINE PILOTS		
= SB 49	COMMEMORATIVE PLATES: STATEHOOD ANIV.		

FINANCE SUBCOMMITTEES**EDUCATION & EARLY DEVELOPMENT**

Mar 07	Wednesday FY'08 Proposed Budget	Butrovich 205	8:00 AM
Mar 16	Friday FY'08 Proposed Budget	Butrovich 205	8:00 AM
Mar 21	Wednesday FY'08 Proposed Budget	Butrovich 205	8:00 AM

FISH & GAME

Feb 27	Tuesday Budget Overview	Senate Finance 532	8:00 AM
Mar 01	Thursday Budget Detail	Senate Finance 532	3:00 PM
Mar 13	Tuesday Budget Detail	Senate Finance 532	8:00 AM

HEALTH & SOCIAL SERVICES

Feb 22	Thursday Department Budget Detail	Fahrenkamp 203	8:00 AM
Mar 08	Thursday Department Budget Detail	Fahrenkamp 203	8:00 AM
Mar 22	Thursday Department Budget Detail	Fahrenkamp 203	8:00 AM
Apr 05	Thursday Department Budget Close-Out	Fahrenkamp 203	8:00 AM

FINANCE SUBCOMMITTEES (continued)**LAW**

Feb 27	Tuesday Budget Overview	Fahrenkamp 203	1:30 PM
Mar 06	Tuesday Budget Detail	Fahrenkamp 203	1:30 PM
Mar 13	Tuesday Budget Detail	Fahrenkamp 203	1:30 PM
Mar 20	Tuesday Budget Detail	Fahrenkamp 203	1:30 PM

MILITARY AND VETERANS AFFAIRS

Mar 14	Wednesday Overview by Major General Craig Campbell FY'08 Proposed Budget	Beltz 211	12:00 PM
---------------	---	------------------	-----------------

NATURAL RESOURCES

Mar 06	Tuesday FY'08 Proposed Budget	Fahrenkamp 203	4:00 PM
Mar 13	Tuesday FY'08 Proposed Budget	Fahrenkamp 203	4:00 PM
Mar 20	Tuesday FY'08 Proposed Budget	Fahrenkamp 203	4:00 PM

PUBLIC SAFETY

Feb 19	Monday Department Budget Overview	Beltz 211	8:00 AM
Mar 05	Monday Department Budget Detail	Beltz 211	8:00 AM

FINANCE SUBCOMMITTEES (continued)**PUBLIC SAFETY (continued)**

Mar 19	Monday Department Budget Detail	Beltz 211	8:00 AM
Apr 02	Monday Department Budget Close-Out	Beltz 211	8:00 AM

REVENUE

Mar 01	Thursday Budget Overview	Fahrenkamp 203	1:30 PM
Mar 08	Thursday Budget Detail	Fahrenkamp 203	1:30 PM
Mar 15	Thursday Budget Detail	Fahrenkamp 203	1:30 PM
Mar 22	Thursday Budget Detail	Fahrenkamp 203	1:30 PM

TRANSPORTATION & PUBLIC FACILITIES

Feb 15	Thursday Department Budget Overview	Beltz 211	8:00 AM
---------------	---	------------------	----------------

UNIVERSITY OF ALASKA

Mar 01	Thursday Budget Overview	Senate Finance 532	7:30 AM
Mar 08	Thursday Budget Detail	Senate Finance 532	7:30 AM
Mar 15	Thursday Budget Detail	Senate Finance 532	7:30 AM
Mar 22	Thursday Budget Detail	Senate Finance 532	7:30 AM

SPECIAL COMMITTEES**SPECIAL COMMITTEE ON EDUCATION**

Feb 14	Wednesday	Butrovich 205	8:00 AM
SB 73	WWAMI MEDICAL SCHOOL		
Feb 16	Friday	Butrovich 205	8:00 AM
	-- Meeting Canceled --		
	Consideration: Requirement of 70% of		
	Funds to be Spent on Instruction		
Feb 21	Wednesday	Butrovich 205	8:00 AM
	Consideration: Requirement for 70% of		
	Funds to be Spent on Instruction		
Feb 23	Friday	Butrovich 205	8:00 AM
	No Meeting Scheduled		

WORLD TRADE AND STATE/FEDERAL RELATIONS

Feb 13	Tuesday	Fahrenkamp 203	3:00 PM
	Presentation by World Trade Center Alaska		
	Greg Wolf, Executive Director:		
	Overview of WTCAL Activities and Alaska		
	Trade Issues		

JOINT COMMITTEES**ARMED SERVICES COMMITTEE**

Feb 14	Wednesday	Senate Finance 532	10:00 AM
	Presentations by:		
	Lt. General Douglas M. Fraser		
	Transforming Alaska's Military		
	Lt. General Henry A. Obering		
	Missile Defense Overview		
	Major General Craig Campbell		
	Transformation of Alaska National Guard		

JOINT COMMITTEES (continued)**OMBUDSMAN SELECTION COMMITTEE**

Feb 13 +	Tuesday Nomination Hearing for Alaska Ombudsman	Butrovich 205	12:00 PM
--------------------	--	----------------------	-----------------

OTHER MEETINGS**CHILDREN'S CAUCUS**

Feb 14 +	Wednesday -- Note Day Change -- Alaska Children's Justice Act Task Force: Updates & Trends in Child Maltreatment Issues	Butrovich 205	12:00 PM
--------------------	--	----------------------	-----------------

JOINT LEGISLATIVE HEALTH CAUCUS

Feb 21	Wednesday "Filling the Need: Mid-Level Health Providers"	Butrovich 205	12:00 PM
Mar 21	Wednesday "Filling the Need: Complimentary Medicine Workforce"	Butrovich 205	12:00 PM
Apr 18	Wednesday "Filling the Need: Other Forms of Health Care"	Butrovich 205	12:00 PM
May 02	Wednesday "Week of the Uninsured: Alaska's Workforce"	Butrovich 205	12:00 PM

JOINT SESSION

Feb 22	Thursday	House Chamber	11:00 AM
	Annual Address by the Honorable Lisa Murkowski, U.S. Senator		
Feb 28	Wednesday	House Chamber	11:00 AM
	Chief Justice Dana Fabe's Annual State of the Judiciary Message		
Mar 19	Monday	House Chamber	11:00 AM
	Annual Address by the Honorable Ted Stevens, U.S. Senator		

MISCELLANEOUS MEETINGS

Feb 12	Monday	Senate Finance 532	12:30 PM
	School District Legislative Fly-In: Informal Q&A Session Regarding Alaska's Public School System		