

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Wednesday

March 7, 2007

Fifty-first Day

Pursuant to adjournment the Senate was called to order by President Green at 11:04 a.m.

The roll showed fourteen members present. Senators Dyson, Huggins, McGuire, Stedman, Therriault, Wagoner were excused from a call of the Senate.

The prayer was offered by the Chaplain, Pastor Dan Wanders of the Aldersgate United Methodist Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Creating God, we are thankful for the beauty and splendor of this place where we get to live and work. We pray that the challenges of the last frontier will be cause for delight for this legislature, for our governor and lieutenant governor, and for the people of Alaska.

I ask your blessing upon the custodial, maintenance and security staff of our government buildings and upon all state employees here and across this great land and pray that they can know satisfaction and fulfillment in and through their work.

I pray that the families of these senators will be and feel appreciated for the sacrifices and difficulties that they face so that these elected leaders of our state can serve with focus and effectiveness. Give them your peace.

As these servants of the public good face the difficulties and drudgeries of the days ahead, remind them of the lasting importance of their work, and give them the strength and endurance they need to persist in their good efforts. Amen.

Senator Wielechowski led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House

Message dated March 5 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 117

CS FOR HOUSE BILL NO. 117(JUD) BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to proclamations issued by the governor calling the legislature into special session."

was read the first time and referred to the State Affairs Committee.

Communications

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

2006 Annual Report
from Mark Torgerson, Administrator/Hearing Examiner
Alaska Labor Relations Agency
Department of Labor and Workforce Development
in accordance with AS 23.05.370(a)(4)

Fiscal Year 2006 Annual Report
from Kate Giard, Chair, Regulatory Commission of Alaska
in accordance with AS 42.05.211 and AS 42.06.220
available at: <http://www.state.ak.us/rca>

Standing Committee Reports

SB 68

The Labor and Commerce Committee considered SENATE BILL NO. 68 "An Act requiring motor vehicle insurers to provide to the commissioner of administration a database listing vehicle insurance policy information that will allow the commissioner to verify whether mandatory motor vehicle insurance has been obtained, limiting access to the database, establishing methods for proving that mandatory motor vehicle insurance is in place, allowing the additional penalties of suspending registration and vehicle impoundment and forfeiture for failure to have mandatory motor vehicle insurance, and authorizing hearings after suspension of registration for failure to have mandatory motor vehicle insurance" and recommended it be replaced with

CS FOR SENATE BILL NO. 68(L&C) "An Act requiring motor vehicle insurers to provide to the commissioner of administration vehicle insurance policy information to allow the commissioner to verify whether mandatory motor vehicle insurance has been obtained and limiting access to the information; requiring proof of mandatory insurance coverage when a person applies for or renews motor vehicle registration; and allowing the additional penalties of vehicle impoundment and forfeiture for failure to have mandatory motor vehicle insurance."

Signing do pass: Senator Ellis, Chair; Senators Davis, Stevens.
Signing do not pass: Senator Bunde. Signing amend: Senator Hoffman.

The following fiscal information was published today:
Fiscal Note No. 1, Department of Administration
Fiscal Note No. 2, zero, Department of Commerce, Community
and Economic Development

The bill was referred to the Transportation Committee.

SB 78

The Transportation Committee considered SENATE BILL NO. 78 "An Act relating to the installation of window tinting in automobiles." Signing do pass: Senator Kookesh, Chair. Signing no recommendation: Senators Wielechowski, Wilken, Cowdery.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Public Safety

Fiscal Note No. 2, zero, Department of Law

The bill was referred to the Judiciary Committee.

SB 82

The Finance Committee considered SENATE BILL NO. 82 "An Act making supplemental appropriations and other appropriations; amending the lapse dates of certain appropriations; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 82(FIN)

Signing do pass: Senator Hoffman, Cochair; Senators Elton, Thomas, Olson.

The bill was referred to the Rules Committee.

SB 84

The Labor and Commerce 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 it be replaced with

CS FOR SENATE BILL NO. 84(L&C) "An Act relating to the testing and packaging of cigarettes to be sold, offered for sale, or possessed in this state; 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."

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

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Revenue

Fiscal Note No. 2, Department of Public Safety

The bill was referred to the Judiciary Committee.

HB 34

The Community and Regional Affairs Committee considered HOUSE BILL NO. 34 "An Act relating to sales of wine by a winery licensee."

Signing no recommendation: Senator Olson, Chair. Signing do pass: Senators Thomas, Stevens, Kookesh.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Public Safety

The bill was referred to the Labor and Commerce Committee.

Introduction and Reference of Senate Resolutions

SJR 3

SENATE JOINT RESOLUTION NO. 3 BY SENATORS WIELECHOWSKI, Davis, Cowdery, Wilken, Ellis, Elton, Thomas, French, Bunde, Kookesh, Stevens, Green,

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

Introduction and Reference of Senate Bills

SB 106

SENATE BILL NO. 106 BY SENATOR DAVIS, entitled:

"An Act making a special appropriation to the Department of Health and Social Services for payment as a grant to the Alaska Primary Care Association, a nonprofit association, for a community health centers program; and providing for an effective date."

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

SB 107

SENATE BILL NO. 107 BY SENATOR DAVIS BY REQUEST, entitled:

"An Act relating to naturopaths and to naturopathic practice; establishing a Naturopathic Advisory Committee and an Alaska Naturopathic Formulary Council; amending the duties of the State Medical Board and the Board of Pharmacy relating to naturopathic practice; and providing for an effective date."

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

SB 108

SENATE BILL NO. 108 BY SENATOR THERRIAULT, entitled:

"An Act relating to security video surveillance of legislative space."

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

SB 109

SENATE BILL NO. 109 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND AUDIT COMMITTEE, entitled:

"An Act relating to the regulation and permitting of drilling and other operations by the Alaska Oil and Gas Conservation Commission, to civil penalties assessed by the commission, to reconsideration and appeal of decisions and the allocation of costs in investigations and hearings before the commission, and to information filed with and fees of the commission; and providing for an effective date."

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

SB 110

SENATE BILL NO. 110 BY SENATORS THERRIAULT, Dyson, Wagoner, Bunde, entitled:

"An Act denying public employee retirement pension benefits to legislators, legislative directors, and public officers and employees who commit certain offenses, and adding to the duties of the Alaska Retirement Management Board and to the list of matters governed by the Administrative Procedure Act concerning that denial."

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

Consideration of the Calendar**Citations**

Honoring – John Straley, Alaska State Writer Laureate
Senator(s) Stedman, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Hoffman, Huggins, Kookesh, McGuire, Olson, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken
Representative(s) Wilson

Honoring – Paul B. Reichardt

Representative(s) Guttenberg

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

In Memoriam – Gary Landes

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

Unfinished Business

Reconsideration of Senate Bills

SB 19

Senator Bunde requested that the reconsideration on CS FOR SENATE BILL NO. 19(FIN) am be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 19(FIN) am "An Act relating to a public officer's taking official action regarding, or influencing, a matter in which the public officer has a personal or financial interest; relating to restrictions on employment after leaving state service; prohibiting certain persons from engaging in activity as lobbyists; relating to financial disclosures from former public officials; and defining 'official action' under the Alaska Executive Branch Ethics Act and related law" pass the Senate?" The roll was taken with the following result:

CSSB 19(FIN) am
Third Reading - On Reconsideration

YEAS: 13 NAYS: 0 EXCUSED: 6 ABSENT: 1

Yeas: Bunde, Cowdery, Davis, Ellis, Elton, French, Green, Hoffman, Kookesh, Stevens, Thomas, Wielechowski, Wilken

Excused: Dyson, Huggins, McGuire, Stedman, Therriault, Wagoner

Absent: Olson

and so, CS FOR SENATE BILL NO. 19(FIN) am passed the Senate on reconsideration and was referred to the Secretary for engrossment.

SB 20

Senator Stevens requested that the reconsideration on CS FOR SENATE BILL NO. 20(STA) am be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 20(STA) am "An Act relating to disclosures by legislators, legislative employees, public members of the Select Committee on Legislative Ethics, and legislative directors subject to the Legislative Ethics Act; relating to the applicability of the Legislative Ethics Act; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 20(STA) am
Third Reading - On Reconsideration

YEAS: 13 NAYS: 0 EXCUSED: 6 ABSENT: 1

Yeas: Bunde, Cowdery, Davis, Ellis, Elton, French, Green, Hoffman, Kookesh, Stevens, Thomas, Wielechowski, Wilken

Excused: Dyson, Huggins, McGuire, Stedman, Therriault, Wagoner

Absent: Olson

and so, CS FOR SENATE BILL NO. 20(STA) am passed the Senate on reconsideration.

Senator Stevens moved for the adoption of the effective date clause.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

CSSB 20(STA) am
Effective Date Clause

YEAS: 13 NAYS: 0 EXCUSED: 6 ABSENT: 1

Yeas: Bunde, Cowdery, Davis, Ellis, Elton, French, Green, Hoffman, Kookesh, Stevens, Thomas, Wielechowski, Wilken

Excused: Dyson, Huggins, McGuire, Stedman, Therriault, Wagoner

Absent: Olson

and so, the effective date clause failed and CS FOR SENATE BILL NO. 20(STA) am(efd fld) "An Act relating to disclosures by legislators, legislative employees, public members of the Select Committee on Legislative Ethics, and legislative directors subject to the Legislative Ethics Act; and relating to the applicability of the Legislative Ethics Act" was referred to the Secretary for engrossment.

Unfinished Business (continued)

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

Senator Cowdery moved and asked unanimous consent to be excused from a call of the Senate from plane time, March 8 through evening plane time, March 12. Without objection, Senator Cowdery was excused.

Senators Ellis, Wielechowski moved and asked unanimous consent to be excused from a call of the Senate on March 9; and on March 12 to morning plane time. Without objection, Senators Ellis, Wielechowski were excused.

Senator French moved and asked unanimous consent to be excused from a call of the Senate on March 12 to morning plane time. Without objection, Senator French was excused.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 19**

CS FOR SENATE BILL NO. 19(FIN) am "An Act relating to a public officer's taking official action regarding, or influencing, a matter in which the public officer has a personal or financial interest; relating to restrictions on employment after leaving state service; prohibiting certain persons from engaging in activity as lobbyists; relating to financial disclosures from former public officials; and defining 'official action' under the Alaska Executive Branch Ethics Act and related law" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 20

CS FOR SENATE BILL NO. 20(STA) am(efd fld) "An Act relating to disclosures by legislators, legislative employees, public members of the Select Committee on Legislative Ethics, and legislative directors subject to the Legislative Ethics Act; and relating to the applicability of the Legislative Ethics Act" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Stevens moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., March 9, 2007. Without objection, the Senate adjourned at 11:37 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

Mar 08	Thursday No Meeting Scheduled	Beltz 211	3:30 PM
Mar 13	Tuesday No Meeting Scheduled	Beltz 211	3:30 PM
Mar 15	Thursday No Meeting Scheduled	Beltz 211	3:30 PM

FINANCE

Mar 07 +	Wednesday Bills Previously Heard/Scheduled	Senate Finance 532	9:00 AM
Mar 08	Thursday No Meeting Scheduled	Senate Finance 532	9:00 AM
Mar 09	Friday No Meeting Scheduled	Senate Finance 532	9:00 AM

HEALTH, EDUCATION & SOCIAL SERVICES

Mar 07 Wednesday Butrovich 205 1:30 PM
Presentation: Brain Injury Service
Delivery Needs
+ SB 90 SENIOR CARE

Mar 09 Friday Butrovich 205 1:30 PM
No Meeting Scheduled

JUDICIARY

Mar 07 Wednesday Senate Finance 532 1:30 PM
-- Teleconference <Listen Only> --
Joint w/ (H) Judiciary
Therapeutic Courts

Mar 08 Thursday Butrovich 205 3:30 PM
No Meeting Scheduled

LABOR & COMMERCE

Mar 08 Thursday Beltz 211 1:30 PM
+ SB 101 GUARDIANSHIP AND CONSERVATORS
+ SB 97 ALASKA NATIVE ART IDENTIFICATION SEALS
Bills Previously Heard/Scheduled

RESOURCES

Mar 07 Wednesday Butrovich 205 3:30 PM
No Meeting Scheduled

Mar 09 Friday Butrovich 205 3:30 PM
No Meeting Scheduled

STATE AFFAIRS

Mar 08	Thursday	Beltz 211	9:00 AM
	No Meeting Scheduled		

TRANSPORTATION

Mar 08	Thursday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

FINANCE SUBCOMMITTEES**ADMINISTRATION**

Mar 12	Monday	Senate Finance 532	3:00 PM
	Department Budget Detail		

Mar 19	Monday	Senate Finance 532	3:00 PM
	Department Budget Detail		

COMMERCE, COMMUNITY & ECONOMIC DEV

Mar 08	Thursday	Fahrenkamp 203	12:00 PM
	Overviews		

EDUCATION & EARLY DEVELOPMENT

Mar 07	Wednesday	Butrovich 205	8:00 AM
	-- Meeting Canceled -- FY'08 Proposed Budget		

Mar 14	Wednesday	Butrovich 205	8:30 AM
	-- Time Change -- Postsecondary Education Commission FY'08 Proposed Budget Overview		

Mar 16	Friday	Butrovich 205	8:00 AM
	Dept of Education & Early Development FY'08 Proposed Budget		

FINANCE SUBCOMMITTEES (continued)**EDUCATION & EARLY DEVELOPMENT (continued)**

Mar 21	Wednesday	Butrovich 205	8:00 AM
	Dept of Education & Early Development		
	FY'08 Proposed Budget		

ENVIRONMENTAL CONSERVATION

Mar 13	Tuesday	Butrovich 205	3:00 PM
+	DEC Budget		
	Discussion of Governor's Budget		
	Amendments		

FISH & GAME

Mar 13	Tuesday	Senate Finance 532	8:00 AM
	Budget Detail		

HEALTH & SOCIAL SERVICES

Mar 08	Thursday	Fahrenkamp 203	8:00 AM
	-- MEETING CANCELED --		
	Department Budget Detail		

Mar 13	Tuesday	Butrovich 205	8:00 AM
	Department Budget Detail		

Mar 22	Thursday	Fahrenkamp 203	8:00 AM
	Department Budget Detail		

Apr 05	Thursday	Fahrenkamp 203	8:00 AM
	Department Budget Close-Out		

FINANCE SUBCOMMITTEES (continued)**LAW**

Mar 13	Tuesday Budget Detail	Fahrenkamp 203	1:30 PM
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Mar 20	Tuesday Budget Detail	Fahrenkamp 203	1:30 PM
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MILITARY AND VETERANS AFFAIRS

Mar 14	Wednesday Overview by Major General Craig Campbell FY'08 Proposed Budget	Beltz 211	12:00 PM
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Mar 20	Tuesday Budget Close-out	Fahrenkamp 203	12:00 PM
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NATURAL RESOURCES

Mar 13	Tuesday FY'08 Proposed Budget	Fahrenkamp 203	4:00 PM
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Mar 20	Tuesday FY'08 Proposed Budget	Fahrenkamp 203	4:00 PM
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Mar 22	Thursday FY'08 Proposed Budget	Fahrenkamp 203	4:00 PM
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PUBLIC SAFETY

Mar 19	Monday -- Meeting Canceled -- Department Budget Detail	Beltz 211	8:00 AM
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Mar 20 +	Tuesday Department Budget Detail	Beltz 211	8:00 AM
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FINANCE SUBCOMMITTEES (continued)**PUBLIC SAFETY (continued)**

Apr 02	Monday	Beltz 211	8:00 AM
	-- Meeting Canceled -- Department Budget Close-Out		
Apr 03	Tuesday	Beltz 211	8:00 AM
+	Department Budget Close-Out		

REVENUE

Mar 08	Thursday	Fahrenkamp 203	1:30 PM
	-- MEETING CANCELED -- Budget Detail		
Mar 15	Thursday	Fahrenkamp 203	1:30 PM
	Budget Detail		
Mar 22	Thursday	Fahrenkamp 203	1:30 PM
	Budget Detail		

TRANSPORTATION & PUBLIC FACILITIES

Mar 15	Thursday	Beltz 211	8:00 AM
	DOT/PF Budget		
Mar 29	Thursday	Beltz 211	8:00 AM
	DOT/PF Budget		

UNIVERSITY OF ALASKA

Mar 08	Thursday	Senate Finance 532	7:30 AM
	-- MEETING CANCELED -- Budget Detail		
Mar 15	Thursday	Senate Finance 532	7:30 AM
	Budget Detail		

FINANCE SUBCOMMITTEES (continued)**UNIVERSITY OF ALASKA (continued)**

Mar 22	Thursday	Senate Finance 532	7:30 AM
	Budget Detail		

SPECIAL COMMITTEES**SPECIAL COMMITTEE ON EDUCATION**

Mar 07	Wednesday	Butrovich 205	8:00 AM
	Overview: Truancy and Dropouts		
= SB 31	TRUANCY		

Mar 09	Friday	Butrovich 205	8:00 AM
	Truancy and Dropouts		
	Bills Previously Heard/Scheduled		

JOINT COMMITTEES**LEGISLATIVE BUDGET & AUDIT**

Mar 15	Thursday	House Finance 519	8:00 AM
	Status of Contracts		
	Procurement Request		
	Executive Session		

OTHER MEETINGS**JOINT LEGISLATIVE HEALTH CAUCUS**

Mar 21	Wednesday	Butrovich 205	12:00 PM
	"Filling the Need: Complementary Medicine Workforce"		

OTHER MEETINGS (continued)**JOINT LEGISLATIVE HEALTH CAUCUS (continued)**

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"		

JOINT SESSION

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

MISCELLANEOUS MEETINGS

Mar 07	Wednesday	Senate Finance 532	8:00 AM
	Key Campaign All Legislators are invited		