

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

**Juneau, Alaska**

**Monday**

**April 16, 2007**

**Ninety-first Day**

Pursuant to adjournment the Senate was called to order by President Green at 11:08 a.m.

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

The prayer was offered by the Chaplain, Jesse Kiehl of the Congregation Sukkat Shalom Jewish Community. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

*Baruch atah Adonai, eloheinu ruach ha-olam,  
pokayach ivrim.*

Blessed are You, Eternal God, who guides all the world, and who opens the eyes of the blind.

*Baruch atah Adonai, eloheinu melekh ha-olam,  
zokaif kefufim.*

Blessed is the Eternal God, maker of the universe, who lifts up the fallen.

*Baruch atah Adonai, eloheinu ruach ha-olam,  
hanosayn layo-ayfkoach.*

Blessed are You, Oh Eternal God, who gives breath to the world, and gives strength to the weary.

We pray for sanctification in our lives and our work,  
Oh God – for eyes opened to what is right and just,  
for hearts prepared to serve in truth.

Guide our hearts and thoughts this day, and every day, that our work may be *tikkun olam* — repairing the world.

*Cain y'hi ratzon.*  
So may it be God's will.

Senator Thomas led the Senate in the Pledge of Allegiance.

### **Certification**

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

### **Messages from the House**

Messages dated April 13 were read, stating the House passed and transmitted for consideration:

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

##### **HJR 15**

CS FOR HOUSE JOINT RESOLUTION NO. 15(STA) BY THE HOUSE STATE AFFAIRS COMMITTEE,

Supporting the passage of a Filipino Veterans Equity Act and a Filipino Veterans Family Reunification Act.

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

##### **HCR 5**

HOUSE CONCURRENT RESOLUTION NO. 5 BY REPRESENTATIVES STOLTZE, Samuels, Meyer, Dahlstrom, Roses, Harris, Edgmon, Hawker, Johnson, Lynn, Wilson, Johansen, Fairclough, Kerttula, Ramras, Doogan,

Supporting the 2007 National Crime Victims' Rights Week.

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

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

#### **HB 75**

CS FOR HOUSE BILL NO. 75(STA) BY THE HOUSE STATE AFFAIRS COMMITTEE, entitled:

"An Act relating to driver's licenses and to alcohol and drug awareness and safety testing."

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

#### **HB 92**

HOUSE BILL NO. 92 BY REPRESENTATIVES SAMUELS AND STOLTZE, Hawker, Dahlstrom, Lynn, Johnson, Johansen, entitled:

"An Act removing the victims' advocate and the staff of the office of victims' rights from the jurisdiction of the office of the ombudsman in the legislative branch."

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

#### **HB 168**

HOUSE BILL NO. 168 BY THE HOUSE TRANSPORTATION COMMITTEE, entitled:

"An Act authorizing two exchanges of land between the Alaska Railroad Corporation and the Department of Transportation and Public Facilities; and providing for an effective date."

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

**Communications**

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

Alaska Board of Forestry 2006 Annual Report to the Governor  
A Review of the Alaska Forest Resources and Practices Act:  
Its Implementation and Effectiveness, dated March 2007  
from Chris Maisch, Presiding Officer, Board of Forestry  
Department of Natural Resources  
in accordance with AS 41.17.047(d)

Report from the Commissioner of the Department of Administration dated April 11, stating the monetary terms for the collective bargaining agreement reached with the Teachers' Education Association of Mt. Edgecumbe (TEAME) on behalf of teachers at Mt. Edgecumbe High School 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 April 12, stating the monetary terms for the collective bargaining agreement reached with the Public Employees Local 71 on behalf of the Labor, Trades and Crafts Unit (LTC) in accordance with AS 23.40.215.

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

**Standing Committee Reports****SB 109**

The Resources Committee considered SENATE BILL NO. 109 "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" and recommended it be replaced with

CS FOR SENATE BILL NO. 109(RES)

Signing do pass: Senator Huggins, Chair; Senators Stedman, Stevens, Green. Signing no recommendation: Senator Wielechowski.

The following fiscal information was published today:  
Fiscal Note No. 1, zero, Department of Administration

The bill was referred to the Rules Committee.

**Introduction and Reference of Senate Bills**

**SB 155**

SENATE BILL NO. 155 BY THE SENATE LABOR AND COMMERCE COMMITTEE, entitled:

"An Act relating to the exemption of water and wastewater utilities of a political subdivision."

was read the first time and referred to the Labor and Commerce, Community and Regional Affairs and Finance Committees.

**SB 156**

SENATE BILL NO. 156 BY SENATOR DAVIS, entitled:

"An Act relating to questionnaires and surveys administered in the public schools."

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

**Consideration of the Calendar****Second Reading of Senate Bills****SB 61**

SENATE BILL NO. 61 "An Act making appropriations for qualified regional seafood development associations, for investigation and litigation relating to the public employees' retirement system and the teachers' retirement system, and for a special advisory election; and providing for an effective date" was read the second time.

Senator Hoffman, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 827. Senator Therriault objected, then withdrew his objection. There being no further objection, CS FOR SENATE BILL NO. 61(FIN) "An Act transferring funds to the public education fund; making supplemental and other appropriations; amending appropriations; and providing for an effective date" was adopted.

Senator Hoffman offered Amendment No. 1:

Page 5, following line 8:

Insert a new bill section to read:

**\* Sec. 9. REAPPROPRIATION OF LEGISLATIVE APPROPRIATION.** The unexpended and unobligated balance, not to exceed \$600,000, of the appropriation made in sec. 58(a), ch. 82, SLA 2006, page 167 (Legislative Budget and Audit Committee, committee expenses) is reappropriated to the Legislative Council for special session expenses for the fiscal year ending June 30, 2007."

Renumber the following bill sections accordingly.

Senator Hoffman moved for the adoption of Amendment No. 1. Without objection, Amendment No. 1 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. 61(FIN) am was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 61(FIN) am "An Act transferring funds to the public education fund; making supplemental and other appropriations; amending appropriations; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 61(FIN) am  
Third Reading - Final Passage  
Effective Dates

**YEAS: 19 NAYS: 0 EXCUSED: 1 ABSENT: 0**

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

Excused: Bunde

and so, CS FOR SENATE BILL NO. 61(FIN) am 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 clauses. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

### **Third Reading of House Bills**

#### **HB 126**

CS FOR HOUSE BILL NO. 126(JUD)(title am) "An Act relating to access to criminal justice information for certain employees of the Department of Administration; relating to the procedure for changes to certificates, registration, titles, licenses, permits, and other forms relating to driving and motor vehicles; relating to requirements for, cancellations of, renewals of, reinstatements of, expirations of, disqualifications of, withdrawals of, suspensions or revocations of, and exemptions from commercial and other driver's licenses, permits, or privileges to drive; relating to records concerning motor vehicles and their drivers; relating to penalties for violating commercial driver licensing requirements; relating to the driver's license compact; and providing for an effective date" was read the third time.

President Green stated the bill would be returned to the Transportation Committee. Without objection, CS FOR HOUSE BILL NO. 126(JUD)(title am) was returned to the Transportation Committee.

### **Citations**

Honoring – National Correctional Officers' Week, May 6 – 12, 2007

Representative(s) Harris

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

In Memoriam – Joseph Camille Saucier

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

In Memoriam – Harold John Scott

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

In Memoriam – Mamie L. Sanford

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

In Memoriam – Marilyn Giles

Senator(s) Davis, Green, Bunde, Cowdery, 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.

### **Announcements**

Announcements are at the end of the journal.



**Engrossment****SB 61**

CS FOR SENATE BILL NO. 61(FIN) am "An Act transferring funds to the public education fund; making supplemental and other appropriations; amending appropriations; and providing for an effective date" 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 11:00 a.m., April 18, 2007. Without objection, the Senate adjourned at 11:55 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**

**Apr 17      Tuesday      Beltz 211      3:30 PM**

+ SB 136 MUNICIPAL ROAD SERVICE AREAS

+ SB 3 COMMUNITY DIVIDEND PROGRAM

Bills Previously Heard/Scheduled

**Apr 19      Thursday      Beltz 211      3:30 PM**

+ SB 122 MUNICIPAL PROPERTY TAX EXEMPTION

Bills Previously Heard/Scheduled

-----

**FINANCE**

**Apr 16      Monday      Senate Finance 532      9:00 AM**

+ Presentation: Bill & Melinda Gates

Foundation: Sound Families Initiative

David Wertheimer, Sen. Program Officer

Jeff Jessee, CEO, AK Mental Health Trust

+ SB 89 ELECTRONIC MONITORING OF GANG PROBATIONER

+ SB 69 CIVIL LEGAL SERVICES FUND

+ Bills Previously Heard/Scheduled

**Apr 17      Tuesday      Senate Finance 532      9:00 AM**

+ SB 100 SUBSTANCE ABUSE/MENTAL HEALTH PROGRAMS

+ SB 76 TUITION FOR CERTAIN CHILDREN

+ SB 137 LAND TRANSFERS ALASKA RR & DOTPF

+ HB 168 LAND TRANSFERS ALASKA RR & DOTPF

+ Bills Previously Heard/Scheduled

**FINANCE (continued)**

<b>Apr 18</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+ SB 53	BUDGET: CAPITAL, SUPP. & OTHER APPROPS		
	Administration Presentations		
	-- Testimony <Invitation Only> --		
+	Bills Previously Heard/Scheduled		
<b>Apr 18</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>1:00 PM</b>
+= SB 53	BUDGET: CAPITAL, SUPP. & OTHER APPROPS		
	Administration Presentations		
	-- Testimony <Invitation Only> --		
+	Bills Previously Heard/Scheduled		
<b>Apr 19</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+= SB 53	BUDGET: CAPITAL, SUPP. & OTHER APPROPS		
	Administration Presentations		
	-- Testimony <Invitation Only> --		
+	Bills Previously Heard/Scheduled		
<b>Apr 20</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+= SB 53	BUDGET: CAPITAL, SUPP. & OTHER APPROPS		
+	Bills Previously Heard/Scheduled		
<b>Apr 21</b>	<b>Saturday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+= SB 53	BUDGET: CAPITAL, SUPP. & OTHER APPROPS		
+	Bills Previously Heard/Scheduled		

-----

**HEALTH, EDUCATION & SOCIAL SERVICES**

<b>Apr 16</b>	<b>Monday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
	-- Location Change --		
+= SB 28	LIMIT OVERTIME FOR REGISTERED NURSES		
+	Presentation: Sound Families Initiative		
<b>Apr 18</b>	<b>Wednesday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
	-- Location Change --		
+ SB 150	CRIMES AT DOMESTIC VIOLENCE SHELTERS		
+ SB 8	MENTAL HEALTH PATIENT RIGHTS:STAFF GENDER		
<b>Apr 20</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

**JUDICIARY**

**Apr 16 Monday Butrovich 205 1:30 PM**  
 += SB 104 NATURAL GAS PIPELINE PROJECT  
 -- Testimony <Invitation Only> --

**Apr 17 Tuesday Fahrenkamp 203 3:30 PM**  
 -- Location Change --  
 += SB 104 NATURAL GAS PIPELINE PROJECT  
 <Teleconference Listen Only>

**Apr 18 Wednesday Butrovich 205 1:30 PM**  
 += SB 104 NATURAL GAS PIPELINE PROJECT  
 <Teleconference Listen Only>

**Apr 18 Wednesday Butrovich 205 5:30 PM**  
 -- Location Change --  
 += SB 104 NATURAL GAS PIPELINE PROJECT  
 <Teleconference Listen Only>

**Apr 19 Thursday Butrovich 205 3:30 PM**  
 -- Location Change --  
 += SB 104 NATURAL GAS PIPELINE PROJECT

**Apr 20 Friday Beltz 211 1:30 PM**  
 += SB 78 MOTOR VEHICLE WINDOW TINTING  
 += SCR 3 POINT THOMSON UNIT APPEAL  
 += SB 132 ASSESSMENT REVIEW BOARD APPEALS  
 += SB 18 PROPERTY FORECLOSURES AND EXECUTIONS  
 + Bills Previously Heard/Scheduled

-----

**LABOR & COMMERCE**

**Apr 17 Tuesday Beltz 211 1:30 PM**  
 + SB 102 MORTGAGE LENDING  
 <Bill Hearing Postponed to 4/19>  
 + HB 118 PROHIBIT ALLOWING MINORS TO HAVE ALCOHOL  
 Bills Previously Heard/Scheduled

**LABOR & COMMERCE (continued)**

**Apr 19 Thursday Beltz 211 1:30 PM**  
 + SB 107 NATUROPATHS  
 + SB 140 LEAVE FOR BONE MARROW DONATIONS  
 Bills Previously Heard/Scheduled  
 Including But Not Limited to:  
 += SB 102 MORTGAGE LENDING  
 += HB 118 PROHIBIT ALLOWING MINORS TO HAVE ALCOHOL

-----

**RESOURCES**

**Apr 16 Monday Butrovich 205 3:30 PM**  
 + Presentation: Enstar  
 George Schreiber-Pres/CEO of SEMCO  
 Curtis Thayer-Dir. Corp/External Affairs  
 + Presentation: Southcentral Rail Corridor  
 & Natural Resources  
 Pat Gamble-ARRC, Pres/CEO  
 + Bills Previously Heard/Scheduled

**Apr 18 Wednesday Butrovich 205 3:30 PM**  
 + SB 44 APPROP: FIRE ISLAND WIND FARM  
 Testimony: Time limit may be set  
 + SB 80 OIL & GAS PRODUCTION TAX: EXPENDITURES  
 + Governor's Appts: Board of Fisheries  
 Howard Delo-Big Lake  
 Larry Edfelt-Auke Bay  
 Claude (Vince) Webster-King Salmon  
 + Bills Previously Heard/Scheduled

**Apr 20 Friday Butrovich 205 3:30 PM**  
 + SB 111 KODIAK NARROW CAPE PUBLIC USE AREA  
 + HB 186 SPORT FISHING GUIDE RECORDS  
 + SJR 4 NATURAL GAS FOR STATE RESIDENTS  
 + Bills Previously Heard/Scheduled

-----

**STATE AFFAIRS**

**Apr 17 Tuesday Beltz 211 9:00 AM**  
 += HB 171 ACCOMMODATE 90-DAY SESSION  
 + SB 95 COMPETITIVE BIDDING FOR BALLOT PREP  
 += HJR 11 STATE'S CONTROL OF NATIONAL GUARD  
 + Bills Previously Heard/Scheduled

**Apr 19 Thursday Beltz 211 9:00 AM**  
 + SB 134 FUNDING SHORTFALL POLICY  
 + HB 8 J. KEVIN LAMM TRAINING FACILITY  
 + HB 210 QUALIFICATIONS OF THE ADJUTANT GENERAL  
 + Bills Previously Heard/Scheduled

-----

**TRANSPORTATION**

**Apr 17 Tuesday Butrovich 205 1:30 PM**  
 No Meeting Scheduled

**Apr 19 Thursday Butrovich 205 1:30 PM**  
 No Meeting Scheduled

-----

**SPECIAL COMMITTEES****SPECIAL COMMITTEE ON EDUCATION**

**Apr 18 Wednesday Butrovich 205 8:00 AM**  
 SB 14 RAISE COMP. SCHOOL ATTENDANCE AGE

**Apr 20 Friday Butrovich 205 8:00 AM**  
 = SCR 5 CIVICS EDUC/ CITIZENS ADVISORY TASK FORCE  
 Presentation: Floyd Dryden Middle School

-----

**JOINT COMMITTEES****SELECT COMMITTEE ON LEGISLATIVE ETHICS**

<b>Apr 17</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>10:00 AM</b>
	-- Teleconference --		
	Full Committee: Open Session		
	Election of Committee Chairs		
	Public Comment		
	Chair/Staff Report		
	Budget		
	Legislation		
<b>Apr 17</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>3:00 PM</b>
	Senate Subcommittee: Executive Session		
	Public Comment		
	Executive Session		
	Public Session		

-----

**VICTIM'S ADVOCATE SELECTION COMMITTEE**

<b>Apr 21</b>	<b>Saturday</b>	<b>Terry Miller 104</b>	<b>9:00 AM</b>
	Executive Session		

-----

**OTHER MEETINGS****CHILDREN'S CAUCUS**

<b>Apr 24</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
+	Presentation by The Alaska Trafficking in Persons Task Force - Dealing with Child Prostitution in Alaska		

-----

**JOINT LEGISLATIVE HEALTH CAUCUS**

<b>Apr 18</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
	"Filling the Need: Other Forms of Health Care"		
<b>May 02</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
	"Week of the Uninsured: Alaska's Workforce"		