

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE

SECOND SESSION

Juneau, Alaska

Wednesday

March 26, 2008

Seventy-second Day

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

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

The prayer was offered by the Chaplain, Pastor Sue Bahleda of Resurrection Lutheran Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Guiding One:

It is difficult and mighty work that these men and women gather to do this day. It is work that matters. And so, we thank you for their strength of commitment to serve all the people of this Great Land. We ask you to prepare their hearts and minds as they act on all that lies before them. Give them your wisdom, that they may faithfully speak. Give them your courage, that they may faithfully stand firm. Give them your creativity, that they may faithfully seek alternatives. Give them your energy, that they may faithfully persevere. Give them your justice, that they may faithfully provide for those in need. Give them your vision, that they may faithfully see possibilities. Give them your truth, that they may faithfully strive for what is right and good. Give them your hope, give them your peace, give them your love.

Amen.

Senator Stevens led the Senate in the Pledge of Allegiance.

Certification

Senator Ellis moved and asked unanimous consent that the journal for the seventy-first legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the House

SB 253

Message dated March 25 was read, stating the House passed and returned:

SENATE BILL NO. 253 "An Act relating to the appointment of members of the Board of Game; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

Message dated March 25 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Resolutions

HJR 19

CS FOR HOUSE JOINT RESOLUTION NO. 19(STA) BY THE HOUSE STATE AFFAIRS COMMITTEE,

Encouraging repeal of the Real ID Act of 2005.

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

HJR 31

CS FOR HOUSE JOINT RESOLUTION NO. 31(RES) BY THE HOUSE RESOURCES COMMITTEE,

Opposing the enactment of the Protect America's Wildlife Act of 2007 that intends to prohibit aerial hunting of wildlife, which is essential for predator control in Alaska.

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

Concur Messages

SCR 15

Message dated March 25 was read, stating the House passed and returned for consideration CS FOR SENATE CONCURRENT RESOLUTION NO. 15(SED) Proposing amendments to the Uniform Rules of the Alaska State Legislature relating to standing committees, with the following amendment:

HOUSE CS FOR CS FOR SENATE
CONCURRENT RESOLUTION NO. 15(STA)
Proposing an amendment to the Uniform Rules of the
Alaska State Legislature relating to standing
committees.
(technical title change)

Senator Ellis moved that the Senate concur in the House amendment and recommended the body vote no.

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

HCS CSSCR 15(STA)

Shall the Senate Concur in the House
Amendment to CSSCR 15(SED)?

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

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

Excused: McGuire

and so, the Senate failed to concur.

The Secretary was requested to notify the House of the Senate's action.

Communications

The following Budget and Audit Reports were received from Pat Davidson, Legislative Auditor, in accordance with AS 24.20.311 and are on file in the Office of the Secretary of the Senate:

State of Alaska, Single Audit for the Fiscal Year ended June 30, 2007 dated February 20, 2008

Department of Administration, Information System Controls Over Alaska Data Enterprise Reporting (ALDER) dated January 4, 2008

Standing Committee Reports

SB 179

The Labor and Commerce Committee considered SENATE BILL NO. 179 "An Act requiring family health care insurance coverage for dependent children who are less than 26 years of age" and recommended it be replaced with

CS FOR SENATE BILL NO. 179(L&C) "An Act prohibiting a health care insurer who provides health care insurance coverage of a child through family health care insurance from denying enrollment and from disenrolling or eliminating coverage for a dependent child of the insured who is less than 26 years of age."

Signing do pass: Senator Ellis, Chair; Senator Davis. Signing do not pass: Senator Bunde. Signing no recommendation: Senator Stevens.

The following fiscal information was published today:

Fiscal Note No. 1, indeterminate, Department of Health and Social Services

The bill was referred to the Health, Education and Social Services Committee.

SB 185

The Finance Committee considered SENATE BILL NO. 185 "An Act relating to sex offenders and child kidnappers" and recommended the adoption of the State Affairs Committee Substitute offered on page 1917.

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

The following fiscal information was published today:

Fiscal Note No. 5, zero, Department of Corrections

Fiscal Note No. 6, zero, Department of Administration

The following previously published fiscal information applies:

Fiscal Note No. 2, zero, Department of Administration

Fiscal Note No. 3, zero, Department of Law

Fiscal Note No. 4, Department of Public Safety

The bill was referred to the Rules Committee.

SB 303

The Finance Committee considered SENATE BILL NO. 303 "An Act relating to certain grants awarded by the Department of Environmental Conservation." Signing do pass: Senators Hoffman, Stedman, Cochairs; Senator Huggins. Signing no recommendation: Senators Elton, Dyson, Olson. Signing amend: Senator Thomas.

The following previously published fiscal information applies:

Fiscal Note No. 1, Department of Environmental Conservation

The bill was referred to the Rules Committee.

HB 320

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 320(FIN) "An Act relating to search and rescue training and search and rescue parties; requiring certain search and rescue volunteers to be considered state employees for purposes of workers'

compensation coverage; and allowing political subdivisions to elect to provide workers' compensation insurance coverage for search and rescue personnel." Signing do pass: Senator Ellis, Chair; Senators Bunde, Davis, Stevens.

The following fiscal information was published today:

Fiscal Note No. 5, Department of Public Safety
Fiscal Note No. 6, zero, Department of Labor and Workforce
Development

The following previously published fiscal information applies:

Fiscal Note No. 2, indeterminate, Department of Administration

The bill was referred to the Finance Committee.

HJR 34

The Judiciary Committee considered HOUSE JOINT RESOLUTION NO. 34 Urging the United States Congress to reauthorize the Debbie Smith DNA backlog grant program. Signing do pass: Senator French, Chair; Senators Wielechowski, Huggins.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, House Judiciary Committee

The resolution was referred to the Rules Committee.

Consideration of the Calendar

Second Reading of Senate Bills

SB 201

SENATE BILL NO. 201 "An Act relating to the establishment and maintenance of an Internet website providing public finance information; and identifying the information to be available on the Internet website" was read the second time.

Senator Stedman, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 2285. Without objection, CS FOR SENATE BILL NO. 201(FIN) was adopted.

Senator Ellis 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. 201(FIN) was read the third time.

Senators French, Dyson, Thomas, Therriault, Huggins, Green, Davis, Stevens moved and asked unanimous consent to be shown as cosponsors on the bill. Without objection, it was so ordered.

The question being: "Shall CS FOR SENATE BILL NO. 201(FIN) "An Act relating to the establishment and maintenance of an Internet website providing public finance information; and identifying the information to be available on the Internet website" pass the Senate?" The roll was taken with the following result:

CSSB 201(FIN)

Third Reading - Final Passage

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

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

Excused: McGuire

and so, CS FOR SENATE BILL NO. 201(FIN) passed the Senate.

Senator Therriault gave notice of reconsideration.

SB 259

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" was read the second time.

Senator Ellis 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 BILL NO. 259 was read the third time.

The question being: "Shall 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" pass the Senate?" The roll was taken with the following result:

SB 259

Third Reading - Final Passage

Effective Date

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

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

Excused: McGuire

and so, SENATE BILL NO. 259 passed the Senate.

Senator Ellis moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

SB 260

SENATE BILL NO. 260 "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date" was read the second time.

Senator Ellis, Majority Leader, moved and asked unanimous consent for the adoption of the State Affairs Committee Substitute offered on page 2261. Without objection, CS FOR SENATE BILL NO. 260(STA) was adopted.

Senator Ellis 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. 260(STA) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 260(STA) "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 260(STA)
Third Reading - Final Passage
Effective Date

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

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

Excused: McGuire

and so, CS FOR SENATE BILL NO. 260(STA) passed the Senate.

Senator Ellis moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

SB 304

SENATE BILL NO. 304 "An Act authorizing an Alaska regional development organization to use the Alaska Commercial Fisheries Entry Commission as an informational resource" was read the second time.

Senator Ellis 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 BILL NO. 304 was read the third time.

The question being: "Shall SENATE BILL NO. 304 "An Act authorizing an Alaska regional development organization to use the Alaska Commercial Fisheries Entry Commission as an informational resource" pass the Senate?" The roll was taken with the following result:

SB 304

Third Reading - Final Passage

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

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

Excused: McGuire

and so, SENATE BILL NO. 304 passed the Senate and was referred to the Secretary for engrossment.

Third Reading of Senate Bills

SB 120

CS FOR SENATE BILL NO. 120(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 120(FIN) "An Act relating to disclosure of certain information from the records of the Department of Labor and Workforce Development and limiting the use of the disclosed information, and to the calculation and payment of unemployment compensation benefits; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 120(FIN)

Third Reading - Final Passage

Effective Dates

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

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

Excused: McGuire

and so, CS FOR SENATE BILL NO. 120(FIN) passed the Senate.

Senator Ellis 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.

SB 263

CS FOR SENATE BILL NO. 263(L&C) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 263(L&C) "An Act relating to the State Board of Registration for Architects, Engineers, and Land Surveyors; and relating to an exemption for persons authorized by the Department of Public Safety who are engaged in the design of fire detection and suppression systems from registration as architects, engineers, land surveyors, or landscape architects" pass the Senate?" The roll was taken with the following result:

CSSB 263(L&C)

Third Reading - Final Passage

YEAS: 18 NAYS: 0 EXCUSED: 1 ABSENT: 1

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

Excused: McGuire

Absent: Hoffman

and so, CS FOR SENATE BILL NO. 263(L&C) passed the Senate and was referred to the Secretary for engrossment.

Unfinished Business

Senator Bunde moved and asked unanimous consent to be excused from a call of the Senate from April 20 through April 25. Without objection, Senator Bunde was excused.

Senator Huggins moved and asked unanimous consent to be excused from a call of the Senate from May 17 through May 31. Without objection, Senator Huggins was excused.

HJR 19

Senators Therriault, Stevens, Wielechowski, Elton, Stedman, Ellis, Green, Dyson, Thomas, Kookesh moved and asked unanimous consent to be shown as cross sponsors on CS FOR HOUSE JOINT RESOLUTION NO. 19(STA) Encouraging repeal of the Real ID Act of 2005. Without objection, it was so ordered.

HJR 31

Senator Therriault moved and asked unanimous consent to be shown as a cross sponsor on CS FOR HOUSE JOINT RESOLUTION NO. 31(RES) Opposing the enactment of the Protect America's Wildlife Act of 2007 that intends to prohibit aerial hunting of wildlife, which is essential for predator control in Alaska. Without objection, it was so ordered.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 120**

CS FOR SENATE BILL NO. 120(FIN) "An Act relating to disclosure of certain information from the records of the Department of Labor and Workforce Development and limiting the use of the disclosed information, and to the calculation and payment of unemployment compensation benefits; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 259

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" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 260

CS FOR SENATE BILL NO. 260(STA) "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 263

CS FOR SENATE BILL NO. 263(L&C) "An Act relating to the State Board of Registration for Architects, Engineers, and Land Surveyors; and relating to an exemption for persons authorized by the Department of Public Safety who are engaged in the design of fire detection and suppression systems from registration as architects, engineers, land surveyors, or landscape architects" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 304

SENATE BILL NO. 304 "An Act authorizing an Alaska regional development organization to use the Alaska Commercial Fisheries Entry Commission as an informational resource" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Ellis moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., March 27, 2008. Without objection, the Senate adjourned at 12:00 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

COMMUNITY & REGIONAL AFFAIRS

Mar 27 Thursday Beltz 211 3:30 PM
 Bills Previously Heard/Scheduled

FINANCE

Mar 26 Wednesday Senate Finance 532 9:00 AM

-- Recessed to a Call of the Chair --

- + SB 303 SANITATION AND WATER GRANTS
- + SB 185 SEX OFFENDER/CHILD KIDNAPPER REGISTRATION
- + HB 152 ESTABLISH RENEWABLE ENERGY FUND/ACCOUNT
- + Bills Previously Heard/Scheduled

Mar 27 Thursday Senate Finance 532 9:00 AM

- + HB 13 RETIREMENT SYSTEM LIABILITY/BONDS/CORP.
- + HB 315 EXTEND BIG GAME COMMERCIAL SERVICES BOARD
- + HB 233 UNCLAIMED PHONE/ELEC COOP DISTRIBUTIONS
- + Bills Previously Heard/Scheduled

Mar 27 Thursday Senate Finance 532 1:30 PM

- + SB 221 BUDGET: CAPITAL, SUPP. & OTHER APPROPS
- + Bills Previously Heard/Scheduled

Mar 27 Thursday Senate Finance 532 5:00 PM

- + SB 221 BUDGET: CAPITAL, SUPP. & OTHER APPROPS
- + Statewide Public Testimony
- + Bills Previously Heard/Scheduled

FINANCE (continued)

Mar 28 Friday Senate Finance 532 9:00 AM
 += SB 221 BUDGET: CAPITAL, SUPP. & OTHER APPROPS
 + Bills Previously Heard/Scheduled

Mar 29 Saturday Senate Finance 532 10:00 AM
 + HB 19 LTD. DRIVER'S LICENSES/IGNITION INTERLOCK
 + HB 75 DRIVERS LICENSE: ALCOHOL AWARENESS/MINOR
 + HB 373 SCHOOL BOND DEBT REIMBURSEMENT
 + HB 338 POWER PROJECT FUND/BULK FUEL LOAN FUND
 + Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

Mar 26 Wednesday Butrovich 205 1:30 PM
 Bills Previously Heard/Scheduled
 += SB 280 MEDICAID/ INS FOR CANCER CLINICAL TRIALS
 += HB 284 PFD ALLOWABLE ABSENCE: FELLOWSHIPS
 += HJR 29 FEDERAL FUNDING FOR SPECIAL EDUCATION

Mar 28 Friday Butrovich 205 1:30 PM
 Bills Previously Heard/Scheduled
 = SB 245 HEALTH CARE: PLAN/COMMISSION/FACILITIES

JUDICIARY

Mar 26 Wednesday Beltz 211 1:30 PM
 + Confirmation Hearing:
 Alaska Public Offices Commission
 += SB 235 ALCOHOL: LOCAL OPTION/LICENSING/MINORS
 + SB 183 REPEAL DEFINED CONTRIB RETIREMENT PLANS
 + Bills Previously Heard/Scheduled

Mar 28 Friday Beltz 211 1:30 PM
 + HB 149 POLLUTANT DISCHARGE PERMITS
 + HB 286 IMPERSONATING A PUBLIC SERVANT
 + Bills Previously Heard/Scheduled

Mar 29 Saturday Butrovich 205 9:00 AM
 + HB 65 PERSONAL INFORMATION & CONSUMER CREDIT
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

Mar 27 Thursday Beltz 211 1:30 PM
 + SB 286 PHARMACY BENEFITS MANAGERS
 + HB 357 CLAIMS AGAINST REAL ESTATE LICENSEES
 <Pending Referral>
 + HB 413 EXTENDING THE REAL ESTATE COMMISSION
 Bills Previously Heard/Scheduled
 += SB 113 NURSING MOTHERS IN WORKPLACE
 += SB 118 PLASTIC BAG FEE; ESTABLISH LITTER FUND

Mar 29 Saturday Beltz 211 10:00 AM
 -- NOTE: Time Change --
 Bills Previously Heard/Scheduled

RESOURCES

Mar 26 Wednesday Butrovich 205 3:30 PM
 Confirmation Hearings: Board of Fisheries
 + HB 137 FISHING/HUNTING/TRAPPING LICENSES
 + Bills Previously Heard/Scheduled
 -- Testimony <Time Limit May Be Set> --

Mar 28 Friday Butrovich 205 3:30 PM
 + Confirmation Hearings:
 + Big Game Commercial Services Board
 + Bills Previously Heard/Scheduled
 + -- Testimony <Time Limit May Be Set> --

Mar 29 Saturday Butrovich 205 11:00 AM
 + Bills Previously Heard/Scheduled
 -- Testimony <Time Limit May Be Set> --

STATE AFFAIRS

Mar 27 Thursday Beltz 211 9:00 AM
 No Meeting Scheduled

TRANSPORTATION

Mar 27 Thursday Butrovich 205 1:00 PM
Alaska Railroad Corporation
Financial and Organizational Overview

SPECIAL COMMITTEES**SPECIAL COMMITTEE ON EDUCATION**

Mar 26 Wednesday Butrovich 205 8:00 AM
-- MEETING CANCELED --
+ Bills Previously Heard/Scheduled

Mar 28 Friday Butrovich 205 8:00 AM
+ Bills Previously Heard/Scheduled

Mar 29 Saturday Butrovich 205 10:00 AM
+ Bills Previously Heard/Scheduled

OTHER MEETINGS**JOINT LEGISLATIVE HEALTH CAUCUS**

Apr 02 Wednesday Butrovich 205 12:00 PM
High Quality, Low Cost