

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE
THIRD SPECIAL SESSION

Juneau, Alaska

Tuesday

June 10, 2008

Eighth Day

Pursuant to adjournment the Senate was called to order by President Green at 9:33 a.m.

The roll showed eleven members present. Senators McGuire, Wilken were excused from a call of the Senate. Senators Bunde, Cowdery, Davis, Huggins, Kookesh, Olson, Therriault were absent.

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

Dear Lord, we know your presence is in this
assembly and here in Juneau with this body as we
grasp the task at hand. We ask your blessing on any
action we may take and I ask you to bless this body
in Jesus' name, Amen.

Senator Thomas led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the Governor**SB 265**

Message was read stating the Governor signed the following bill on June 5 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE CS FOR CS FOR SENATE BILL NO. 265(FIN) am H
"An Act relating to the term of probation for persons convicted of minor consuming or in possession or control of alcohol or repeat minor consuming or in possession or control of alcohol; relating to termination of probation for certain persons convicted of minor consuming or in possession or control of alcohol or repeat minor consuming or in possession or control of alcohol; relating to furnishing or delivering alcoholic beverages to persons under 21 years of age; relating to shipping, sending, transporting, or bringing alcohol to a local option area and providing alcohol to others in the local option area, including penalties for violations; relating to reports of alcohol violations by minors; relating to the payment of permanent fund dividends to certain individuals required to register as sex offenders or child kidnappers; relating to public notice requirements relating to amounts that would have been paid as dividends to certain individuals required to register as sex offenders or child kidnappers; relating to certain persons who lend money on secondhand articles; relating to arson and criminally negligent burning; relating to defenses for the detention of persons suspected of committing concealment of merchandise or theft; relating to the determination of time of a conviction; relating to issuance of search warrants; relating to persons found incompetent to stand trial concerning criminal conduct; relating to probation for certain offenses; relating to restitution for fish and game violations; relating to aggravating factors at sentencing; relating to post-conviction relief proceedings; relating to criminal extradition authority of the governor; removing the statutory bar to prosecution of certain crimes; relating to the reporting of suspected child pornography by certain persons; amending Rule 37(b), Alaska Rules of Criminal Procedure, relating to execution of warrants, and Rule 35.1, Alaska Rules of Criminal Procedure; and providing for an effective date."

Chapter 75, SLA 2008
Effective Date: See Chapter

HB 295

Message was read stating the Governor signed the following bill on June 6 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE BILL NO. 295 "An Act relating to the filing or recording of documents and records with the Department of Natural Resources, to the inspection and copying of filed and recorded documents, and to the filing of secured transaction records under the Uniform Commercial Code; and providing for an effective date."

Chapter 76, SLA 2008
Effective Date: See Chapter

HB 296

Message was read stating the Governor signed the following bill on June 6 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE BILL NO. 296 "An Act extending the termination date of the Board of Parole; and providing for an effective date."

Chapter 77, SLA 2008
Effective Date: 6/7/08

HB 286

Message was read stating the Governor signed the following bill on June 6 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CS FOR HOUSE BILL NO. 286(JUD)
"An Act relating to impersonating a public servant."

Chapter 78, SLA 2008
Effective Date: 9/4/08

HB 366

Message was read stating the Governor signed the following bill on June 6 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE BILL NO. 366 am "An Act relating to an exemption from public disclosure of certain appropriations from the dividend fund; relating to execution upon permanent fund dividends by civilian process servers using electronic procedures; amending Rule 89, Alaska Rules of Civil Procedure; and providing for an effective date."

Chapter 79, SLA 2008
Effective Date: See Chapter

HB 252

Message was read stating the Governor signed the following bill on June 6 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR HOUSE BILL NO. 252(STA) "An Act requiring paid leave from employment for organ and bone marrow donation."

Chapter 80, SLA 2008
Effective Date: 9/4/08

HB 334

Message was read stating the Governor signed the following bill on June 6 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE BILL NO. 334 "An Act extending the termination date of the Council on Domestic Violence and Sexual Assault; and providing for an effective date."

Chapter 81, SLA 2008
Effective Date: 6/7/08

HB 344

Message was read stating the Governor signed the following bill on June 6 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE BILL NO. 344 "An Act relating to distribution of the Alaska Administrative Code and Alaska Administrative Register; and providing for an effective date."

Chapter 82, SLA 2008

Effective Date: 7/1/08

HB 383

Message was read stating the Governor signed the following bill on June 6 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR HOUSE BILL NO. 383(L&C) "An Act establishing an exemption from the dentist licensing exam for certain persons."

Chapter 83, SLA 2008

Effective Date: 9/4/08

The presence of Senator McGuire was noted.

SB 196

Message dated June 9 and received June 10 was read, stating:

Dear President Green:

Under the authority of art. II, sec. 17, of the Alaska Constitution, I have allowed the following bill to become law without signature:

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

[Chapter 84, SLA 2008

Effective Date: 9/7/08]

This bill would establish a statewide controlled substance prescription database administered by the Board of Pharmacy. A major goal of the bill is laudable - curbing prescription drug abuse through a proactive approach of reviewing a patient's prescription history before dispensing certain controlled substances. Nevertheless, I question whether a statewide electronic database for this sensitive personal information is the most appropriate means to achieve this end.

The Constitution of the State of Alaska strongly protects Alaskans' privacy rights. Nothing could be more private and deserving of the highest protection than a citizen's medical records for prescription drugs lawfully prescribed to that citizen. While the bill does much to protect the information in the database, and to punish persons who wrongfully access it, no system is perfect. I understand that the database is designed for electronic records, so licensed practitioners can have ready access to the information. While electronic records are convenient, they have their own risk from unauthorized intrusions and use.

Also, some Alaskans may hesitate to consult a health professional about a personal medical problem if personal information about the drugs prescribed to that person appears in a database accessible throughout the state. In testimony before the legislature, some medical professionals expressed their concern that their patients may avoid or delay obtaining necessary care because of this perceived intrusion upon their privacy.

I am allowing this bill to become law without signature because prescription drug abuse is a serious problem in Alaska. Also, the bill contains strong performance measures to evaluate the database through annual reports to the legislature. I ask legislators and state agencies involved in the implementation of the database to closely monitor its progress, to be sure that its safeguards are successful and the intended benefits are achieved.

Sincerely,

/s/

Sarah Palin
Governor

Standing Committee Reports**HB 417**

Report dated June 9 was received stating the Senate Rules Committee adopted the following amendment to the longevity policy of the Senate and House Employment Policy with an effective date of July 1, 2008.

SENATE AND HOUSE LONGEVITY POLICY

Effective January 16, 2003, Amended effective July 1, 2008

- Step A - No prior legislative experience.
- Step B - Two legislative sessions of at least 100 days each, or one full year with the legislature at a comparable or higher level.
- Step C - Four legislative sessions of at least 100 days each, or one full year with the legislature at a comparable or higher level.
- Step D - Six legislative sessions of at least 100 days each, or one full year with the legislature at a comparable or higher level.
- Step E - Eight legislative sessions of at least 100 days each, or one full year with the legislature at a comparable or higher level.
- Step F - Ten legislative sessions of at least 100 days each, or one full year with the legislature at a comparable or higher level.
- Step J - Fourteen legislative sessions of at least 100 days each, or two full years with the legislature at a comparable or higher level.
- Step K - Eighteen legislative sessions of at least 100 days each, or two full years with the legislature at a comparable or higher level.
- Step L - **Twenty-two** [TWENTY-EIGHT] legislative sessions of at least 100 days each, or **two** [FIVE] full years with the legislature at a comparable or higher level.
- Step M - **Twenty-six** [THIRTY-SIX] legislative sessions of at least 100 days each, or **two** [FOUR] full years with the legislature at a comparable or higher level.

Additional Steps based on eligibility criteria that conforms to and continues the system set out under Steps J - M of this longevity policy, with the amount to be computed in accordance with AS 39.27.011(h).

Application of this amended longevity policy and transition shall be in accordance with the policies set out in sections 23 and 24 of chapter 21, SLA 2008.

Signing the report: Senator Stevens, Chair; Senator Green, Vice Chair; Senator Therriault.

The House Rules Committee adopted the amendment to the longevity policy of the Senate and House Employment Policy on June 9, 2008 (House journal page 3109).

The presence of Senator Olson was noted.

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 – Robert Ruffner

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

Honoring – Marty Quaas

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

Honoring – Crew of the F/V Time Bandit

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

In Memoriam – Helen Maddox Barlow

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

In Memoriam – George Guilford, Jr.

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

In Memoriam – Eileen Verna Marshall

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

The presence of Senator Therriault was noted.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Ellis moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., June 11, 2008. Without objection, the Senate adjourned at 9:54 a.m.

Liz Clark
Assistant Senate Secretary

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.

SPECIAL COMMITTEES

SENATE SPECIAL COMMITTEE ON ENERGY

Jun 10	Tuesday	Terry Miller Gym	10:00 AM
+ SB3001	APPROVING AGIA LICENSE		
	Joint w/(H) Rules		
	House Special Subcommittee on AGIA		
	Administration/TransCanada Presentations		
 Jun 12	 Thursday	 Fbx Carlson Center	 10:00 AM
+ SB3001	APPROVING AGIA LICENSE		
	10am - 5pm - Testimony <Invitation Only>		
	Joint w/(H) Rules: Review of AGIA Findings & Determination;		
	Natural Gas Pipeline Project as proposed by TransCanada		
	Alaska Company, LLC and Foothills Pipelines Ltd (TC Alaska)		
	to the State of Alaska		
	--In-State Gas: Presenters: AK Gasline Port Authority;		
	AK Natural Gas Development Authority, Enstar		
 Jun 13	 Friday	 Fbx Carlson Center	 10:00 AM
	-- Time Change --		
+ SB3001	APPROVING AGIA LICENSE		
	10am - 5pm - Testimony <Invitation Only>		
	Joint w/(H) Rules		
	Review of AGIA Findings & Determination;		
	Natural Gas Pipeline Project as proposed		
	by TransCanada Alaska Company, LLC and		
	Foothills Pipelines Ltd (TC Alaska) to		
	the State of Alaska		
	Presenters: TransCanada; Administration		

SENATE SPECIAL COMMITTEE ON ENERGY (continued)

Jun 14 Saturday Fbx Carlson Center 10:00 AM

-- Time Change --

- + SB3001 APPROVING AGIA LICENSE
 10am - 5pm - Public Testimony
 Joint w/(H) Rules
 Review of AGIA Findings & Determination;
 Natural Gas Pipeline Project as proposed
 by TransCanada Alaska Company, LLC and
 Foothills Pipelines Ltd (TC Alaska) to
 the State of Alaska
 Presenters: TransCanada; Administration

Jun 16 Monday Anchorage 9:00 AM

Location: Howard Johnsons (239 W. 4th)

--corner of 4th and C--

- + SB3001 APPROVING AGIA LICENSE
 9am - 5pm - Testimony <Invitation Only>
 Joint w/(H) Rules
 Review of AGIA Findings & Determination;
 Natural Gas Pipeline Project as proposed
 by TransCanada Alaska Company, LLC and
 Foothills Pipelines Ltd (TC Alaska) to
 the State of Alaska
 -- Regulatory Agencies:
 Presenters: FERC; Regulatory Commission
 of Alaska (RCA)

Jun 17 Tuesday Anchorage 9:00 AM

Location: Howard Johnsons 239 W. 4th

--corner of 4th and C--

- + SB3001 APPROVING AGIA LICENSE
 9am - 5pm - Testimony <Invitation Only>
 Joint w/(H) Rules
 Review of AGIA Findings & Determination;
 Natural Gas Pipeline Project as proposed
 by TransCanada Alaska Company, LLC and
 Foothills Pipelines Ltd (TC Alaska) to
 the State of Alaska
 -- Point Thomson Unit:
 Presenters: DNR-Nan Thompson;
 AOGCC-Cathy Foerster; ExxonMobil; Chevron

SENATE SPECIAL COMMITTEE ON ENERGY (continued)

- Jun 18 Wednesday Anchorage 9:00 AM**
 Location: Howard Johnsons 239 W. 4th
 --corner of 4th & C--
- + SB3001 APPROVING AGIA LICENSE
 9am - 5pm - Testimony <Invitation Only>
 6pm - 8pm - Public Testimony
 Joint w/(H) Rules
 Review of AGIA Findings & Determination;
 Natural Gas Pipeline Project as proposed
 by TransCanada Alaska Company, LLC and
 Foothills Pipelines Ltd (TC Alaska) to the State of Alaska
 Presenters: TransCanada; Administration
- Jun 19 Thursday Anchorage 9:00 AM**
 Location: Howard Johnsons 239 W. 4th
 --corner of 4th and C--
- + SB3001 APPROVING AGIA LICENSE
 9am - 5pm - Testimony <Invitation Only> -
 6pm - 8pm - Public Testimony
 Joint w/(H) Rules
 Review of AGIA Findings & Determination;
 Natural Gas Pipeline Project as proposed
 by TransCanada Alaska Company, LLC and
 Foothills Pipelines Ltd (TC Alaska) to the State of Alaska
 Presenters: TransCanada; Administration
- Jun 20 Friday Anchorage 9:00 AM**
 Location: Howard Johnsons (239 W. 4th)
 --corner of 4th and C--
- + SB3001 APPROVING AGIA LICENSE
 9am - 5pm - Testimony <Invitation Only>
 Joint w/(H) Rules
 Review of AGIA Findings & Determination;
 Natural Gas Pipeline Project as proposed
 by TransCanada Alaska Company, LLC and
 Foothills Pipelines Ltd (TC Alaska) to the State of Alaska
 -- In-State Gas:
 Presenters: AK Natural Gas Development
 Authority; Enstar; AK Natural Resources
 to Liquids; EconOne; AK Gasline
 Port Authority

+ SB3001 Location: Hopson Middle School
APPROVING AGIA LICENSE
-- Testimony <Invitation Only> --
Public Testimony: Time TBA
Joint w/(H) Rules
Review of AGIA Findings & Determination;
Natural Gas Pipeline Project as proposed
by TransCanada Alaska Company, LLC and
Foothills Pipelines Ltd(TC Alaska) to the State of Alaska
Presenters: TransCanada; Administration

SENATE SPECIAL COMMITTEE ON ENERGY (continued)

Jul 08	Tuesday	Ketchikan	1:00 PM
	-- Time Change --		
	Location: Ted Ferry Civic Center		
+	SB3001	APPROVING AGIA LICENSE	
		1pm - 4pm - Testimony <Invitation Only>	
		5pm - 7pm - Public Testimony	
	Joint w/(H) Rules		
	Review of AGIA Findings & Determination;		
	Natural Gas Pipeline Project as proposed		
	by TransCanada Alaska Company, LLC and		
	Foothills Pipelines Ltd(TC Alaska) to the State of Alaska		
	Presenters: TransCanada; Administration		

JOINT COMMITTEES**LEGISLATIVE BUDGET & AUDIT**

Jun 17	Tuesday	Anch Lio Conf Rm	6:30 PM
	Longevity Policy Change		
	Other Committee Business		

LEGISLATIVE COUNCIL

Jun 17	Tuesday	Anch Lio Conf Rm	6:00 PM
+	Capitol Annex Carpet Approval		
	Longevity Policy Change		
	Fire Alarm & Sprinkler System ITB		
	Chamber Lighting Architectural Approval		