

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SIXTH LEGISLATURE

FIRST SESSION

Juneau, Alaska

Wednesday

January 28, 2009

Ninth Day

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

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

The prayer was offered by the Chaplain, Father Pat Travers of St. Paul's Catholic Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Almighty God,

As this chamber gathers once again to act on behalf of the people of Alaska, we thank you for the many blessings that you have bestowed upon us. We ask that you guide our senators today in their deliberations, so that their actions will uphold and promote the common good of all Alaskans. Grant each of them the wisdom, integrity, and strength to represent effectively their own convictions and the needs of their constituents. Grant them also the serenity, generosity, and mutual respect that are so necessary to resolve their conflicts in the just interests of all. Guard them in safety and health as they confront the challenges of serving our people.

Bless also their families and loved ones, who sacrifice to support them in so many ways. We pray also for our governor and the representatives, judges, and civil servants of our state; for our local government and tribal leaders; for

our president, congress, and all who lead our nation; and for the members of the armed forces, including so many from our state, especially those who are in harm's way today.

I make this prayer in your holy name. Amen.

Senator Elton led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the Governor

Message dated January 23 was read, stating the Governor appointed Mr. David Jones of Soldotna to the Education Funding District Cost Factor Commission (Legislative Resolve No. 62, SLA 2008).

Communications

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

Five-Year Program of Proposed Oil and Gas Lease Sales
from Thomas E. Irwin, Commissioner
Department of Natural Resources
in accordance with AS 38.05.180

Safe and Healthy Future for all Alaskans
Annual Report, Fiscal Year 2008
from Bill Hogan, Commissioner
Department of Health and Social Services
in accordance with AS 18.05.020
available at: www.hss.state.ak.us/publications

70th Annual Report, Calendar Year 2007 - Fiscal Year 2008
from Linda S. Hall, Director, Division of Insurance
Department of Commerce, Community and Economic Development
in accordance with AS 21.06.110

Standing Committee Reports

SB 77

The State Affairs Committee considered SENATE BILL NO. 77 "An Act relating to the Joint Armed Services Committee and its Homeland Security and Emergency Management Subcommittee; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 77(STA) "An Act relating to the Joint Armed Services Committee; and providing for an effective date."

Signing do pass: Senator Menard, Chair; Senators Kookesh, Paskvan.

The following fiscal information was published today:
Fiscal Note No. 1, Legislative Agency

The bill is on today's calendar.

Introduction and Reference of Senate Resolutions

SJR 4

SENATE JOINT RESOLUTION NO. 4 BY SENATORS
TERRIAULT, Olson,

Supporting the efforts of the Alaska Congressional delegation to restore military service retirement credit for members of the Alaska Territorial Guard who served during World War II.

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

SJR 5

SENATE JOINT RESOLUTION NO. 5 BY THE SENATE RULES COMMITTEE,

Urging the United States Department of Defense to pay veterans benefits retroactively and to continue to provide retirement benefits for members of the Alaska Territorial Guard who served during World War II.

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

Introduction and Reference of Senate Bills**SB 87**

SENATE BILL NO. 87 BY SENATOR WIELECHOWSKI, entitled:

"An Act expanding medical assistance coverage for eligible children and pregnant women; relating to cost sharing for certain recipients of medical assistance; and providing for an effective date."

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

SB 88

SENATE BILL NO. 88 BY THE SENATE FINANCE COMMITTEE, entitled:

"An Act repealing certain provisions relating to modifying the factors that apply to calculate the amount of power cost equalization; providing for an effective date by repealing the effective date of sec. 3, ch. 2, 4SSLA 2008; and providing for an effective date."

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

SB 89

SENATE BILL NO. 89 BY THE SENATE FINANCE COMMITTEE,
entitled:

"An Act relating to retirement benefits for members of the Alaska Territorial Guard; and providing for an effective date."

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

SB 90

SENATE BILL NO. 90 BY THE SENATE FINANCE COMMITTEE,
entitled:

"An Act making a special appropriation to the Department of Military and Veterans' Affairs to provide retirement benefits to members of the Alaska Territorial Guard; and providing for an effective date."

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

Consideration of the Calendar**Second Reading of Senate Bills****SB 77**

SENATE BILL NO. 77 "An Act relating to the Joint Armed Services Committee and its Homeland Security and Emergency Management Subcommittee; and providing for an effective date" was read the second time.

Senator Menard, Chair, moved and asked unanimous consent for the adoption of the State Affairs Committee Substitute offered on page 95. Without objection, CS FOR SENATE BILL NO. 77(STA) "An Act relating to the Joint Armed Services Committee; and providing for an effective date" 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. 77(STA) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 77(STA) "An Act relating to the Joint Armed Services Committee; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 77(STA)

Third Reading - Final Passage

Effective Date

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

Yeas: Bunde, Davis, Dyson, Ellis, Elton, French, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Stevens, Therriault, Thomas, Wielechowski

Excused: Wagoner

Absent: Hoffman

and so, CS FOR SENATE BILL NO. 77(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.

Citations

Honoring – Allan Tesche

Senator(s) Ellis, Stevens, Davis, Dyson, Elton, French, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Therriault, Thomas, Wagoner, Wielechowski

Representative(s) Gara

Commemorating – Black History Month

Senator(s) Davis, Stevens, Bunde, Dyson, Ellis, Elton, French, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Therriault, Thomas, Wagoner, Wielechowski

Honoring – Randy Killian

Representative(s) Guttenberg

Senator(s) Thomas, Stevens, Bunde, Davis, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Therriault, Wagoner, Wielechowski

Honoring – Bob Ritchie and ABR, Inc.

Representative(s) Guttenberg

Senator(s) Thomas, Stevens, Bunde, Davis, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Therriault, Wagoner, Wielechowski

In Memoriam – Albert Sanford

Senator(s) Davis, Stevens, Bunde, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Therriault, Thomas, Wagoner, Wielechowski

In Memoriam – Jerome Kenney

Senator(s) Davis, Stevens, Bunde, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Therriault, Thomas, Wagoner, Wielechowski

In Memoriam – Carol Bernice Barnes

Senator(s) Davis, Stevens, Bunde, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Therriault, Thomas, Wagoner, Wielechowski

In Memoriam – John Milton Miller, Jr.

Senator(s) Davis, Stevens, Bunde, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Therriault, Thomas, Wagoner, Wielechowski

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.

Senator Ellis moved and asked unanimous consent that the following citations be made a special order of business. Without objection, it was so ordered.

Special Order of Business

Honoring – Father Norman Elliott

Senator(s) French, Ellis, Stevens, Bunde, Davis, Dyson, Elton, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Therriault, Thomas, Wagoner, Wielechowski

Honoring – Dr. Ruth Gruber

Representative(s) Harris

Senator(s) Therriault, Stevens, Bunde, Davis, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski

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.

Unfinished Business

SJR 3

Senators Dyson, Bunde moved and asked unanimous consent to be shown as cosponsors on SENATE JOINT RESOLUTION NO. 3 Relating to carrying firearms in national parks. Without objection, it was so ordered.

SB 32

Senator Davis moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 32 "An Act relating to medical assistance payments for home and community-based services." Without objection, it was so ordered.

SB 57

Senator Ellis moved and asked unanimous consent that President Stevens be shown as a cosponsor on the SENATE BILL NO. 57 "An Act relating to charter school funding." Without objection, Senator Stevens was added as a cosponsor.

Senator Davis moved and asked unanimous consent to be shown as a cosponsor on the bill. Without objection, it was so ordered.

Senators French, Therriault moved and asked unanimous consent to be excused from a call of the Senate on February 2, to morning plane time. Without objection, Senators French, Therriault were excused.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 77**

CS FOR SENATE BILL NO. 77(STA) "An Act relating to the Joint Armed Services Committee; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Engrossment and Enrollment**SR 1**

SENATE RESOLUTION NO. 1 Relating to establishing a Senate Special Committee on Energy, was engrossed and enrolled, signed by the President and Secretary and the engrossed and enrolled copies transmitted to the Office of the Governor at time 2:30 p.m., January 27, 2009.

Senate Resolve No. 1

SR 2

SENATE RESOLUTION NO. 2 Establishing a Senate Special Committee on World Trade, Technology, and Innovations, was engrossed and enrolled, signed by the President and Secretary and the engrossed and enrolled copies transmitted to the Office of the Governor at time 2:30 p.m., January 27, 2009.

Senate Resolve No. 2

Adjournment

Senator Ellis moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., January 30, 2009. Without objection, the Senate adjourned at 11:52 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

Jan 29 Thursday Beltz 211 3:30 PM
No Meeting Scheduled

EDUCATION

Jan 29 Thursday Butrovich 205 9:00 AM
+ SB 57 CHARTER SCHOOL FUNDING

FINANCE

Jan 28 Wednesday Senate Finance 532 10:00 AM
-- Time Change --
+ Overview:
Alaska Mental Health Trust Authority Budget

Jan 29 Thursday Senate Finance 532 9:00 AM
No Meeting Scheduled

Jan 30 Friday Senate Finance 532 9:00 AM
+ Presentation:
Commercial Passenger Vessel Excise Tax Update

HEALTH & SOCIAL SERVICES

Jan 28 **Wednesday** **Butrovich 205** **1:15 PM**
 + Joint w/(H) H&SS
 + Matters Pertaining to Health Reform in Alaska:
 A seminar for Legislators and staff.

Jan 30 **Friday** **Butrovich 205** **1:30 PM**
 No Meeting Scheduled

JUDICIARY

Jan 28 **Wednesday** **Beltz 211** **1:30 PM**
 No Meeting Scheduled

Jan 30 **Friday** **Beltz 211** **1:30 PM**
 No Meeting Scheduled

LABOR & COMMERCE

Jan 29 **Thursday** **Beltz 211** **1:30 PM**
 + Overview of Dept of Commerce, Community,
 and Economic Development
 Overview of Dept of Labor and Workforce Development

RESOURCES

Jan 28 **Wednesday** **Butrovich 205** **3:30 PM**
 + Overview: State Energy Plan, Steve Haagenson
 Executive Director, AEA
 + Overview: Fire Island Wind Farm Update
 Barbara Donatelli, Ethan Schutt, Steve Gilbert, CIRI

Jan 30 **Friday** **Butrovich 205** **3:30 PM**
 No Meeting Scheduled

STATE AFFAIRS

Jan 29 Thursday Beltz 211 9:00 AM
 + SB 36 EXECUTIVE BRANCH RECORDS SECURITY

TRANSPORTATION

Jan 29 Thursday Butrovich 205 1:00 PM
 Joint w/(H) Transportation
 + Alaska Marine Highway Overview
 1:00-2:15 p.m.
 Alaska Class Ferry Project Presentation
 2:15-3:00 p.m.

FINANCE SUBCOMMITTEES**LABOR & WORKFORCE DEVELOPMENT**

Jan 29 Thursday Senate Finance 532 5:30 PM
 + Joint w/(H) L&WFD
 Commissioner Click Bishop
 Dept Overview and FY10 Budget Request

SPECIAL COMMITTEES**SPECIAL COMMITTEE ON ENERGY**

Jan 29 Thursday Fahrenkamp 203 10:00 AM
 + Overview: Geothermal Energy in Alaska
 Presenters:
 Gwen Holdmann, Director of the Alaska
 Center for Energy and Power
 Chris Rose, Exec. Director of Renewable
 Energy Alaska Project
 Bob Swenson, Director of the Alaska
 State Division of Geological & Geophysical Surveys

JOINT COMMITTEES**JOINT COOK INLET SALMON TASK FORCE**

Jan 29 **Thursday** **Barnes 124** **12:00 PM**
 -- Rescheduled from 01/27/09 --
 + Initial Close-Out Meeting
 -- Testimony <Invitation Only> --

LEGISLATIVE BUDGET & AUDIT

Feb 04 **Wednesday** **House Finance 519** **4:00 PM**
 Introductions: Pat Davidson, Legislative
 Audit; David Teal, Legislative Finance;
 Bob Pawlowski, Denali Commission
 Executive Session: Staff Pay
 RPL Consideration: National Forests
 Receipts Program (Commerce)
 Discussion of Alaska Renewable Energy Fund (AEA)
 Other Committee Business
 -- Teleconferenced <Invitation Only> --

OTHER MEETINGS**CHILDREN'S CAUCUS**

Feb 03 **Tuesday** **Butrovich 205** **12:00 PM**
 + Presentation by: Children's Justice Act Task Force

JOINT SESSION

Feb 11 **Wednesday** **House Chamber** **11:00 AM**
 State of the Judiciary Address by
 Chief Justice Dana Fabe

Feb 19 **Thursday** **House Chamber** **11:00 AM**
 Annual Address by the Honorable
 Lisa Murkowski, U.S. Senator