

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SIXTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Monday

February 9, 2009

Twenty-first Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:01 a.m.

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

Senator Ellis moved and asked unanimous consent that Senator Olson be excused from a call of the Senate today. Without objection, Senator Olson was excused.

The prayer was offered by the Chaplain, David Dierdorff of the Juneau Unitarian Universalist Fellowship. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Spirit of life and hope, we turn our minds and hearts
again toward thee. Awaken us again to the mysteries
that humble us, the realities that orient us, the truths
that judge and guide us, the beauty that informs and
ravishes us, the love that nurtures us, the fellowship
that sustains us, the creativity that heightens and
deepens and reorders our living, that we may give
ourselves in honesty and openness to the larger life
before us. Amen.

(Rev. Clarke Dewey Wells, 1930 - 2006)

Senator Kookesh led the Senate in the Pledge of Allegiance.

Certification

Senator Ellis moved and asked unanimous consent that the journals for the eighteenth through twentieth legislative days, Senate Supplement No. 1 and House and Senate Joint Journal Supplement No. 2 be approved as certified by the Secretary. Without objection, it was so ordered.

The presence of Senators Huggins, Therriault was noted.

Messages from the Governor

SR 2

Message dated February 6 was read stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE RESOLUTION NO. 2 Establishing a
Senate Special Committee on World Trade,
Technology, and Innovations.

Senate Resolve No. 2

Standing Committee Reports

HJR 11

The Finance Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 11(FIN) Relating to the federal stimulus package, and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE JOINT
RESOLUTION NO. 11(FIN)

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

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Legislative Agency

The resolution is on today's calendar

**Introduction and Reference of
Senate Resolutions**

SJR 6

SENATE JOINT RESOLUTION NO. 6 BY SENATORS
THERRIAULT, Huggins,

Urging the United States Congress to reject H.R. 45,
the Blair Holt's Firearm Licensing and Record of Sale
Act of 2009.

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

Introduction and Reference of Senate Bills

SB 56

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 56 BY
SENATOR THOMAS, entitled:

"An Act making a special appropriation for a life
sciences innovation and learning facility at the
University of Alaska Fairbanks; and providing for an
effective date."

was read the first time and referred to the Education and Finance
Committees.

SB 103

SENATE BILL NO. 103 BY SENATOR THOMAS, entitled:

"An Act relating to immunity of persons who provide
surveillance videos to law enforcement agencies for
law enforcement purposes."

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

SB 104

SENATE BILL NO. 104 BY SENATOR ELTON, entitled:

"An Act amending the boundaries of the Stan Price State Wildlife Sanctuary and relating to bear viewing in the sanctuary."

was read the first time and referred to the Resources and Finance Committees.

Consideration of the Calendar**Second Reading of House Resolutions****HJR 11**

CS FOR HOUSE JOINT RESOLUTION NO. 11(FIN) Relating to the federal stimulus package, was read the second time.

Senator Stedman, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 196. Without objection, SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 11(FIN) was adopted.

Senator Ellis moved and asked unanimous consent that the resolution be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 11(FIN) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 11(FIN) Relating to the federal stimulus package, pass the Senate?" The roll was taken with the following result:

SCS CSHJR 11(FIN)

Third Reading - Final Passage

YEAS: 16 NAYS: 0 EXCUSED: 4 ABSENT: 0

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

Excused: Dyson, McGuire, Olson, Wagoner

and so, SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 11(FIN) passed the Senate.

Senator Ellis gave notice of reconsideration.

Citations

Honoring – Robert N. De Armond

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

Representative(s) Wilson

Honoring – Desiree Harris

Representative(s) Petersen

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

Honoring – Tom Dwiggins

Representative(s) Millett

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

In Memoriam – Vern McCorkle

Representative(s) Gardner

Senator(s) Ellis, Stevens, Bunde, Davis, Dyson, 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.

Reconsideration of House Resolutions**HJR 11**

Senator Ellis moved and asked unanimous consent that the reconsideration on SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 11(FIN) Relating to the federal stimulus package, be taken up on the same day (page 199). Senator Therriault objected.

The question being: "Shall the reconsideration be taken up the same day?" The roll was taken with the following result:

SCS CSHJR 11(FIN)

Take up Reconsideration same day?

YEAS: 14 NAYS: 2 EXCUSED: 4 ABSENT: 0

Yeas: Davis, Ellis, Elton, French, Hoffman, Huggins, Kookesh, Menard, Meyer, Paskvan, Stedman, Stevens, Thomas, Wielechowski

Nays: Bunde, Therriault

Excused: Dyson, McGuire, Olson, Wagoner

and, so SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 11(FIN) was before the Senate on reconsideration.

The question to be reconsidered: "Shall SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 11(FIN) Relating to the federal stimulus package, pass the Senate?" The roll was taken with the following result:

SCS CSHJR 11(FIN)

Third Reading - On Reconsideration

YEAS: 16 NAYS: 0 EXCUSED: 4 ABSENT: 0

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

Excused: Dyson, McGuire, Olson, Wagoner

and so, SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 11(FIN) passed the Senate on reconsideration, was signed by the President and Secretary and was referred to the Secretary for engrossment.

Unfinished Business

Senator Huggins moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, February 12 through evening plane time, February 16. Without objection, Senator Huggins was excused.

Senator Paskvan moved and asked unanimous consent to be excused from a call of the Senate on February 17, to morning plane time. Without objection, Senator Paskvan was excused.

Senator Bunde moved and asked unanimous consent to be excused from a call of the Senate from plane time, February 13 through plane time, February 17. Without objection, Senator Bunde was excused.

Announcements

Announcements are at the end of the journal.

Engrossment**HJR 11**

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 11(FIN) Relating to the federal stimulus package, was engrossed, signed by the President and Secretary and returned to the House for consideration.

Adjournment

Senator Ellis moved and asked unanimous consent that the Senate stand in adjournment until 10:45 a.m., February 11, 2009. Without objection, the Senate adjourned at 11:40 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

Feb 10	Tuesday	Beltz 211	3:30 PM
+ SB 48	MEETINGS OF ROAD SERVICE AREA BOARDS		
+ SB 93	MUNICIPAL AIR QUALITY PROPERTY TAX CREDIT		
	Bills Previously Heard/Scheduled		

Feb 12	Thursday	Beltz 211	3:30 PM
	Bills Previously Heard/Scheduled		

EDUCATION

Feb 09	Monday	Beltz 211	8:00 AM
+ SB 33	POSTSECONDARY SCHOLARSHIPS		
	Overview: Conference of Young Alaskans		

Feb 11	Wednesday	Beltz 211	8:00 AM
+ SB 33	POSTSECONDARY SCHOLARSHIPS		
	Overview: Alaska Mental Health Trust, Bring the Kids Home Program		

Feb 13	Friday	Beltz 211	8:00 AM
	No Meeting Scheduled		

FINANCE

Feb 09	Monday	Senate Finance 532	9:00 AM
+ HJR 11	PROJECTS FOR ECONOMIC STIMULUS PACKAGE		
+	Bills Previously Heard/Scheduled		
Feb 10	Tuesday	Senate Finance 532	9:00 AM
+	Overview: Economic and Capital Market		
	Outlook by Michael O'Leary, EVP, Callan Associates		
+	Permanent Fund Performance Review		
	-- Testimony <Invitation Only> --		
+	Bills Previously Heard/Scheduled		
Feb 11	Wednesday	Senate Finance 532	9:00 AM
+	Overview: Retirement Trust Performance		
	Review by Dept of Revenue & Alaska		
	Retirement Management Board		
+	Constitutional Budget Reserve Performance Review		
	-- Testimony <Invitation Only> --		
+	Bills Previously Heard/Scheduled		
Feb 12	Thursday	Senate Finance 532	9:00 AM
+	Overview: Dept of Transportation		
	Statewide Capital Project Overview		
	-- Testimony <Invitation Only> --		
+	Bills Previously Heard/Scheduled		
Feb 13	Friday	Senate Finance 532	9:00 AM
	No Meeting Scheduled		

HEALTH & SOCIAL SERVICES

Feb 09	Monday	Butrovich 205	1:30 PM
+ SB 13	MEDICAL ASSISTANCE ELIGIBILITY		
+ SB 87	MEDICAL ASSISTANCE ELIGIBILITY		
+	Bills Previously Heard/Scheduled		
Feb 11	Wednesday	Butrovich 205	1:30 PM
+	Returning Kids from Out of State,		
	Jeff Jessee, Mental Health Trust		
+ SCR 1	BRAIN INJURY AWARENESS MONTH: MARCH 2009		
+ SB 52	SALVIA DIVINORUM AS CONTROLLED SUBSTANCE		
+	Bills Previously Heard/Scheduled		

HEALTH & SOCIAL SERVICES (continued)

Feb 13	Friday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

JUDICIARY

Feb 09	Monday	Beltz 211	1:30 PM
+	Confirmation Hearing:		
	Chief Administrative Law Judge Terry Thurbon		
+ SJR 3	FIREARMS IN NATIONAL PARK		

Feb 11	Wednesday	Beltz 211	1:30 PM
+	Overview: Dept of Public Safety		
	Commissioner Joseph A. Masters		
	-- Testimony <Invitation Only> --		

Feb 13	Friday	Beltz 211	1:30 PM
	No Meeting Scheduled		

LABOR & COMMERCE

Feb 10	Tuesday	Beltz 211	1:30 PM
	-- MEETING CANCELED --		
	Bills Previously Heard/Scheduled		

Feb 12	Thursday	Beltz 211	1:30 PM
+= SB 1	ALASKA MINIMUM WAGE		
+ SB 23	REPEAL DEFINED CONTRIB RETIREMENT PLANS		
	Bills Previously Heard/Scheduled		

RESOURCES

Feb 09	Monday	Butrovich 205	3:30 PM
+	Overview: Cook Inlet Gas Supplies and		
	Exploration/Development Activities		
	- Presentation by the Administration's		
	Oil and Gas Division		

RESOURCES (continued)

Feb 11	Wednesday	Butrovich 205	3:30 PM
+	Overview: In-State Use of Cook Inlet Gas		
	Invited Presenters: Chugach Electric, Enstar, ML&P, RCA, Dept of Law, Div. of Regulatory Affairs & Public Advocacy		
Feb 13	Friday	Butrovich 205	3:30 PM
	No Meeting Scheduled		

STATE AFFAIRS

Feb 10	Tuesday	Beltz 211	9:00 AM
+	Confirmation of Governor's Appointments		
SB 45	VETERANS' CEMETERIES/FUND/LICENSE PLATES		
Feb 12	Thursday	Beltz 211	9:00 AM
+	Confirmation of Governor's Appointments		
	Commissioner Joseph A. Masters, Dept of Public Safety		
	Commissioner Kathleen Ballenger, APOC		
SB 79	MED BENEFITS OF DISABLED PEACE OFFICERS		
+	Bills Previously Heard/Scheduled		

TRANSPORTATION

Feb 10	Tuesday	Butrovich 205	1:00 PM
SB 25	RICHARD DEWEY DUVALL FERRY TERMINAL		
SB 72	CHILD SAFETY SEATS & SEAT BELTS		
Feb 12	Thursday	Butrovich 205	1:00 PM
	Bills Previously Heard/Scheduled		

FINANCE SUBCOMMITTEES**CORRECTIONS**

Feb 10	Tuesday	Fahrenkamp 203	3:00 PM
	Committee Meeting		

FINANCE SUBCOMMITTEES (continued)**COURT SYSTEM**

Feb 09	Monday	Beltz 211	5:00 PM
+	Court System Budget		

EDUCATION & EARLY DEVELOPMENT

Feb 12	Thursday	Fahrenkamp 203	4:30 PM
+	EED Budget		

HEALTH & SOCIAL SERVICES

Feb 10	Tuesday	Fahrenkamp 203	8:00 AM
+	Department Budget Overview continuation		
	-- Testimony <Invitation Only> --		

Feb 12	Thursday	Fahrenkamp 203	8:00 AM
+	Medicaid, FMAP, Provider Rates		
	-- Testimony <Invitation Only> --		

Feb 17	Tuesday	Fahrenkamp 203	8:00 AM
+	Office of Children's Services, Bring the Kids Home		
	-- Testimony <Invitation Only> --		

Feb 19	Thursday	Fahrenkamp 203	8:00 AM
+	Division of Public Assistance, including Heating Assistance		
	-- Testimony <Invitation Only> --		

Mar 03	Tuesday	Fahrenkamp 203	8:00 AM
+	Public Health Initiatives		
	-- Testimony <Invitation Only> --		

Mar 05	Thursday	Fahrenkamp 203	8:00 AM
+	Governor's Amendments, Q & A		
	-- Testimony <Invitation Only> --		

NATURAL RESOURCES

Feb 10 Tuesday Fahrenkamp 203 4:00 PM
 + Departmental Budget Overview
 -- Testimony <Invitation Only> --

PUBLIC SAFETY

Feb 12 Thursday Fahrenkamp 203 1:30 PM
 + Department Budget Overview
 -- Testimony <Invitation Only> --

Feb 17 Tuesday Fahrenkamp 203 1:30 PM
 + Status of VPSO Program & Recruitment
 Efforts for Them and the State Troopers
 -- Testimony <Invitation Only> --

Mar 03 Tuesday Fahrenkamp 203 1:30 PM
 + Governor's Amendments - Q & A Session
 -- Testimony <Invitation Only> --

SPECIAL COMMITTEES**ENERGY**

Feb 10 Tuesday Senate Finance 532 3:00 PM
 + Joint w/(H) Energy
 Work Session: Pathway to Energy
 Committee's Comprehensive Statewide
 Energy Plan

Feb 12 Thursday Butrovich 205 11:00 AM
 + SB 31 GEOTHERMAL ELEC. PROD. TAX CREDIT
 + SB 54 PRICE GOUGING INVOLVING ENERGY RESOURCES
 + Bills Previously Heard/Scheduled

WORLD TRADE, TECH, INNOVATIONS

Feb 10 Tuesday Capitol 106 5:15 PM
 + Joint w/(H) Economic Development, Trade & Tourism
 World Trade Center Alaska: Guest Speaker Greg Wolf,
 Executive Director World Trade Alaska; Presentation &
 Overview of the World Trade Center Alaska

JOINT COMMITTEES**LEGISLATIVE BUDGET & AUDIT**

Feb 17 **Tuesday** **House Finance 519** **5:00 PM**
+ RPL #08-09-0137-Renewable Energy Projects
Other Committee Business
-- Testimony <Invitation Only> --

OTHER MEETINGS**FISH CAUCUS**

Feb 12 **Thursday** **Capitol 106** **12:00 PM**
+ Value Challenges in the Bristol Bay
Salmon Fishery: Partnerships and New Ideas
Brown Bag Lunch

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

Apr 07 **Tuesday** **House Chamber** **11:00 AM**
Annual Address by the Honorable Mark Begich, U.S. Senator