

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SIXTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Monday

March 23, 2009

Sixty-third Day

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

The roll showed thirteen members present. Senators Bunde, Dyson, French, McGuire, Menard, Meyer were excused from a call of the Senate. The seat from District B was vacant.

The prayer was offered by the Chaplain, The Reverend Dr. Douglas Dye of Chapel by the Lake. Senator Olson moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear God My Heavenly Father,

I come to you this day thankful for the gift of life and the opportunity to serve the people of Alaska.

I gladly recognize that you are our creator and that you have given us the gift of living in this great and beautiful land. And so I offer to you our deep, deep gratitude for placing us in a land of such magnificent splendor and abundant resources.

I thank you for the gift of health - for the able bodies and the strong minds that you have given us to serve our fellow Alaskans. I thank you for the gift of friendship and camaraderie, which makes our work pleasant and rewarding.

I admit, oh God, that we do not always demonstrate respect and care for others. Forgive us when we place ourselves before the service of others and the benefit of this state, which you have entrusted to our care.

Bless Alaska with honest industry and justice for all. May all our citizens humbly and compassionately live in a manner that honors you and serves the people of this fair land. Protect us from harm and destructive forces, and bind us together as a people who love and respect each other.

I pray you will bless these senators. May they do their work in a spirit of wisdom, and kindness, and justice. Grant them the ability - in the midst of the many competing claims they encounter - to discern the good and the right. Fill them with patience and courage to follow paths that will bless our people. Help them to use their authority to serve faithfully and to promote the well being of all Alaskans.

And give to them joy and satisfaction in the work they do this day. All of this I pray in the strong and saving name of Jesus Christ, my Lord and Savior.

Amen.

Senator Olson led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the Governor

Letter dated March 23 was received, stating a correction to the appointment letter dated December 11, 2008. The corrected information is as follows:

Board of Game

Stanley "Stosh" Hoffman Jr.

Appointed: 11/13/2008 Term Expires: 6/30/2011

The appointment had been referred to the Resources Committee (page 18).

Standing Committee Reports**SB 89**

The Finance Committee considered SENATE BILL NO. 89 "An Act relating to retirement benefits for members of the Alaska Territorial Guard; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 89(FIN)

Signing do pass: Senator Stedman, Cochair; Senators Huggins, Thomas, Olson, Ellis.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Military and Veterans Affairs

The bill was referred to the Rules Committee.

SB 125

The Finance Committee considered SENATE BILL NO. 125 "An Act changing the name of the Alaska Aerospace Development Corporation to Alaska Aerospace Corporation." Signing do pass: Senator Stedman, Cochair; Senators Huggins, Thomas, Ellis. Signing no recommendation: Senator Olson.

The following previously published fiscal information applies:

Fiscal Note No. 1, Department of Commerce, Community and Economic Development

The bill was referred to the Rules Committee.

HB 109

The Education Committee considered HOUSE BILL NO. 109 "An Act relating to eligibility for the Alaska supplemental education loan program and to the interest rate for a loan made under the Alaska family education loan program; and providing for an effective date." Signing do pass: Senator Davis, Vice Chair. Signing no recommendation: Senators Olson, Huggins.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Education and Early Development

The bill was referred to the Finance Committee.

Consideration of the Calendar**Second Reading of Senate Bills****SB 116**

SENATE BILL NO. 116 "An Act making a special appropriation for energy assistance for rural communities; and providing for an effective date" was read the second time.

Senator Stedman, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 495. Without objection, CS FOR SENATE BILL NO. 116(FIN) "An Act making a special appropriation for energy assistance for Alaska residents; and providing for an effective date" was adopted.

President Stevens stated CS FOR SENATE BILL NO. 116(FIN) will be on the March 25 calendar.

Third Reading of Senate Bills**SB 58**

SENATE BILL NO. 58 "An Act establishing February 2 of each year as Marmot Day; and providing for an effective date" was read the third time.

Senator Ellis moved and asked unanimous consent that SENATE BILL NO. 58 be held in third reading to the March 25 calendar. Without objection, it was so ordered.

Second Reading of Senate Resolutions

SCR 4

Senator Ellis moved and asked unanimous consent that SENATE CONCURRENT RESOLUTION NO. 4 Certifying that the State of Alaska requests and will use any funds provided to the state, a state agency, a municipality, or a political subdivision of the state under the American Recovery and Reinvestment Act of 2009, be held on the Secretary's desk. Without objection, it was so ordered.

Citations

Honoring – Juneau Ski Club

Representative(s) Kerttula, Munoz

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

Honoring – Jo Sanders

Representative(s) Holmes

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

Honoring – Andrew Eker

Representative(s) Doogan

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

In Memoriam – David L. Lacey

Representative(s) Guttenberg

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

In Memoriam – George Sundborg, Sr.

Representative(s) Coghill

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

In Memoriam – Billy B. Patkotak

Representative(s) Gardner, Joule

Senator(s) Ellis, Olson, Stevens, Bunde, Davis, Dyson, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, 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.

Unfinished Business

HJR 19

President Stevens removed the Resources Committee referral from HOUSE JOINT RESOLUTION NO. 19 Recognizing the 20th anniversary of the Exxon Valdez oil spill and supporting the continued practice of accompanying each oil tanker through Prince William Sound with at least a two vessel escort (page 606).

The resolution is in the State Affairs Committee.

SCR 4

Senators Ellis, Davis, Thomas, Kookesh, Paskvan moved and asked unanimous consent to be shown as cosponsors on SENATE CONCURRENT RESOLUTION NO. 4 Certifying that the State of Alaska requests and will use any funds provided to the state, a state agency, a municipality, or a political subdivision of the state under the American Recovery and Reinvestment Act of 2009. Without objection, it was so ordered.

Senator Kookesh moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, March 26 through evening plane time, March 28. Without objection, Senator Kookesh was excused.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Ellis moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., March 25, 2009. Without objection, the Senate adjourned at 11:46 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

Mar 24	Tuesday	Beltz 211	3:30 PM
No Meeting Scheduled			
Mar 26	Thursday	Beltz 211	3:30 PM
-- MEETING CANCELED --			
+ SB 137	REPORT ON MEETINGS OF BOARD OF FISHERIES		
Bills Previously Heard/Scheduled			

EDUCATION

Mar 23	Monday	Beltz 211	8:00 AM
+ HB 109	EDUC. LOANS: SUPPLEMENTAL & FAMILY		
Bills Previously Heard/Scheduled			
Mar 25	Wednesday	Beltz 211	8:00 AM
+ SB 105	FOSTER CARE/CINA/EDUCATION OF HOMELESS		
Bills Previously Heard/Scheduled			
Mar 27	Friday	Beltz 211	8:00 AM
Bills Previously Heard/Scheduled			

FINANCE

Mar 23	Monday	Senate Finance 532	9:00 AM
+ SB 161	APPROPS: NON-TRANSPORTATION STIMULUS		
+= SB 89	RETIREMENT BENEFITS: TERRITORIAL GUARD		
+ SB 125	AK AEROSPACE CORPORATION		
+	Bills Previously Heard/Scheduled		

FINANCE (continued)

Mar 23	Monday	Senate Finance 532	1:30 PM
+	Aviation Industry Presentation by Christine Klein, Deputy Commissioner, Aviation and Airports		
+	Bills Previously Heard/Scheduled		
Mar 24	Tuesday	Senate Finance 532	9:00 AM
+	HB 81 APPROP: OPERATING BUDGET/LOANS/FUNDS		
+	HB 83 APPROP: MENTAL HEALTH BUDGET Close-out Reports		
+	Bills Previously Heard/Scheduled		
Mar 24	Tuesday	Senate Finance 532	1:30 PM
+	Presentation on the EPA Cruise Ship Dilution Study		
+	Bills Previously Heard/Scheduled		
Mar 25	Wednesday	Senate Finance 532	9:00 AM
+=	HB 81 APPROP: OPERATING BUDGET/LOANS/FUNDS		
+=	HB 83 APPROP: MENTAL HEALTH BUDGET Public Testimony 2 minute limit 9-10 am - Juneau 10-10:45 am - Kenai, Valdez, Ketchikan, Kodiak, Seward, Matsu, Glennallen, Tok 1:30 - 2:30 pm - Fairbanks 2:30 - 3:45 pm - Anchorage 4-5 pm - Sitka, Wrangell, Petersburg, Homer, Dillingham, Cordova 5-6 pm - Bethel, Kotzebue, Barrow, Nome, Delta Junction, Offnets		
+	Bills Previously Heard/Scheduled		
Mar 26	Thursday	Senate Finance 532	9:00 AM
+=	HB 81 APPROP: OPERATING BUDGET/LOANS/FUNDS		
=	HB 83 APPROP: MENTAL HEALTH BUDGET		
+	Bills Previously Heard/Scheduled		
Mar 26	Thursday	Senate Finance 532	2:30 PM
+	Joint w/ Senate Resources Presentations on Natural Gas Fiscal Designs by Dr. David Wood and Dan Dickinson, CPA.		
+	Bills Previously Heard/Scheduled		

March 23, 2009

FINANCE (continued)

Mar 27 **Friday** **Senate Finance 532** **9:00 AM**
+ SB 1 ALASKA MINIMUM WAGE
+= SB 24 LOUIS MILLER BRIDGE
+= SB 25 RICHARD DEWEY DUVALL FERRY TERMINAL
+ Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

Mar 23 **Monday** **Butrovich 205** **1:30 PM**
+ Joint w/ Senate Judiciary Presentation: Alaska Internet Crimes
Against Children Task Force
Detective Sgt. Ron Tidler, Anchorage Police Department
-- Testimony <Invitation Only> --

Mar 25 **Wednesday** **Butrovich 205** **1:30 PM**
+ SB 101 STUDENT QUESTIONNAIRES AND SURVEYS
+ SB 139 INCENTIVES FOR CERTAIN MEDICAL PROVIDERS
Bills Previously Heard/Scheduled
+= SB 12 LIMIT OVERTIME FOR REGISTERED NURSES

JUDICIARY

Mar 23 **Monday** **Butrovich 205** **1:30 PM**
+ Joint w/ Senate Health & Social Services
 Presentation: Alaska Internet Crimes
 Against Children Task Force
 Detective Sgt. Ron Tidler, Anchorage Police Department
 -- Testimony <Invitation Only> --

Mar 25 **Wednesday** **Beltz 211** **1:30 PM**
+ Presentation: UAA Research on Violence Against Women
Dr. Andre B. Rosay
-- Testimony <Invitation Only> --
+ Bills Previously Heard/Scheduled

SENATE JOURNAL

March 23, 2009

633

JUDICIARY (continued)

Mar 27 Friday **Beltz 211** **1:30 PM**
+ SB 47 STATUTE OF LIMITATION FOR SEXUAL OFFENSES
+ SB 102 RAISE COMP. SCHOOL ATTENDANCE AGE/TRUANCY
+ Bills Previously Heard/Scheduled

LABOR & COMMERCE

Mar 24 Tuesday **Capitol 120** **8:00 AM**
-- Please Note Time & Location Change --
+ Joint w/ (H) Labor and Commerce
Overview: Regulatory Commission of Alaska
<Teleconference Listen Only>

Mar 24 Tuesday **Beltz 211** **1:30 PM**
+= SB 86 PAID SICK LEAVE
+= SB 14 EXTEND MOTOR FUEL TAX SUSPENSION
+ SB 60 UNIFORM PROBATE CODE; TRUSTS, WILLS
+ Bills Previously Heard/Scheduled

Mar 26 Thursday **Beltz 211** **1:30 PM**
+ Confirmation of Governor's Appointments
+ SB 42 NURSING MOTHERS IN WORKPLACE
+ SB 142 TRANSFER RAILROAD LAND TO DOTPF:FAIRBANKS
+ Bills Previously Heard/Scheduled

RESOURCES

Mar 23 Monday **Butrovich 205** **3:30 PM**
-- MEETING CANCELED --
+ Overview: Oil and Gas Development in Federal Waters Off
Alaska's Coast
Presenters: John Goll, Alaska Regional Dir., U.S. Minerals
Management Service
Cam Toohey, External Affairs, Shell Alaska
Edward Itta, Mayor, North Slope Borough
Layla Hughes, World Wildlife Fund
+ Bills Previously Heard/Scheduled
<Meeting Will Run to 5:30>

RESOURCES (continued)

Mar 25	Wednesday	Butrovich 205	3:30 PM
+ SJR 16	OFFSHORE OIL & GAS REVENUE		
+	Overview: Status of North Slope Pipelines & Other Facilities		
	Presenters: Dennis Hinnah, Alaska Coord., U.S. Pipeline &		
	Hazardous Materials Safety Administration		
	Allison Iversen, Coordinator, Petroleum Systems		
	Integrity Office		
	Larry Dietrick, Dir., Division of Spill		
	Prevention & Response, DEC		
+	Overview: Effect of Shale Gas Development on Prospects for		
	an Alaska Natural Gas Pipeline		
	Presenter: Mark Meyers, State AGIA Coord.		
+	Bills Previously Heard/Scheduled		
	<Meeting Will Run to 5:30>		
Mar 26	Thursday	Senate Finance 532	2:30 PM
+	Joint w/ Senate Finance		
	Presentations on Natural Gas Fiscal Designs by Dr. David		
	Wood and Dan Dickinson, CPA.		
Mar 27	Friday	Butrovich 205	3:30 PM
+= SB 108	STAMPEDE STATE RECREATION AREA		
+	URGING US TO RATIFY LAW OF THE SEA TREATY		
+= HCR 2	IN-STATE GAS PIPELINE		
+= HCR 3	IN-STATE GAS PIPELINE		
+= HCR 4	IN-STATE GAS PIPELINE		
+= HCR 5	IN-STATE GAS PIPELINE		
+	SB 71 ALTERNATIVE ENERGY FOR PUBLIC WORKS		
+	Bills Previously Heard/Scheduled		
	<Meeting Will Run to 5:30>		

STATE AFFAIRS

Mar 24	Tuesday	Beltz 211	9:00 AM
+	SB 126 REEMPLOYMENT OF RETIREES; EXEMPT SERVICE		
+	SB 129 RESIDENTIAL SPRINKLER SYSTEMS		
	HJR 19 OIL TANKER ESCORT VESSELS/OIL SPILL ANNIV		
	Bills Previously Heard/Scheduled		
=	SB 23 REPEAL DEFINED CONTRIB RETIREMENT PLANS		
Mar 26	Thursday	Beltz 211	9:00 AM
+	Bills Previously Heard/Scheduled		

TRANSPORTATION

Mar 24 **Tuesday** **Butrovich 205** **1:00 PM**
+ SB 148 LIABILITY FOR TRIBAL ROAD CONSTRUCTION

Mar 26 **Thursday** **Butrovich 205** **1:00 PM**
No Meeting Scheduled

FINANCE SUBCOMMITTEES

COMMERCE, COMMUNITY & ECONOMIC DEV

Mar 23 **Monday** **Fahrenkamp 203** **1:15 PM**
-- Note Time and Location Change --
FY10 Budget Close-out

NATURAL RESOURCES

SPECIAL COMMITTEES

ENERGY

Mar 24 **Tuesday** **Barnes 124** **3:00 PM**
+ Joint w/ (H) Energy
Overview: The Alaska Coal Industry
Steve Denton, Usibelli Coal Mines, Inc

Mar 26 Thursday Butrovich 205 11:00 AM
+ SB 150 EMERGING ENERGY TECHNOLOGY FUND
+= SB 135 ALASKA NATURAL GAS DEVELOPMENT AUTHORITY
+= SB 136 IN-STATE PIPELINES: LEASES; CERTIFICATION
+ Bills Previously Heard/Scheduled

Mar 27 **Friday** **Butrovich 205** **11:00 AM**
+ Bills Previously Heard/Scheduled

WORLD TRADE, TECH, INNOVATIONS

Mar 24 **Tuesday** **Fahrenkamp 203** **2:00 PM**
+ Overview: Making the 2010 Olympics a Regional Success
- Regional Tourism Initiative - Pavilion Opportunities
Presenter: Ian Burkheimer, Program Manager, 2010 Tourism,
Pacific Northwest Economic Region (PNWER)

OTHER MEETINGS

CHILDREN'S CAUCUS

Mar 24	Tuesday	Butrovich 205	12:00 PM
+	Joint w/ Legislative Health Caucus		
	Sudden Infant Death Syndrome (SIDS) in AK		
Mar 31	Tuesday	Butrovich 205	12:00 PM
+	Topic: Exposure to Violence and a Child's Developing Brain		

JOINT LEGISLATIVE HEALTH CAUCUS

Mar 24	Tuesday	Butrovich 205	12:00 PM
+	Joint w/Children's Caucus Sudden Infant Death Syndrome (SIDS) in AK		
Mar 27	Friday	Location Tba	12:00 PM
	-- Meeting Postponed -- Week of the Uninsured		
Apr 03	Friday	Capitol 106	1:00 PM
	Galena School Energy Conference: Rural Student and Community Leaders on the Connection between Health and Energy		
May 13	Wednesday	Anch Lio Conf Rm	12:30 PM
	Week of the Uninsured		

JOINT SESSION

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