

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SIXTH LEGISLATURE
FIRST SPECIAL SESSION

Anchorage, Alaska Monday August 10, 2009
First Day

Pursuant to a poll of the legislature resulting in an affirmative vote of more than two-thirds of the membership calling themselves into Special Session, President Stevens called the Senate to order at 10:09 a.m.

The Secretary read the following announcement, stating:

Pursuant to Article II, section 9, of the Constitution of the State of Alaska and AS 24.05.100(a)(2), the presiding officers of the Senate and the House announced that during the first few weeks of July they polled the membership of each house as to whether a special session of the Twenty-sixth Alaska State Legislature should be held in Anchorage on August 10 to confirm Lieutenant General Craig Campbell as the Lieutenant Governor Successor and to address the Governor's appropriation vetoes. More than two-thirds of the membership responded in the affirmative.

The Senate poll follows:

Alaska State Senate
August 10, 2009 Special Session Poll

"Shall the Alaska State Legislature call itself into special session to confirm Lieutenant General Craig Campbell as the Lieutenant Governor Successor and to address the Governor's appropriation vetoes, to take place in Anchorage on Monday, August 10, 2009?"

YEAS: 18 NAYS: 1 DID NOT RESPOND: 1

Yeas: Davis, Ellis, Egan, French, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski

Nays: Bunde

Did not respond: Dyson

The roll of the Senate was called and showed twenty members present.

The prayer was offered by the Chaplain, The Reverend Michael Burke, Rector of St. Mary's Episcopal Church, Anchorage and the Dean of the South Central Alaska Deanery. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Almighty and everliving God,
source of all wisdom and understanding,
be present with those who take counsel this day
for the legislative work at hand.

So guide their hearts and minds
that they may perceive what is right,
and give to them both the courage to pursue it,
and the grace to accomplish it.

Lay aside any unhappy divisions, discord, or confusion,
and grant to us a renewed spirit of unity and purpose,
that those who are gathered here today
might serve the people of Alaska
in gladness and thankfulness,
not suffering their trust in thee to fail.

In your holy name I pray.

Amen.

(Edited from various prayers for National Life, from the
Book of Common Prayer, 1979)

Senator Huggins led the Senate in the Pledge of Allegiance.

Certification

Senator Ellis moved and asked unanimous consent that the journals for the ninetieth legislative day of the First Regular Session, Senate Journal Supplement No. 2, House and Senate Joint Journal Supplement No. 7 and the Final Supplement of the First Regular Session be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the Governor

Letter dated July 7 was read, stating in accordance with AS 44.19.040 and Article III Section 13 of the Alaska Constitution, I submit the following name for legislative confirmation of appointment to the position noted:

Lieutenant Governor Successor

Craig E. Campbell

The appointment was referred to the State Affairs Committee.

An enclosure dated July 6 accompanied the preceding letter:

Dear Governor Palin:

Thank you for your confidence in selecting me to succeed the Lieutenant Governor, it is truly an honor. At this time, however, I believe it is in the best interests of the Department of Corrections and subsequently the State of Alaska that I remain Commissioner of Corrections.

Thank you again for your support. I will continue to lead the Department of Corrections and fulfill the mission set forth by your Administration.

Sincerely,

/s/

Joseph D. Schmidt
Commissioner

Messages from the House

Message dated July 28 was read stating:

The House of Representatives respectfully invites the Senate to a Joint Session of the First Special Session of the Twenty-sixth Alaska Legislature at 1:00 p.m. on Monday, August 10 at the Egan Center in Anchorage to consider a veto override of the energy stimulus funds and confirmation of the Governor's appointment of Lieutenant General Craig Campbell as Lieutenant Governor Successor.

Senator Ellis moved and asked unanimous consent that the Senate accept the House invitation to meet in Joint Session. Without objection, it was so ordered.

The Secretary was requested to notify the House.

Communications

Disclosure letters received in accordance with AS 24.60 will be published in Senate Journal Supplement No. 3 and Senate and House Joint Journal Supplement No. 8.

Recess

Senator Ellis moved and asked unanimous consent that the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 10:17 a.m.

After Recess

The Senate reconvened at 12:53 p.m.

Standing Committee Reports

Report dated August 10 was read stating:

In accordance with AS 39.05.080, the State Affairs Committee reviewed the following and recommends the appointment be forwarded to a joint session for consideration:

Lieutenant Governor Successor

Craig E. Campbell

This does not reflect an intent by any of the members to vote for or against the confirmation of the individual during any further sessions.

Signing the report: Senator Menard, Chair; Senators Paskvan, Kookesh, French, Meyer.

Special Committee Reports

Report dated June 5 was read stating the Committee on Committees has met and submits to the Senate for its consideration the following changes to the Committee on Committees report dated January 20, 2009:

Education Committee

Senators Meyer and Thomas added as members

Senators Meyer and Thomas named as Cochairs

Finance Committee

Senator Egan replaces Senator Elton as a member

Judiciary Committee

Senator Egan replaces Senator Elton as a member

Rules Committee

Senator Ellis replaces Senator Elton as a member

The report was signed by Senator Stevens, Chair; Senator Ellis, Vice Chair; Senators Hoffman, Huggins, Stedman.

Senator Ellis moved and asked unanimous consent that the Committee on Committees report be adopted. Without objection, the report was adopted.

Recess

Senator Ellis moved and asked unanimous consent that the Senate stand in recess to the Joint Session. Without objection, the Senate recessed at 12:55 p.m.

After Recess**Joint Session**

Speaker Chenault called the House to order and in accordance with Uniform Rule 51 turned the gavel over to President Stevens at 1:08 p.m. The purpose of the Joint Session was first to consider confirmation of the Lieutenant Governor Successor and second to consider the Governor's appropriation vetoes.

The roll of the Senate was called and showed twenty members present.

The roll of the House was called and showed thirty-nine members present. Representative Foster was excused.

President Stevens appointed Senator Kookesh and Representative Salmon to escort the Honorable Don Young, U.S. Representative, and his daughter, Joni Nelson, to the Joint Session for an in memoriam presentation honoring the late Lu Young.

Congressman Young and Ms. Nelson were escorted to the rostrum and welcomed by President Stevens. President Stevens and Speaker Chenault presented Congressman Young with the flag flown over the capitol building in honor of his wife, Lu Young.

Representative Salmon and Senator Kookesh escorted Representative Young and Joni Nelson from the chamber.

Senator Ellis placed a call on the body for the duration of Joint Session.

The call was satisfied.

Senator Ellis moved that the following appointment as Lieutenant Governor Successor be confirmed:

Lieutenant Governor Successor

Lieutenant General Craig E. Campbell

Senator Meyer moved and asked unanimous consent to abstain from voting due to a conflict of interest. Objections were heard and Senator Meyer was required to vote.

The question being: "Shall Lieutenant General Craig E. Campbell be confirmed as Lieutenant Governor Successor?" The roll of the Senate was called with the following result:

Lieutenant Governor Successor

Confirm - Campbell

SENATE

YEAS: 18 NAYS: 2 EXCUSED: 0 ABSENT: 0

Yeas: Bunde, Davis, Dyson, Egan, Ellis, French, Hoffman, Huggins, McGuire, Menard, Meyer, Olson, Stedman, Therriault, Thomas, Wagoner, Wielechowski, Stevens

Nays: Kookesh, Paskvan

The roll of the House was called with the following result:

Lieutenant Governor Successor

Confirm - Campbell

HOUSE

YEAS: 37 NAYS: 2 EXCUSED: 1 ABSENT: 0

Yeas: Austerman, Buch, Cissna, Coghill, Dahlstrom, Doogan, Edgmon, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kelly, Kerttula, Lynn, Millett, Munoz, Neuman, Olson, Petersen, Ramras, Salmon, Seaton, Stoltze, Tuck, Wilson, Chenault

Nays: Crawford, Thomas

Excused: Foster

TOTALS: YEAS: 55 NAYS: 4 EXCUSED: 1 ABSENT: 0

and so, Lieutenant General Craig E. Campbell was confirmed as Lieutenant Governor Successor.

HB 199

Senator Ellis moved that the appropriation on page 12, lines 28 and 29 (AHFC State Energy Program) of SENATE CS FOR CS FOR HOUSE BILL NO. 199(FIN) become law notwithstanding the Governor's line item veto. Objections were heard.

The question being "Shall the appropriation on page 12, lines 28 and 29 (AHFC State Energy Program) of SENATE CS FOR CS FOR HOUSE BILL NO. 199(FIN) "An Act making appropriations, including supplemental appropriations and capital appropriations; amending appropriations; and providing for an effective date" become law notwithstanding the Governor's line item veto?" The roll of the House was called with the following result:

SCS CSHB 199(FIN)

Override Line Item Veto

Page 12, lines 28 and 29

HOUSE

YEAS: 30 NAYS: 9 EXCUSED: 1 ABSENT: 0

Yeas: Buch, Cissna, Crawford, Dahlstrom, Doogan, Edgmon, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Herron, Holmes, Johansen, Joule, Kawasaki, Kerttula, Millett, Munoz, Olson, Petersen, Ramras, Salmon, Seaton, Thomas, Tuck, Wilson, Chenault

Nays: Coghill, Fairclough, Johnson, Keller, Kelly, Lynn, Neuman, Stoltze, Austerman

Excused: Foster

The roll of the Senate was called with the following result:

SCS CSHB 199(FIN)

Override Line Item Veto

Page 12, Lines 28 and 29

SENATE

YEAS: 15 NAYS: 5 EXCUSED: 0 ABSENT: 0

Yeas: Davis, Egan, Ellis, French, Hoffman, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wielechowski, Stevens

Nays: Dyson, Huggins, Therriault, Wagoner, Bunde

TOTALS: YEAS: 45 NAYS: 14 EXCUSED: 1 ABSENT: 0

and so, the Governor's line item veto on page 12, lines 28 and 29 (AHFC State Energy Program) of SENATE CS FOR CS FOR HOUSE BILL NO. 199(FIN) was overridden and the bill was referred to the Chief Clerk.

SB 75

Senator Hoffman moved that the following appropriations contained in HOUSE CS FOR CS FOR SENATE BILL NO. 75(FIN) "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, and appropriations to capitalize funds; and providing for an effective date" become law notwithstanding the Governor's line item vetoes:

Section 1, page 37, lines 15 and 16 (Anchorage Campus Project Phase 2)

Section 1, page 37, line 19 (CourtView Enhancements)

Section 4, page 44, lines 31 and 32 (Ketchikan - Cruise Ship Berth IV Traffic Signal)

Section 4, page 45, lines 3 - 5 (Ketchikan - Port of Ketchikan Berth I and II Replacement)

Section 4, page 45, lines 31 and 32 (Sitka - Crescent Harbor Sidewalk Widening)

Section 4, page 45, line 33 through page 46, line 3 (Sitka - Swan Lake Recovery and Improvements)

Senator Wielechowski objected.

Representative Ramras declared a conflict of interest. Objections were heard and Representative Ramras was required to vote.

Senator Bunde moved to divide the question. Senator Stedman objected.

President Stevens stated the presiding officers would vote first. There being no objection, it was so ordered.

The question being: "Shall the question be divided?" The roll of the Senate was called with the following result:

HCS CSSB 75(FIN)

Override Line Item Vetoes

Divide the Question

SENATE

YEAS: 3 NAYS: 17 EXCUSED: 0 ABSENT: 0

Yeas: Dyson, Therriault, Bunde

Nays: Stevens, Egan, Ellis, French, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Thomas, Wagoner, Wielechowski, Davis

The roll of the House was called with the following result:

HCS CSSB 75(FIN)

Override Line Item Vetoes

Divide the Question

HOUSE

YEAS: 0 NAYS: 39 EXCUSED: 1 ABSENT: 0

Nays: Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doogan, Edgmon, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Herron, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kelly, Kerttula, Lynn, Millett, Munoz, Neuman, Olson, Petersen, Ramras, Salmon, Seaton, Stoltze, Thomas, Tuck, Wilson, Austerman, Buch

Excused: Foster

TOTALS: YEAS: 3 NAYS: 56 EXCUSED: 1 ABSENT: 0

and so, the question failed to be divided.

The motion to override the Governor's line item vetoes was before the body.

The question being: "Shall the following appropriations:

Section 1, page 37, lines 15 and 16 (Anchorage Campus Project Phase 2)

Section 1, page 37, line 19 (CourtView Enhancements)

Section 4, page 44, lines 31 and 32 (Ketchikan - Cruise Ship Berth IV Traffic Signal)

Section 4, page 45, lines 3 - 5 (Ketchikan - Port of Ketchikan Berth I and II Replacement)

Section 4, page 45, lines 31 and 32 (Sitka - Crescent Harbor Sidewalk Widening)

Section 4, page 45, line 33 through page 46, line 3 (Sitka - Swan Lake Recovery and Improvements)

contained in HOUSE CS FOR CS FOR SENATE BILL NO. 75(FIN)
"An Act making and amending appropriations, including capital appropriations, supplemental appropriations, and appropriations to capitalize funds; and providing for an effective date" become law notwithstanding the Governor's line item vetoes?" The roll of the House was called with the following result:

HCS CSSB 75(FIN)

Override Line Item Vetoes

Section 1, page 37, lines 15-16; Section 1, page 37, line 19; Section 4, page 44, lines 31-32; Section 4, page 45, lines 3-5; Section 4, page 45, lines 31-32; Section 4, page 45, line 33 through page 46, line 3

HOUSE

YEAS: 24 NAYS: 15 EXCUSED: 1 ABSENT: 0

Yeas: Coghill, Crawford, Dahlstrom, Edgmon, Fairclough, Gruenberg, Harris, Hawker, Herron, Johansen, Johnson, Joule, Keller, Kerttula, Lynn, Millett, Munoz, Petersen, Ramras, Stoltze, Thomas, Wilson, Austerman, Cissna

Nays: Doogan, Gara, Gardner, Gatto, Guttenberg, Holmes, Kawasaki, Kelly, Neuman, Olson, Salmon, Seaton, Tuck, Buch, Chenault

Excused: Foster

The roll of the Senate was called with the following result:

HCS CSSB 75(FIN)

Override Line Item Vetoes

Section 1, page 37, lines 15-16; Section 1, page 37, line 19; Section 4, page 44 lines 31-32; Section 4, page 45, lines 3-5; Section 4, page 45, lines 31-32; Section 4, page 45, lines 33 through page 46 line 3

SENATE

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

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

Nays: Therriault, Wagoner, Bunde, Dyson

TOTALS: YEAS: 40 NAYS: 19 EXCUSED: 1 ABSENT: 0

and so, lacking the necessary 45 votes, the Governor's line item vetoes were sustained.

Senator Ellis moved and asked unanimous consent that the Joint Session stand in adjournment. Without objection, President Stevens adjourned the Joint Session at 3:49 p.m.

After Recess

In the Senate

The Senate reconvened at 3:52 p.m.

Unfinished Business

Memo dated August 4 was received stating President Stevens made the following appointment:

Redistricting Planning Commission

Linda Hay

Transmittal dated August 7 was received stating President Stevens made the following appointment:

Renewable Energy Advisory Committee

Senator Hoffman

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Ellis moved and asked unanimous consent that the First Special Session of the Twenty-sixth Alaska State Senate stand in adjournment sine die. Without objection, the Senate adjourned at 3:54 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

STATE AFFAIRS

Aug 10	Monday	Anch Lio Rm 220	10:30 AM
	-- Time Change --		
	Confirmation of Governor's Appointment: Lieutenant Governor Successor Craig E. Campbell		

TRANSPORTATION

Aug 24	Monday	Wasilla	8:00 AM
	Overview of Transportation Needs Tour on August 25 Scheduled Location: Menard Sports Complex		

JOINT COMMITTEES**LEGISLATIVE BUDGET & AUDIT**

Aug 14	Friday	Anch Lio Rm 220	8:30 AM
+	Contracts RPLs RSAs Audits - Executive Session Permanent Fund Corporation Alaska Energy Authority Other Committee Business --TELECONFERENCED (BY INVITATION ONLY)--		

LEGISLATIVE COUNCIL

Aug 10 Monday Anch Lio Rm 220 4:00 PM
- Dell-Microsoft Enterprise Agreement
Approval
- Tom Stewart LOB Carpet Installation
- Alice Rogoff Presentation-Alaska House
- Other Business

OTHER MEETINGS**JOINT LEGISLATIVE HEALTH CAUCUS**

Aug 12 Wednesday Anch Lio Rm 220 12:00 PM
+ Children in Need of Aid:
A Multi-Departmental Challenge
COSPONSORED WITH THE CHILDREN'S CAUCUS

MISCELLANEOUS MEETINGS

Aug 10 Monday Anch Egan Center 9:00 AM
First Special Session
Convening:
9:00 a.m. House Session
10:00 a.m. Senate Session
1:00 p.m. Joint Session