

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SIXTH LEGISLATURE

FIRST SESSION

Juneau, Alaska Friday February 20, 2009

Thirty-second Day

Pursuant to adjournment the Senate was called to order by President Stevens at 10:02 a.m.

The roll showed sixteen members present. Senators Dyson, McGuire were excused from a call of the Senate. Senators Menard, Wagoner were absent.

The prayer was offered by the Chaplain, Pastor Gary Waterhouse of the Seventh-day Adventist Church of Juneau and Sitka. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

We lift up your name O Lord, thanking you for this assembly, and for the work accomplished this week. And when our work is completed this day we pray for traveling mercies as we go to our homes and some to their temporary homes here in Juneau. We also would remember those in this building who help to keep things running smoothly, the staff members who are not as visible, yet so important to an efficient operation of this Capitol. Be with all the aforementioned as well as their loved ones.

We pray that the weekend will give us the rest for body, mind, and soul that we so desperately need. And for those who may be absent because of sickness, please, Lord, bring them back here with full health.

Finally Lord, we thank you for our 50 wonderful, prosperous years as a state, and we look forward to the next 50. With optimism in our heart we can't help but think, "the best is yet to come."

In thy name I pray.

Amen.

Senator Paskvan led the Senate in the Pledge of Allegiance.

Certification

Senator Ellis moved and asked unanimous consent that the journal for the thirty-first legislative day and House and Senate Joint Journal Supplement No. 4 be approved as certified by the Secretary. Without objection, it was so ordered.

Standing Committee Reports

SB 72

The State Affairs Committee considered SENATE BILL NO. 72 "An Act relating to use of child safety seats and seat belts" and recommended it be replaced with

CS FOR SENATE BILL NO. 72(STA)

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

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Transportation and Public Facilities

The bill was referred to the Rules Committee.

SB 79

The State Affairs Committee considered SENATE BILL NO. 79 "An Act waiving payment of premiums for major medical insurance under the defined benefit retirement plan for public employees for disabled peace officers who have at least 20 years of credited service as peace officers" and recommended it be replaced with

CS FOR SENATE BILL NO. 79(STA) "An Act waiving payment of premiums for major medical insurance under the defined benefit retirement plan for public employees who are disabled and have at least 20 years of credited service as peace officers; and providing for an effective date."

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

The following fiscal information was published today:
Fiscal Note No. 1, Department of Administration

The bill was referred to the Labor and Commerce Committee.

Introduction and Reference of Senate Bills

SB 117

SENATE BILL NO. 117 BY SENATOR MCGUIRE, entitled:

"An Act requiring the Department of Revenue to set the minimum price for cigarettes for sale by wholesalers and retailers; and prohibiting a wholesaler or retailer from selling at wholesale or retail cigarettes at a lower price than the price set by the Department of Revenue."

was read the first time and referred to the Labor and Commerce and Finance Committees.

SB 118

SENATE BILL NO. 118 BY SENATOR MCGUIRE, entitled:

"An Act relating to medical assistance coverage for traumatic brain injury services."

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

SB 119

SENATE BILL NO. 119 BY SENATORS THOMAS, Ellis, entitled:

"An Act relating to a state energy use reduction plan and energy efficiency improvement contracts and to energy audits of public buildings conducted by the Department of Transportation and Public Facilities; relating to agency capital budget requests; establishing an energy efficiency grant fund in the Alaska Housing Finance Corporation; and providing for an effective date."

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

SB 120

SENATE BILL NO. 120 BY SENATORS THOMAS, Ellis, entitled:

"An Act relating to an optional exemption from municipal property taxes for residential property."

was read the first time and referred to the Community and Regional Affairs and Finance Committees.

SB 121

SENATE BILL NO. 121 BY THE SENATE RESOURCES COMMITTEE, entitled:

"An Act relating to energy efficiency for public facilities with the intent of reducing state operating costs."

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

Consideration of the Calendar**Citations**

Honoring – Alaska Vocational Institute

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

Representative(s) Kerttula, Munoz

Honoring – Lynn Marie Barnes

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

Representative(s) Kerttula, Munoz

Honoring – Juneau Douglas High School Home Builders 2009 National Regional Construction Competition

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

Representative(s) Kerttula, Munoz

Honoring – Hjalmar "Ofi" Olson

Representative(s) Edgmon

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

In Memoriam – Dearl Wayne Gladden

Representative(s) Chenault

Senator(s) Wagoner, Stevens, Bunde, Davis, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Menard, Meyer, Olson, Paskvan, Stedman, Therriault, Thomas, 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**SB 106**

Senator Therriault moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 106 "An Act disapproving all recommendations of the State Officers Compensation Commission relating to the compensation, benefits, and allowances of state officers; and providing for an effective date." Without objection, it was so ordered.

HJR 12

Senator Therriault moved and asked unanimous consent to be shown as a cross sponsor on HOUSE JOINT RESOLUTION NO. 12 Relating to the Ground-based Midcourse Defense System. Without objection, it was so ordered.

HB 93

Senator Therriault moved and asked unanimous consent to be shown as a cross sponsor on HOUSE BILL NO. 93 "An Act relating to unwanted telephone solicitations on a cellular or mobile telephone and making those calls to cellular or mobile telephones registered with the national do not call registry violations of the Alaska Unfair Trade Practices and Consumer Protection Act." Without objection, it was so ordered.

Senator French moved and asked unanimous consent to be excused from a call of the Senate on February 23, to morning plane time. Without objection, Senator French 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., February 23, 2009. Without objection, the Senate adjourned at 10:21 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 24 Tuesday Beltz 211 3:30 PM
No Meeting Scheduled

Feb 26 Thursday Beltz 211 3:30 PM
No Meeting Scheduled

EDUCATION

Feb 20 Friday Beltz 211 8:00 AM
+ Overview: Moore v. State

Feb 20 Friday Senate Finance 532 9:00 AM
+ Joint w/Senate Finance
Presentation by the Alaska Seismic Hazards Safety Commission

Feb 23 Monday Beltz 211 8:00 AM
+ SB 102 RAISE COMP. SCHOOL ATTENDANCE AGE/TRUANCY
Bills Previously Heard/Scheduled
+= SB 33 POSTSECONDARY SCHOLARSHIPS

Feb 25 Wednesday Beltz 211 8:00 AM
No Meeting Scheduled

Feb 27 Friday Beltz 211 8:00 AM
+ SB 18 POSTSECONDARY MEDICAL EDUC. PROG.
Bills Previously Heard/Scheduled

FINANCE

- Feb 20 Friday Senate Finance 532 9:00 AM**
 Joint w/ Senate Education Cmte
 + Presentations:
 Alaska Seismic Hazards Safety Commission
 by Dr. John Aho, Chair
 -- Testimony <Invitation Only> --
 + Bills Previously Heard/Scheduled
- Feb 23 Monday Senate Finance 532 9:00 AM**
 + SB 115 RURAL ENERGY ASSISTANCE PROGRAM
 + SB 116 APPROP: RURAL ENERGY ASSISTANCE
 + SB 93 MUNICIPAL AIR QUALITY PROPERTY TAX CREDIT
 Bills Previously Heard/Scheduled
- Feb 24 Tuesday Senate Finance 532 9:00 AM**
 + Bills Previously Heard/Scheduled
- Feb 25 Wednesday Senate Finance 532 9:00 AM**
 + SB 45 VETERANS' CEMETERIES/FUND/LICENSE PLATES
 + SB 13 MEDICAL ASSISTANCE ELIGIBILITY
 + SB 87 MEDICAL ASSISTANCE ELIGIBILITY
 + Bills Previously Heard/Scheduled
- Feb 26 Thursday Senate Finance 532 9:00 AM**
 + Bills Previously Heard/Scheduled
- Feb 27 Friday Senate Finance 532 9:00 AM**
 + SB 24 LOUIS MILLER BRIDGE
 + SB 25 RICHARD DEWEY DUVALL FERRY TERMINAL
 + SB 57 CHARTER SCHOOL FUNDING
 Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES

- Feb 20 Friday Butrovich 205 1:30 PM**
 + Presentation by Alaska Native Tribal
 Health Consortium
 + Bills Previously Heard/Scheduled

HEALTH & SOCIAL SERVICES (continued)

Feb 23 Monday Butrovich 205 1:30 PM
 + SB 98 MEDICAL PATIENT BILLING DISCLOSURES
 += SB 52 SALVIA DIVINORUM AS CONTROLLED SUBSTANCE
 + Bills Previously Heard/Scheduled

Feb 25 Wednesday Senate Finance 532 8:00 AM
 Joint w/(H) Health & Social Services
 Key Campaign

Feb 25 Wednesday Butrovich 205 1:30 PM
 += SB 35 EXTEND SUICIDE PREVENTION COUNCIL
 + SB 96 CHILD SUPPORT/ CASH MEDICAL SUPPORT
 + Bills Previously Heard/Scheduled

Feb 27 Friday Butrovich 205 1:30 PM
 + SB 47 STATUTE OF LIMITATION FOR SEXUAL OFFENSES
 + Bills Previously Heard/Scheduled

JUDICIARY

Feb 20 Friday Capitol 120 1:30 PM
 + Joint w/(H) Judiciary
 Confirmation Hearings:
 Board of Governors of the Alaska Bar
 Commission on Judicial Conduct
 Alaska Judicial Council
 Violent Crimes Compensation Board

Feb 23 Monday Beltz 211 1:30 PM
 + SB 85 ALCOHOL: LOCAL OPTION/LICENSING/MINORS

Feb 25 Wednesday Beltz 211 1:30 PM
 + SB 110 PRESERVATION OF EVIDENCE
 + Bills Previously Heard/Scheduled

Feb 27 Friday Beltz 211 1:30 PM
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

Feb 24 Tuesday Beltz 211 1:30 PM
 += SB 1 ALASKA MINIMUM WAGE
 += SB 84 AIDEA: BONDING LIMITS; CONFIDENTIALITY
 + Bills Previously Heard/Scheduled

Feb 26 Thursday Beltz 211 1:30 PM
 += SB 23 REPEAL DEFINED CONTRIB RETIREMENT PLANS
 + HB 104 WORKERS COMP. MEDICAL TREATMENT FEES
 <Pending Referral>
 + Bills Previously Heard/Scheduled

RESOURCES

Feb 20 Friday Butrovich 205 3:30 PM
 + Overview:
 Securing a New Supply of Natural Gas for
 Southcentral and Interior Alaska
 (Bullet Line, Spur Line)
 Palin Administration
 Harold Heinz, ANGDA
 Enstar Natural Gas Company

Feb 23 Monday Butrovich 205 3:30 PM
 + Overview:
 Updated Information on the Susitna Hydro
 Project Alaska Energy Authority;
 + Proposed Chakachamna Hydro Project;
 TDX Power: Nick Goodman, Pres. and
 Eric Yould, Program Director

Feb 25 Wednesday Senate Finance 532 3:00 PM
 + Please Note Time & Location Change
 Overview: Alaska Mining Industry
 -- Testimony <Invitation Only> --

Feb 27 Friday Butrovich 205 3:30 PM
 + Overview: Pebble Mine Permitting and
 Associated Issues
 -- Testimony <Invitation Only> --

STATE AFFAIRS

Feb 24 Tuesday Beltz 211 9:00 AM

- + SJR 6 OPPOSE H.R. 45 IN CONGRESS
- + SB 50 IDITAROD REGISTRATION PLATES
- + SB 19 COMPLAINTS AGAINST PEACE OFFICERS/VPSOS
- + Bills Previously Heard/Scheduled

Feb 26 Thursday Beltz 211 9:00 AM

- + SB 49 BLOOD DONATION AWARENESS FUND
- + SB 29 NAMING THOMAS B. STEWART LEG. OFFICE BLDG
- + Bills Previously Heard/Scheduled

TRANSPORTATION

Feb 24 Tuesday Butrovich 205 1:00 PM

- SB 111 INTRASTATE AIR SERVICE CERTIFICATES
- = SB 59 LOW- SPEED MOTOR VEHICLES
- SB 51 MOTOR VEHICLE WINDOW TINTING

Feb 26 Thursday Butrovich 205 1:00 PM

No Meeting Scheduled

FINANCE SUBCOMMITTEES**ADMINISTRATION**

Feb 25 Wednesday Beltz 211 3:30 PM

Review of Division of Motor Vehicles,
Division of General Services, and Public
Broadcasting
-- Testimony <Invitation Only> --

Mar 09 Monday Beltz 211 3:30 PM

Division/Program Reviews
-- Testimony <Invitation Only> --

Mar 11 Wednesday Beltz 211 3:30 PM

Residual Issues/Close-out
-- Testimony <Invitation Only> --

FINANCE SUBCOMMITTEES (continued)**ADMINISTRATION (continued)**

Mar 13	Friday Close-out -- Testimony <Invitation Only> --	Beltz 211	3:30 PM
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CORRECTIONS

Feb 20	Friday Overview	Beltz 211	11:00 AM
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Mar 13	Friday Overview	Beltz 211	11:00 AM
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Mar 16	Monday Close-out	Beltz 211	3:00 PM
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COURT SYSTEM

Feb 26 +	Thursday Court System Budget	Fahrenkamp 203	4:00 PM
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Mar 10 +	Tuesday Court System Budget	Fahrenkamp 203	4:00 PM
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EDUCATION & EARLY DEVELOPMENT

Feb 25 +	Wednesday EED Budget	Senate Finance 532	5:00 PM
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Mar 12 +	Thursday EED Budget	Butrovich 205	4:00 PM
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FINANCE SUBCOMMITTEES (continued)**ENVIRONMENTAL CONSERVATION**

Mar 12	Thursday	Fahrenkamp 203	3:30 PM
+	Overview		
Mar 16	Monday	Beltz 211	5:00 PM
	Close-out		

FISH & GAME

Feb 23	Monday	Senate Finance 532	3:00 PM
	-- MEETING CANCELED --		
	Overview		
Mar 19	Thursday	Senate Finance 532	8:00 AM
	Department Close-out		

GOVERNOR

Feb 20	Friday	Senate Finance 532	3:00 PM
	-- MEETING CANCELED --		
	Overview		
Feb 23	Monday	Senate Finance 532	3:00 PM
	-- Rescheduled from 02/20/09 --		
	Overview		
Mar 20	Friday	Senate Finance 532	3:00 PM
	Close-out		

HEALTH & SOCIAL SERVICES

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

FINANCE SUBCOMMITTEES (continued)**HEALTH & SOCIAL SERVICES (continued)**

Mar 05	Thursday	Fahrenkamp 203	8:00 AM
	-- MEETING CANCELED --		
+	Governor's Amendments, Q & A		
	-- Testimony <Invitation Only> --		
Mar 10	Tuesday	Butrovich 205	3:00 PM
	Governor's Amendments, Q & A		
+	-- Testimony <Invitation Only> --		
Mar 19	Thursday	Senate Finance 532	3:00 PM
	Budget Close-out		
+	-- Testimony <Invitation Only> --		

LAW

Feb 24	Tuesday	Senate Finance 532	1:30 PM
	Budget Overview: Dept of Law		
Mar 03	Tuesday	Senate Finance 532	1:30 PM
	Budget Detail		
Mar 10	Tuesday	Senate Finance 532	1:30 PM
	Budget Detail		
Mar 17	Tuesday	Senate Finance 532	1:30 PM
	Subcommittee Close-out		

LEGISLATURE

Mar 20	Friday	Senate Finance 532	3:30 PM
	Close-out		

FINANCE SUBCOMMITTEES (continued)**NATURAL RESOURCES**

Feb 20 **Friday** **Fahrenkamp 203** **1:00 PM**
 + Continuation of Departmental Overview:
 Division of Agriculture; Division of
 Forestry
 -- Testimony <Invitation Only> --

Feb 24 **Tuesday** **Fahrenkamp 203** **4:00 PM**
 + Continuation of Departmental Overview:
 Division of Parks and Outdoor Recreation;
 State Pipeline Coordinator's Office;
 Division of Coastal and Ocean Management
 -- Testimony <Invitation Only> --

PUBLIC SAFETY

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

Mar 17 **Tuesday** **Fahrenkamp 203** **1:00 PM**
 + Budget Close-out
 -- Testimony <Invitation Only> --

REVENUE

Feb 26 **Thursday** **Fahrenkamp 203** **1:30 PM**
 Budget Overview: Dept of Revenue

Mar 12 **Thursday** **Fahrenkamp 203** **1:30 PM**
 Budget Detail

Mar 19 **Thursday** **Fahrenkamp 203** **1:30 PM**
 Subcommittee Close-out

FINANCE SUBCOMMITTEES (continued)

TRANSPORTATION & PUBLIC FACILITIES

Feb 24	Tuesday	Senate Finance 532	8:00 AM
	Budget Overview: Dept. of Transportation		
Mar 03	Tuesday	Senate Finance 532	8:00 AM
	Budget Detail		
Mar 10	Tuesday	Senate Finance 532	8:00 AM
	Budget Detail		
Mar 17	Tuesday	Senate Finance 532	8:00 AM
	Subcommittee Close-out		

UNIVERSITY OF ALASKA

Mar 18	Wednesday	Senate Finance 532	8:00 AM
	Close-out		

SPECIAL COMMITTEES

ENERGY

Feb 26	Thursday	Senate Finance 532	3:00 PM
	Joint w/(H) ENERGY Work Session: Comprehensive Energy Plan Presenters: Gwen Holdman, Dir., Alaska Center for Energy and Power; David Hobbs and Jim Meitl, Cambridge Energy Research Associates; Darrell Smith, Black Lion Energae		
Feb 27	Friday	Beltz 211	11:00 AM
+ =	SB 31	GEOTHERMAL ELEC. PROD. TAX CREDIT	
+	HCR 2	IN-STATE GAS PIPELINE	
+	HCR 3	IN-STATE GAS PIPELINE	
+	HCR 4	IN-STATE GAS PIPELINE	
+	HCR 5	IN-STATE GAS PIPELINE	

SPECIAL COMMITTEES (continued)**WORLD TRADE, TECH, INNOVATIONS**

Feb 26 **Thursday** **Butrovich 205** **8:00 AM**
 + Alternative Energy Opportunities and
 Technologies in Arctic and Sub-Arctic
 Alaska
 Presenter: Mead Treadwell, Chair U.S.
 Arctic Research Commission

JOINT COMMITTEES**ARMED SERVICES COMMITTEE**

Mar 02 **Monday** **Senate Finance 532** **3:00 PM**
 + Lt. General Dana Atkins, Commander of
 Alaskan Command, Alaskan North American
 Aerospace Defense Command Region
 Lt. General (AK) Craig E. Campbell,
 Commissioner / Adjutant General,
 Alaska National Guard and the Dept. of
 Military & Veterans Affairs
 Presentation: Outlook on military
 construction under the new Obama
 Administration and continued military
 expansion in Alaska
 -- Testimony <Invitation Only> --

LEGISLATIVE BUDGET & AUDIT

Feb 25 **Wednesday** **House Finance 519** **5:00 PM**
 + -- Rescheduled to 03/02/09 --
 Preliminary Audit - FY08 Statewide Single
 Audit
 Other Committee Business
 -- Testimony <Invitation Only> --

JOINT COMMITTEES (continued)**LEGISLATIVE BUDGET & AUDIT (continued)**

Mar 02 Monday House Finance 519 5:00 PM
 -- Rescheduled from 02/25/09 --
 + Preliminary Audit - FY08 Statewide Single
 Audit-Executive Session
 Other Committee Business
 -- Testimony <Invitation Only> --

LEGISLATIVE COUNCIL

Feb 23 Monday Senate Finance 532 5:00 PM
 Late Per Diem Approvals
 Ratification of Charitable Event
 Cutting Edge Development Inc. Contract
 Amendment
 Legislative Council FY10 Budget Proposal
 Travel and Moving Policy Amendment
 Revisor's Bill Introduction
 Update on Legislative Commemorative Coin
 Other Business

SELECT COMMITTEE ON LEGISLATIVE ETHICS

Feb 24 Tuesday Butrovich 205 9:00 AM
 Full Committee: Open Session
 Election of Chairs
 Public Comment
 Chair/Staff Report
 Budget
 Sanctioned Charity Events
 Exempt Positions
 2009 Suggested Legislation
 Advisory Opinion 08-05 State Facilities
 Advisory Opinion 09-01 Newsletters
 Executive Session Advisory Opinion 09-02
 Public Session
 Other Business

OTHER MEETINGS

FISH CAUCUS

Feb 26	Thursday	Capitol 106	12:00 PM
+	Alaska Seafood in the Global Food Aid Program: New Markets, Products and Revenues Brown Bag Lunch		

JOINT SESSION

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