

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Wednesday

February 2, 2005

Twenty-fourth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:04 a.m.

The roll showed sixteen members present. Senators Davis, Guess, Olson, Stedman were excused from a call of the Senate.

The prayer was offered by the Chaplain, Pastor Robert Sherwood of the Church of the Nazarene. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Let us pray. Hear this quote by Ann Ulanov:

“Grace begins and ends prayer. Grace is what we call what is left over after the scouring of the self, the dying into self. Grace is what was there before we ever looked at ourselves in prayer. Grace gives us our initial impulse to pray. Further, grace sustains that beginning of our attentiveness, of our assiduousness, or even our mere muddling along, and does so when our prayers are blocked by self-judgment, met with no apparent answers, seem to lead nowhere. Some impulse, some effort, some intuition, some hope keeps us praying, despite failures, despite early successes that do not repeat themselves. That is grace, which we almost never recognize, at first anyway, as itself. But that is because grace comes to us in the flesh, through the spaces and forms and contents of our human life.”

And hear this encouragement from the apostle Paul:

“For this reason we also, since the day we heard it, do not cease to pray for you, and to ask that you may be filled with the knowledge of His will in all wisdom and spiritual understanding;

That you may walk worthy of the Lord, fully pleasing Him, being fruitful in every good work and increasing in the knowledge of God;

Strengthened with all might, according to His glorious power, for all patience and longsuffering with joy;

Giving thanks to the Father who has qualified us to be partakers of the inheritance of the saints in the light.

He has delivered us from the power of darkness and conveyed us into the kingdom of the Son of His love.
(Colossians 1:9–13)

Now grant, Father, these men and women grace, wisdom and joy, not just for this day, not for just this session, but throughout their lives, in permanence and power. With respect to other faiths and in the power of the resurrected Christ. Amen.

Senator Elton led the Senate in the Pledge of Allegiance.

Certification

Senator Gary Stevens moved and asked unanimous consent that the journals for the twenty-second and twenty-third legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the Governor

A Declaration of Disaster Emergency in the North Slope Borough for the City of Kaktovik, dated January 15, 2005, with an accompanying letter was received and is on file in the Senate Secretary's Office. The Declaration and letter had been copied to the Finance Committee Cochairs.

A letter dated January 31, 2005, was received, regarding the Declaration of Disaster Emergency dated January 15, requesting legislative approval of a finance plan as required under AS 26.23.020. The letter and financial plan had been copied to the Finance Committee Cochairs.

Messages from the House

Message dated February 1 was read, stating:

The House of Representatives respectfully invites the Senate to a Joint Session of the Twenty-fourth Alaska Legislature at 11:00 a.m. on Wednesday, March 30 for the purpose of hearing U.S. Senator Lisa Murkowski.

Senator Gary Stevens 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

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

Department of Natural Resources
from Robert Loeffler, Director, Division of Mining, Land and Water
2005 Annual Report to the Legislature, including:

Report on Identified R.S. 2477 Rights-of-Way
in accordance with AS 19.30.400(b)

Annual Mining Report (notification of availability)
(published jointly with the Department of Commerce,
Community, and Economic Development)
in accordance with AS 27.05.060
available at: www.dggs.dnr.state.ak.us/minrep.htm

Land Disposal Income Fund Report
in accordance with AS 38.04.022(b)

Annual Report on the Status of Land in the Land Disposal Bank
in accordance with AS 38.04.020(d)

Annual Report on Water Removals and Exports
in accordance with AS 46.15.020(b)(5)

Interim Land Classifications (Closing Land to Mineral Entry)
in accordance with AS 38.05.300

Report from the Commissioner of the Department of Administration dated January 26 was received, stating the monetary terms for the collective bargaining agreement reached with the Inlandboatmen's Union of the Pacific in accordance with AS 23.40.215(b).

President Stevens referred the report to the Finance Committee.

Standing Committee Reports

SB 14

The Community and Regional Affairs Committee considered SENATE BILL NO. 14 "An Act relating to municipal initiative and referendum elections." Signing do pass: Senator Gary Stevens, Chair; Senators Wagoner, Kookesh, Stedman, Ellis.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Office of the Governor

Fiscal Note No. 2, zero, Department of Commerce, Community,
and Economic Development

The bill is on today's calendar.

SB 36

The State Affairs Committee considered SENATE BILL NO. 36 "An Act relating to applications requesting the delivery of absentee ballots by mail" and recommended it be replaced with

CS FOR SENATE BILL NO. 36(STA) "An Act relating to applications requesting the delivery of absentee ballots."

Signing do pass: Senator Therriault, Chair; Senators Wagoner, Huggins. Signing no recommendation: Senator Elton.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Office of the Governor

The bill was referred to the Judiciary Committee.

**Introduction and Reference of
Senate Resolutions**

SJR 5

SENATE JOINT RESOLUTION NO. 5 BY SENATORS
TERRIAULT, Ellis,

Urging the United States Congress to reauthorize the
Methane Hydrate Research and Development Act.

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

Introduction and Reference of Senate Bills

SB 87

SENATE BILL NO. 87 BY SENATOR BUNDE, entitled:

"An Act relating to motor vehicle safety belt
violations."

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

SB 88

SENATE BILL NO. 88 BY SENATORS WILKEN, Bunde, entitled:

"An Act relating to the policy of the state regarding the source of funding used to cover a shortfall in general fund revenue."

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

SB 89

SENATE BILL NO. 89 BY SENATOR ELLIS, entitled:

"An Act making an appropriation for the construction of the Dowling Road extension; and providing for an effective date."

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

Consideration of the Calendar**Second Reading of Senate Bills****SB 14**

SENATE BILL NO. 14 "An Act relating to municipal initiative and referendum elections" was read the second time.

Senator Gary Stevens 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.

SENATE BILL NO. 14 was read the third time.

The question being: "Shall SENATE BILL NO. 14 "An Act relating to municipal initiative and referendum elections" pass the Senate?" The roll was taken with the following result:

SB 14

Third Reading - Final Passage

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

Yeas: Bunde, Cowdery, Dyson, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, Seekins, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Excused: Davis, Guess, Olson, Stedman

and so, SENATE BILL NO. 14 passed the Senate and was referred to the Secretary for engrossment.

Unfinished Business**SB 12**

Senators Therriault, Ellis, Wilken moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 12 "An Act relating to the prohibition or elimination of financial relationships with persons that conduct business in countries that support or ignore slavery and trafficking in persons." Without objection, it was so ordered.

Senator Wagoner moved and asked unanimous consent to be excused from a call of the Senate from plane time, February 4 through plane time, February 7. Without objection, Senator Wagoner was excused.

Senator Hoffman moved and asked unanimous consent to be excused from a call of the Senate on February 11 and 14. Without objection, Senator Hoffman was excused.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 14**

SENATE BILL NO. 14 "An Act relating to municipal initiative and referendum elections" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., February 4, 2005. Without objection, the Senate adjourned at 11:30 a.m.

Kirsten Waid
Secretary of the Senate

February 2005

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 02 Wednesday Beltz 211 1:30 PM
No Meeting Scheduled

Feb 04 Friday Beltz 211 1:30 PM
+ SB 77 AK REGIONAL ECONOMIC ASSISTANCE PROGRAM

FINANCE

Feb 02 Wednesday Senate Finance 532 9:00 AM
No Meeting Scheduled

Feb 03 Thursday Senate Finance 532 9:00 AM
-- Teleconference <Listen Only> --
Joint w/(H) Finance
University of Alaska Presentation

Feb 04 Friday Senate Finance 532 9:00 AM
No Meeting Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

Feb 02 Wednesday Butrovich 205 1:30 PM

+ SB 60 EXTEND SUICIDE PREVENTION COUNCIL

+ SB 22 MEDICAID COVERAGE FOR BIRTHING CENTERS

HEALTH, EDUCATION & SOCIAL SERVICES (continued)

Feb 04	Friday	Butrovich 205	1:30 PM
+	Bills Previously Heard/Scheduled		

JUDICIARY

Feb 02	Wednesday	Butrovich 205	8:30 AM
	-- Meeting Canceled --		
+	Overview of the Department of Law		
	(Continued from 1/26/05 Meeting)		
+	Bills Previously Heard/Scheduled		

Feb 03	Thursday	Butrovich 205	8:30 AM
+	Overview of Therapeutic Courts		
+	Bills Previously Heard/Scheduled		

LABOR & COMMERCE

Feb 03	Thursday	Beltz 211	1:30 PM
	No Meeting Scheduled		

Feb 08	Tuesday	Beltz 211	1:30 PM
	Commissioner Greg O'Claray		
	Department of Labor & Workforce		
	Development: Update on Training Programs		
	For Alaskans in Oil/Gas/Mining Industries		
+= SB 52	OCCUPATIONS/CORPORATIONS/BANKS/SECURITIES		
	<Bill Hearing Rescheduled from 02/01/05>		
+= SB 25	GENETICALLY MODIFIED FISH		
	<Bill Hearing Rescheduled from 02/01/05>		

RESOURCES

Feb 02	Wednesday	Senate Finance 532	12:00 PM
	-- Time and Location Change --		
	Joint w/(H) Resource		
	Alaska Mining Industry Overview		
	Work Session		
	Noon - 1:30 Meeting Time		

RESOURCES (continued)

Feb 02 Wednesday Butrovich 205 3:30 PM
 + SB 55 AGRICULTURAL LAND
 = SB 69 APPROP: GRANT TO ARCTIC POWER FOR ANWR
 <Bill Hearing Rescheduled from 01/31/05>

Feb 04 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

STATE AFFAIRS

Feb 03 Thursday Beltz 211 3:30 PM
 + Overview: Department of Administration -
 Hearings and Appeals
 + Legislative Legal Services -
 Review Process of Department Proposed
 Regulations
 + Bills Previously Heard/Scheduled

TRANSPORTATION

Feb 03 Thursday Butrovich 205 1:30 PM
 SB 63 USE SEAT BELT ROAD SIGNS
 <Bill Hearing Postponed to 02/08/05>
 SB 40 KUSKOKWIM PORT AUTHORITY
 <Bill Hearing Postponed to 02/08/05>

Feb 26 Saturday Wasilla Lio Office 10:00 AM
 + Knik Arm Bridge & Toll Authority -
 Knik Arm Crossing Project, Presentation
 by the Knik Arm Bridge and Toll Authority
 Overview and Updates on the Project
 Question and Answer Session Following
 Presentation
 10:00 a.m. - 11:30 a.m.

FINANCE SUBCOMMITTEES**CORRECTIONS**

Feb 03 Thursday Senate Finance 532 4:00 PM
(For Corrections, Court System and H&SS)
Mental Health Trust Authority
Presentation
(Teleconferencing available upon
request with 24-hour notice)

COURT SYSTEM

Feb 03 Thursday Senate Finance 532 4:00 PM
(For Corrections, Court System and H&SS)
Mental Health Trust Authority
Presentation
(Teleconferencing available upon
request with 24-hour notice)

HEALTH & SOCIAL SERVICES

Feb 03 Thursday Senate Finance 532 4:00 PM
(For Corrections, Court System and H&SS)
Mental Health Trust Authority
Presentation
(Teleconferencing available upon
request with 24-hour notice)

JOINT COMMITTEES**ADMINISTRATIVE REGULATION REVIEW**

Feb 02 Wednesday Beltz 211 5:00 PM
-- Meeting Postponed from 1 PM to 5 PM --
+ Committee Orientation and Regulatory
 Process Overview

JOINT COMMITTEES (continued)**LEGISLATIVE COUNCIL**

Feb 03	Thursday	Senate Finance 532	12:00 PM
	--Agenda to be Announced--		

OTHER MEETINGS**CHILDREN'S CAUCUS**

Feb 08	Tuesday	Butrovich 205	12:00 PM
+	Alaska Children's Justice Act Task Force Reviewing Practice, Policy, and Laws on Child Abuse.		

JOINT SESSION

Feb 23	Wednesday	House Chamber	11:00 AM
	State of the Judiciary Chief Justice Alexander O. Bryner		

Feb 24	Thursday	House Chamber	11:00 AM
	Address by U.S. Senator Ted Stevens		

Mar 30	Wednesday	House Chamber	11:00 AM
	Address by U.S. Senator Lisa Murkowski		