

**SENATE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-FOURTH LEGISLATURE**  
**FIRST SESSION**

**Juneau, Alaska**

**Monday**

**February 7, 2005**

**Twenty-ninth Day**

Pursuant to adjournment the Senate was called to order by President Stevens at 11:03 a.m.

The roll showed fifteen members present. Senators Green, Wagoner were excused from a call of the Senate. Senators French, Guess, Therriault were absent.

Senator Gary Stevens moved and asked unanimous consent that Senator Guess be excused from a call of the Senate today and on February 9 and 10. Without objection, Senator Guess was excused.

The prayer was offered by the Chaplain, Major Larry Fankhauser of The Salvation Army. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear God, I thank You for this new day and for each senator gathered. I thank You for their desire to serve this state and its diverse peoples.

I would pray for keenness of thought, clearness of conscience, and sweetness of spirit in all that is said and done this day.

In Jesus' name.

Amen.

Senator Dyson led the Senate in the Pledge of Allegiance.

**Certification**

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

The presence of Senator Therriault was noted.

**Communications**

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

Annual Report, Fiscal Year 04  
from Carl Brady, Chair and Michael J. Burns, Executive Director  
Alaska Permanent Fund Corporation  
in accordance with AS 37.13.170

Knik Arm Crossing Project Annual Report 2004  
from George Wuerch, Chairman, Knik Arm Bridge and Toll Authority  
in accordance with AS 19.75.011

First Annual Report to the Governor of Alaska and  
the Alaska Legislature  
from Terry L. Thurbon, Acting Chief Administrative Law Judge  
Office of Administrative Hearings, Department of Administration  
in accordance with AS 44.64.020

Oil and Hazardous Substance Release Prevention and Response Fund  
Biennial Report, Fiscal Year 2003 – 2004  
from Kurt Fredriksson, Acting Commissioner  
Department of Environmental Conservation  
in accordance with AS 46.08.060

**Standing Committee Reports****SB 77**

The Community and Regional Affairs Committee considered SENATE BILL NO. 77 "An Act extending the termination date of the Alaska regional economic assistance program; and providing for an effective date." Signing do pass: Senator Gary Stevens, Chair; Senator Ellis. Signing no recommendation: Senator Stedman.

The following fiscal information was published today:

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

The bill was referred to the Finance Committee.

**Introduction and Reference of  
Senate Resolutions****SJR 6**

SENATE JOINT RESOLUTION NO. 6 BY THE SENATE  
FINANCE COMMITTEE,

Relating to a reduction in the Federal Medical  
Assistance Percentage for Alaskans, and urging the  
United States Congress to take action to prevent the  
reduction.

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

**SCR 2**

SENATE CONCURRENT RESOLUTION NO. 2 BY SENATORS  
GARY STEVENS, Ellis,

Proclaiming 2005 as Rotary International Year.

was read the first time and referred to the State Affairs Committee.

**Introduction and Reference of Senate Bills****SB 95**

SENATE BILL NO. 95 BY SENATOR BUNDE, entitled:

"An Act relating to the collection of, and the use of reasonable force to collect, a deoxyribonucleic acid sample from persons convicted of or adjudicated delinquent for certain crimes."

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

**SB 96**

SENATE BILL NO. 96 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act granting certain state land to the University of Alaska and establishing the university research forest; and providing for an effective date."

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

The following fiscal information was published today:

- Fiscal Note No. 1, University of Alaska
- Fiscal Note No. 2, zero, Department of Fish and Game
- Fiscal Note No. 3, Department of Law
- Fiscal Note No. 4, Department of Natural Resources

Governor's transmittal letter dated February 4:

Dear President Stevens:

Under authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that would provide for the conveyance of approximately 260,000 acres of state land to the University of Alaska (university), most of it over the next three years.

This bill is the product of more than a year of discussions between the Department of Natural Resources (department) and the university. Its major goal is to supplant the more time-consuming and expensive features of legislation enacted in 2000 (ch. 136, SLA 2000). Statutory changes enacted in ch. 136, SLA 2000 provided for a ten-year process during which the university would select up to 260,000 acres of state-owned land to be conveyed to the university for the primary purpose of generating income for the university. Unfortunately, that process has proved difficult, expensive, time-consuming, and subject to litigation. To date, no land has been conveyed to the university under ch. 136, SLA 2000.

Over the course of the past year, the university and the department have reached an agreement on land that may be conveyed to the university without unreasonably conflicting with programs associated with, and uses of, state land managed by the department. The land is identified in a document titled "University of Alaska Land Grant List 2005," dated January 12, 2005, a copy of which will be provided upon request. The bill I transmit today would provide legislative approval for the conveyance of that land to the university, thereby avoiding unnecessary delay and expense, and expediting a highly significant source of income for the university.

The bill also would establish a university research forest on certain land to be conveyed under the bill in 2055, or soon after that, that is located mainly in the Tanana Valley State Forest. The research forest would be used to advance research into forest practices, ecology, wildlife management, and recreation. Existing law authorizes the university to create a demonstration forest on land selected and conveyed under ch. 136, SLA 2000. This bill would repeal and reenact that law to establish the research forest without requiring a separate procedure. Because the land designated as the university research forest would not be conveyed to the university until 2055, it would be managed by the department until then under applicable state land use and forest management plans, and other applicable state law. While the research forest land is under department management, the department would be able to dispose of certain natural resources located on that land, so long as the disposal is consistent with the purposes of the research forest and complies with other applicable law.

I urge your prompt and favorable action on this measure, which will provide for the cost-effective and timely conveyance of land to the university in order to ensure a very significant and additional source of income for the support of public higher education in Alaska and to secure the benefits of a research forest.

Sincerely yours,

/s/

Frank H. Murkowski  
Governor

### **Consideration of the Calendar**

#### **Second Reading of Senate Bills**

##### **SB 62**

SENATE BILL NO. 62 "An Act making a supplemental appropriation for increased operating costs of the division of elections; and providing for an effective date" was read the second time.

President Stevens stated SENATE BILL NO. 62 will be on the February 9 calendar.

#### **Second Reading of House Resolutions**

##### **HJR 4**

Senator Gary Stevens moved and asked unanimous consent that CS FOR HOUSE JOINT RESOLUTION NO. 4(RES) am Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, Alaska, to oil and gas exploration, development, and production, be returned to the Rules Committee. Without objection, it was so ordered.

#### **Citations**

Honoring – Jean Ward, 2004 Milken Family Foundation, National Educator Award

Senator(s) Ellis, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Elton, Green, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

Representative(s) Gara

Honoring – The Fairbanks Aerie of the Fraternal Order of Eagles, Celebrating 100 Years of Dedication to the Community  
Senator(s) Wilken, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Green, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner

Honoring – Rayme L. Vinson  
Representative(s) Harris, Kerttula  
Senator(s) Elton, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Green, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

Honoring – Lorene C. Harrison  
Representative(s) Gara  
Senator(s) Ellis, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Elton, Green, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

Senator Gary Stevens 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**

Senator Gary Stevens moved and asked unanimous consent that Senator Wagoner be excused from a call of the Senate on February 9. Without objection, Senator Wagoner was excused.

Senator Kookesh moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, February 9 through evening plane time, February 11. Without objection, Senator Kookesh was excused.

### **SB 90**

Senators Dyson, Seekins, Elton, Gary Stevens, Olson, Bunde, Cowdery, Therriault, Davis, Ellis, Kookesh, Stedman, Ben Stevens, Hoffman, Wilken moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 90 "An Act relating to Alaska Territorial Guard Day." Without objection, it was so ordered.

**Announcements**

Announcements are at the end of the journal.

**Adjournment**

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 9, 2005. Without objection, the Senate adjourned at 11:21 a.m.

Kirsten Waid  
Secretary of the Senate

February 2005



No Meeting Scheduled

**FINANCE (continued)**

<b>Feb 09</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
	No Meeting Scheduled		
<b>Feb 10</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
	No Meeting Scheduled		
<b>Feb 11</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
	No Meeting Scheduled		

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**HEALTH, EDUCATION & SOCIAL SERVICES**

<b>Feb 07</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
+ SB 84	CHILD PROTECTION CONFIDENTIALITY		
+ SB 51	PUBLIC ASSISTANCE PROGRAMS		
+	Bills Previously Heard/Scheduled		
<b>Feb 09</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
+ SB 75	PUBLIC HEALTH DISASTERS/EMERGENCIES		
+ SB 73	STATE VIROLOGY LABORATORY		
+	Bills Previously Heard/Scheduled		
+= SB 84	CHILD PROTECTION CONFIDENTIALITY		
+= SB 51	PUBLIC ASSISTANCE PROGRAMS		
<b>Feb 11</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

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**JUDICIARY**

<b>Feb 08</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>8:30 AM</b>
+ SJR 1	CONST. AM: APPROPRIATION LIMIT		
+ SJR 4	CONST AM: BUDGET RESERVE FUND		
+ SB 36	ABSENTEE BALLOT APPLICATIONS		
+	Bills Previously Heard/Scheduled		
<b>Feb 09</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>8:30 AM</b>
+	Bills Previously Heard/Scheduled		
<b>Feb 10</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>8:30 AM</b>
+	Bills Previously Heard/Scheduled		

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**LABOR & COMMERCE**

**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>

+ SB 67 CLAIMS AGAINST HEALTH CARE PROVIDERS

**Feb 10      Thursday      Beltz 211      1:30 PM**

Bills Previously Heard/Scheduled

**RESOURCES**

**Feb 07      Monday      Butrovich 205      3:30 PM**

+ SJR 5 REAUTHORIZE METHANE HYDRATE RESEARCH ACT

**Feb 09      Wednesday      Butrovich 205      3:30 PM**

No Meeting Scheduled

**Feb 11      Friday      Kenai      1:30 PM**

+ Joint w/(H) Resource  
 MTG HELD @ KENAI CHALLENGER CENTER  
 Presentation by Cook Inlet O&G Industry  
 -- Testimony by Invitation Only --

**STATE AFFAIRS**

**Feb 08      Tuesday      Beltz 211      3:30 PM**

+ SB 12 LIMIT RELATIONS WITH CERTAIN NATIONS

+ SB 76 ELECTIONS

**Feb 10      Thursday      Beltz 211      3:30 PM**

+ Department of Administration -  
 OVERVIEW: IMPACT OF HOUSE BILL 242 (2001)  
 + Bills Previously Heard/Scheduled

**TRANSPORTATION**

**Feb 08      Tuesday      Butrovich 205      1:30 PM**  
= SB 63 USE SEAT BELT ROAD SIGNS  
= SB 40 KUSKOKWIM PORT AUTHORITY  
SB 85 OFF-ROAD VEHICLE USE ON DALTON HIGHWAY

**Feb 10      Thursday      Butrovich 205      1:30 PM**  
Overview by:  
Dept. Transportation & Public Facilities  
Bills Previously Heard/Scheduled

**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.

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**JOINT COMMITTEES****ARMED SERVICES COMMITTEE**

**Feb 15      Tuesday      Senate Finance 532      9:00 AM**  
Briefings by General Chandler  
and General Christensen

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**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.

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**JOINT SESSION**

<b>Feb 23</b>	<b>Wednesday</b> State of the Judiciary Chief Justice Alexander O. Bryner	<b>House Chamber</b>	<b>11:00 AM</b>
<b>Feb 24</b>	<b>Thursday</b> Address by U.S. Senator Ted Stevens	<b>House Chamber</b>	<b>11:00 AM</b>
<b>Mar 30</b>	<b>Wednesday</b> Address by U.S. Senator Lisa Murkowski	<b>House Chamber</b>	<b>11:00 AM</b>