

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

**FIRST SESSION**

**Juneau, Alaska                      Thursday                      February 24, 2005**

**Forty-sixth Day**

Pursuant to adjournment the Senate was called to order by President Stevens at 10:51 a.m.

The roll showed fifteen members present. Senators Guess, Hoffman, Gary Stevens were excused from a call of the Senate. Senators Kookesh, Olson were absent.

The prayer was offered by the Chaplain, Pastor Dan Doran of the Faith Lutheran Church. Senator Therriault moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear Lord, I thank You especially this morning for the individuals here gathered that willingly step forward to represent the citizens of our State. I pray Lord that You bless them in their efforts and that You guide them to agreement in their deliberations as they decide the issues that You bring to them. Be with their families and keep them safe as Your servants gathered here labor for the welfare of their people. We pray Lord that Your presence with us will move hearts, that barriers which divide will crumble, suspicions disappear and divisions among people be healed so that we can live in peace in this good land. All through Your Son, Jesus Christ our Lord. Amen.

Senator Huggins led the Senate in the Pledge of Allegiance.

**Certification**

Senator Green, Acting Majority Leader, moved and asked unanimous consent that the journal for the forty-fifth legislative day and Senate and House Joint Journal Supplement No. 3 be approved as certified by the Secretary. Without objection, it was so ordered.

**Standing Committee Reports****SB 25**

The Resources Committee considered SENATE BILL NO. 25 "An Act relating to labeling and identification of genetically modified fish and fish products." Signing do pass: Senator Wagoner, Chair; Senators Dyson, Stedman, Elton.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Environmental  
Conservation

Fiscal Note No. 2, zero, Department of Law

The bill was referred to the Rules Committee.

**SB 78**

The Health, Education and Social Services Committee considered SENATE BILL NO. 78 "An Act establishing the senior care program and relating to that program; creating a fund for the provision of the senior care program; repealing ch. 3, SLA 2004; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 78(HES)

Signing amend: Senator Dyson, Chair; Senator Green. Signing do pass: Senator Elton. Signing no recommendation: Senator Wilken.

The following previously published fiscal information applies:

Fiscal Note No. 1, Department of Health and Social Services

Fiscal Note No. 2, Department of Health and Social Services

Fiscal Note No. 3, Department of Health and Social Services

Fiscal Note No. 4, Department of Health and Social Services

The bill was referred to the Finance Committee.

**SB 109**

The Judiciary Committee considered SENATE BILL NO. 109 "An Act relating to fines for offenses committed within school zones" and recommended it be replaced with

**CS FOR SENATE BILL NO. 109(JUD)**

Signing do pass: Senator Seekins, Chair; Senators French, Huggins.  
Signing no recommendation: Senator Therriault.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Administration

Fiscal Note No. 2, zero, Department of Law

Fiscal Note No. 3, zero, Department of Public Safety

The bill was referred to the Finance Committee.

**HJR 6**

The Resources Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 6(FSH) Relating to the labeling of fish and shellfish to identify the country of origin and to distinguish between wild and farmed fish and shellfish. Signing do pass: Senator Wagoner, Chair; Senators Dyson, Stedman, Elton.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Environmental  
Conservation

Fiscal Note No. 2, zero, Department of Fish and Game

The resolution was referred to the Rules Committee.

**Recess**

Senator Green, Acting Majority Leader, moved and asked unanimous consent that the Senate stand in recess to the Joint Session. Without objection, the Senate recessed at 10:57 a.m.

**After Recess****Joint Session in the House**

Speaker Harris called the House to order and in accordance with Uniform Rule 51 turned the gavel over to President Stevens, who called the Joint Session to order at 11:05 a.m.

The purpose of the Joint Session was to hear an address by the Honorable Ted Stevens, United States Senator for Alaska.

Senator Green, Acting Majority Leader, moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. Without objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that the roll call of the House be waived and all members be shown as present. Without objection, it was so ordered.

President Stevens appointed Representative Berkowitz and Senator Ellis to escort United States Senator Ted Stevens to the Joint Session.

The Senate Sergeant at Arms, Eric Huckaba, announced Senator Ted Stevens' entrance to the House Chamber.

The Honorable Ted Stevens was escorted to the rostrum by Senator Ellis, Representative Berkowitz and members of the Honor Guard of the Alaska Military Youth Academy and welcomed by President Stevens.

U.S. Senator Ted Stevens delivered his address. This address appears in House and Senate Joint Journal Supplement No. 4.

Following his address, there was a question and answer period. The Honorable Senator Ted Stevens received a standing ovation and was escorted from the chamber by Senator Ellis and Representative Berkowitz.

Senator Green, Acting Majority Leader, moved and asked unanimous consent that the Joint Session stand in adjournment. Without objection, President Stevens adjourned the Joint Session at 11:52 a.m.

**After Recess****In the Senate**

The Senate reconvened at 11:58 a.m.

**Introduction and Reference of Senate Bills****SB 115**

SENATE BILL NO. 115 BY SENATOR GARY STEVENS, entitled:

"An Act eliminating financial disclosure requirements by members of certain state boards and commissions who serve substantially as volunteers and are not compensated for their services; and providing for an effective date."

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

**SB 116**

SENATE BILL NO. 116 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND AUDIT COMMITTEE, entitled:

"An Act relating to school funding and adjusting the district cost factors; and providing for an effective date."

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

**Consideration of the Calendar****Second Reading of Senate Bills****SB 36**

SENATE BILL NO. 36 "An Act relating to applications requesting the delivery of absentee ballots by mail" was read the second time.

Senator Seekins, Chair, moved and asked unanimous consent for the adoption of the Judiciary Committee Substitute offered on page 267. Without objection, CS FOR SENATE BILL NO. 36(JUD) "An Act relating to absentee ballots" was adopted.

President Stevens stated CS FOR SENATE BILL NO. 36(JUD) will be on the February 28 calendar.

### **Unfinished Business**

Senators French, Therriault moved and asked unanimous consent to be excused from a call of the Senate on February 28, to morning plane time. Without objection, Senators French, Therriault were excused.

### **Announcements**

Announcements are at the end of the journal.

### **Adjournment**

Senator Green, Acting Majority Leader, moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 28, 2005. Without objection, the Senate adjourned at 12:12 p.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**

<b>Feb 25</b>	<b>Friday</b> No Meeting Scheduled	<b>Beltz 211</b>	<b>1:30 PM</b>
<b>Feb 28</b>	<b>Monday</b> No Meeting Scheduled	<b>Beltz 211</b>	<b>1:30 PM</b>
<b>Mar 02</b>	<b>Wednesday</b> No Meeting Scheduled	<b>Beltz 211</b>	<b>1:30 PM</b>
<b>Mar 04</b>	<b>Friday</b> No Meeting Scheduled	<b>Beltz 211</b>	<b>1:30 PM</b>

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**FINANCE**

<b>Feb 24</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
	-- Time Change --		
+ =	SB 97	SUPPLEMENTAL APPROPRIATIONS/CBR	
+ =	SB 98	SUPPLEMENTAL APPROPRIATIONS: FAST TRACK	
		-- Testimony <Invitation Only> --	
		Bills Previously Heard/Scheduled	
<b>Feb 25</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+	SB 51	PUBLIC ASSISTANCE PROGRAMS	
+		Bills Previously Heard/Scheduled	

**FINANCE (continued)**

<b>Feb 28</b>	<b>Monday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
	No Meeting Scheduled		
<b>Mar 01</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+= SB 97	SUPPLEMENTAL APPROPRIATIONS/CBR		
+= SB 98	SUPPLEMENTAL APPROPRIATIONS: FAST TRACK		
	-- Testimony <Invitation Only> --		
+	Bills Previously Heard/Scheduled		
<b>Mar 02</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
	No Meeting Scheduled		
<b>Mar 03</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+= SB 97	SUPPLEMENTAL APPROPRIATIONS/CBR		
+= SB 98	SUPPLEMENTAL APPROPRIATIONS: FAST TRACK		
	-- Testimony <Invitation Only> --		
+	Bills Previously Heard/Scheduled		
<b>Mar 04</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 25</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
+	Bills Previously Heard/Scheduled		
+= SB 70	CRIMES INVOLVING CONTROLLED SUBSTANCES		
<b>Feb 28</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>Mar 02</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
+	Bills Previously Heard/Scheduled		
<b>Mar 04</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
+	Bills Previously Heard/Scheduled		

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**JUDICIARY**

**Feb 24 Thursday Butrovich 205 8:30 AM**  
 + Bills Previously Heard/Scheduled

**Mar 01 Tuesday Butrovich 205 8:30 AM**  
 + SB 87 SEAT BELT VIOLATION AS PRIMARY OFFENSE  
 + SB 95 COLLECTION OF DNA/USE OF FORCE  
 <Pending Referral>  
 + SB 104 PERMANENT FUND DIVIDEND FRAUD  
 <Pending Referral>  
 + Bills Previously Heard/Scheduled

**Mar 02 Wednesday Butrovich 205 8:30 AM**  
 + Bills Previously Heard/Scheduled

**Mar 03 Thursday Butrovich 205 8:30 AM**  
 + Bills Previously Heard/Scheduled

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**LABOR & COMMERCE**

**Feb 24 Thursday Beltz 211 1:30 PM**  
 -- Meeting Canceled --

**Mar 01 Tuesday Beltz 211 1:30 PM**  
 Bills Previously Heard/Scheduled  
 += SB 105 OVERTIME WAGES FOR FLIGHT CREW  
 += SB 67 CLAIMS AGAINST HEALTH CARE PROVIDERS

**Mar 03 Thursday Beltz 211 1:30 PM**  
 Confirmation Hearings:  
 Alaska State Board of Public Accountancy-  
 Max E. Mertz - Juneau  
 Catherine L. Wilson - Tok  
 Regulatory Commission of Alaska -  
 Anthony A. Price - Anchorage  
 + HB 15 LIQUOR LICENSES: OUTDOOR REC. LODGE/BARS  
 + HB 90 STATE TREASURY WARRANTS

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**RESOURCES**

**Feb 25      Friday                              Butrovich 205              3:30 PM**  
 No Meeting Scheduled

**Feb 28      Monday                              Butrovich 205              3:30 PM**  
 Confirmation Hearing:  
 Alaska Oil & Gas Conservation Commission-  
 Dan Seamount  
 + SB 103 OIL & GAS: REG. OF UNDERGROUND INJECTION

**Mar 02      Wednesday                              Butrovich 205              3:30 PM**  
 + SB 53 AK PENINSULA OIL & GAS LEASE SALE; TAXES  
 + SB 110 POLLUTION DISCHARGE & WASTE TRMT/DISPOSAL

**Mar 04      Friday                              Butrovich 205              3:30 PM**  
 No Meeting Scheduled

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**STATE AFFAIRS**

**Feb 24      Thursday                              Beltz 211              3:30 PM**  
 + SB 75 PUBLIC HEALTH DISASTERS/EMERGENCIES  
 + SB 101 REVISOR'S BILL  
 Bills Previously Heard/Scheduled

**Mar 01      Tuesday                              Beltz 211              3:30 PM**  
 + SB 20 OFFENSES AGAINST UNBORN CHILDREN  
 Bills Previously Heard/Scheduled

**Mar 03      Thursday                              Beltz 211              3:30 PM**  
 No Meeting Scheduled

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**TRANSPORTATION**

**Feb 24      Thursday                              Butrovich 205              1:30 PM**  
 + SB 92 AIRPORT CUSTOMER FACILITY CHARGES  
 + HB 115 AIRPORT CUSTOMER FACILITY CHARGES  
 <Pending Referral>  
 + Bills Previously Heard/Scheduled

**TRANSPORTATION (continued)**

- 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 with  
 Question and Answer Session Following Presentation  
 10:00 a.m. - 11:30 a.m.
- Mar 01 Tuesday Butrovich 205 1:30 PM**  
 += SB 40 KUSKOKWIM PORT AUTHORITY  
 Public Testimony 1:30 - 2:30 pm  
 + HB 115 AIRPORT CUSTOMER FACILITY CHARGES  
 <Pending Referral>  
 += SB 92 AIRPORT CUSTOMER FACILITY CHARGES  
 + HB 42 JOE WILLIAMS, SR., COASTAL TRAIL  
 + Bills Previously Heard/Scheduled
- Mar 03 Thursday Butrovich 205 1:30 PM**  
 += SB 40 KUSKOKWIM PORT AUTHORITY  
 + Bills Previously Heard/Scheduled

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**FINANCE SUBCOMMITTEES**

**ADMINISTRATION**

- Mar 03 Thursday Fahrenkamp 203 5:30 PM**  
 FY 06 Budget Review
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**COMMERCE, COMMUNITY & ECONOMIC DEV**

- Mar 01 Tuesday Senate Finance 532 8:00 AM**  
 -- Agenda Change --  
 Budget Detail & Questions - DCCED  
 Mission & Measures
- Mar 08 Tuesday Senate Finance 532 8:00 AM**  
 Budget Closeout
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**FINANCE SUBCOMMITTEES (continued)****CORRECTIONS**

<b>Mar 10</b>	<b>Thursday</b> Budget Closeout	<b>Senate Finance 532</b>	<b>4:00 PM</b>
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**COURT SYSTEM**

<b>Feb 24</b>	<b>Thursday</b> Missions and Measures and Follow-up Discussion from Previous Hearings	<b>Senate Finance 532</b>	<b>3:00 PM</b>
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<b>Mar 10</b>	<b>Thursday</b> Budget Closeout	<b>Senate Finance 532</b>	<b>3:00 PM</b>
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**EDUCATION & EARLY DEVELOPMENT**

<b>Mar 01</b>	<b>Tuesday</b> Missions and Measures	<b>Senate Finance 532</b>	<b>11:00 AM</b>
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**ENVIRONMENTAL CONSERVATION**

<b>Feb 24</b>	<b>Thursday</b> Missions and Measures Overview Follow-up to 2/17/05 Meeting	<b>Fahrenkamp 203</b>	<b>3:00 PM</b>
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<b>Mar 03</b>	<b>Thursday</b> Missions and Measures Overview Follow-up to 2/17/05 Meeting	<b>Fahrenkamp 203</b>	<b>3:00 PM</b>
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**FISH & GAME**

<b>Feb 28</b>	<b>Monday</b> FY 06 Budget Overview	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
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<b>Mar 07</b>	<b>Monday</b> Missions and Measures	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
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**FINANCE SUBCOMMITTEES (continued)****HEALTH & SOCIAL SERVICES**

<b>Mar 01</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>4:00 PM</b>
		Commissioner's Department/Policy Overview	
<b>Mar 03</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>4:00 PM</b>
		Department's Budget Overview	
<b>Mar 08</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>4:00 PM</b>
		Tentative Meeting	
<b>Mar 10</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>5:00 PM</b>
		Budget Closeout	

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**LABOR & WORKFORCE DEVELOPMENT**

<b>Feb 24</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>8:15 AM</b>
		Missions and Measures	
<b>Mar 03</b>	<b>Thursday</b>	<b>Fahrenkamp 203</b>	<b>8:15 AM</b>
		Missions and Measures Discussion	

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**LAW**

<b>Feb 24</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>4:00 PM</b>
		Departmental Overview: Dept of Law Budget Overview: Dept of Law	
<b>Mar 03</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>4:00 PM</b>
		-- Agenda Change -- Budget Detail & Questions Missions & Measures	
<b>Mar 10</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>4:00 PM</b>
		Budget Closeout	

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**FINANCE SUBCOMMITTEES (continued)****MILITARY AND VETERANS AFFAIRS**

<b>Mar 04</b>	<b>Friday</b> -- Rescheduled to 03/07/05 -- FY 06 Budget Review	<b>Beltz 211</b>	<b>7:30 AM</b>
<b>Mar 07</b>	<b>Monday</b> -- Rescheduled from 03/04/05 -- FY 06 Budget Review	<b>Beltz 211</b>	<b>5:30 PM</b>

**NATURAL RESOURCES**

<b>Mar 01</b>	<b>Tuesday</b> Missions and Measures	<b>Beltz 211</b>	<b>8:15 AM</b>
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**PUBLIC SAFETY**

<b>Mar 03</b>	<b>Thursday</b> FY 06 Budget Review	<b>Fahrenkamp 203</b>	<b>12:00 PM</b>
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**REVENUE**

<b>Feb 24</b>	<b>Thursday</b> -- Agenda Change -- Budget Detail & Questions - Missions & Measures	<b>Senate Finance 532</b>	<b>1:30 PM</b>
<b>Mar 03</b>	<b>Thursday</b> Budget Closeout	<b>Senate Finance 532</b>	<b>1:30 PM</b>

**TRANSPORTATION & PUBLIC FACILITIES**

<b>Feb 24</b>	<b>Thursday</b> Budget Overview	<b>Senate Finance 532</b>	<b>4:00 PM</b>
<b>Mar 10</b>	<b>Thursday</b> Budget Closeout	<b>Senate Finance 532</b>	<b>4:30 PM</b>

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

<b>Feb 24</b>	<b>Thursday</b>	<b>Capitol 124</b>	<b>1:00 PM</b>
	Alaska Military Youth Academy		
<b>Mar 15</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>1:00 PM</b>
	Presentations by General Holly and Boeing		

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**LEGISLATIVE BUDGET & AUDIT**

<b>Feb 25</b>	<b>Friday</b>	<b>Beltz 211</b>	<b>8:00 AM</b>
	-- Location Change --		
+	Alaska School District Cost Study by ISER		
	-- Teleconference <Invitation Only> --		

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**OTHER MEETINGS****CHILDREN'S CAUCUS**

<b>Mar 07</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
	-- Note Date Change --		
+	Presentation: Family Wellness Warriors with the Southcentral Foundation, an Alaska Native Healthcare Organization		

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**JOINT SESSION**

<b>Feb 24</b>	<b>Thursday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
	Address by U.S. Senator Ted Stevens		
<b>Mar 30</b>	<b>Wednesday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
	Address by U.S. Senator Lisa Murkowski		