

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

**Juneau, Alaska**

**Wednesday**

**February 22, 2006**

**Forty-fifth Day**

Pursuant to adjournment the Senate was called to order by President Stevens at 11:09 a.m.

The roll showed eighteen members present. Senator Green was excused from a call of the Senate. Senator Guess was absent.

The prayer was offered by the Chaplain, Pastor Tom Matthews of the Douglas Island Bible Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear Lord,

What an honor it is to bring our requests before You today. Thank You that You love us enough to always desire our prayers.

I do pray for this, another day in the legislative process. I pray that You would help each Senator here today to be graced with wisdom and understanding as subjects are discussed that deal with important decisions of state. Help them to be men and women of integrity, worthy of the trust that has been given them by their various districts.

Thank You for this incredible state You have given us to live in. What an inspirational picture of the power of Your creation. Its majestic peaks, lush valleys and waterways teeming with life are truly awe-inspiring. We are a land of diversity both in nature and in people.

We ask You to help our Senators clearly express the concerns and needs of their districts, as well as those of the entire state. It is a daunting task they have undertaken and they need Your guidance and strength to accomplish it.

I lift this prayer today in the name of Your Son, Jesus Christ. Amen.

Senator Hoffman led the Senate in the Pledge of Allegiance.

### **Certification**

Senator Gary Stevens moved and asked unanimous consent that the journal for the forty-fourth legislative day and Senate and House Joint Journal Supplement No. 12 be approved as certified by the Secretary. Without objection, it was so ordered.

The presence of Senator Guess was noted.

### **Introduction of Guests**

Senator Dyson introduced the following members of a delegation from the Yukon Legislative Assembly: Ted Staffen, Speaker; Patrick Rouble, Deputy Speaker; Archie Lang, Minister of Energy, Mines and Resources; Floyd McCormick, Deputy Clerk; Todd Hardy, Official Opposition Leader, and Arthur Mitchell, Third Party House Leader.

### **Messages from the House**

Message dated February 21 was read, stating the House passed and transmitted for consideration:

### **First Reading and Reference of House Bills**

#### **HB 318**

CS FOR HOUSE BILL NO. 318(FIN) am BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act limiting the exercise of eminent domain."

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

### **Standing Committee Reports**

#### **HB 243**

The Finance Committee considered CS FOR HOUSE BILL NO. 243(FIN) "An Act relating to the financial plan for the intertie between the Swan Lake and Tyee Lake hydroelectric projects; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.  
243(FIN)

Signing no recommendation: Senator Wilken; Cochair. Signing do pass: Senators Bunde, Dyson, Stedman.

The following fiscal information was published today:

Fiscal Note No. 3, indeterminate, Department of Commerce,  
Community and Economic Development

The bill was referred to the Rules Committee.

### **Consideration of the Calendar**

#### **Third Reading of Senate Bills**

#### **SB 177**

CS FOR SENATE BILL NO. 177(HES) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 177(HES) "An Act eliminating the prohibition on the use by certain licensed professionals of titles or descriptions of services that incorporate the terms 'psychoanalysis,' 'psychoanalyst,' 'psychotherapy,' 'psychotherapeutic,' or 'psychotherapist'" pass the Senate?" The roll was taken with the following result:

CSSB 177(HES)

Third Reading - Final Passage

**YEAS: 19 NAYS: 0 EXCUSED: 1 ABSENT: 0**

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Excused: Green

and so, CS FOR SENATE BILL NO. 177(HES) passed the Senate and was referred to the Secretary for engrossment.

**SB 210**

SENATE BILL NO. 210 was read the third time.

Senator Hoffman moved and asked unanimous consent to be shown as a cosponsor on the bill. Without objection, it was so ordered.

The question being: "Shall SENATE BILL NO. 210 "An Act relating to the manufacture and transportation of alcoholic beverages; relating to forfeitures of property for violations of alcoholic beverage laws; and relating to violations of alcoholic beverage laws" pass the Senate?" The roll was taken with the following result:

SB 210

Third Reading - Final Passage

**YEAS: 19 NAYS: 0 EXCUSED: 1 ABSENT: 0**

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Excused: Green

and so, SENATE BILL NO. 210 passed the Senate and was referred to the Secretary for engrossment.

### **Third Reading of House Bills**

**HB 217**

SENATE CS FOR HOUSE BILL NO. 217(FIN) was read the third time.

The question being: "Shall SENATE CS FOR HOUSE BILL NO. 217(FIN) "An Act relating to the determination of full and true value of taxable municipal property for purposes of providing planning assistance to the Department of Education and Early Development and the legislature, calculating funding for education, calculating school district participating shares for school construction grants, and calculating tax resource equalization payments and excluding from that determination the value of property in certain areas detached from a municipality and the value of certain property involved with oil and gas that is not taxed by a municipality" pass the Senate?" The roll was taken with the following result:

SCS HB 217(FIN)

Third Reading - Final Passage

**YEAS: 16 NAYS: 2 EXCUSED: 1 ABSENT: 1**

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Guess, Huggins, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Hoffman, Kookesh

Excused: Green

Absent: Olson

and so, SENATE CS FOR HOUSE BILL NO. 217(FIN) passed the Senate and was referred to the Secretary for engrossment.

### **Citations**

Honoring – Elijah Hutchison and Michaela Hutchison

Representative(s) Chenault

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

In Memoriam – Bill Bryson

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

Representative(s) Berkowitz

In Memoriam – Patricia Mae Booi

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

Representative(s) Berkowitz

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**

#### **HB 81**

SENATE CS FOR CS FOR HOUSE BILL NO. 81(JUD) am S "An Act establishing an administrative fine and procedure for construction contractors in certain circumstances; increasing the amount of a civil penalty for persons acting in the capacity of contractors or home inspectors; modifying the elements of a crime involving contractor registration and residential contractors; modifying the exemptions from regulation under AS 08.18 for contractors; and exempting the administrative hearings for imposing an administrative fine on construction contractors from the hearings conducted by the office of administrative hearings in the Department of Administration" which had been engrossed (page 2237), was signed by the President and Secretary and transmitted to the House for consideration.

### **Announcements**

Announcements are at the end of the journal.

### **Engrossment**

#### **SB 177**

CS FOR SENATE BILL NO. 177(HES) "An Act eliminating the prohibition on the use by certain licensed professionals of titles or descriptions of services that incorporate the terms 'psychoanalysis,' 'psychoanalyst,' 'psychotherapy,' 'psychotherapeutic,' or 'psychotherapist'" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**SB 210**

SENATE BILL NO. 210 "An Act relating to the manufacture and transportation of alcoholic beverages; relating to forfeitures of property for violations of alcoholic beverage laws; and relating to violations of alcoholic beverage laws" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**HB 217**

SENATE CS FOR HOUSE BILL NO. 217(FIN) "An Act relating to the determination of full and true value of taxable municipal property for purposes of providing planning assistance to the Department of Education and Early Development and the legislature, calculating funding for education, calculating school district participating shares for school construction grants, and calculating tax resource equalization payments and excluding from that determination the value of property in certain areas detached from a municipality and the value of certain property involved with oil and gas that is not taxed by a municipality" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**Adjournment**

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 23, 2006. Without objection, the Senate adjourned at 11:35 a.m.

Kirsten Waid  
Secretary of the Senate

February 2006

**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 22</b>	<b>Wednesday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
+ =	SB 265	BONDS OF BOND BANK AUTHORITY	
+ =	SB 193	DEFERRAL OF MUNICIPAL PROPERTY TAXES	
+	SB 247	REVENUE SHARING PROGRAM	
		<Bill Hearing Postponed>	
+	SB 246	APPROP TO REVENUE SHARING FUND	
		<Bill Hearing Postponed>	

<b>Feb 24</b>	<b>Friday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

**FINANCE**

<b>Feb 22</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+ =	HB 243	SWAN LAKE-TYEE LAKE INTERTIE	
+		Bills Previously Heard/Scheduled	

<b>Feb 23</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+	Joint w/(H) Finance		
	Presentation by Callan Associates -		
	Re: PFD Five-Year Forecast		

<b>Feb 24</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
	No Meeting Scheduled		



**HEALTH, EDUCATION & SOCIAL SERVICES**

**Feb 22 Wednesday Butrovich 205 1:30 PM**  
 + Overview: Medicare Prescription Drugs -  
 Department of Health & Social Services  
 + SB 299 NONDISCRIMINATION HEALTH CARE PROVIDERS  
 + Bills Previously Heard/Scheduled  
 += SB 250 DOMESTIC VIOLENCE/SEXUAL ASSAULT COUNCIL

**Feb 24 Friday Butrovich 205 1:30 PM**  
 No Meeting Scheduled

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**JUDICIARY**

**Feb 22 Wednesday Butrovich 205 8:30 AM**  
 + SB 301 CHANGE OF VENUE IN CIVIL CASES  
 + SB 222 PROTECTION OF PERSONAL INFORMATION  
 + Bills Previously Heard/Scheduled

**Feb 23 Thursday Butrovich 205 8:30 AM**  
 No Meeting Scheduled

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**LABOR & COMMERCE**

**Feb 23 Thursday Beltz 211 1:30 PM**  
 + SB 298 TRUSTS: CHALLENGES; CLAIMS; LIABILITIES  
 Bills Previously Heard/Scheduled  
 Including but Not Limited to:  
 += SB 289 INSURANCE

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**RESOURCES**

**Feb 22 Wednesday Butrovich 205 3:30 PM**  
 + SB 305 OIL AND GAS PRODUCTION TAX  
 Presentation by Administration

**Feb 23 Thursday Butrovich 205 3:30 PM**  
 += SB 305 OIL AND GAS PRODUCTION TAX  
 Presentation by Administration

**RESOURCES (continued)**

**Feb 24 Friday Butrovich 205 3:30 PM**  
 += SB 305 OIL AND GAS PRODUCTION TAX  
 Presentation by Administration

**Feb 25 Saturday Senate Finance 532 10:00 AM**  
 -- Time and Location Change --  
 + Joint w/(H) Resources  
 += SB 305 OIL AND GAS PRODUCTION TAX  
 Public Hearings

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**STATE AFFAIRS**

**Feb 23 Thursday Butrovich 205 3:30 PM**  
 += SB 274 STATE FIREARM DISPOSAL AND INVENTORY  
 Bills Previously Heard/Scheduled

**Feb 28 Tuesday Butrovich 205 3:30 PM**  
 + SB 279 OPERATING BUDGET MISSIONS/DESIRED RESULTS  
 + HB 167 DECEASED VETERAN DEATH CERTIFICATE/HONOR  
 Bills Previously Heard/Scheduled

**Mar 02 Thursday Butrovich 205 3:30 PM**  
 Joint w/(H) State Affairs  
 Alaska 20/20 2006 Annual Report  
 Bills Previously Heard/Scheduled

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**TRANSPORTATION**

**Feb 23 Thursday Butrovich 205 1:30 PM**  
 + SB 300 MOTOR VEHICLE NEGATIVE EQUITY  
 + SB 273 MOTOR VEHICLE SALES

**Feb 25 Saturday Wasilla Lio Conf Rm 1:30 PM**  
 -- Note Time and Location Change --  
 + Joint w/(H) Transportation  
 Meeting with the House Finance  
 Budget Subcommittee on Public Safety  
 "Discussion of Highway Safety Issues"  
 <At 3:15 p.m. there will be a brief project status and update on  
 the Knik Arm Bridge>

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## FINANCE SUBCOMMITTEES

## ADMINISTRATION

**Mar 02**      **Thursday**                      **Beltz 211**              **5:00 PM**  
 FY07 Operating Budget  
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## COMMERCE, COMMUNITY &amp; ECONOMIC DEV

**Feb 28**      **Tuesday**                              **Beltz 211**              **8:00 AM**  
 Budget Overview: DCCED

**Mar 07**      **Tuesday**                              **Beltz 211**              **8:00 AM**  
 Budget Detail

**Mar 14**      **Tuesday**                              **Beltz 211**              **8:00 AM**  
 Budget Detail

**Mar 21**      **Tuesday**                              **Beltz 211**              **8:00 AM**  
 Budget Detail

**Mar 28**      **Tuesday**                              **Beltz 211**              **8:00 AM**  
 Budget Detail

**Apr 04**      **Tuesday**                              **Beltz 211**              **8:00 AM**  
 Budget Closeout  
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## EDUCATION &amp; EARLY DEVELOPMENT

**Feb 22**      **Wednesday**                      **Senate Finance 532**              **4:30 PM**  
 General Overview on the Operating Budget  
 (emphasis on new or expanded programs)  
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## ENVIRONMENTAL CONSERVATION

**Feb 23**      **Thursday**                              **Butrovich 205**              **8:00 AM**  
 -- Location Change --  
 Departmental Overview  
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**LABOR & WORKFORCE DEVELOPMENT**

**Feb 23**      **Thursday**                      **Fahrenkamp 203**                      **8:00 AM**  
 +              Budget Overview  
 -- Testimony <Invitation Only> --

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**LAW**

**Feb 23**      **Thursday**                      **Senate Finance 532**                      **4:30 PM**  
 -- Rescheduled to 03/02/06 --  
 Budget Overview: Dept of Law

**Mar 02**      **Thursday**                      **Senate Finance 532**                      **4:30 PM**  
 -- Rescheduled from 02/23/06 --  
 Budget Overview: Dept of Law

**Mar 09**      **Thursday**                      **Senate Finance 532**                      **4:30 PM**  
 Budget Detail

**Mar 16**      **Thursday**                      **Senate Finance 532**                      **4:30 PM**  
 Budget Detail

**Mar 23**      **Thursday**                      **Senate Finance 532**                      **4:30 PM**  
 Budget Detail

**Mar 30**      **Thursday**                      **Senate Finance 532**                      **4:30 PM**  
 Budget Closeout

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**MILITARY AND VETERANS AFFAIRS**

**Feb 23**      **Thursday**    **Beltz 211**                      **7:30 AM**  
 +              FY07 Operating Budget

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**REVENUE**

**Feb 23**      **Thursday**                      **Senate Finance 532**                      **1:30 PM**  
 -- Rescheduled to 03/02/06 --  
 Budget Overview: Dept of Revenue

**Mar 02**      **Thursday**                      **Senate Finance 532**                      **1:30 PM**  
 -- Rescheduled from 02/23/06 --  
 Budget Overview: Dept of Revenue

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**REVENUE (continued)**

<b>Mar 09</b>	<b>Thursday</b> Budget Detail	<b>Senate Finance 532</b>	<b>1:30 PM</b>
<b>Mar 16</b>	<b>Thursday</b> Budget Detail	<b>Senate Finance 532</b>	<b>1:30 PM</b>
<b>Mar 23</b>	<b>Thursday</b> Budget Detail	<b>Senate Finance 532</b>	<b>1:30 PM</b>
<b>Mar 30</b>	<b>Thursday</b> Budget Closeout	<b>Senate Finance 532</b>	<b>1:30 PM</b>

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**UNIVERSITY OF ALASKA**

<b>Feb 28</b>	<b>Tuesday</b> -- Teleconference <Listen Only> -- Overview of National Education Trends Julie Bell, National Conference of State Legislatures	<b>Butrovich 205</b>	<b>5:00 PM</b>
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**OTHER MEETINGS**

**JOINT LEGISLATIVE HEALTH CAUCUS**

<b>Mar 01</b>	<b>Wednesday</b> Topic: "Black Holes in the Health Care Universe" A light lunch will be served.	<b>Butrovich 205</b>	<b>12:00 PM</b>
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**JOINT SESSION**

<b>Mar 22</b>	<b>Wednesday</b> Address by the Honorable Ted Stevens, U.S. Senator	<b>House Chamber</b>	<b>11:00 AM</b>
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