

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Tuesday

April 18, 2006

One Hundredth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 3:11 p.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, David Dierdorff of the Juneau Unitarian Universalist Fellowship. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

We have just completed a long weekend in which Christians celebrated Easter, Jews celebrated Passover, and Muslims celebrated the birthday of Mohammed. In the spirit of the season, please join me in reverence.

Spirit of life and love, God of many names, be present with us this hour. Join us today as the men and women of the Alaska Senate gather in a search for the answers to the issues before them. In their quest, may they greet one another with open hearts and minds, may they inspire each other to consider new questions and seek deeper meaning; and may they cultivate wisdom and compassion. And may all that is done and said here today be in service to love and justice.

So be it.

Amen.

Senator Wagoner led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the Governor

SCR 24

Message dated and received April 14 was read, stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 24
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 92, relating to the
purchase of interests in nonprofit corporations by the
University of Alaska.

Legislative Resolve No. 32

HCR 40

Message dated and received April 18 was read, stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 40
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning Senate Bill No. 218, sex offenses and
child kidnapping, crimes, and sentencing.

Legislative Resolve No. 33

Letter dated April 17 and received April 18 was read, stating in accordance with AS 39.05.080, I submit the following name for legislative confirmation of appointment to the position noted:

Regulatory Commission of Alaska

Janis Wilson – Anchorage

Appointed: 4/10/2006

Term Expires: 3/1/2012

The resume for this appointment has been submitted to the Offices of the Senate Secretary and the Chief Clerk.

The appointment was referred to the Labor and Commerce Committee.

Messages from the House

Message dated April 13 was read, stating the House passed and transmitted for consideration:

**First Reading and Reference of
House Resolutions**

HCR 30

CS FOR HOUSE CONCURRENT RESOLUTION NO. 30(FIN) am
BY THE HOUSE FINANCE COMMITTEE,

Creating an Alaska Climate Impact Assessment
Commission.

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

Standing Committee Reports

HB 441

Corrected Judiciary Committee Substitute (page 2744) for CS FOR
HOUSE BILL NO. 441(FIN) "An Act relating to operating or driving
a motor vehicle, aircraft, or watercraft while under the influence;
relating to court-ordered treatment programs for certain offenders and
offenses; amending Rule 35, Alaska Rules of Criminal Procedure; and
providing for an effective date" was received today:

SENATE CS FOR CS FOR HOUSE BILL NO. 441(JUD) "An Act relating to criminal sentencing; relating to operating or driving a motor vehicle, aircraft, or watercraft while under the influence; relating to court-ordered treatment programs for certain offenders and offenses; amending Rule 35, Alaska Rules of Criminal Procedure; and providing for an effective date."
(Title change SCR 27)

Special Committee Reports

HB 149

The following report was received and distributed at 11:45 a.m., April 18:

April 12, 2006

Mr. President:

Mr. Speaker:

The Conference Committee with limited powers of free conference considered SENATE CS FOR CS FOR HOUSE BILL NO. 149(FIN) am S(ct rule fld S) and CS FOR HOUSE BILL NO. 149(FIN) am and recommends

CONFERENCE CS FOR HOUSE BILL NO. 149
"An Act relating to controlled substances; relating to the crimes of manslaughter, endangering the welfare of a child, and misconduct involving a controlled substance; relating to the manufacture of methamphetamine and to the sale, possession, and delivery of certain substances and precursors used in the manufacture of methamphetamine; relating to listing certain anabolic steroids as controlled substances; and providing for an effective date."

be adopted.

Signing the report: Senator Seekins, Chair, Senators Bunde, French; Representative Coghill, Chair, Representatives Stoltze, Crawford.

The following fiscal information was published today:

Fiscal Note No. 13, zero, Department of Law
Fiscal Note No. 14, indeterminate, Department of Administration
Fiscal Note No. 15, indeterminate, Department of Administration
Fiscal Note No. 16, indeterminate, Alaska Court System
Fiscal Note No. 17, Department of Public Safety

The following previously published fiscal information applies:

Fiscal Note No. 8, zero, Department of Health and Social Services
Fiscal Note No. 10, zero, Department of Public Safety

Senator Gary Stevens moved that the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 149.

The question being: "Shall the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 149 "An Act relating to controlled substances; relating to the crimes of manslaughter, endangering the welfare of a child, and misconduct involving a controlled substance; relating to the manufacture of methamphetamine and to the sale, possession, and delivery of certain substances and precursors used in the manufacture of methamphetamine; relating to listing certain anabolic steroids as controlled substances; and providing for an effective date"?" The roll was taken with the following result:

CCS HB 149

Shall the Senate Adopt the Conference Committee
Report on CCS HB 149? Effective Date

YEAS: 18 NAYS: 2 EXCUSED: 0 ABSENT: 0

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

Nays: Ellis, Wagoner

and so, the report was adopted.

Senator Gary Stevens moved and asked unanimous consent that the vote on the adoption of the Conference Committee Report be considered the vote on the effective date clause. Without objection, it was so ordered.

The Secretary was requested to notify the House.

Consideration of the Calendar

Citations

Honoring – Ketchikan First City Players

Representative(s) Elkins

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

Honoring – John Pleasant – VPSO Officer of the Year

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

Representative(s) Kapsner

Honoring – Ketchikan Citizen of the Year Award, Sherrie Slick

Representative(s) Elkins

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

In Memoriam – Carroll John (Caje) Holst

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

Representative(s) Kerttula, Weyhrauch

In Memoriam – Charles R. “Bob” Hirsch

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

Representative(s) Kerttula, Weyhrauch

In Memoriam – James Arness

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

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

SB 232

Senator Gary Stevens moved and asked unanimous consent that the Conference Committee report on CONFERENCE CS FOR SENATE BILL NO. 232 "An Act making appropriations, supplemental appropriations, and capital appropriations; amending appropriations and funding sources; making appropriations to capitalize funds; and providing for an effective date" which had been held on the Secretary's desk (page 2759) be brought up at this time. Without objection, it was so ordered.

Senator Gary Stevens moved that the Senate adopt the Conference Committee Report on CONFERENCE CS FOR SENATE BILL NO. 232.

The question being: "Shall the Senate adopt the Conference Committee Report on CONFERENCE CS FOR SENATE BILL NO. 232 "An Act making appropriations, supplemental appropriations, and capital appropriations; amending appropriations and funding sources; making appropriations to capitalize funds; and providing for an effective date"?" The roll was taken with the following result:

CCS SB 232

Shall the Senate Adopt the Conference Committee
Report on CCS SB 232? Effective Date

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

Yeas: Bunde, Cowdery, Davis, Dyson, Elton, Green, Hoffman, Huggins, Olson, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Ellis, French, Guess, Kookesh

and so, the report was adopted.

Senator Gary Stevens moved and asked unanimous consent that the vote on the adoption of the Conference Committee Report be considered the vote on the effective date clause. Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for engrossment and enrollment.

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., April 19, 2006. Without objection, the Senate adjourned at 3:28 p.m.

Kirsten Waid
Secretary of the Senate

April 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

Apr 19 Wednesday Beltz 211 1:30 PM
 + HB 392 SOLID WASTE MANAGEMENT AUTHORITIES
 + HB 334 MUNICIPAL PROPERTY TAX DEFERRAL/EXEMPTION

Apr 21 Friday Beltz 211 1:30 PM
 + Bills Previously Heard/Scheduled

FINANCE

Apr 18 Tuesday Senate Finance 532 9:00 AM
 No Meeting Scheduled

Apr 19 Wednesday Senate Finance 532 9:00 AM
 += SB 305 OIL AND GAS PRODUCTION TAX
 + Bills Previously Heard/Scheduled

Apr 19 Wednesday Senate Finance 532 1:00 PM
 -- Time Change --
 + SB 305 OIL AND GAS PRODUCTION TAX
 + Bills Previously Heard/Scheduled

Apr 20 Thursday Senate Finance 532 9:00 AM
 + HB 471 KNIK ARM BRIDGE AND TOLL AUTHORITY
 + SB 1 INCREASE AMT OF BASE STUDENT ALLOCATION
 += SB 188 BULK FUEL REVOLVING LOAN FUND CAP
 + Bills Previously Heard/Scheduled

FINANCE (continued)

Apr 20	Thursday	Senate Finance 532	1:00 PM
	-- Time Change --		
+	SJR 19	TASK FORCE ON HOSPITAL INFECTIONS	
+=	SB 271	AUTHORIZE HWY PROGRAM PARTICIPATION	
+	SB 10	PARENTAL LIABILITY FOR CHILD'S DAMAGE	
+		Bills Previously Heard/Scheduled	
Apr 21	Friday	Senate Finance 532	9:00 AM
+=	SB 305	OIL AND GAS PRODUCTION TAX	
+		Bills Previously Heard/Scheduled	
Apr 21	Friday	Senate Finance 532	1:00 PM
	-- Time Change --		
+=	SB 305	OIL AND GAS PRODUCTION TAX	
+		Bills Previously Heard/Scheduled	
Apr 22	Saturday	Senate Finance 532	9:00 AM
+	HB 357	STATUTORY REFERENCES TO DISABILITIES	
+	HB 394	INSURANCE POLICIES IN FOREIGN LANGUAGES	
+	HB 400	CONFISCATION OF FIREARMS	
+	HB 408	DEFINITION OF CHILD ABUSE AND NEGLECT	
+		Bills Previously Heard/Scheduled	
Apr 24	Monday	Senate Finance 532	9:00 AM
+=	SB 231	BUDGET: CAPITAL & OTHER APPROPRIATIONS	
+		Bills Previously Heard/Scheduled	
Apr 25	Tuesday	Senate Finance 532	9:00 AM
+=	SB 231	BUDGET: CAPITAL & OTHER APPROPRIATIONS	
		<Agency Testimony>	
+		Bills Previously Heard/Scheduled	
Apr 26	Wednesday	Senate Finance 532	9:00 AM
+	SB 231	BUDGET: CAPITAL & OTHER APPROPRIATIONS	
		<Agency Testimony>	
+		Bills Previously Heard/Scheduled	

FINANCE (continued)

Apr 27 Thursday Senate Finance 532 5:00 PM

-- Time Change --

+ SB 231 BUDGET: CAPITAL & OTHER APPROPRIATIONS

<Public Testimony>

+ Bills Previously Heard/Scheduled

Apr 28 Friday Senate Finance 532 5:00 PM

-- Time Change --

+ SB 231 BUDGET: CAPITAL & OTHER APPROPRIATIONS

<Public Testimony>

+ Bills Previously Heard/Scheduled

Apr 29 Saturday Senate Finance 532 9:00 AM

+ SB 231 BUDGET: CAPITAL & OTHER APPROPRIATIONS

+ Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

Apr 19 Wednesday Butrovich 205 1:30 PM

+ OVERVIEW: The Whole Village Project

+ SB 281 SCHOOL DIST. ENROLLMENT SHARING/CORRESPON

+ SCR 28 TECHNOLOGY FOR DISTANCE EDUCATION

+ Bills Previously Heard/Scheduled

Apr 21 Friday Butrovich 205 1:30 PM

+ HB 442 HEALTH CARE DECISIONS

+ SB 287 POSTSECONDARY TUITION FOR FOSTER CHILDREN

+ Bills Previously Heard/Scheduled

JUDICIARY

Apr 18 Tuesday Butrovich 205 8:30 AM

No Meeting Scheduled

Apr 19 Wednesday Butrovich 205 8:30 AM

+ SB 307 LANDLORD REMEDIES; LATE FEE

+ SB 316 COURT REVIEW OF STRANDED GAS DECISION

JUDICIARY (continued)

Apr 20 Thursday Butrovich 205 8:30 AM
+ SB 313 SALVIA DIVINORUM AS CONTROLLED SUBSTANCE
+ SB 48 PSYCH. EVALUATION/TREATMENT FOR STUDENTS
+ HB 446 PENALTY FOR UNLAWFUL TRADE PRACTICE
+ Bills Previously Heard/Scheduled

Apr 21 Friday Butrovich 205 8:30 AM
No Meeting Scheduled

LABOR & COMMERCE

Apr 18 Tuesday Beltz 211 1:30 PM
No Meeting Scheduled

Apr 20 Thursday Beltz 211 1:30 PM
+ HB 31 WORKERS' COMP: DISEASE PRESUMPTION
+ HB 338 CERTIF. OF FITNESS FOR EXPLOSIVE HANDLERS
+ SB 315 DISPOSITION OF UNREDEEMED PROPERTY
+ Bills Previously Heard/Scheduled
Including But Not Limited to:
+= HB 439 INSURANCE PRODUCT REGULATION COMPACT
+= SB 282 BROADCASTING PROMOTING CHARITABLE GAMING

RESOURCES

Apr 19 Wednesday Butrovich 205 3:30 PM
+= SB 278 ALASKA CLIMATE CHANGE TASK FORCE
Agrium Presentation - Blue Sky
+ SJR 17 COLLECT MORE EXXON VALDEZ SPILL DAMAGES

Apr 21 Friday Butrovich 205 3:30 PM
+= SB 170 BD/DEPT OF FISH & GAME POWERS & DUTIES
+ SB 314 RETROACTIVE ADJUSTMENTS IN OIL PRICES

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STATE AFFAIRS

Apr 18 Tuesday Butrovich 205 3:30 PM
No Meeting Scheduled

Apr 20 Thursday Butrovich 205 3:30 PM
+ HB 300 OIL & GAS CONSERVATION COMMISSION MEMBER
Bills Previously Heard/Scheduled

TRANSPORTATION

Apr 18 Tuesday Butrovich 205 1:30 PM
No Meeting Scheduled

Apr 20 Thursday Butrovich 205 1:30 PM
+ Pavement Rutting Research Project -
Update and Presentation:
Jerry DesJarlais and Dr. Hulsey, UAF

SPECIAL COMMITTEES

COMMITTEE ON UNIVERSITY OVERSIGHT

Apr 24 Monday Beltz 211 5:00 PM
+ HJR 14 URGE CONGRESS TO GRANT LAND TO UNIVERSITY

OTHER MEETINGS

JOINT SESSION

May 04 Thursday House Chamber 11:00 AM
Confirmation of Governor's Appointees