

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Tuesday

January 11, 2005

Second Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:14 a.m.

The roll showed seventeen members present. Senator Bunde was excused from a call of the Senate. Senators Guess, Therriault were absent.

The prayer was offered by the Chaplain, Pastor John Bigelow of Bethany Baptist Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Father, I am grateful for Your concern for us. I'm grateful You are a loving heavenly father. You know the issues that we face and I am so grateful that I can come to You today on behalf of this body of legislators and seek Your guidance.

Lord, I pray for our President and ask that You would guide him in his deliberations and give him wisdom in the matters that he faces. I pray for our military who are out there on the fighting line, protecting the freedoms that we enjoy right here in this room. I thank You for our governor and for these legislators, the House of Representatives and I pray that, this year, as they face the pressing issues of our society and this state, I pray You grant them wisdom. As they deal with major and minor situations, You will help them seek Your face in these matters and that, as a result, You will be honored and glorified.

Thank You for Your presence with us today. I commit this time to You now, In Christ's name. Amen.

Senator Wilken led the Senate in the Pledge of Allegiance.

Certification

Senator Gary Stevens moved and asked unanimous consent that the journal for the first legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

Senator Gary Stevens moved and asked unanimous consent that Senator Guess be excused from a call of the Senate January 11, 12 and 14. Without objection, Senator Guess was excused.

**Introduction and Reference of
Senate Resolutions**

SJR 1

SENATE JOINT RESOLUTION NO. 1 BY SENATOR DYSON,

Proposing amendments to the Constitution of the
State of Alaska relating to an appropriation limit.
(Prefile released 12/30/04)

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

SJR 2

SENATE JOINT RESOLUTION NO. 2 BY THE SENATE
RESOURCES COMMITTEE,

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.

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

SCR 1

SENATE CONCURRENT RESOLUTION NO. 1 BY SENATOR GUESS,

Proposing amendments to the Uniform Rules of the Alaska State Legislature relating to consideration by a committee during the interim between sessions of a measure referred to it.

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

Introduction and Reference of Senate Bills**SB 1**

SENATE BILL NO. 1 BY SENATOR WILKEN, entitled:

"An Act relating to the base student allocation used in the formula for state funding of public education; and providing for an effective date."
(Prefile released 12/30/04)

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

SB 2

SENATE BILL NO. 2 BY SENATORS GUESS, Davis, entitled:

"An Act relating to prerequisites for obtaining and recording a lien for payment of the contract price for labor or materials supplied for the construction, alteration, or repair of a building or improvement."
(Prefile released 12/30/04)

was read the first time and referred to the Labor and Commerce and Judiciary Committees.

SB 3

SENATE BILL NO. 3 BY SENATOR COWDERY, entitled:

"An Act relating to the accrual of personal leave for certain former state officers; and providing for an effective date."
(Prefile released 12/30/04)

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

SB 4

SENATE BILL NO. 4 BY SENATORS COWDERY, Ellis, entitled:

"An Act requiring cardiopulmonary resuscitation and first aid certifications for issuance of a secondary school diploma."
(Prefile released 12/30/04)

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

SB 5

SENATE BILL NO. 5 BY SENATOR ELTON, entitled:

"An Act providing for a blanket primary system, and permitting political parties to select their nominees by alternative means; and providing for an effective date."
(Prefile released 12/30/04)

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

SB 6

SENATE BILL NO. 6 BY SENATOR BUNDE, entitled:

"An Act relating to motor vehicle registration plates."
(Prefile released 12/30/04)

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

SB 7

SENATE BILL NO. 7 BY SENATOR BUNDE, entitled:

"An Act relating to drivers' licenses and vehicle registration."
(Prefile released 12/30/04)

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

SB 8

SENATE BILL NO. 8 BY SENATORS FRENCH, Ellis, Davis, entitled:

"An Act relating to a student loan repayment program for nurses, and amending the duties of the Board of Nursing that relate to this program; and providing for an effective date."
(Prefile released 12/30/04)

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

SB 9

SENATE BILL NO. 9 BY SENATORS GUESS, Davis, entitled:

"An Act relating to the terms of legislators, to a 90-day regular session of the legislature, to the date of convening a regular session, and to procedures of legislative committees during the interim; and providing for an effective date."
(Prefile released 12/30/04)

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

SB 10

SENATE BILL NO. 10 BY SENATORS GUESS AND DYSON, Ellis, entitled:

"An Act relating to liability for destruction of property by unemancipated minors; and providing for an effective date."
(Prefile released 12/30/04)

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

SB 11

SENATE BILL NO. 11 BY SENATORS DYSON, Davis, entitled:

"An Act requiring certain hospitals to make certain disclosures on patient billings."
(Prefile released 12/30/04)

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

SB 12

SENATE BILL NO. 12 BY SENATORS DYSON, Davis, entitled:

"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."
(Prefile released 12/30/04)

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

SB 13

SENATE BILL NO. 13 BY SENATOR GARY STEVENS, entitled:

"An Act requiring a separate appropriation bill for funding public education; providing for an increase in the base student allocation used in the formula for state funding of public education; establishing a date by which the bill funding public education must be transmitted to the governor; and providing for an effective date."
(Prefile released 12/30/04)

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

SB 14

SENATE BILL NO. 14 BY SENATOR GARY STEVENS, entitled:

"An Act relating to municipal initiative and referendum elections."

(Prefile released 12/30/04)

was read the first time and referred to the Community and Regional Affairs Committee.

SB 15

SENATE BILL NO. 15 BY SENATOR GARY STEVENS, entitled:

"An Act relating to the state alcoholic beverage tax for certain wine and other beverages and to the treatment of two or more taxpayers who have a relationship for purposes of applying the tax for certain wine and other beverages."

(Prefile released 12/30/04)

was read the first time and referred to the Labor and Commerce and Finance Committees.

SB 16

SENATE BILL NO. 16 BY SENATOR GARY STEVENS, entitled:

"An Act relating to the powers and duties of the Department of Transportation and Public Facilities; relating to a long-range program for highway construction and maintenance; and providing for an effective date."

(Prefile released 12/30/04)

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

SB 17

SENATE BILL NO. 17 BY SENATOR THERRIAULT, entitled:

"An Act making an appropriation for construction of the Richardson Highway/North Pole interchange; and providing for an effective date."
(Prefile released 12/30/04)

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

SB 18

SENATE BILL NO. 18 BY SENATOR ELTON, entitled:

"An Act relating to motor vehicles equipped with data recording or transmitting devices."
(Prefile released 12/30/04)

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

SB 19

SENATE BILL NO. 19 BY SENATOR SEEKINS, entitled:

"An Act relating to the creation of a civil legal services fund."
(Prefile released 12/30/04)

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

SB 20

SENATE BILL NO. 20 BY SENATOR DYSON, entitled:

"An Act relating to offenses against unborn children."
(Prefile released 12/30/04)

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

SB 21

SENATE BILL NO. 21 BY SENATOR DAVIS, entitled:

"An Act relating to retirement contributions and benefits under the public employees' retirement system of certain state employees who are employed as child or vulnerable adult protection workers or who supervise child or vulnerable adult protection workers."

(Prefile released 12/30/04)

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

SB 22

SENATE BILL NO. 22 BY SENATORS DAVIS AND DYSON, entitled:

"An Act adding birthing centers to the list of health facilities eligible for payment of medical assistance for needy persons."

(Prefile released 12/30/04)

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

SB 23

SENATE BILL NO. 23 BY SENATORS DAVIS, Ellis, entitled:

"An Act relating to forward funding of education programs; and providing for an effective date."

(Prefile released 12/30/04)

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

SB 24

SENATE BILL NO. 24 BY SENATOR GARY STEVENS, entitled:

"An Act relating to reemployment of and benefits for retired teachers and public employees who participated in retirement incentive programs; providing for an effective date by amending the effective date of secs. 3, 5, 9, and 12, ch. 57, SLA 2001; and providing for an effective date."
(Prefile released 12/30/04)

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

SB 25

SENATE BILL NO. 25 BY SENATORS ELTON AND GARY STEVENS, Ellis, entitled:

"An Act relating to labeling and identification of genetically modified fish and fish products."
(Prefile released 12/30/04)

was read the first time and referred to the Labor and Commerce and Resources Committees.

SB 26

SENATE BILL NO. 26 BY SENATOR DAVIS, entitled:

"An Act relating to the voting rights of felons; and providing for an effective date."
(Prefile released 12/30/04)

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

SB 27

SENATE BILL NO. 27 BY SENATOR BEN STEVENS, entitled:

"An Act relating to calculation of the amount to offset the effect of inflation on the principal of the Alaska permanent fund, and to transfers of money from the earnings reserve account; and providing for an effective date."
(Prefile released 12/30/04)

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

SB 28

SENATE BILL NO. 28 BY SENATOR DAVIS, entitled:

"An Act relating to the legal age for attending school; and providing for an effective date."
(Prefile released 12/30/04)

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

SB 29

SENATE BILL NO. 29 BY SENATOR GARY STEVENS, entitled:

"An Act establishing the position of regional seafood development coordinator in the Alaska Seafood Marketing Institute."
(Prefile released 12/30/04)

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

SB 30

SENATE BILL NO. 30 BY SENATORS ELTON, Ellis, entitled:

"An Act relating to immunization of postsecondary students for meningitis; and providing for an effective date."
(Prefile released 12/30/04)

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

SB 31

SENATE BILL NO. 31 BY SENATOR ELTON, entitled:

"An Act eliminating the sunset provisions applicable to reemployment of retired members of the teachers' retirement system and the public employees' retirement system; repealing the effective date of

secs. 3, 5, 9, and 12, ch. 57, SLA 2001, and secs. 5, 7, and 9, ch. 58, SLA 2001; and providing for an effective date."

(Prefile released 12/30/04)

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

SB 32

SENATE BILL NO. 32 BY SENATOR THERRIAULT, entitled:

"An Act permitting grants to certain regulated public utilities for water quality enhancement projects and water supply and wastewater systems."

(Prefile released 12/30/04)

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

SB 33

SENATE BILL NO. 33 BY SENATORS DAVIS AND GUESS, French, Ellis, entitled:

"An Act requiring an annual inflation adjustment of the base student allocation used in the formula for state funding of public education; and providing for an effective date."

(Prefile released 12/30/04)

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

SB 34

SENATE BILL NO. 34 BY SENATOR WILKEN, entitled:

"An Act relating to eligibility of nurses for the teachers' and nurses' housing loan program of the Alaska Housing Finance Corporation."

(Prefile released 01/07/05)

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

SB 35

SENATE BILL NO. 35 BY SENATOR ELLIS, entitled:

"An Act relating to high school curriculum and graduation requirements."
(Prefile released 01/07/05)

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

SB 36

SENATE BILL NO. 36 BY SENATOR THERRIAULT, entitled:

"An Act relating to applications requesting the delivery of absentee ballots by mail."
(Prefile released 01/07/05)

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

SB 37

SENATE BILL NO. 37 BY SENATORS ELTON AND DYSON, entitled:

"An Act relating to the regulation of the transportation of dead bodies."
(Prefile released 01/07/05)

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

SB 38

SENATE BILL NO. 38 BY SENATOR ELTON, entitled:

"An Act amending the oil and gas properties production (severance) tax as it relates to oil to require payment of a tax of at least five percent of the gross value at the point of production before any price adjustments authorized by this Act, to modify the mechanism for calculating the effective tax rate,

to provide for adjustments to the tax when the prevailing value of the oil exceeds \$20 per barrel or falls below \$16 per barrel and to limit the effect of the adjustments, and to exempt certain kinds of oil from application of the adjustments; requiring separate accounting of the proceeds of the tax as amended, and authorizing appropriation of a portion of tax proceeds subject to price adjustment to support state shared revenue programs; and providing for an effective date."

(Prefile released 01/07/05)

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

SB 39

SENATE BILL NO. 39 BY SENATORS ELTON, French, Ellis, entitled:

"An Act relating to ballot titles and propositions; and providing for an effective date."

(Prefile released 01/07/05)

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

SB 40

SENATE BILL NO. 40 BY SENATOR COWDERY, entitled:

"An Act relating to the establishment of the Kuskokwim Port Authority; and providing for an effective date."

(Prefile released 01/07/05)

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

SB 41

SENATE BILL NO. 41 BY SENATOR HOFFMAN, entitled:

"An Act relating to the establishment of the Kuskokwim Port Authority; and providing for an effective date."

(Prefile released 01/07/05)

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

SB 42

SENATE BILL NO. 42 BY SENATOR SEEKINS, entitled:

"An Act extending the reporting date for and the termination date of the Task Force on Naturopathic Scope of Practice; and providing for an effective date."

(Prefile released 01/07/05)

was read the first time and referred to the Labor and Commerce and Finance Committees.

Unfinished Business

Senator Kookesh moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, January 12 to evening plane time, January 14. Without objection, Senator Kookesh was excused.

Senator Wilken moved and asked unanimous consent to be excused from the Senate, not subject to a call, from morning plane time, January 13 to evening plane time, January 17. Without objection, Senator Wilken was excused.

Senator Wilken moved and asked unanimous consent to be excused from the Senate, not subject to a call, from afternoon plane time, January 21 to evening plane time, January 24. Without objection, Senator Wilken was excused.

President Stevens made the following appointments:

Senate Special Committee on World Trade and State/Federal Relations

Senator Cowdery, Chair
Senator Wagoner
Senator Huggins
Senator Seekins
Senator Olson
Senator Davis

(Senate Resolution No. 1 Establishing a Senate Special Committee on World Trade and State/Federal Relations is forthcoming.)

Joint Armed Services Committee

Senator Wilken, Cochair
Senator Huggins
Senator Dyson
Senator Gary Stevens
Senator Guess
Senator Therriault (alternate)

Legislative Council

Senator Therriault, Vice Chair
Senator Ben Stevens
Senator Cowdery
Senator Gary Stevens
Senator Wagoner
Senator Wilken
Senator Davis

Administrative Regulation Review

Senator Therriault, Vice Chair
Senator Ben Stevens
Senator Hoffman

Memo dated January 7, 2005 was received, stating due to the vacancy created by the resignation of Senator Scott Ogan, President Therriault made the following appointment for the twenty-third legislature:

Legislative Council
Senator Seekins

Memo dated October 15, 2004 was received, stating in accordance with Legislative Resolve No. 52, 2004, President Therriault and Speaker Kott made the following appointments:

Alaska Information Infrastructure Policy Task Force

Senate Appointee:	Senator Stedman
House Appointee:	Representative Coghill
Minority Appointee:	Senator Guess
Department of Administration:	Ray Matiashowski Stan Herrera (alternate)
Department of Military and Veterans' Affairs:	Craig Campbell Roger Schnell (alternate)
Department of Commerce, Community and Economic Development:	Edgar Blatchford Bill Noll (alternate)
University of Alaska:	Steve Smith
Six at-Large Members:	Jason Ohler Wanetta Ayers Karl Kowlowski Jeff Staser Michael Burke Kathy Boucha Representative Joule (alternate) H.A. "Red" Boucher (alternate)

Memo dated October 15, 2004, was received, stating in accordance with Chapter 46, SLA 2004, President Therriault and Speaker Kott made the following appointments:

**Railroad Planning, Platting, and Land Use Regulation
Task Force**

Senator Green, Cochair
Representative Dahlstrom, Cochair

Bruce Carr – Alaska Railroad
Hank Bartos – Fairbanks North Star Borough
John Phillips – City of Fairbanks
Jason Mayrand – City of Nenana
Dale Adams – City of Houston
Jeff Jacobsen – City of North Pole
Mayor Dianne Keller – City of Wasilla
Tom Healy – City of Palmer
Tom Nelson – Municipality of Anchorage
David Talerico – Denali Borough
Ron Long – Kenai Peninsula Borough
Tim Anderson – Matanuska-Susitna Borough
Lester Lunceford – City of Whittier
Rachel James – City of Seward

Memo dated December 22, 2004, was received, stating in accordance with Chapter 78, SLA 2004, President Therriault and Speaker Kott made the following appointments:

Task Force on Naturopathic Scope of Practice

Senator Seekins
Representative McGuire

Alex Malter, MD – Alaska State Medical Association
Richard Holm – Alaska Pharmacist Association
Robert Breffeilh – Alaska State Medical Board
Cathy Giessel, MS, FNP-CS – Nurse Practitioner
Rick Urion – Department of Commerce, Community and Economic Development
Scott Luper, ND – Licensed Naturopath
Jason Harmon, ND – Licensed Naturopath

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., January 12, 2005. Without objection, the Senate adjourned at 11:40 a.m.

Kirsten Waid
Acting Secretary of the Senate

January 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

RULES

Jan 13	Thursday	Location Tba	10:00 AM
	JOINT W/(H) RULES		
	Lounge Staff Salaries		

OTHER MEETINGS**JOINT SESSION**

Jan 12	Wednesday	House Chamber	7:00 PM
	Address by Governor Frank H. Murkowski		
	State of the State and the Budget Message		