

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

**Juneau, Alaska**

**Wednesday**

**January 19, 2005**

**Tenth 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 Bunde, Guess, Olson were excused from a call of the Senate. Senators Green, Wilken were absent.

The prayer was offered by the Chaplain, The Reverend George Silides of the Holy Trinity Episcopal Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Almighty God, You proclaim Your truth in every age by many voices: Direct in our time, I pray, those who speak where many listen and write what many read; that they may do their part in making the heart of Alaska's people wise, its mind sound, and its will righteous.

In giving us dominion over things of the earth, You made us fellow workers in Your creation. Give us wisdom and reverence so to use the resources of nature, that no one may suffer from our abuse of them, and that generations yet to come may enjoy their bounty.

Upon these gentle folk here gathered pour an abundance of Your blessing, that they may be made ever more aware of those

they are called to serve. May the poor rejoice that they are remembered here. May elders and children rejoice that they are remembered here. May entrepreneurs and owners, students, laborers and the unemployed rejoice that they are remembered here.

And as what tasks they have set before them is impossible to do without true courage, grant them such a gift, that they may seek and hear from unexpected places unexpected wisdom, and act in unexpected ways to fulfill the highest expectations of their calling. Amen.

Senator Seekins led the Senate in the Pledge of Allegiance.

### **Certification**

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

### **Standing Committee Reports**

Rules Committee Report dated January 13 was received, stating:

In compliance with AS 24.10.030 and Uniform Rule 3(a), the Senate Rules Committee hereby reports its nomination of Kirsten Waid to serve as Secretary of the Senate for the Twenty-fourth Legislature and recommends election by the Senate.

The report was signed by Senator Cowdery, Chair; Senators Ben Stevens, Gary Stevens, Ellis, Kookesh.

Senator Cowdery moved and asked unanimous consent that the Rules Committee Report be adopted and Kirsten Waid be elected Secretary of the Senate. Without objection, the Rules Committee Report was adopted and Kirsten Waid was elected Secretary of the Senate.

The presence of Senator Green was noted.

**Introduction and Reference of Senate Bills**

**SB 63**

SENATE BILL NO. 63 BY SENATOR BEN STEVENS, entitled:

"An Act relating to road signs encouraging the use of safety belts."

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

The presence of Senator Wilken was noted.

**SB 64**

SENATE BILL NO. 64 BY SENATOR SEEKINS, entitled:

"An Act relating to the pay of members of the Alaska National Guard and Alaska Naval Militia while in active service primarily as a labor force."

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

**SB 65**

SENATE BILL NO. 65 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to certain weapons offenses involving minors; to aggravating factors in sentencing for certain offenses committed against a school employee; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Law

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

Governor's transmittal letter dated January 18:

Dear President Stevens:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill, the School Violence Prevention Act of 2005, that addresses certain weapons violations by children and assault and other crimes by adults in schools. Violence by students and adults in schools is simply unacceptable.

This bill would provide that minors who are 16 or 17 years old and commit certain felony misconduct involving weapons are automatically waived to adult court. This will deter such potentially lethal activity with a weapon by holding these minors accountable to the same legal consequences adults face for this conduct. When minors engage in a dispute and weapons are brought into the situation, the negative effects are magnified for all involved.

This bill also addresses violence by adults at school. It would adopt an aggravating factor in sentencing for those convicted of a crime against a person, such as assault, on a school employee on school grounds or at a school-sponsored event.

The enactment of this legislation will send the message that Alaskans will not tolerate violence in our schools, either by minors or adults. All children and teachers in this state should have a safe environment in which to work and learn.

I urge your prompt and favorable action on this measure.

Sincerely yours,

/s/

Frank H. Murkowski

Governor

**SB 66**

SENATE BILL NO. 66 BY THE SENATE RULES COMMITTEE  
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to absentee voting by mail or electronic transmission; relating to unlawful interference with an election; relating to election recounts; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Law

Fiscal Note No. 2, zero, Office of the Governor

Governor's transmittal letter dated January 18:

Dear President Stevens:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to absentee voting by mail or electronic transmission, to unlawful interference with an election, and to election recounts.

Sections 2, 3, and 5 of the bill are designated as the Absentee Voter Protection Act of 2005. Section 2 of the bill would amend AS 15.20.081(a) to make it clear that a voter applying by mail or by electronic transmission for an absentee ballot must submit the application directly to the Division of Elections. This would eliminate the possibility of interest groups soliciting applications for absentee ballots and selectively submitting applications to the division. Section 3 of the bill would amend AS 15.20.081(b) to require that the Division of Elections receive the application not less than ten days before the election for which the absentee ballot is sought. Presently, the statute requires that applications be received not less than seven days before the election. The earlier deadline should provide more time for the absentee ballot to reach the voter.

Section 5 of the bill would amend AS 15.56.060 to include among the activities constituting unlawful interference with an election (a class C felony) intentionally changing, attempting to change, or causing to be changed, an absentee ballot application prepared by another person without authorization by the person.

This bill also would increase the amount of the deposit to be posted for certain election recounts and would require certain recount applicants to bear the entire cost of the recount. See section 4 of the bill.

I urge your prompt and favorable action on this measure.

Sincerely yours,

/s/

Frank H. Murkowski  
Governor

### **Consideration of the Calendar**

#### **Citations**

Senator Gary Stevens moved and asked unanimous consent that the following citation be made a special order of business. Without objection, it was so ordered.

#### **Special Order of Business**

Honoring – American Red Cross of Alaska

Representative(s) Coghill

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

Senator Gary Stevens moved and asked unanimous consent that the citation be adopted. Without objection, the citation was adopted and referred to the Secretary for transmittal.

#### **Unfinished Business**

Senator Gary Stevens moved and asked unanimous consent that President Stevens be excused from a call of the Senate from morning plane time, February 16 through morning plane time, February 24. Without objection, Senator Ben Stevens was excused.

President Stevens made the following appointments:

**Legislative Budget and Audit Committee**

Senator Therriault, Chair  
Senator Ben Stevens  
Senator Stedman  
Senator Green  
Senator Wilken (alternate)

Memo dated January 18, was received, stating President Stevens made the following appointment:

**Knik Arm Bridge and Toll Authority**

Senator Lyda Green

**Announcements**

Senator Therriault, Chair, announced a meeting of the Legislative Budget and Audit Committee on January 21 at 8:00 a.m.

Announcements are at the end of the journal.

**Adjournment**

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., January 21, 2005. Without objection, the Senate adjourned at 11:21 a.m.

Kirsten Waid  
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

**COMMUNITY & REGIONAL AFFAIRS**

<b>Jan 24</b>	<b>Monday</b>	<b>Senate Finance 532</b>	<b>1:30 PM</b>
+		JOINT W/(H) COMMUNITY & REGIONAL AFFAIRS	
		Local Boundary Commission Report	
		Overview of Annual Report	
		<Listen Only>	
<b>Jan 26</b>	<b>Wednesday</b>	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
+ SB 14		MUNICIPAL ELECTIONS	
+ SB 51		PUBLIC ASSISTANCE PROGRAMS	
<b>Jan 28</b>	<b>Friday</b>	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
		No Meeting Scheduled	

**FINANCE**

<b>Jan 19</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
		No Meeting Scheduled	
<b>Jan 20</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
		No Meeting Scheduled	
<b>Jan 21</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
		No Meeting Scheduled	



**HEALTH, EDUCATION & SOCIAL SERVICES**

**Jan 19      Wednesday                      Senate Finance 532              1:30 PM**  
 -- Location Change --  
 +              JOINT W/(H) H.E.S.S.  
                  Overview Presentation:  
                  Governor's Council on Disabilities &  
                  Special Education  
 +    SB 10    PARENTAL LIABILITY FOR CHILD'S DAMAGE  
 +    SB 22    MEDICAID COVERAGE FOR BIRTHING CENTERS

**Jan 21      Friday                                      Butrovich 205              1:30 PM**  
 No Meeting Scheduled

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**JUDICIARY**

**Jan 19      Wednesday                              Butrovich 205              8:30 AM**  
 +    SB 19    CIVIL LEGAL SERVICES FUND  
 +              Bills Previously Heard/Scheduled

**Jan 20      Thursday                                      Butrovich 205              8:30 AM**  
 +              Bills Previously Heard/Scheduled

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**LABOR & COMMERCE**

**Jan 20      Thursday                                      Beltz 211              1:30 PM**  
 No Meeting Scheduled

**Jan 25      Tuesday                                      Beltz 211              1:30 PM**  
 L&C Committee Organizational Meeting

**Jan 27      Thursday                                      Beltz 211              1:30 PM**  
 +    SB 42    NATUROPATHIC MEDICINE TASK FORCE  
 +    SB 2    LIEN REQUIREMENTS

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**RESOURCES**

**Jan 19**      **Wednesday**                      **Butrovich 205**              **1:00 PM**  
 -- Time Change --  
 JOINT W/(H) RESOURCES  
 Overview:  
 +              Dept of Fish & Game  
 +              Dept of Natural Resources  
 +              Natural Gas 101

**Jan 21**      **Friday**                                      **Butrovich 205**              **3:30 PM**  
 No Meeting Scheduled

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**STATE AFFAIRS**

**Jan 20**      **Thursday**                                      **Beltz 211**                      **3:30 PM**  
 SB 36      ABSENTEE BALLOT APPLICATIONS

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**TRANSPORTATION**

**Jan 20**      **Thursday**                                      **Butrovich 205**              **1:30 PM**  
 No Meeting Scheduled

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**JOINT COMMITTEES****LEGISLATIVE BUDGET & AUDIT**

**Jan 21**      **Friday**                                      **Location Tba**              **8:00 AM**  
 Organizational Meeting & Work Session  
 Gas Pipeline Issues