

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE

FIRST SESSION

Juneau, Alaska

Wednesday

March 9, 2005

Fifty-ninth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:40 a.m.

The roll showed fourteen members present. Senators Davis, Dyson, Green, Hoffman, Therriault, Wagoner were excused from a call of the Senate.

The prayer was offered by the Chaplain, Father Anastasius Iwuoha of the Cathedral of the Nativity. Senator Olson moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Loving God, You are the king of glory and the source of our strength. As the senate body convenes today, bless them in their deliberations and proceedings. We ask You to strengthen all our leaders, especially our legislators as they think out ways of making life better for Your people in this nation and the state of Alaska. Protect and bless all those who maintain law and order in our society. We present before You members of our military, police and firefighters as well as all agencies of government. Bless them as they help to keep us safe.

We remember families who struggle daily to make ends meet. Those for whose welfare we gather. May our policies bring them greater hope and joy. We also pray for our children, those in our schools, as we think and talk about their needs, we ask You to brighten their future and help them make responsible choices and be law abiding citizens.

At this time of Lent, when we look forward to celebrate the glory of Your Son's resurrection, I ask that You bless us and strengthen us in Jesus' name. Amen.

Senator Bunde led the Senate in the Pledge of Allegiance.

Certification

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

Standing Committee Reports

SB 105

The Judiciary Committee considered SENATE BILL NO. 105 "An Act relating to the retrospective application and applicability of the overtime compensation exemption for flight crew members; and providing for an effective date" and recommended the adoption of the Labor and Commerce Committee Substitute offered on page 436. Signing do pass: Senator Seekins, Chair; Senator Huggins. Signing no recommendation: Senators French, Guess.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Law

Fiscal Note No. 2, zero, Department of Labor and Workforce
Development

The bill was referred to the Rules Committee.

HB 64

The Finance Committee considered HOUSE BILL NO. 64 "An Act extending the termination date for the Board of Public Accountancy; and providing for an effective date." Signing do pass: Senator Wilken, Cochair; Senators Bunde, Olson, Stedman.

The following previously published fiscal information applies:

Fiscal Note No. 1, Department of Commerce, Community, and
Economic Development

The bill was referred to the Rules Committee.

**Introduction and Reference of
Senate Resolutions**

SJR 15

SENATE JOINT RESOLUTION NO. 15 BY SENATORS
HUGGINS, Therriault,

Requesting the United States Congress to end the
abuse of tort laws against the firearms industry.

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

SCR 4

SENATE CONCURRENT RESOLUTION NO. 4 BY SENATOR
GARY STEVENS,

Relating to the name of the City of Fairbanks and
changing that name to Barnette's Cache.

was read the first time and referred to the State Affairs Committee.

SCR 5

SENATE CONCURRENT RESOLUTION NO. 5 BY THE SENATE
COMMUNITY AND REGIONAL AFFAIRS COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 42, relating to the Joe
Williams, Sr., Coastal Trail.

was read the first time and held on the Secretary's desk.

Introduction and Reference of Senate Bills

SB 139

SENATE BILL NO. 139 BY THE SENATE RULES COMMITTEE
BY REQUEST OF THE LEGISLATIVE BUDGET AND AUDIT
COMMITTEE, entitled:

"An Act relating to termination and oversight of boards, commissions, and agency programs; extending the termination date of the Board of Marital and Family Therapy; and providing for an effective date."

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

Consideration of the Calendar

Second Reading of House Bills

HB 115

CS FOR HOUSE BILL NO. 115(TRA) "An Act relating to charges paid or collected by users or occupants of an airport facility owned or controlled by the state; and providing for an effective date" was read the second time.

Senator Wilken, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 533. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 115(FIN) was adopted.

President Stevens stated SENATE CS FOR CS FOR HOUSE BILL NO. 115(FIN) will be on the March 10 calendar.

Citations

Honoring – Jirde Winther Baxter, Honorary Musher – 2005 Iditarod Sled Dog Race

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

Honoring – Dr. Jo Ann McDowell

Representative(s) Harris

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

In Memoriam – Daphier “Dee Dee” Payne

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

In Memoriam – Henry Burton

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

In Memoriam – William “Billy” Foster

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

In Memoriam – Jean Mahoney

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

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

Senator Kookesh moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, March 10 to evening plane time, March 11. Without objection, Senator Kookesh was excused.

Announcements

Announcements are at the end of the journal.

Enrollment**SB 14**

HOUSE CS FOR SENATE BILL NO. 14(STA) "An Act relating to municipal initiative and referendum elections" was enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 10:31 a.m., March 9, 2005.

SJR 2

SENATE JOINT RESOLUTION NO. 2 am H 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 enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 10:31 a.m., March 9, 2005.

SJR 5

HOUSE CS FOR SENATE JOINT RESOLUTION NO. 5(O&G) Urging the United States Congress to reauthorize the Methane Hydrate Research and Development Act, was enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 10:31 a.m., March 9, 2005.

Memorandum from the Division of Legal and Research Services, Legislative Affairs Agency, reporting the following manifest error in HOUSE CS FOR SENATE JOINT RESOLUTION NO. 5(O&G), which has been corrected in enrolling:

Page 1, line 4:
Delete "daily"

Adjournment

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., March 10, 2005. Without objection, the Senate adjourned at 11:59 a.m.

Kirsten Waid
Secretary of the Senate

March 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

Mar 09	Wednesday	Beltz 211	1:30 PM
+ HB 42	JOE WILLIAMS, SR., COASTAL TRAIL		
+ SB 112	TAX ON REAA RESIDENTS		
+ SB 114	SERVICE AREAS IN SECOND CLASS BOROUGHES		
Mar 11	Friday	Beltz 211	1:30 PM
	No Meeting Scheduled		
Mar 14	Monday	Beltz 211	1:30 PM
+ SB 102	COASTAL MANAGEMENT PROGRAMS		
	Bills Previously Heard/Scheduled		

FINANCE

Mar 09	Wednesday	Senate Finance 532	9:00 AM
+ HB 1	INCREASE AMT OF BASE STUDENT ALLOCATION		
	Bills Previously Heard/Scheduled		
Mar 10	Thursday	Senate Finance 532	9:00 AM
	-- Meeting Canceled --		
+	Senate Bill:		
	RETIREMENT SYSTEM LEGISLATION		
	<Pending Introduction and Referral>		
+	Bills Previously Heard/Scheduled		

FINANCE (continued)

Mar 11 Friday Senate Finance 532 9:00 AM
 -- Meeting Canceled --
 + Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

Mar 09 Wednesday Butrovich 205 1:30 PM
 No Meeting Scheduled

Mar 11 Friday Butrovich 205 1:30 PM
 No Meeting Scheduled

JUDICIARY

Mar 09 Wednesday Butrovich 205 8:30 AM
 + Select Committee on Legislative Ethics
 Confirmation Hearing: Marianne Stillner
 + SB 105 OVERTIME WAGES FOR FLIGHT CREW
 + SJR 10 SUPPORT FEDERAL MARRIAGE AMENDMENT
 + Bills Previously Heard/Scheduled

Mar 10 Thursday Butrovich 205 8:30 AM
 + SB 117 RECORDED STATEMENTS OF CHILD VICTIMS
 + SB 118 ONLINE ENTICEMENT OF MINOR
 + SB 119 BAN ONLINE DIST. OF PORNOGRAPHY TO MINORS
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

Mar 10 Thursday Beltz 211 1:30 PM
 Bills Previously Heard/Scheduled
 += HB 15 LIQUOR LICENSES: OUTDOOR REC. LODGE/BARS
 += HB 90 STATE TREASURY WARRANTS
 += SB 130 WORKERS' COMPENSATION

RESOURCES

Mar 09 **Wednesday** **Butrovich 205** **3:30 PM**
 + SB 113 GULF OF ALASKA GROUND FISH FISHERY

Mar 11 **Friday** **Butrovich 205** **3:30 PM**
 No Meeting Scheduled

STATE AFFAIRS

Mar 10 **Thursday** **Beltz 211** **3:30 PM**
 No Meeting Scheduled

TRANSPORTATION

Mar 10 **Thursday** **Butrovich 205** **1:30 PM**
 + Pavement Rutting Research Grant Program
 Overview & Automated Bridge Anti-Icing
 System Presentation by -
 Jerry DesJarlais/ Jack Hayden
 Dr. Lutfi Raad, Director of the
 Transportation Research Center UAF
 Bills Previously Heard/Scheduled

Mar 15 **Tuesday** **Butrovich 205** **1:30 PM**
 + Presentation: Division of Motor Vehicles
 Duane Bannock, Director

Mar 17 **Thursday** **Butrovich 205** **1:30 PM**
 + DOT/PF - Briefing on Construction Force
 Accounts, Leasing & Purchasing of
 Equipment Compared to Private Sector

FINANCE SUBCOMMITTEES**CORRECTIONS**

Mar 10 **Thursday** **Senate Finance 532** **4:00 PM**
 -- Meeting Canceled --
 Budget Closeout

FINANCE SUBCOMMITTEES**COURT SYSTEM**

Mar 10 **Thursday** **Senate Finance 532** **3:00 PM**
 -- Meeting Canceled --
 Budget Closeout

ENVIRONMENTAL CONSERVATION

Mar 10 **Thursday** **Fahrenkamp 203** **8:00 AM**
 Preliminary Budget Close-Out Discussions

HEALTH & SOCIAL SERVICES

Mar 10 **Thursday** **Senate Finance 532** **5:00 PM**
 -- Meeting Canceled --
 Budget Closeout

LABOR & WORKFORCE DEVELOPMENT

Mar 10 **Thursday** **Fahrenkamp 203** **8:15 AM**
 FY 06 Budget Changes

LAW

Mar 10 **Thursday** **Butrovich 205** **4:00 PM**
 -- Meeting Postponed --
 Budget Closeout

REVENUE

Mar 10 **Thursday** **Senate Finance 532** **1:30 PM**
 -- Meeting Postponed --
 Budget Closeout

FINANCE SUBCOMMITTEES**TRANSPORTATION & PUBLIC FACILITIES**

Mar 10 **Thursday** **Senate Finance 532** **4:30 PM**
 -- Meeting Canceled --
 Budget Closeout

JOINT COMMITTEES**ARMED SERVICES COMMITTEE**

Mar 15 **Tuesday** **Senate Finance 532** **1:00 PM**
 Presentations by General Holly and Boeing

OTHER MEETINGS**JOINT LEGISLATIVE HEALTH CAUCUS**

Mar 09 **Wednesday** **Fahrenkamp 203** **12:00 PM**
 "Medicaid: True Stories Behind the Math"

JOINT SESSION

Mar 30 **Wednesday** **House Chamber** **11:00 AM**
 Address by U.S. Senator Lisa Murkowski