

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Thursday

March 24, 2005

Seventy-fourth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 10:10 a.m.

The roll showed sixteen members present. Senators Ellis, Elton, Hoffman, Olson were excused from a call of the Senate.

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

Let us pray and reflect:
We must sit down and reason together.
Perhaps we should sit in the dark.
In the dark we could utter our feelings.
In the dark we could propose and describe and suggest.
In the dark we could not see who speaks and only the words would say what they say.
No one would speak more than twice.
No one would speak less than once.
Thus saying what we feel and what we want, what we fear for ourselves and each other into the dark.
Perhaps we could begin to begin to listen.
Those who haven't spoken must learn to dare to speak.
Those who have spoken must learn to bother to listen.
Those who have been quiet must learn to say I think this is so.

Those who have spoken must learn to stop dancing
solos on the ceiling.

After each speaks, he or she will say a ritual phrase:

It is not I who speaks but the wind.

Wind blows through me.

Long after me, is the wind.

So be it.

Amen.

Senator Huggins led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House

SB 98

Message dated March 23 was received, stating the House has adopted the report of the Conference Committee with limited powers of free conference considering CS FOR SENATE BILL NO. 98(FIN) am and HOUSE CS FOR CS FOR SENATE BILL NO. 98(FIN) am H, thus adopting:

CONFERENCE CS FOR SENATE BILL NO. 98
"An Act making supplemental appropriations, capital appropriations, and other appropriations; amending appropriations; making appropriations to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

The Senate adopted CONFERENCE CS FOR SENATE BILL NO. 98 on March 23 (page 672).

Message dated March 23 was read, stating the House passed and transmitted for consideration:

**First Reading and Reference of
House Resolutions**

HJR 15

CS FOR HOUSE JOINT RESOLUTION NO. 15(RES) BY THE HOUSE RESOURCES COMMITTEE,

Relating to open ocean aquaculture in the federal exclusive economic zone.

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

Message dated March 23 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 19

CS FOR HOUSE BILL NO. 19(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to pesticides and broadcast chemicals; and providing for an effective date."

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

Standing Committee Reports

SB 70

The Judiciary Committee considered SENATE BILL NO. 70 "An Act relating to controlled substances regarding the crimes of manslaughter, endangering the welfare of a child, and misconduct involving a controlled substance; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 70(JUD)
(forthcoming)

Signing do pass: Senator Seekins, Chair; Senators Therriault, Huggins. Signing no recommendation: Senators French, Guess.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Public Safety
Fiscal Note No. 2, zero, Department of Administration
Fiscal Note No. 3, zero, Department of Law
Fiscal Note No. 4, indeterminate, Department of Corrections

The bill was referred to the Finance Committee.

SB 118

The Judiciary Committee considered SENATE BILL NO. 118 "An Act relating to online enticement of minors" and recommended it be replaced with

CS FOR SENATE BILL NO. 118(JUD)
(forthcoming)

Signing do pass: Senator Seekins, Chair; Senators French, Guess, Therriault, Huggins.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Administration
Fiscal Note No. 2, zero, Department of Corrections
Fiscal Note No. 3, zero, Alaska Court System
Fiscal Note No. 4, zero, Department of Law
Fiscal Note No. 5, zero, Department of Public Safety

The bill was referred to the Finance Committee.

SB 119

The Judiciary Committee considered SENATE BILL NO. 119 "An Act relating to dissemination of indecent material to minors" and recommended it be replaced with

CS FOR SENATE BILL NO. 119(JUD)
(forthcoming)

Signing do pass: Senator Seekins, Chair; Senators French, Guess, Therriault, Huggins.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Administration

Fiscal Note No. 2, zero, Department of Corrections

Fiscal Note No. 3, zero, Alaska Court System

Fiscal Note No. 4, zero, Department of Law

Fiscal Note No. 5, zero, Department of Public Safety

The bill was referred to the Finance Committee.

SB 126

The Judiciary Committee considered SENATE BILL NO. 126 "An Act relating to aquatic farming; and providing for an effective date."

Signing do pass: Senator Seekins, Chair; Senators Therriault, Huggins.

Signing no recommendation: Senators French, Guess.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Fish and Game

The bill was referred to the Resources Committee.

SB 129

The Judiciary Committee considered SENATE BILL NO. 129 "An Act relating to the wrongful recording of a notice of pendency of an action relating to title to or right to possession of real property" and recommended it be replaced with

CS FOR SENATE BILL NO. 129(JUD)

Signing do pass: Senator Seekins, Chair; Senators Therriault, Huggins.

Signing no recommendation: Senators French, Guess.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Alaska Court System

Fiscal Note No. 2, zero, Department of Law

The bill was referred to the Rules Committee.

SJR 12

The Judiciary Committee considered SENATE JOINT RESOLUTION NO. 12 Requesting the United States Senate to move quickly to confirm all nominations by President George W. Bush to the United States Supreme Court, and recommended it be replaced with

CS FOR SENATE JOINT RESOLUTION NO.
12(JUD)
(forthcoming)

Signing do pass: Senator Seekins, Chair; Senators Therriault, Huggins.
Signing no recommendation: Senators French, Guess.

The following fiscal information was published today:
Fiscal Note No. 1, zero, Senate Judiciary Committee

The resolution was referred to the Rules Committee.

Introduction and Reference of Senate Bills**SB 152**

SENATE BILL NO. 152 BY SENATOR WAGONER, entitled:

"An Act making a special appropriation for a survey
to review pay differentials; and providing for an
effective date."

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

Consideration of the Calendar**Citations**

Honoring – Jonathan Weindel, 2005 Prudential Spirit of Community
Award

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

Honoring – Juneau-Douglas High School Softball Team, 2004 State Champions

Representative(s) Weyhrauch, Kerttula

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

In Memoriam – Ken Christensen

Representative(s) Coghill

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

In Memoriam – Ruth Willard

Representative(s) Gruenberg

Senator(s) Ellis, Guess, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Elton, French, Green, 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 Bunde moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, April 8 to evening plane time, April 10 and from evening plane time, April 14 to evening plane time, April 18. Without objection, Senator Bunde was excused.

SB 119

Senator Wagoner moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 119 "An Act relating to dissemination of indecent material to minors." Without objection, it was so ordered.

Announcements

Announcements are at the end of the journal.

Enrollment**SB 42**

SENATE BILL NO. 42 "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" 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 8:52 a.m., March 24, 2005.

SB 60

SENATE BILL NO. 60 "An Act extending the termination date of the Statewide Suicide Prevention Council; and providing for an effective date" 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 8:52 a.m., March 24, 2005.

Engrossment and Enrollment**SR 2**

SENATE RESOLUTION NO. 2 Supporting the efforts of the Department of Transportation and Public Facilities to improve transportation to and from Juneau and supporting development of the East Lynn Canal Highway, was engrossed and enrolled, signed by the President and Secretary and the engrossed and enrolled copies transmitted to the Office of the Governor at 4:00 p.m., March 23, 2005.

Adjournment

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 3:00 p.m., March 29, 2005. Without objection, the Senate adjourned at 10:31 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 25	Friday No Meeting Scheduled	Beltz 211	1:30 PM
Mar 28	Monday No Meeting Scheduled	Beltz 211	1:30 PM
Mar 30	Wednesday + HB 108 WATER & SEWER UTILITIES OF POLIT. SUBDIV. Bills Previously Heard/Scheduled	Beltz 211	1:30 PM
Apr 01	Friday No Meeting Scheduled	Beltz 211	1:30 PM

FINANCE

Mar 24	Thursday No Meeting Scheduled	Senate Finance 532	9:00 AM
Mar 25	Friday No Meeting Scheduled	Senate Finance 532	9:00 AM
Mar 28	Monday No Meeting Scheduled	Senate Finance 532	9:00 AM

FINANCE (continued)

Mar 29	Tuesday	Senate Finance 532	4:30 PM
	-- Time Change --		
+= SB 141	PUBLIC EMPLOYEE/TEACHER RETIREMENT		
+	Bills Previously Heard/Scheduled		
Mar 30	Wednesday	Senate Finance 532	9:00 AM
+= SB 141	PUBLIC EMPLOYEE/TEACHER RETIREMENT		
+	Bills Previously Heard/Scheduled		
	-- Committee will recess to the call of the Chair --		
Mar 31	Thursday	Senate Finance 532	9:00 AM
+= SB 141	PUBLIC EMPLOYEE/TEACHER RETIREMENT		
+	Bills Previously Heard/Scheduled		
	--Committee will recess to the call of the Chair, approximately 4:00 p.m.--		
Apr 01	Friday	Senate Finance 532	9:00 AM
+= SB 141	PUBLIC EMPLOYEE/TEACHER RETIREMENT		
+	Bills Previously Heard/Scheduled		
	-- Committee will recess to the call of the Chair, approximately 4:00 p.m.--		
Apr 02	Saturday	Senate Finance 532	10:00 AM
	-- Time Change --		
+= SB 141	PUBLIC EMPLOYEE/TEACHER RETIREMENT		
+	Bills Previously Heard/Scheduled		
Apr 03	Sunday	Senate Finance 532	10:00 AM
	-- Time Change --		
+= SB 141	PUBLIC EMPLOYEE/TEACHER RETIREMENT		
+	Bills Previously Heard/Scheduled		

HEALTH, EDUCATION & SOCIAL SERVICES

Mar 25	Friday	Butrovich 205	1:30 PM
	No Meeting Scheduled		
Mar 28	Monday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

HEALTH, EDUCATION & SOCIAL SERVICES (continued)

Mar 30 Wednesday Butrovich 205 1:30 PM
 No Meeting Scheduled
 Yukon Legislative Exchange

Apr 01 Friday Butrovich 205 1:30 PM
 += SB 74 CRIMES INVOLVING MARIJUANA/OTHER DRUGS

JUDICIARY

Mar 24 Thursday Butrovich 205 8:30 AM
 + SJR 12 URGE CONFIRM US SUPREME COURT NOMINEES
 + Bills Previously Heard/Scheduled

Mar 29 Tuesday Butrovich 205 10:30 AM
 -- Time Change --
 + SB 106 SALE OF METHAMPHETAMINE AND PRECURSORS
 + Bills Previously Heard/Scheduled

Mar 30 Wednesday Butrovich 205 8:30 AM
 + Bills Previously Heard/Scheduled

Mar 31 Thursday Butrovich 205 8:30 AM
 + HB 124 COLLECTION OF DNA/USE OF FORCE
 + SB 20 OFFENSES AGAINST UNBORN CHILDREN
 + SB 54 PROTECTIVE ORDERS FOR SEXUAL ASSAULT
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

Mar 24 Thursday Beltz 211 2:00 PM
 -- Time Change --
 += SB 2 LIEN REQUIREMENTS
 Bills Previously Heard/Scheduled
 Including But Not Limited to:
 = SB 130 WORKERS' COMPENSATION
 = SB 140 BAN INTERNET SPYWARE

LABOR & COMMERCE (continued)

Mar 29 Tuesday Beltz 211 1:30 PM
 + SB 147 SPORT FISHING FACILITY REVENUE BONDS
 + SJR 11 REPEAL TELECOMMUNICATIONS TAX
 + Bills Previously Heard/Scheduled
 Including But Not Limited to:
 += SB 130 WORKERS' COMPENSATION

Mar 31 Thursday Beltz 211 1:30 PM
 + SB 142 REGIONAL SCHOOL BD LAND/BLDG OWNERSHIP
 + SB 139 EXTENSIONS OF OCCUPATIONAL BDS/AGENCIES
 + SB 108 INSURANCE
 Bills Previously Heard/Scheduled

RESOURCES

Mar 25 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

Mar 28 Monday Butrovich 205 3:30 PM
 No Meeting Scheduled

Mar 30 Wednesday Senate Finance 532 2:30 PM
 Joint w/(H) Resources
 Nenana Basin Gas & Oil Project
 <Please Note Time & Location>

Apr 01 Friday Butrovich 205 3:30 PM
 -- Meeting Canceled --
 += SB 113 GULF OF ALASKA GROUND FISH FISHERY
 -- Testimony <Invitation Only> --

STATE AFFAIRS

Mar 24 Thursday Beltz 211 3:30 PM
 No Meeting Scheduled

Apr 05	Tuesday FY06 Budget Review: Dept of Administration	Butrovich 205	7:00 AM
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MILITARY AND VETERANS AFFAIRS

Apr 01 Friday Beltz 211 4:00 PM
FY06 Budget Review:
Dept of Military and Veterans Affairs

PUBLIC SAFETY

Apr 01 Friday Beltz 211 7:00 AM
FY06 Budget Review:
Dept of Public Safety

UNIVERSITY OF ALASKA

Apr 01 Friday Senate Finance 532 8:00 AM
FY06 Budget Overview:
University of Alaska

JOINT COMMITTEES**LEGISLATIVE BUDGET & AUDIT**

Mar 30 Wednesday House Finance 519 5:00 PM
+
Executive Session
Other Committee Business
-- Testimony <Invitation Only> --

OTHER MEETINGS**JOINT SESSION**

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