

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE

FIRST SESSION

Juneau, Alaska

Tuesday

April 5, 2005

Eighty-sixth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:00 a.m. The Senate was convened for the purpose of a technical session.

Senator Gary Stevens moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. Without objection, it was so ordered.

Messages from the Governor

Letter dated and received April 4 was read, stating in accordance with AS 39.05.080 and Article III Section 25 of the Alaska Constitution, I submit the following names for legislative confirmation of appointment to the positions noted:

Board of Education and Early Development

Esther Cox - Anchorage

Reappointed: 3/31/2005 Term Expires: 3/1/2010

Shirley Holloway - Anchorage

Reappointed: 3/31/2005 Term Expires: 3/1/2010

The appointments were referred to the Health, Education and Social Services Committee.

Attorney General

Dave Marquez - Anchorage

Appointed: 3/31/2005

The appointment was referred to the Judiciary Committee.

Commissioner – Department of Environmental Conservation

Kurt Fredriksson - Juneau

Appointed: 3/31/2005

Commissioner – Department of Fish and Game

McKie Campbell - Juneau

Appointed: 3/31/2005

The appointments were referred to the Resources Committee.

The resumes for these appointments have been submitted to the Offices of the Senate Secretary and the Chief Clerk.

Standing Committee Reports**SB 70**

Forthcoming Judiciary Committee Substitute (page 683) for 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" was received today:

CS FOR SENATE BILL NO. 70(JUD) "An Act relating to controlled substances regarding the crimes of manslaughter and misconduct involving a controlled substance; relating to listing certain anabolic steroids as controlled substances; amending Rule 41, Alaska Rules of Criminal Procedure; and providing for an effective date."

SB 86

The Community and Regional Affairs Committee considered SENATE BILL NO. 86 "An Act relating to the liability of the state and municipalities for attorney fees in certain civil actions and appeals; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 86(CRA)

Signing no recommendation: Senator Gary Stevens, Chair; Senator Stedman. Signing do pass: Senator Wagoner. Signing do not pass: Senators Ellis, Kookesh.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Administration

Fiscal Note No. 2, zero, Department of Law

The bill was referred to the Judiciary Committee.

SB 126

The Resources Committee considered SENATE BILL NO. 126 "An Act relating to aquatic farming; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 126(RES) "An Act relating to aquatic plant and shellfish farming; and providing for an effective date."

Signing do pass: Senator Wagoner, Chair; Senators Elton, Dyson, Seekins, Stedman, Ben Stevens. Signing no recommendation: Senator Guess.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

SB 137

The Judiciary Committee considered SENATE BILL NO. 137 "An Act providing that an institution providing accommodations exempt from the provisions of the Uniform Residential Landlord and Tenant Act may evict tenants without resorting to court proceedings under AS 09.45.060 - 09.45.160." Signing do pass: Senator Seekins, Chair; Senators Therriault, Huggins. Signing no recommendation: Senator Guess.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Law

The bill was referred to the Rules Committee.

HB 85

The Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 85(JUD) "An Act relating to self-administration and documentation of certain types of medication prescribed to a child attending school." Signing do pass: Senator Dyson, Chair; Senators Green, Wilken, Olson. Signing no recommendation: Senator Elton.

The following previously published fiscal information applies:

Fiscal Note No. 2, zero, Department of Education and Early Development

The bill was referred to the Judiciary Committee.

HB 108

The Community and Regional Affairs Committee considered CS FOR HOUSE BILL NO. 108(FIN) am "An Act relating to the regulation of water and sewer utilities of political subdivisions that are not in competition with other water and sewer utilities; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.
108(CRA)

Signing no recommendation: Senator Gary Stevens, Chair; Senators Stedman, Wagoner. Signing do pass: Senators Ellis, Kookesh.

The following fiscal information was published today:

Fiscal Note No. 4, indeterminate, Department of Law

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Environmental Conservation

Fiscal Note No. 2, Department of Commerce, Community, and Economic Development

Fiscal Note No. 3, Department of Law

The bill was referred to the Labor and Commerce Committee.

SJR 16

The Resources Committee considered SENATE JOINT RESOLUTION NO. 16 Supporting legislation before the United States Congress that reaffirms the right of the states to regulate hunting and fishing. Signing do pass: Senator Wagoner, Chair; Senators Dyson, Seekins, Stedman, Ben Stevens. Signing no recommendation: Senators Guess, Elton.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Legislative Agency

The resolution was referred to the Rules Committee.

HJR 15

The Resources Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 15(RES) Relating to open ocean aquaculture in the federal exclusive economic zone. Signing do pass: Senator Wagoner, Chair; Senators Guess, Elton, Dyson, Stedman, Seekins, Ben Stevens.

The following previously published fiscal information applies:

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

Fiscal Note No. 2, zero, Legislative Agency

The resolution was referred to the Rules Committee.

Announcements

Announcements are at the end of the journal.

Enrollment**SCR 5**

SENATE CONCURRENT RESOLUTION NO. 5 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 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 8:37 a.m., April 5, 2005.

Adjournment

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., April 6, 2005. Without objection, the Senate adjourned at 11:04 a.m.

Kirsten Waid
Secretary of the Senate

April 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

Apr 06	Wednesday	Beltz 211	1:30 PM
+ SB 158	MUNI TAX ON STATE CONSTRUCTION CONTRACTS		
+	Bills Previously Heard/Scheduled		
Apr 08	Friday	Beltz 211	1:30 PM
	Bills Previously Heard/Scheduled		

FINANCE

Apr 05	Tuesday	Senate Finance 532	9:00 AM
+= SB 141	PUBLIC EMPLOYEE/TEACHER RETIREMENT		
+= SB 100	ENHANCED 911 SURCHARGES		
+ SB 88	POLICY ON GENERAL FUND REVENUE SHORTFALL		
+ SB 151	DECOUPLING FROM FED TAX DEDUCTION		
+ SB 70	CRIMES INVOLVING CONTROLLED SUBSTANCES		
	<Bill Hearing Postponed>		
+	Bills Previously Heard/Scheduled		

FINANCE (continued)

Apr 06 Wednesday Senate Finance 532 9:00 AM

- + HCR 2 IN-STATE NATURAL GAS NEEDS
 <Bill Hearing Time Permitting>
- + SB 144 EMISSION CONTROL PROGRAM PERMITS/REGS
 <Bill Hearing Time Permitting>
- + SB 110 POLLUTION DISCHARGE & WASTE TRMT/DISPOSAL
 <Bill Hearing Postponed>
- + SB 103 OIL & GAS: REG. OF UNDERGROUND INJECTION
 <Bill Hearing Postponed>
- + Bills Previously Heard/Scheduled
- + SB 141 PUBLIC EMPLOYEE/TEACHER RETIREMENT
 -- Public Testimony --

Apr 07 Thursday Senate Finance 532 9:00 AM

- + SB 46 APPROP: CAPITAL BUDGET
 Revenue, Courts, DEC, DOT/PF
- + Bills Previously Heard/Scheduled

Apr 08 Friday Senate Finance 532 9:00 AM

- + SB 71 NONUNION PUBLIC EMPLOYEE SALARY & BENEFIT
- + SB 130 WORKERS' COMPENSATION
 <Pending Referral>
- + Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

Apr 06 Wednesday Butrovich 205 1:30 PM

- + SB 125 LICENSING MEDICAL OR CARE FACILITIES
- + SB 150 ALASKA CHILDREN'S TRUST FUND GRANTS
- + Bills Previously Heard/Scheduled
- + SB 10 PARENTAL LIABILITY FOR CHILD'S DAMAGE

Apr 08 Friday Butrovich 205 1:30 PM

No Meeting Scheduled

JUDICIARY

- Apr 05 Tuesday Butrovich 205 8:30 AM**
 + SB 130 WORKERS' COMPENSATION
 + SB 137 EVICTING INSTITUTIONAL PROPERTY USERS
 + Bills Previously Heard/Scheduled
- Apr 06 Wednesday Butrovich 205 8:30 AM**
 + SB 128 BOROUGH INCORPORATION
 + SB 135 ASSAULT & CUSTODIAL INTERFERENCE
 + Bills Previously Heard/Scheduled
- Apr 07 Thursday Butrovich 205 8:30 AM**
 + SB 140 BAN INTERNET SPYWARE
 + SB 132 HUMAN RIGHTS COMMISSION
 + Bills Previously Heard/Scheduled
-

LABOR & COMMERCE

- Apr 05 Tuesday Beltz 211 1:30 PM**
 + SB 160 STATE PROCUREMENT ELECTRONIC TOOLS
 + Senate Bill:
 ENTEND BOARD OF OPTICIANS
 <Pending Introduction & Referral>
 Bills Previously Heard/Scheduled
 Including But Not Limited to:
 += SB 139 EXTENSIONS OF OCCUPATIONAL BDS/AGENCIES
 += SJR 11 REPEAL TELECOMMUNICATIONS TAX
 += SB 142 REGIONAL SCHOOL BD LAND/BLDG OWNERSHIP
- Apr 07 Thursday Beltz 211 1:30 PM**
 + SB 145 LOANS FOR COMMERCIAL FISHING TENDERS
 + HB 81 CONTRACTOR LICENSE ENFORCEMENT
 + Bills Previously Heard/Scheduled
 Including But Not Limited to:
 += SB 108 INSURANCE
 += SB 131 WAGE & HOUR ACT: EXEC/PROF/ADMIN/SALES
-

RESOURCES

Apr 06 Wednesday Butrovich 205 3:30 PM
 + SB 102 COASTAL MANAGEMENT PROGRAMS
 -- Testimony <Invitation Only> --

Apr 08 Friday Butrovich 205 3:30 PM
 += SB 85 OFF-ROAD VEHICLE USE ON DALTON HIGHWAY
 + SB 96 UNIVERSITY LAND GRANT/STATE FOREST
 -- Testimony <Invitation Only> --

STATE AFFAIRS

Apr 05 Tuesday Beltz 211 3:30 PM
 Confirmation Hearing:
 Brigadier General Tony Hart
 Bills Previously Heard/Scheduled

Apr 07 Thursday Beltz 211 3:30 PM
 + SB 154 JUVENILE DELINQUENCY PROCEEDINGS
 Bills Previously Heard/Scheduled

TRANSPORTATION

Apr 05 Tuesday Butrovich 205 1:30 PM
 + Joint w/(H) Transportation
 Port of Tacoma - Briefing
 + Federal Aviation Administration
 Weather Camera Program - Briefing
 Bills Previously Heard/Scheduled

Apr 07 Thursday Butrovich 205 1:30 PM
 + SB 153 INTERNATIONAL AIRPORTS REVENUE BONDS
 + DOT/PF - Briefing of Projects:
 Wasilla Bypass
 McCarthy Road
 Mid Region (SE) Access aka Bradfield/
 Gravina Island Bridge
 North Pole Rich Hwy/Dawson Interchange
 Fairbanks University Ave/Giest Road
 Intersection
 Bills Previously Heard/Scheduled

FINANCE SUBCOMMITTEES**ADMINISTRATION**

Apr 05 Tuesday Butrovich 205 7:00 AM
 FY06 Budget Review:
 Administration

COMMERCE, COMMUNITY & ECONOMIC DEV

Apr 05 Tuesday Senate Finance 532 8:00 AM
 Budget Close Out:
 Commerce, Community & Economic Dev

CORRECTIONS

Apr 07 Thursday Senate Finance 532 3:00 PM
 Budget Close Out:
 Corrections

COURT SYSTEM

Apr 07 Thursday Senate Finance 532 3:20 PM
 Budget Close Out:
 Court System

EDUCATION & EARLY DEVELOPMENT

Apr 06 Wednesday Senate Finance 532 4:30 PM
 Budget Close Out:
 Education & Early Development

ENVIRONMENTAL CONSERVATION

Apr 07 Thursday Senate Finance 532 8:00 AM
 Budget Close Out:
 Environmental Conservation

FINANCE SUBCOMMITTEES**GOVERNOR**

Apr 05 Tuesday Senate Finance 532 4:30 PM
 Budget Close Out:
 Office of the Governor

HEALTH & SOCIAL SERVICES

Apr 07 Thursday Senate Finance 532 4:15 PM
 Budget Close Out:
 Health & Social Services

LABOR & WORKFORCE DEVELOPMENT

Apr 07 Thursday Beltz 211 8:15 AM
 Budget Close Out:
 Labor & Workforce Development

LAW

Apr 07 Thursday Fahrenkamp 203 4:00 PM
 Budget Close Out:
 Law

LEGISLATURE

Apr 05 Tuesday Senate Finance 532 4:00 PM
 Budget Close Out:
 Legislature

NATURAL RESOURCES

Apr 05 Tuesday Beltz 211 8:15 AM
 Budget Close Out:
 Natural Resources

FINANCE SUBCOMMITTEES

REVENUE

Apr 07 Thursday Fahrenkamp 203 1:30 PM
Budget Close Out:
Revenue

TRANSPORTATION & PUBLIC FACILITIES

Apr 07 Thursday Senate Finance 532 3:45 PM
Budget Close Out:
Transportation & Public Facilities

UNIVERSITY OF ALASKA

Apr 11 Monday Senate Finance 532 8:00 AM
Budget Close Out
University of Alaska

OTHER MEETINGS

JOINT LEGISLATIVE HEALTH CAUCUS

Apr 06 Wednesday Fahrenkamp 203 12:00 PM
"Hi-Tech Health: How Technology Improves
Our Health"
A Healthy Lunch Will Be Served