

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

**FIRST SESSION**

**Juneau, Alaska**

**Monday**

**April 11, 2005**

**Ninety-second Day**

Pursuant to adjournment the Senate was called to order by President Stevens at 11:10 a.m.

The roll showed nineteen members present. Senator Seekins was absent.

The prayer was offered by the Chaplain, Senator Green. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Our Dear Heavenly Father, it is with great humility and thanks we come here today to ask You to be in our lives, to be with us in all our deliberations and help us to be the best we can be.

Help our decision making reach new heights; help our consideration of others do the same. We ask that You be involved in all that we do and oversee us and keep us in Your protection. Amen.

Senator Cowdery led the Senate in the Pledge of Allegiance.

**Certification**

Senator Gary Stevens moved and asked unanimous consent that the journals for the eighty-ninth through ninety-first legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

The presence of Senator Seekins was noted.

### **Messages from the House**

Message dated April 8 was read, stating the House passed and transmitted for consideration:

#### **First Reading and Reference of House Bills**

##### **HB 35**

HOUSE BILL NO. 35 BY REPRESENTATIVES KOHRING, Stoltze, Neuman, entitled:

"An Act extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors; and providing for an effective date."

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

##### **HB 75**

CS FOR HOUSE BILL NO. 75(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to the powers and duties of the commissioner of fish and game, Board of Fisheries, and Board of Game in promoting and preserving fishing, hunting, and trapping in the state."

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

##### **HB 88**

CS FOR HOUSE BILL NO. 88(RLS) BY THE HOUSE RULES COMMITTEE, entitled:

"An Act relating to certain weapons offenses involving minors; relating to the definition of 'recreation or youth center' for purposes of

misconduct involving a controlled substance; to aggravating factors in sentencing for certain offenses committed on school grounds, on a school bus, at a school-sponsored event, or in administrative offices of a school district; to mitigating factors in sentencing for a defendant's assistance to authorities to detect, apprehend, or prosecute other persons who committed an offense; and providing for an effective date."

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

**HB 178**

CS FOR HOUSE BILL NO. 178(STA) am BY THE HOUSE STATE AFFAIRS COMMITTEE, entitled:

"An Act relating to special motor vehicle registration plates; and providing for an effective date."

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

**HB 229**

HOUSE BILL NO. 229 BY REPRESENTATIVES FOSTER, Hawker, entitled:

"An Act relating to the reinstatement of Native corporations; and providing for an effective date."

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

**Standing Committee Reports**

**SB 130**

Forthcoming Judiciary Committee Substitute (page 843) for SENATE BILL NO. 130 "An Act relating to a special deposit for workers' compensation and employers' liability insurers; relating to assigned

risk pools; relating to workers' compensation insurers; stating the intent of the legislature, and setting out limitations, concerning the interpretation, construction, and implementation of workers' compensation laws; relating to the Alaska Workers' Compensation Board; assigning certain Alaska Workers' Compensation Board functions to the division of workers' compensation in the Department of Labor and Workforce Development and to that department, and authorizing the board to delegate administrative and enforcement duties to the division; establishing a Workers' Compensation Appeals Commission; providing for workers' compensation hearing officers in workers' compensation proceedings; relating to workers' compensation medical benefits and to charges for and payment of fees for the medical benefits; relating to agreements that discharge workers' compensation liability; relating to workers' compensation awards; relating to reemployment benefits and job dislocation benefits; relating to coordination of workers' compensation and certain disability benefits; relating to division of workers' compensation records; relating to release of treatment records; relating to an employer's failure to insure and keep insured or provide security; providing for appeals from compensation orders; relating to workers' compensation proceedings; providing for supreme court jurisdiction of appeals from the Workers' Compensation Appeals Commission; providing for a maximum amount for the cost-of-living adjustment for workers' compensation benefits; relating to attorney fees; providing for the department to enter into contracts with nonprofit organizations to provide information services and legal representation to injured employees; providing for administrative penalties for employers uninsured or without adequate security for workers' compensation; relating to fraudulent acts or false or misleading statements in workers' compensation and penalties for the acts or statements; providing for members of a limited liability company to be included as an employee for purposes of workers' compensation; establishing a workers' compensation benefits guaranty fund; relating to the second injury fund; making conforming amendments; providing for a study and report by the medical services review committee; and providing for an effective date" was received today:

CS FOR SENATE BILL NO. 130(JUD) "An Act relating to a special deposit for workers' compensation and employers' liability insurers; relating to assigned risk pools; relating to workers'

compensation insurers; stating the intent of the legislature, and setting out limitations, concerning the interpretation, construction, and implementation of workers' compensation laws; relating to the Alaska Workers' Compensation Board; assigning certain Alaska Workers' Compensation Board functions to the division of workers' compensation in the Department of Labor and Workforce Development and to that department, and authorizing the board to delegate administrative and enforcement duties to the division; providing for workers' compensation hearing officers in workers' compensation proceedings; relating to workers' compensation medical benefits and to charges for and payment of fees for the medical benefits; relating to agreements that discharge workers' compensation liability; relating to workers' compensation awards; relating to reemployment benefits and job dislocation benefits; relating to coordination of workers' compensation and certain disability benefits; relating to division of workers' compensation records; relating to release of treatment records; relating to an employer's failure to insure and keep insured or provide security; relating to workers' compensation proceedings; providing for a maximum amount for the cost-of-living adjustment for workers' compensation benefits; relating to attorney fees with respect to workers' compensation; providing for the department to enter into contracts with nonprofit organizations to provide information services and legal representation to injured employees; providing for administrative penalties for employers uninsured or without adequate security for workers' compensation; relating to fraudulent acts or false or misleading statements in workers' compensation and penalties for the acts or statements; providing for members of a limited liability company to be included as an employee for purposes of workers' compensation; establishing a workers' compensation benefits guaranty fund; making conforming amendments; providing for a study and report by the medical services review committee; establishing the Task Force on Workers' Compensation; and providing for an effective date."

The Finance Committee considered SENATE BILL NO. 130 "An Act relating to a special deposit for workers' compensation and employers' liability insurers; relating to assigned risk pools; relating to workers' compensation insurers; stating the intent of the

legislature, and setting out limitations, concerning the interpretation, construction, and implementation of workers' compensation laws; relating to the Alaska Workers' Compensation Board; assigning certain Alaska Workers' Compensation Board functions to the division of workers' compensation in the Department of Labor and Workforce Development and to that department, and authorizing the board to delegate administrative and enforcement duties to the division; establishing a Workers' Compensation Appeals Commission; providing for workers' compensation hearing officers in workers' compensation proceedings; relating to workers' compensation medical benefits and to charges for and payment of fees for the medical benefits; relating to agreements that discharge workers' compensation liability; relating to workers' compensation awards; relating to reemployment benefits and job dislocation benefits; relating to coordination of workers' compensation and certain disability benefits; relating to division of workers' compensation records; relating to release of treatment records; relating to an employer's failure to insure and keep insured or provide security; providing for appeals from compensation orders; relating to workers' compensation proceedings; providing for supreme court jurisdiction of appeals from the Workers' Compensation Appeals Commission; providing for a maximum amount for the cost-of-living adjustment for workers' compensation benefits; relating to attorney fees; providing for the department to enter into contracts with nonprofit organizations to provide information services and legal representation to injured employees; providing for administrative penalties for employers uninsured or without adequate security for workers' compensation; relating to fraudulent acts or false or misleading statements in workers' compensation and penalties for the acts or statements; providing for members of a limited liability company to be included as an employee for purposes of workers' compensation; establishing a workers' compensation benefits guaranty fund; relating to the second injury fund; making conforming amendments; providing for a study and report by the medical services review committee; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 130(FIN) "An Act relating to a special deposit for workers' compensation and employers' liability insurers; relating to assigned risk pools; relating to workers' compensation insurers; stating the intent of the legislature, and setting out limitations, concerning the interpretation, construction, and implementation of workers' compensation laws; relating to the Alaska Workers' Compensation Board; assigning certain Alaska Workers' Compensation Board functions to the division of workers' compensation in the Department of Labor and Workforce Development and to that department, and authorizing the board to delegate administrative and enforcement duties to the division; providing for workers' compensation hearing officers in workers' compensation proceedings; relating to workers' compensation medical benefits and to charges for and payment of fees for the medical benefits; relating to agreements that discharge workers' compensation liability; relating to workers' compensation awards; relating to reemployment benefits and job dislocation benefits; relating to coordination of workers' compensation and certain disability benefits; relating to division of workers' compensation records; relating to release of treatment records; relating to an employer's failure to insure and keep insured or provide security; relating to workers' compensation proceedings; providing for a maximum amount for the cost-of-living adjustment for workers' compensation benefits; relating to attorney fees with respect to workers' compensation; providing for the department to enter into contracts with nonprofit organizations to provide information services and legal representation to injured employees; providing for administrative penalties for employers uninsured or without adequate security for workers' compensation; relating to fraudulent acts or false or misleading statements in workers' compensation and penalties for the acts or statements; providing for members of a limited liability company to be included as an employee for purposes of workers' compensation; establishing a workers' compensation benefits guaranty fund; making conforming amendments; providing for a study and report by the medical services review committee; establishing the Task Force on Workers' Compensation; and providing for an effective date."

Signing do pass: Senators Wilken, Green, Cochairs; Senators Bunde, Dyson, Stedman. Signing no recommendation: Senator Hoffman. Signing amend: Senator Olson.

The following fiscal information was published today:

Fiscal Note No. 8, Department of Labor and Workforce  
Development  
Fiscal Note No. 9, zero, Legislative Agency

The following previously published fiscal information applies:

Fiscal Note No. 5, zero, Alaska Court System  
Fiscal Note No. 7, zero, Department of Commerce,  
Community and Economic Development

The bill was referred to the Rules Committee.

**SB 141**

An additional fiscal note for the Finance Committee Substitute (page 846) for SENATE BILL NO. 141 "An Act relating to the teachers' and public employees' retirement systems and creating defined contribution and health reimbursement plans for members of the teachers' retirement system and the public employees' retirement system who are first hired after July 1, 2005; establishing the Alaska Retirement Management Board to replace the Alaska State Pension Investment Board, the Alaska Teachers' Retirement Board, and the Public Employees' Retirement Board; adding appeals of the decisions of the administrator of the teachers' and public employees' retirement systems to the jurisdiction of the office of administrative hearings; and providing for an effective date" was published today:

Fiscal Note No. 8, Senate Finance Committee

The bill is on today's calendar.

**Introduction and Reference of Senate Bills**

**SB 168**

SENATE BILL NO. 168 BY THE SENATE LABOR AND  
COMMERCE COMMITTEE, entitled:



"An Act relating to insurance rate-making and form filing."

was read the first time and referred to the Labor and Commerce Committee.

**SB 169**

SENATE BILL NO. 169 BY SENATOR THERRIAULT, entitled:

"An Act relating to release of information in individual workers' compensation records for commercial purposes."

was read the first time and referred to the Labor and Commerce Committee.

**Consideration of the Calendar**

**Second Reading of Senate Bills**

**SB 67**

SENATE BILL NO. 67 "An Act relating to claims for personal injury or wrongful death against health care providers; and providing for an effective date" was read the second time.

Senator Seekins, Chair, moved and asked unanimous consent for the adoption of the Judiciary Committee Substitute offered on page 723. Without objection, CS FOR SENATE BILL NO. 67(JUD) was adopted.

Senator French offered Amendment No. 1:

Page 1, line 2:

Delete "; and providing for an effective date"

Page 1, line 4, through page 2, line 26:

Delete all material.

Insert new bill sections to read:

"\* **Sec. 1.** AS 09.17.010(b) is amended to read:

(b) Except as provided under (c) of this section, the damages awarded by a court or a jury under (a) of this section for all claims, including a loss of consortium claim, arising out of a single injury or death may not exceed **\$350,000** [\$400,000] or the injured person's life expectancy in years multiplied by \$8,000, whichever is greater.

\* **Sec. 2.** AS 09.17.010(c) is amended to read:

(c) In an action for personal injury, the damages awarded by a court or jury that are described under (b) of this section may not exceed **\$850,000** [\$1,000,000] or the person's life expectancy in years multiplied by \$25,000, whichever is greater, when the damages are awarded for severe permanent physical impairment or severe disfigurement.

\* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. This Act applies to a claim for relief arising on or after the effective date of this Act."

Senator French moved for the adoption of Amendment No. 1. Senator Green objected.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

CSSB 67(JUD)  
Second Reading  
Amendment No. 1

**YEAS: 8 NAYS: 12 EXCUSED: 0 ABSENT: 0**

Yeas: Davis, Ellis, Elton, French, Guess, Hoffman, Kookesh, Olson

Nays: Bunde, Cowdery, Dyson, Green, Huggins, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

and so, Amendment No. 1 failed.

Senator French offered Amendment No. 2:

Page 2, following line 11:

Insert a new subsection to read:

"(f) The limitation on noneconomic damages in this section does not apply if, before the provision of services during which the injury occurred, the health care provider against whom the claim is asserted has been disciplined by the health care provider's professional disciplinary board, commission, or other authority in this state or any other jurisdiction."

Reletter the following subsection accordingly.

Senator French moved and asked unanimous consent for the adoption of the following amendment to Amendment No. 2:

Page 1, line 6, following, "other":

Insert "similar"

Without objection, Amendment No. 2 was amended.

Senator French moved for the adoption of Amendment No. 2 as amended. Senator Wilken objected.

The question being: "Shall Amendment No. 2 as amended be adopted?" The roll was taken with the following result:

CSSB 67(JUD)

Second Reading

Amendment No. 2 as amended

**YEAS: 8 NAYS: 12 EXCUSED: 0 ABSENT: 0**

Yeas: Davis, Ellis, Elton, French, Guess, Hoffman, Kookesh, Olson

Nays: Bunde, Cowdery, Dyson, Green, Huggins, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

and so, Amendment No. 2 as amended failed.

President Stevens stated CS FOR SENATE BILL NO. 67(JUD) will be on the April 12 calendar.

**Third Reading of Senate Bills****SB 137**

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." was read the third time.

Senator Hoffman moved and asked unanimous consent to abstain from voting due to a conflict of interest. Objections were heard and Senator Hoffman was required to vote.

The question being: "Shall 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" pass the Senate?" The roll was taken with the following result:

**SB 137**

Third Reading - Final Passage

**YEAS: 17 NAYS: 3 EXCUSED: 0 ABSENT: 0**

Yeas: Bunde, Cowdery, Davis, Dyson, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Ellis, Elton, French

and so, SENATE BILL NO. 137 passed the Senate.

Senator Ellis gave notice of reconsideration.

**SB 141**

CS FOR SENATE BILL NO. 141(FIN) "An Act relating to the teachers' and public employees' retirement systems and creating defined contribution and health reimbursement plans for members of the teachers' retirement system and the public employees' retirement system who are first hired after July 1, 2005; relating to university retirement programs; establishing the Alaska Retirement Management

Board to replace the Alaska State Pension Investment Board, the Alaska Teachers' Retirement Board, and the Public Employees' Retirement Board; adding appeals of the decisions of the administrator of the teachers' and public employees' retirement systems to the jurisdiction of the office of administrative hearings; providing for nonvested members of the teachers' retirement system defined benefit plans to transfer into the teachers' retirement system defined contribution plan and for nonvested members of the public employees' retirement system defined benefit plans to transfer into the public employees' retirement system defined contribution plan; providing for political subdivisions and public organizations to request to participate in the public employees' defined contribution retirement plan; and providing for an effective date" was read the third time.

Senator Hoffman moved that the bill be returned to second reading for the purpose of a specific amendment, that being Amendment No. 1. Without objection, the bill was returned to second reading.

Senator Hoffman offered Amendment No. 1:

Page 7, lines 9 - 30:

Delete all material.

Renumber the following bill sections accordingly.

Page 8, lines 8 - 11:

Delete all material.

Renumber the following bill sections accordingly.

Page 68, line 15, through page 69, line 13:

Delete all material.

Renumber the following bill sections accordingly.

Page 72, lines 4 - 7:

Delete all material.

Renumber the following bill sections accordingly.

Page 105, line 23:

Delete "sec. 59"

Insert "sec. 56"

Page 109, line 19:

Delete "SECTIONS 139 AND 140"  
Insert "SECTIONS 133 AND 134"

Page 109, line 20:

Delete "secs. 139 and 140"  
Insert "secs. 133 and 134"

Page 109, lines 21 - 22:

Delete "secs. 139 and 140"  
Insert "secs. 133 and 134"

Page 109, line 23:

Delete "Sections 11, 12, 14, 15, 20, 89 - 94, 107, 114, and 131"  
Insert "Sections 8, 9, 11, 12, 17, 84 - 89, 101, 108, and 125"

Page 109, line 25:

Delete "Section 141"  
Insert "Section 135"

Page 109, line 26:

Delete "secs. 142 and 143"  
Insert "secs. 136 and 137"

Senator Hoffman moved for the adoption of Amendment No. 1.  
Senator Green objected.

The question being: "Shall Amendment No. 1 be adopted?" The roll  
was taken with the following result:

CSSB 141(FIN)  
Second Reading  
Amendment No. 1

**YEAS: 8 NAYS: 12 EXCUSED: 0 ABSENT: 0**

Yeas: Davis, Ellis, Elton, French, Guess, Hoffman, Kookesh, Olson

Nays: Bunde, Cowdery, Dyson, Green, Huggins, Seekins, Stedman,  
Stevens B, Stevens G, Therriault, Wagoner, Wilken

and so, Amendment No. 1 failed.

CS FOR SENATE BILL NO. 141(FIN) was automatically in third reading.

Senator Olson moved that the bill be returned to second reading for the purpose of a specific amendment, that being Amendment No. 2. Without objection, the bill was returned to second reading.

Senator Olson offered Amendment No. 2:

Page 46, line 14, through page 47, line 24:

Delete all material and insert:

"(b) The Alaska Retirement Management Board consists of nine trustees. The commissioner of administration and the commissioner of revenue shall serve on the board. Four trustees shall be appointed by the governor and three shall be elected from the membership of state retirement systems.

(c) The governor shall appoint four trustees who meet the eligibility requirements for an Alaska permanent fund dividend and who are professionally credentialed or have recognized competence in investment management, finance, banking, economics, accounting, pension administration, or actuarial analysis as follows:

(1) two trustees shall be appointed from the general public; a trustee appointed under this paragraph may not hold another state office, position, or employment and may not be a member or beneficiary of a retirement system managed by the board;

(2) one trustee shall be employed as a finance officer for a political subdivision participating in the public employees' retirement system;

(3) one trustee shall be employed as a finance officer for a political subdivision participating in the teachers' retirement system.

(d) Two trustees shall be members of the public employees' retirement system elected by members of the public employees' retirement system. One trustee shall be a member of the teachers' retirement system elected by members of the teachers' retirement system. Elections shall be conducted by the board. A candidate shall be professionally credentialed or have recognized competence in

investment management, finance, banking, economics, accounting, pension administration, or actuarial analysis. The candidate who receives the most votes cast in the election is elected to the seat. If two seats are to be filled at the election, the candidate who receives the highest number of votes cast and the candidate who receives the second highest number of votes cast are elected to the seats. The term of office of an elected member is three years. The governor shall fill a vacancy in an unexpired elective term by appointment for the period remaining before the next regularly scheduled election held under this subsection. The term limitations of (e)(1) of this section do not apply to trustees elected under this subsection.

(e) The trustees appointed under (c) of this section

(1) shall serve for staggered terms of three years and may be reappointed to the board for a total of three consecutive terms; a person who has served three consecutive terms may not be reappointed to the board for at least one year;

(2) may be removed by the governor for cause by written notice; after a trustee receives written notice of removal, the trustee may not participate in board business and may not be counted for purposes of establishing a quorum.

(f) A vacancy on the board of trustees appointed to the board under (e)(2) of this section shall be promptly filled. A person filling a vacancy holds office for the balance of the unexpired term of the person's predecessor, and the balance of the unexpired term served is not included in the three-term limitation under (e)(1) of this section. A vacancy on the board does not impair the authority of a quorum of the board to exercise all the powers and perform all the duties of the board.

(g) Five trustees constitute a quorum for the transaction of business and the exercise of the powers and duties of the board.

(h) A trustee may not designate another person to serve on the board in the absence of the trustee.



(i) The board shall provide annual training to its members on the duties and powers of a fiduciary of a state fund and other training as necessary to keep the members of the board educated about pension management and investment.

(j) The board shall elect a trustee to serve as chair and a trustee to serve as vice-chair for one-year terms. A trustee may be reelected to serve additional terms as chair or vice-chair."

Page 105, lines 19 - 26:

Delete all material and insert:

"\* **Sec. 132.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: INITIAL STAGGERED TERMS OF TRUSTEES OF THE ALASKA RETIREMENT SECURITY AND PORTABILITY BOARD. (a) Notwithstanding AS 37.10.210(e), as repealed and reenacted by sec. 59 of this Act, in making the initial appointments under AS 37.10.210(c), as repealed and reenacted by sec. 59 of this Act, the governor shall appoint one member for one year, one member for two years and two members for three years.

(b) Notwithstanding AS 37.10.210(d), as repealed and reenacted by sec. 59 of this Act, the initial term of the candidate who receives the highest number of votes cast in a two-seat election shall be elected to a three-year term, and the candidate in a two-seat election who receives the second highest number of votes cast shall be elected to a one-year term. The initial term of a candidate who receives the highest number of votes cast in a one seat election shall be two years."

Senator Olson moved for the adoption of Amendment No. 2. Senator Green objected.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

CSSB 141(FIN)  
Second Reading  
Amendment No. 2

**YEAS: 8 NAYS: 12 EXCUSED: 0 ABSENT: 0**

Yeas: Davis, Ellis, Elton, French, Guess, Hoffman, Kookesh, Olson

Nays: Bunde, Cowdery, Dyson, Green, Huggins, Seekins, Stedman,  
Stevens B, Stevens G, Therriault, Wagoner, Wilken

and so, Amendment No. 2 failed.

CS FOR SENATE BILL NO. 141(FIN) was automatically in third reading.

The question being: "Shall CS FOR SENATE BILL NO. 141(FIN) "An Act relating to the teachers' and public employees' retirement systems and creating defined contribution and health reimbursement plans for members of the teachers' retirement system and the public employees' retirement system who are first hired after July 1, 2005; relating to university retirement programs; establishing the Alaska Retirement Management Board to replace the Alaska State Pension Investment Board, the Alaska Teachers' Retirement Board, and the Public Employees' Retirement Board; adding appeals of the decisions of the administrator of the teachers' and public employees' retirement systems to the jurisdiction of the office of administrative hearings; providing for nonvested members of the teachers' retirement system defined benefit plans to transfer into the teachers' retirement system defined contribution plan and for nonvested members of the public employees' retirement system defined benefit plans to transfer into the public employees' retirement system defined contribution plan; providing for political subdivisions and public organizations to request to participate in the public employees' defined contribution retirement plan; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 141(FIN)

Third Reading - Final Passage

**YEAS: 12 NAYS: 8 EXCUSED: 0 ABSENT: 0**

Yeas: Bunde, Cowdery, Dyson, Green, Huggins, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Davis, Ellis, Elton, French, Guess, Hoffman, Kookesh, Olson

and so, CS FOR SENATE BILL NO. 141(FIN) passed the Senate.

Senator Gary Stevens moved for the adoption of the effective date clauses.

The question being: "Shall the effective date clauses be adopted?" The roll was taken with the following result:

CSSB 141(FIN)

Effective Date Clauses

**YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0**

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

and so, the effective date clauses were adopted.

Senator Elton gave notice of reconsideration.

### **Second Reading of House Resolutions**

#### **HJR 8**

HOUSE JOINT RESOLUTION NO. 8 Expressing support of Alaska Army National Guard soldiers deployed worldwide, was read the second time.

Senator Gary Stevens moved and asked unanimous consent that the resolution be advanced to third reading and placed on final passage. Without objection, it was so ordered.

HOUSE JOINT RESOLUTION NO. 8 was read the third time.

Senators Ellis, Bunde, Cowdery, Davis, Dyson, Elton, French, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Ben Stevens, Gary Stevens, Therriault, Wagoner, Wilken, moved and asked unanimous consent to be shown as cross sponsors on the resolution. Without objection, it was so ordered.

The question being: "Shall HOUSE JOINT RESOLUTION NO. 8 Expressing support of Alaska Army National Guard soldiers deployed worldwide, pass the Senate?" The roll was taken with the following result:

HJR 8

Third Reading - Final Passage

**YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0**

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

and so, HOUSE JOINT RESOLUTION NO. 8 passed the Senate, was signed by the President and Secretary and returned to the House.

### Citations

Honoring – West Anchorage High School’s “We the People” Senate Congressional Hearing Competition Team  
 Senator(s) Ellis, Ben Stevens, Bunde, Cowdery, Davis, Dyson, French, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken  
 Representative(s) Berkowitz

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

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

In Memoriam – Michael J. Oberts  
Representative(s) Chenault  
Senator(s) Wagoner, Ben Stevens, Bunde, Cowdery, Davis, Dyson,  
Ellis, Elton, Green, Guess, Hoffman, Huggins, Kookesh, Olson,  
Seekins, Stedman, Gary Stevens, Therriault, 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.

#### **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., April 12, 2005. Without objection, the Senate adjourned at 1:40 p.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**

<b>Apr 11</b>	<b>Monday</b> No Meeting Scheduled	<b>Beltz 211</b>	<b>1:30 PM</b>
<b>Apr 13</b>	<b>Wednesday</b> SB 120 ELIMINATE DAYLIGHT SAVING TIME SB 161 BOROUGH SALES TAX EXEMPTIONS Senate Bill: TAXATION OF MINING PROPERTY; CONTRACTS APPROVED BY MUNICIPALITIES FOR PAYMENT IN LIEU OF TAXES <Pending Introduction & Referral>	<b>Beltz 211</b>	<b>1:30 PM</b>
<b>Apr 15</b>	<b>Friday</b> Bills Previously Heard/Scheduled	<b>Beltz 211</b>	<b>1:30 PM</b>

**FINANCE**

<b>Apr 11</b>	<b>Monday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+ HB 66	APPROP: MENTAL HEALTH BUDGET		
+ HB 67	APPROP: OPERATING BUDGET/LOANS/FUNDS		
+	Sub-Committee Reports to Full Committee		
Bills Previously Heard/Scheduled			
+= SB 130	WORKERS' COMPENSATION		

**FINANCE (continued)**

**Apr 11 Monday Senate Finance 532 5:00 PM**

-- Time Change --

- + HB 66 APPROP: MENTAL HEALTH BUDGET
- + HB 67 APPROP: OPERATING BUDGET/LOANS/FUNDS
- + Sub-Committee Reports to Full Committee
- Continued
- + Bills Previously Heard/Scheduled

**Apr 12 Tuesday Senate Finance 532 9:00 AM**

- + HB 66 APPROP: MENTAL HEALTH BUDGET
- + HB 67 APPROP: OPERATING BUDGET/LOANS/FUNDS
- Statewide Public Testimony - (Public Testimony May Be Limited to No More Than 3 Minutes)
- 9:00 am Bethel, Nome, Kotzebue
- 9:30 am Barrow, Tok, Delta Junction
- 10:00 am Ketchikan, Wrangell, Petersburg
- 10:30 - 11:00 Sitka, Cordova, Valdez

**Apr 12 Tuesday Senate Finance 532 5:00 PM**

-- Time Change --

- + HB 66 APPROP: MENTAL HEALTH BUDGET
- + HB 67 APPROP: OPERATING BUDGET/LOANS/FUNDS
- Statewide Public Testimony - (Public Testimony May Be Limited to No More Than 3 Minutes)
- 5:00 pm Glennallen, Seward, Homer
- 5:30 pm Kenai, Kodiak, Dillingham
- 6:00 pm Anchorage
- 6:30 - 7:30 pm Fairbanks, Mat-Su
- + Bills Previously Heard/Scheduled

**Apr 13 Wednesday Senate Finance 532 9:00 AM**

- + SB 16 POWERS/DUTIES DOTPF/TRANSPORTATION PLAN
- + SJR 14 REPEAL FEDERAL ESTATE TAX
- + SB 158 MUNI TAX ON STATE CONSTRUCTION CONTRACTS
- + SB 147 SPORT FISHING FACILITY REVENUE BONDS
- + Bills Previously Heard/Scheduled

**FINANCE (continued)**

- Apr 13      Wednesday                      Senate Finance 532              5:00 PM**  
 -- Time Change --
- + = HB 66    APPROP: MENTAL HEALTH BUDGET
- + = HB 67    APPROP: OPERATING BUDGET/LOANS/FUNDS  
 Continuation of Statewide Public  
 Testimony (Public Testimony May Be  
 Limited to No More Than 3 Minutes)  
 5:00 pm Statewide Teleconference -  
 Off Net Sites  
 5:30 - 6:30 pm Juneau
- +            Bills Previously Heard/Scheduled
  
- Apr 14      Thursday                              Senate Finance 532              9:00 AM**
- + = HB 66    APPROP: MENTAL HEALTH BUDGET
- + = HB 67    APPROP: OPERATING BUDGET/LOANS/FUNDS  
 Consideration of Amendments
  
- Apr 14      Thursday                              Senate Finance 532              5:00 PM**  
 -- Time Change --
- + = HB 66    APPROP: MENTAL HEALTH BUDGET
- + = HB 67    APPROP: OPERATING BUDGET/LOANS/FUNDS  
 Consideration of Amendments  
 (If Needed)
- +            Bills Previously Heard/Scheduled
  
- Apr 15      Friday                                      Senate Finance 532              9:00 AM**
- + = HB 66    APPROP: MENTAL HEALTH BUDGET
- + = HB 67    APPROP: OPERATING BUDGET/LOANS/FUNDS
- + = SB 130    WORKERS' COMPENSATION
- +    SB 131    WAGE & HOUR ACT: EXEC/PROF/ADMIN/SALES
- +            Bills Previously Heard/Scheduled

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**HEALTH, EDUCATION & SOCIAL SERVICES**

- Apr 11      Monday                                      Butrovich 205              1:45 PM**  
 -- Time Change --
- + = SB 10    PARENTAL LIABILITY FOR CHILD'S DAMAGE
- +            Bills Previously Heard/Scheduled



**HEALTH, EDUCATION & SOCIAL SERVICES (continued)**

**Apr 13 Wednesday Butrovich 205 1:30 PM**  
 += SB 125 LICENSING MEDICAL OR CARE FACILITIES  
 + Bills Previously Heard/Scheduled

**Apr 15 Friday Butrovich 205 1:30 PM**  
 + Bills Previously Heard/Scheduled  
 If Necessary

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**JUDICIARY**

**Apr 11 Monday Butrovich 205 8:00 AM**  
 -- Time Change --  
 + SB 74 CRIMES INVOLVING MARIJUANA/OTHER DRUGS  
 + Bills Previously Heard/Scheduled

**Apr 12 Tuesday Butrovich 205 8:00 AM**  
 -- Time Change --  
 += SB 20 OFFENSES AGAINST UNBORN CHILDREN  
 + Bills Previously Heard/Scheduled

**Apr 13 Wednesday Butrovich 205 8:30 AM**  
 + Joint w/(H) Judiciary  
 Attorney General Confirmation Hearing:  
 David Marquez  
 += SB 140 BAN INTERNET SPYWARE  
 + Bills Previously Heard/Scheduled

**Apr 14 Thursday Butrovich 205 8:00 AM**  
 -- Time Change --  
 += SB 135 ASSAULT & CUSTODIAL INTERFERENCE  
 += SB 132 HUMAN RIGHTS COMMISSION  
 + Bills Previously Heard/Scheduled

**Apr 15 Friday Butrovich 205 8:00 AM**  
 -- Time Change --  
 + SB 86 STATE/MUNI LIABILITY FOR ATTORNEY FEES  
 + SB 159 INDECENT EXPOSURE TO MINORS  
 + HB 155 YOUTH COURTS AND CRIMINAL FINES  
 + Bills Previously Heard/Scheduled

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**LABOR & COMMERCE**

**Apr 12 Tuesday Beltz 211 1:30 PM**  
 + SB 157 REG. COST CHARGES: UTILITIES/PIPELINES  
 + Senate Bill:  
 OPTICIANS  
 <Pending Introduction & Referral>  
 Bills Previously Heard/Scheduled  
 Including But Not Limited to:  
 += SB 160 STATE PROCUREMENT ELECTRONIC TOOLS

**Apr 14 Thursday Beltz 211 1:30 PM**  
 + HB 61 GAMING: CALCUTTA POOLS & CRANE CLASSICS  
 + SB 149 PROTECTION OF PERSONAL INFORMATION  
 + SB 148 INFORMATION SECURITY  
 + Bills Previously Heard/Scheduled

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**RESOURCES**

**Apr 11 Monday Butrovich 205 3:30 PM**  
 += SB 85 OFF-ROAD VEHICLE USE ON DALTON HIGHWAY  
 += SB 96 UNIVERSITY LAND GRANT/STATE FOREST  
 + HB 198 AQUATIC PLANT& SHELLFISH FARMING

**Apr 13 Wednesday Butrovich 205 3:30 PM**  
 += SB 53 AK PENINSULA OIL & GAS LEASE SALE; TAXES  
 + SB 163 COOK INLET OIL & GAS TAX CREDIT  
 + SCR 6 COOK INLET OIL & GAS PLATFORM ABANDONMENT  
 + SCR 7 OIL AND GAS REG REVISIONS

**Apr 15 Friday Butrovich 205 3:30 PM**  
 + HB 19 PESTICIDE & BROADCAST CHEMICALS  
 + SB 164 SALMON PRODUCT DEVELOPMENT TAX CREDIT

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**STATE AFFAIRS**

**Apr 12 Tuesday Beltz 211 3:30 PM**  
 SCR 8 COOK INLET GAS GATHERING SYSTEM COMPLAINT  
 HB 95 PUBLIC HEALTH DISASTERS/EMERGENCIES  
 Bills Previously Heard/Scheduled

**STATE AFFAIRS (continued)**

**Apr 14 Thursday Beltz 211 3:30 PM**  
 SB 94 STATE EMPLOYEE HEALTH INSURANCE  
 HB 116 LIABILITY FOR ALCOHOL LAW VIOLATIONS  
 Bills Previously Heard/Scheduled

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**TRANSPORTATION**

**Apr 12 Tuesday Butrovich 205 1:30 PM**  
 -- Meeting Canceled --  
 + Senate Bill:  
 AN ACT RELATING TO OFFENSES AND PENALTIES  
 FOR VIOLATION OF VEHICLE WEIGHT  
 LIMITATIONS; PROHIBITING THE USE OF A  
 VIOLATION OF A VEHICLE WEIGHT LIMITATION  
 FOR CERTAIN PERSONAL AUTOMOBILE  
 INSURANCE ACTIONS; AMENDING RULE 43.6,  
 ALASKA RULES OF ADMINISTRATION; AND  
 PROVIDING FOR AN EFFECTIVE DATE  
 <Pending Introduction & Referral>  
 Bills Previously Heard/Scheduled  
 Continuation of DOT/PF Project  
 Discussion if Needed

**Apr 14 Thursday Butrovich 205 1:30 PM**  
 + Senate Bill:  
 AN ACT RELATING TO OFFENSES AND PENALTIES  
 FOR VIOLATION OF VEHICLE WEIGHT  
 LIMITATIONS; PROHIBITING THE USE OF A  
 VIOLATION OF A VEHICLE WEIGHT LIMITATION  
 FOR CERTAIN PERSONAL AUTOMOBILE  
 INSURANCE ACTIONS; AMENDING RULE 43.6,  
 ALASKA RULES OF ADMINISTRATION; AND  
 PROVIDING FOR AN EFFECTIVE DATE  
 <Pending Introduction & Referral>  
 Bills Previously Heard/Scheduled  
 Continuation of DOT/PF Project  
 Discussion if Needed

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**FINANCE SUBCOMMITTEES****UNIVERSITY OF ALASKA**

**Apr 11**      **Monday**                      **Senate Finance 532**                      **8:30 AM**  
-- Time Changed from 9 to 8:30 am --  
Budget Close Out  
University of Alaska  
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**JOINT COMMITTEES****ADMINISTRATIVE REGULATION REVIEW**

**Apr 20**      **Wednesday**                      **Fahrenkamp 203**                      **1:00 PM**  
Hearing on DEC Proposed Changes to the  
Alaska Food Codes