

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Wednesday

April 27, 2005

One Hundred Eighth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:18 a.m.

The roll showed nineteen members present. Senator Bunde was excused from a call of the Senate.

The prayer was offered by the Chaplain, Major Larry Fankhauser of The Salvation Army. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear God:

I want to thank You today for the beautiful weather You have provided, for the privilege of serving, and most of all, for the assurance that You are there to give wisdom, understanding and direction as each of us looks to You.

For each senator, their families and those of the districts they serve, may Your blessings flow upon them this day.

In Jesus' precious name I pray,

Amen.

Senator Guess led the Senate in the Pledge of Allegiance.

Certification

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

Communications

The following report is on file in the Office of the Secretary of the Senate:

Statewide Suicide Prevention Council
2005 Annual Report to the Legislature
from Tracy Barbee, Chair
in accordance with AS 44.29.360

Standing Committee Reports**SB 20**

The Judiciary Committee considered SENATE BILL NO. 20 "An Act relating to offenses against unborn children" and recommended it be replaced with

CS FOR SENATE BILL NO. 20(2d JUD)

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

The following previously published fiscal information applies:

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

President Stevens added a Finance Committee referral to the bill.

The bill was referred to the Finance Committee.

SB 124

The Finance Committee considered SENATE BILL NO. 124 "An Act relating to requirements to obtain and maintain a fisheries business license; relating to security required of fish processors and primary fish buyers; and providing for an effective date" and recommended the adoption of the Labor and Commerce Committee Substitute offered on page 621. Signing do pass: Senator Green, Cochair; Senators Dyson, Stedman. Signing no recommendation: Senator Wilken, Cochair; Senator Olson.

The following fiscal information was published today:

Fiscal Note No. 6, Department of Revenue

The following previously published fiscal information applies:

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

Fiscal Note No. 3, zero, Department of Fish and Game

Fiscal Note No. 4, zero, Department of Labor and Workforce Development

Fiscal Note No. 5, zero, Department of Labor and Workforce Development

The bill was referred to the Rules Committee.

SB 182

The State Affairs Committee considered SENATE BILL NO. 182 "An Act authorizing the Department of Military and Veterans' Affairs to establish and maintain Alaskan veterans' cemeteries; and establishing the Alaska veterans' cemetery fund in the general fund." Signing do pass: Senator Therriault, Chair; Senators Wagoner, Huggins. Signing no recommendation: Senators Elton, Davis.

The following fiscal information was published today:

Fiscal Note No. 1, indeterminate, Department of Military and Veterans Affairs

The bill was referred to the Finance Committee.

HB 76

The Finance Committee considered CS FOR HOUSE BILL NO. 76(FIN) am "An Act relating to the Big Game Commercial Services Board and to the regulation of big game hunting services and transportation services; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.
76(FIN)

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

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Fish and Game
Fiscal Note No. 2, zero, Department of Public Safety
Fiscal Note No. 4, zero, Department of Natural Resources
Fiscal Note No. 5, Department of Commerce, Community and
Economic Development

The bill was referred to the Rules Committee.

HB 102

The Finance Committee considered HOUSE BILL NO. 102 am "An Act relating to the licensure of foreign medical graduates and to applications for a license to practice medicine; and providing for an effective date." Signing do pass: Senators Wilken, Green, Cochairs; Senators Hoffman, Olson, Dyson, Stedman.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

HB 116

The Judiciary Committee considered CS FOR HOUSE BILL NO. 116(JUD) "An Act relating to the liability of certain persons for certain violations of alcoholic beverages laws" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.
116(JUD) "An Act relating to the liability of certain
persons for certain violations of alcoholic beverages
laws; and providing for an effective date."
(technical title change)

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

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Department of Public Safety

The bill was referred to the Rules Committee.

HB 183

The State Affairs Committee considered CS FOR HOUSE BILL NO.
183(JUD) an "An Act relating to the use of campaign contributions
for shared campaign activity expenses and to reimbursement of those
expenses; and amending the definition of 'contribution' in regard to
sharing fundraising lists between candidates and political parties
without compensation" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.
183(STA)

Signing do pass: Senator Wagoner, Vice Chair; Senators Elton,
Huggins, Davis.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Department of Administration

The bill was referred to the Judiciary Committee.

HB 210

The State Affairs Committee considered CS FOR HOUSE BILL NO.
210(JUD) "An Act relating to blood testing of certain persons alleged
to have committed certain offenses directed toward peace officers or
emergency workers." Signing amend: Senator Therriault, Chair;
Senators Elton, Wagoner, Huggins, Davis.

The following previously published fiscal information applies:

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

The bill was referred to the Judiciary Committee.

Introduction and Reference of Senate Resolutions

SCR 11

SENATE CONCURRENT RESOLUTION NO. 11 BY THE
SENATE RESOURCES COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 75, 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.

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

Introduction and Reference of Senate Bills

SB 189

SENATE BILL NO. 189 BY SENATORS HUGGINS, Therriault,
entitled:

"An Act relating to issuance of identification cards
and to issuance of driver's licenses."

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

Consideration of the Calendar**Second Reading of Senate Bills****SB 101**

SENATE BILL NO. 101 "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; 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 1122. Without objection, CS FOR SENATE BILL NO. 101(JUD) was adopted.

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

CS FOR SENATE BILL NO. 101(JUD) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 101(JUD) "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 101(JUD)

Third Reading - Final Passage

Effective Date

YEAS: 18 NAYS: 1 EXCUSED: 1 ABSENT: 0

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

Nays: Green

Excused: Bunde

and so, CS FOR SENATE BILL NO. 101(JUD) passed the Senate.

Senator Gary Stevens moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

SB 133

SENATE BILL NO. 133 "An Act establishing the Aviation Advisory Board; and providing for an effective date" was read the second time.

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

SENATE BILL NO. 133 was read the third time.

The question being: "Shall SENATE BILL NO. 133 "An Act establishing the Aviation Advisory Board; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SB 133

Third Reading - Final Passage

Effective Date

YEAS: 19 NAYS: 0 EXCUSED: 1 ABSENT: 0

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

Excused: Bunde

and so, SENATE BILL NO. 133 passed the Senate.

Senator Gary Stevens moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered.

Senator Ellis gave notice of reconsideration.

SB 174

SENATE BILL NO. 174 "An Act excluding certain trucks from the definition of 'passenger vehicle' for purposes of the passenger vehicle rental tax; and providing for an effective date" was read the second time.

President Stevens stated SENATE BILL NO. 174 will be on the April 28 calendar.

Third Reading of Senate Bills**SB 110**

CS FOR SENATE BILL NO. 110(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 110(FIN) "An Act relating to regulation of the discharge of pollutants under the National Pollutant Discharge Elimination System; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 110(FIN)

Third Reading - Final Passage

YEAS: 12 NAYS: 7 EXCUSED: 1 ABSENT: 0

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

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

Excused: Bunde

and so, CS FOR SENATE BILL NO. 110(FIN) passed the Senate.

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

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

CSSB 110(FIN)
Effective Date Clause

YEAS: 12 NAYS: 7 EXCUSED: 1 ABSENT: 0

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

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

Excused: Bunde

and so, the effective date clause failed.

Senator Olson gave notice of reconsideration on CS FOR SENATE BILL NO. 110(FIN)(efd fld) "An Act relating to regulation of the discharge of pollutants under the National Pollutant Discharge Elimination System."

Citations

Honoring – Ruth Bauer Bohms
Representative(s) Guttenberg
Senator(s) Seekins, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Green, Guess, Hoffman, Huggins, Kookesh, Olson, 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 Davis moved and asked unanimous consent to be excused from a call of the Senate on April 29 and to evening plane time on May 1. Without objection, Senator Davis was excused.

Announcements

Announcements are at the end of the journal.

Rule 23(d) of the Alaska State Legislature Uniform Rules is currently in effect.

Engrossment**SB 101**

CS FOR SENATE BILL NO. 101(JUD) "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Enrollment**SB 105**

CS FOR SENATE BILL NO. 105(L&C) "An Act relating to the retrospective application and applicability of the overtime compensation exemption for flight crew members; 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 2:40 p.m., April 27, 2005.

Adjournment

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., April 28, 2005. Without objection, the Senate adjourned at 11:50 a.m.

Kirsten Waid
Secretary of the Senate

April 2005

FINANCE (continued)**Apr 28 Thursday Senate Finance 532 9:00 AM**

- + HB 130 UNIVERSITY LAND GRANT/STATE FOREST
-- Testimony <Invitation Only> --
- + SB 153 INTERNATIONAL AIRPORTS REVENUE BONDS
- + HB 15 LIQUOR LICENSES: OUTDOOR REC. LODGE/BARS
- + HB 19 PESTICIDE & BROADCAST CHEMICALS
- + HB 20 OATHS; NOTARIES PUBLIC; STATE SEAL
- + SB 20 OFFENSES AGAINST UNBORN CHILDREN
- + SB 164 SALMON PRODUCT DEVELOPMENT TAX CREDIT
- + SB 175 DISPENSING OPTICIANS
- + Bills Previously Heard/Scheduled

Apr 29 Friday Senate Finance 532 9:00 AM

- + HB 182 WAGE & HOUR ACT: EXEC/PROF/ADMIN/SALES/DP
- + HB 119 AK REGIONAL ECONOMIC ASSISTANCE PROGRAM
- + Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES**Apr 27 Wednesday Butrovich 205 1:30 PM**

- + HB 225 MEDICAL EXAMINERS & AUTOPSIES
- + HB 120 HEALTH CARE EMPLOYEE PROTECTION
- + Confirmation Hearings:
Board of Dental Examiners
Board of Pharmacy
State Physical Therapy and Occupational
Therapy Board
Alaska Mental Health Trust Authority
Board of Trustees
Professional Counselors
University of Alaska Board of Regents
- + Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES (continued)

Apr 29 Friday Butrovich 205 1:30 PM
 + HB 214 ANATOMICAL GIFTS & REGISTRY
 + Bills Previously Heard/Scheduled

JUDICIARY

Apr 27 Wednesday Butrovich 205 8:30 AM
 + SB 127 EXEC. BRANCH ETHICS: FINANCIAL INTERESTS
 <Pending Referral>
 + SB 186 EXECUTIVE BRANCH ETHICS
 <Pending Referral>
 + SB 187 LEGISLATIVE ETHICS/MEETINGS
 <Pending Referral>
 + Bills Previously Heard/Scheduled

Apr 28 Thursday Butrovich 205 8:30 AM
 + SB 106 SALE OF METHAMPHETAMINE AND PRECURSORS
 + HB 149 CONTROLLED SUBSTANCES
 + HB 184 MUNICIPAL FIREARM ORDINANCES
 += HB 81 CONTRACTOR LICENSE ENFORCEMENT
 += HB 54 BAIL REVIEW
 + SB 149 PROTECTION OF PERSONAL INFORMATION
 <SB 149 Bill Hearing Canceled>
 + Bills Previously Heard/Scheduled
 += SB 127 EXEC. BRANCH ETHICS: FINANCIAL INTERESTS
 <Pending Referral>
 += SB 186 EXECUTIVE BRANCH ETHICS
 <Pending Referral>
 += SB 187 LEGISLATIVE ETHICS/MEETINGS
 <Pending Referral>

Apr 29 Friday Butrovich 205 8:30 AM
 Bills Previously Heard/Scheduled

LABOR & COMMERCE

Apr 28 Thursday Beltz 211 1:30 PM
 += HB 211 DENTISTS; HYGIENISTS; BD OF DENTAL EXAM.
 += SB 173 NEWSPAPER PROPERTY SALES NOTICES
 + HB 216 INSURANCE RATES, FORMS, & FILING
 <Pending Referral>
 + Confirmation Hearing
 Alcohol Beverage Control Board
 Michael Gordon - Anchorage
 William Tull - Palmer
 Board of Marine Pilots
 Dale Collins - Ketchikan
 Real Estate Commission
 Gene DuVal - Fairbanks
 Roger Stone - Ketchikan
 + Bills Previously Heard/Scheduled
 Including But Not Limited to:
 += HB 61 GAMING: CALCUTTA POOLS & CRANE CLASSICS

RESOURCES

Apr 27 Wednesday Butrovich 205 3:30 PM
 + Confirmation Hearing:
 Board of Fisheries: Rupert Andrews,
 John Jensen, Melvan Morris
 Board of Game: Carl Morgan,
 Ron Somerville, Ted Spraker
 ACFEC: Peter Froehlich
 + HB 71 OIL & GAS EXPLORATION CREDIT
 <Pending Referral>
 + HCR 7 COOK INLET OIL & GAS PLATFORM ABANDONMENT
 + Bills Previously Heard/Scheduled

Apr 27 Wednesday Senate Finance 532 6:00 PM
 + Joint w/(H) Resources
 Work Session - Updates on the Stranded
 Gas Contract Submittals

Apr 29 Friday Butrovich 205 3:30 PM
 + SCR 8 COOK INLET GAS GATHERING SYSTEM COMPLAINT
 + SCR 9 SUPPORTING KENSINGTON GOLD MINE
 + Bills Previously Heard/Scheduled

STATE AFFAIRS

Apr 28 Thursday Beltz 211 3:30 PM
 Bills Previously Heard/Scheduled

TRANSPORTATION

Apr 28 Thursday Butrovich 205 1:30 PM
 + SB 183 OUTDOOR ADVERTISING; ENCROACHMENTS
 Bills Previously Heard/Scheduled

JOINT COMMITTEES**CONFERENCE COMMITTEE ON HB 66 & HB 67**

Apr 27 Wednesday Senate Finance 532 12:30 PM
 HB 66 APPROP: MENTAL HEALTH BUDGET
 HB 67 APPROP: OPERATING BUDGET/LOANS/FUNDS/BRF
 Organizational Meeting/Request for
 Limited Powers

Apr 28 Thursday Senate Finance 532 12:45 PM
 = HB 66 APPROP: MENTAL HEALTH BUDGET
 = HB 67 APPROP: OPERATING BUDGET/LOANS/FUNDS/BRF
 The Committee will take up the following
 departments:
 Governor
 Court System
 Legislature
 Administration
 Commerce
 Education
 Environmental Conservation

LEGISLATIVE COUNCIL

Apr 28	Thursday	Senate Finance 532	8:00 AM
	Approvals: Travel/Per Diem Policy Actuarial Service Company, P.C. Contract Amendment Other Business		
May 06	Friday	Senate Finance 532	5:00 PM
	Agenda TBA		

OTHER MEETINGS

JOINT LEGISLATIVE HEALTH CAUCUS

May 02	Monday	Fahrenkamp 203	12:00 PM
	"Cover the Uninsured Week 2005" A healthy lunch will be served.		

JOINT SESSION

May 05	Thursday	House Chamber	11:00 AM
	Governor's Appointees		