

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Saturday

May 7, 2005

One Hundred Eighteenth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 12:05 p.m.

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

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

On this beautiful day before Mother's Day, may we reflect on the astounding beauty around us, the emergence of abundant nature and wildlife and the promise of Spring.

May this promise inspire optimism and hope and may we all share the spirit of selflessness, life and love embodied by mothers. Amen.

Senator Wilken led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House**HB 184**

Pursuant to the Senate request, SENATE CS FOR HOUSE BILL NO. 184(JUD) "An Act relating to firearms" was returned to the Senate.

Senator Gary Stevens moved that the Senate rescind its previous action in passing SENATE CS FOR HOUSE BILL NO. 184(JUD).

The question being: "Shall the Senate rescind its previous action?" The roll was taken with the following result:

SCS HB 184(JUD)

Rescind Previous Action?

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

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

Excused: Bunde

Absent: Dyson

and so, the Senate rescinded its previous action and the bill was before the Senate in third reading.

The presence of Senator Dyson was noted.

HB 184

Senator Seekins 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 Seekins offered Amendment No. 2:

Page 2, following line 3, insert a new subsection to read:

“(d) Notwithstanding subsection (a) of this section, an employer or its agent may prohibit the possession of firearms within a secured restricted access area as defined in AS 29.35.145(d)(2), in a vehicle owned, leased or rented by the employer or its agent or in a parking lot owned or controlled by the employer within 300 feet of the secured

restricted access area that does not include common areas of ingress and egress open to the general public. The employer or its agent shall post conspicuous notice of the prohibition against possession of firearms at each entrance to the restricted access area and affected parking area.”

Senator Seekins moved for the adoption of Amendment No. 2. Without objection, Amendment No. 2 was adopted.

SENATE CS FOR HOUSE BILL NO. 184(JUD) am S was automatically in third reading.

The question being: "Shall SENATE CS FOR HOUSE BILL NO. 184(JUD) am S "An Act relating to firearms" pass the Senate?" The roll was taken with the following result:

SCS HB 184(JUD) am S
Third Reading - Final Passage

YEAS: 16 NAYS: 3 EXCUSED: 1 ABSENT: 0

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

Nays: Davis, Elton, French

Excused: Bunde

and so, SENATE CS FOR HOUSE BILL NO. 184(JUD) am S passed the Senate and was referred to the Secretary for engrossment.

SCR 15

Message dated May 5 was read, stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 15
Authorizing the Legislative Budget and Audit
Committee to pursue and direct litigation relating to
state natural gas transportation.

The resolution was referred to the Secretary for enrollment.

SJR 11

Message dated May 5 was read, stating the House passed and returned:

SENATE JOINT RESOLUTION NO. 11 Urging the United States Congress to amend the tax code to repeal the federal excise tax on communications.

The resolution was referred to the Secretary for enrollment.

HB 76

Message dated May 6 was read, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 76(FIN) am, thus adopting:

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

HB 156

Message dated May 6 was read, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 156(RLS) am, thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 156(FIN) "An Act relating to the membership and duties of and quorum requirements for the Alaska Commission on Aging; and providing for an effective date."

HB 210

Message dated May 6 was read, stating the House concurred in the Senate amendments to CS FOR HOUSE BILL NO. 210(JUD), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 210(JUD) am S "An Act relating to blood testing of certain persons alleged to have committed certain offenses directed toward peace officers or emergency workers."

Messages dated May 5 and 6 were read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 106

CS FOR HOUSE BILL NO. 106(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act establishing the senior care program and relating to that program; creating a fund for the provision of the senior care program; repealing ch. 3, SLA 2004; and providing for an effective date."

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

HB 161

CS FOR HOUSE BILL NO. 161(STA) am BY THE HOUSE STATE AFFAIRS COMMITTEE, entitled:

"An Act relating to reemployment of and benefits for or on behalf of retired teachers and public employees and to teachers or employees who participated in retirement incentive programs and are subsequently reemployed as a commissioner; repealing secs. 5, 7, and 9, ch. 58, SLA 2001; providing for an effective date by amending the delayed effective date for secs. 3, 5, 9, and 12, ch. 57, SLA 2001, and repealing sec. 13, ch. 58, SLA 2001, which is the delayed effective date for secs. 5, 7, and 9, ch. 58, SLA 2001; and providing for an effective date."

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

HB 243

CS FOR HOUSE BILL NO. 243(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to the financial plan for the intertie between the Swan Lake and Tyee Lake hydroelectric projects; and providing for an effective date."

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

HB 275

CS FOR HOUSE BILL NO. 275(FIN) am BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act authorizing financing for certain public transportation projects; giving notice of and approving the entry into, and the issuance of revenue obligations that provide participation in, lease-financing agreements for those transportation projects; and providing for an effective date."

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

HB 283

CS FOR HOUSE BILL NO. 283(STA) BY THE HOUSE STATE AFFAIRS COMMITTEE, entitled:

"An Act relating to the compensation for board members of the Alaska Housing Finance Corporation; and providing for an effective date."

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

Concur Messages**SB 67**

Message dated May 6 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 67(JUD)(efd fld) "An Act relating to claims for personal injury or wrongful death against health care providers" with the following amendments:

HOUSE CS FOR CS FOR SENATE BILL NO. 67(FIN) am H

Senator Gary Stevens moved that the Senate concur in the House amendments.

The question being: "Shall the Senate concur in the House amendments?" The roll was taken with the following result:

HCS CSSB 67(FIN) am H
Shall the Senate Concur in the House amendments
to CSSB 67(JUD)(efd fld)?

YEAS: 15 NAYS: 4 EXCUSED: 1 ABSENT: 0

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

Nays: Ellis, Elton, French, Guess

Excused: Bunde

and so, the Senate concurred in the House amendments, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 67(FIN) am H "An Act relating to claims for personal injury or wrongful death against health care providers."

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

SB 141

Message dated May 7 was read, stating the House passed 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" with the following amendments:

HOUSE CS FOR CS FOR SENATE BILL NO. 141(FIN)
am H

Senator Gary Stevens moved that the Senate concur in the House amendments and recommended the body vote no.

The question being: "Shall the Senate concur in the House amendments?" The roll was taken with the following result:

HCS CSSB 141(FIN) am H
Shall the Senate Concur in the House amendments
to CSSB 141(FIN)? Effective Dates

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

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

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

Excused: Bunde

and so, the Senate failed to concur.

The Secretary was requested to notify the House of the Senate's action and request the House to recede from its amendments. In the event the House fails to recede, the President appointed a Conference Committee to meet with a like committee from the House to consider the bills:

Senator Green, Chair
Senator Seekins
Senator Olson

Standing Committee Reports**SB 100**

The Rules Committee considered SENATE BILL NO. 100 "An Act relating to enhanced 911 surcharges imposed by a municipality" and recommended it be replaced with

CS FOR SENATE BILL NO. 100(RLS) "An Act relating to enhanced 911 systems and enhanced 911 surcharges imposed by a municipality, public municipal corporation, or village."

Signing no recommendation: Senator Cowdery, Chair. Signing do pass: Senators Ellis, Ben Stevens, Gary Stevens.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Public Safety

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

The bill is on today's first supplemental calendar.

HB 53

Forthcoming Judiciary Senate Committee Substitute (page 1401) for CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 53(FIN) "An Act relating to child-in-need-of-aid proceedings; amending the construction of statutes pertaining to children in need of aid; relating to guardianships; relating to the confidentiality of investigations, court hearings, court records, and public agency records and information in child-in-need-of-aid matters and certain child protection matters, to immunity regarding disclosure of information in child-in-need-of-aid matters and certain child protection matters, to proceedings regarding voluntary relinquishment and termination of a parent and child relationship, to eligibility for permanent fund dividends for certain children in the custody of the state, and to juvenile delinquency proceedings and placements; reestablishing and relating to a state citizens' review panel; amending the obligation of a public agency to disclose agency information pertaining to a child in need of aid; relating to disclosure of confidential or privileged information about children and families involved with children's services within the

Department of Health and Social Services to officials for review or use in official capacities; relating to reports of harm and to adoptions and foster care; relating to consent for the medication of children in state custody; prescribing the rights of family members related to child-in-need-of-aid cases and establishing a familial priority for adoption; modifying adoption and placement procedures in certain child-in-need-of-aid cases; amending Rules 9 and 13, Alaska Adoption Rules, Rules 3, 17.2, 18, and 22, Alaska Child in Need of Aid Rules of Procedure, and Rules 14 and 15, Alaska Rules of Probate Procedure; and providing for an effective date" was received today:

SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 53(JUD) "An Act relating to child-in-need-of-aid proceedings; amending the construction of statutes pertaining to children in need of aid; relating to guardianships; relating to the confidentiality of investigations, court hearings, court records, and public agency records and information in child-in-need-of-aid matters and certain child protection matters, to immunity regarding disclosure of information in child-in-need-of-aid matters and certain child protection matters, to proceedings regarding voluntary relinquishment and termination of a parent and child relationship, to eligibility for permanent fund dividends for certain children in the custody of the state, and to juvenile delinquency proceedings and placements; reestablishing and relating to a state citizens' review panel; amending the obligation of a public agency to disclose agency information pertaining to a child in need of aid; relating to disclosure of confidential or privileged information about children and families involved with children's services within the Department of Health and Social Services to officials for review or use in official capacities; relating to reports of harm and to adoptions and foster care; relating to consent for the medication of children in state custody; prescribing the rights of family members related to child-in-need-of-aid cases and establishing a familial priority for adoption; modifying adoption and placement procedures in certain child-in-need-of-aid cases; relating to the admissibility into evidence of the prior recorded statement of a crime victim less than 16 years of age; amending Rules 9 and 13, Alaska Adoption Rules,

Rules 3, 17.2, 18, and 22, Alaska Child in Need of Aid Rules of Procedure, Rules 14 and 15, Alaska Rules of Probate Procedure, and Rule 801, Alaska Rules of Evidence; and providing for an effective date."

(Title change authorized by SCR 17)

Introduction and Reference of Senate Resolutions

SCR 17

SENATE CONCURRENT RESOLUTION NO. 17 BY SENATOR FRENCH,

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 53, relating to children in need of aid and related matters.

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

Introduction and Reference of Senate Bills

SB 195

SENATE BILL NO. 195 BY SENATOR COWDERY; entitled:

"An Act relating to a motor vehicle dealer's selling or offering to sell new or current model motor vehicles."

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

SB 196

SENATE BILL NO. 196 BY SENATOR BUNDE, entitled:

"An Act relating to tracking of sex offenders and child kidnappers."

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

Consideration of the Calendar**Second Reading of Senate Bills****SB 46**

Senator Gary Stevens moved and asked unanimous consent that SENATE BILL NO. 46 "An Act making capital appropriations and appropriations to capitalize funds; and providing for an effective date" be moved to the bottom of the daily order of business. Without objection, it was so ordered.

SB 73

SENATE BILL NO. 73 "An Act relating to a lease-purchase agreement for the construction, equipping, and financing of a state virology laboratory in Fairbanks, on land provided by the University of Alaska, Fairbanks, to be operated by the Department of Health and Social Services; relating to the issuance of certificates of participation for the laboratory; relating to the use of certain investment income for certain construction and equipment costs for the laboratory; and providing for an effective date" was read the second time.

Senator Green, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 1400. Without objection, CS FOR SENATE BILL NO. 73(FIN) "An Act relating to a lease-purchase agreement for the construction, equipping, and financing of a state virology laboratory to be operated by the Department of Health and Social Services; relating to the issuance of certificates of participation for the laboratory; relating to the use of certain investment income for certain construction and equipment costs for the laboratory; and providing for an effective date" was adopted.

President Stevens stated CS FOR SENATE BILL NO. 73(FIN) will be on the May 8 calendar.

SB 153

SENATE BILL NO. 153 "An Act relating to international airports revenue bonds; and providing for an effective date" was read the second time.

President Stevens stated SENATE BILL NO. 153 will be on the May 8 calendar.

Second Reading of House Bills

HB 15

CS FOR HOUSE BILL NO. 15(L&C) am "An Act relating to outdoor recreation lodge alcoholic beverage licenses; relating to transfer of certain beverage dispensary licenses issued before June 6, 1985; and providing for an effective date" was read the second time.

Senator Green, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 1277. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 15(FIN) "An Act relating to brewpub licenses; relating to outdoor recreation lodge alcoholic beverage licenses; relating to transfer of certain beverage dispensary licenses issued before June 6, 1985; and providing for an effective date" 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.

SENATE CS FOR CS FOR HOUSE BILL NO. 15(FIN) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 15(FIN) "An Act relating to brewpub licenses; relating to outdoor recreation lodge alcoholic beverage licenses; relating to transfer of certain beverage dispensary licenses issued before June 6, 1985; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 15(FIN)
Third Reading - Final Passage
Effective Dates

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

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

Nays: Stedman

Excused: Bunde

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 15(FIN) 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 clauses. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

Senator Gary Stevens moved and asked unanimous consent that SENATE CONCURRENT RESOLUTION NO. 12, which had been held on the Secretary's desk (page 1314) be brought up as a special order of business at this time. Without objection, it was so ordered.

Special Order of Business

SCR 12

SENATE CONCURRENT RESOLUTION NO. 12 was read the second time and was before the Senate on final passage.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 12 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 15, relating to alcoholic beverages licenses, pass the Senate?" The roll was taken with the following result:

SCR 12

Second Reading - Final Passage

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

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

Excused: Bunde

Absent: Therriault

and so, SENATE CONCURRENT RESOLUTION NO. 12 passed the Senate and was referred to the Secretary for engrossment.

Second Reading of House Bills (continued)

HB 61

CS FOR HOUSE BILL NO. 61(FIN) "An Act relating to Calcutta pools and crane classics as authorized forms of charitable gaming" was read the second time.

Senator Seekins, Chair, moved and asked unanimous consent for the adoption of the Labor and Commerce Senate Committee Substitute offered on page 1209. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 61(L&C) 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.

SENATE CS FOR CS FOR HOUSE BILL NO. 61(L&C) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 61(L&C) "An Act relating to Calcutta pools and crane classics as authorized forms of charitable gaming" pass the Senate?" The roll was taken with the following result:

SCS CSHB 61(L&C)
Third Reading - Final Passage

YEAS: 13 NAYS: 6 EXCUSED: 1 ABSENT: 0

Yeas: Cowdery, Davis, Ellis, French, Green, Hoffman, Huggins, Kookesh, Olson, Seekins, Stevens B, Stevens G, Wilken

Nays: Dyson, Elton, Guess, Stedman, Therriault, Wagoner

Excused: Bunde

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 61(L&C) passed the Senate and was referred to the Secretary for engrossment.

HB 169

CS FOR HOUSE BILL NO. 169(FIN) "An Act relating to the educational requirements for certain real estate brokers, associate brokers, and salespersons with new or suspended licenses; relating to review of real estate transactions by attorneys or associate brokers; relating to the requirements for a real estate broker license and an associate real estate broker license; and providing for an effective date" was read the second time.

President Stevens stated CS FOR HOUSE BILL NO. 169(FIN) will be on the May 8 calendar.

HB 211

CS FOR HOUSE BILL NO. 211(FIN) "An Act extending the termination date of the Board of Dental Examiners; and relating to dentists and dental hygienists" was read the second time.

President Stevens stated CS FOR HOUSE BILL NO. 211(FIN) will be on the May 8 calendar.

HB 215

CS FOR HOUSE BILL NO. 215(FIN) "An Act relating to the investment responsibilities of the Alaska Permanent Fund Corporation; relating to regulations proposed and adopted by the Board of Trustees of the Alaska Permanent Fund Corporation and providing procedures for the adoption of regulations by the board; and providing for an effective date" was read the second time.

President Stevens stated CS FOR HOUSE BILL NO. 215(FIN) will be on the May 8 calendar.

HB 225

HOUSE BILL NO. 225 "An Act relating to medical examiners and medical death examinations" was read the second time

Senator Dyson, Chair, moved and asked unanimous consent for the adoption of the Health, Education and Social Services Senate Committee Substitute offered on page 1188. Without objection, SENATE CS FOR HOUSE BILL NO. 225(HES) 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.

SENATE CS FOR HOUSE BILL NO. 225(HES) was read the third time.

The question being: "Shall SENATE CS FOR HOUSE BILL NO. 225(HES) "An Act relating to medical examiners and medical death examinations" pass the Senate?" The roll was taken with the following result:

SCS HB 225(HES)

Third Reading - Final Passage

YEAS: 13 NAYS: 5 EXCUSED: 1 ABSENT: 1

Yeas: Davis, Dyson, Ellis, Elton, French, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stevens B, Wagoner

Nays: Cowdery, Green, Stedman, Stevens G, Wilken

Excused: Bunde

Absent: Therriault

and so, SENATE CS FOR HOUSE BILL NO. 225(HES) passed the Senate and was referred to the Secretary for engrossment.

Third Reading of Senate Bills**SB 186**

CS FOR SENATE BILL NO. 186(JUD) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 186(JUD) "An Act relating to the Alaska Executive Branch Ethics Act; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 186(JUD)

Third Reading - Final Passage

YEAS: 11 NAYS: 8 EXCUSED: 1 ABSENT: 0

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

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

Excused: Bunde

and so, CS FOR SENATE BILL NO. 186(JUD) 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 186(JUD)

Effective Date Clause

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, the effective date clause was adopted.

Senator Ellis gave notice of reconsideration.

SB 187

CS FOR SENATE BILL NO. 187(JUD) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 187(JUD) "An Act relating to legislative ethics open meetings guidelines, to the public members of the Select Committee on Legislative Ethics, to alternate members of the legislative subcommittees, to advisory opinions, and to confidential information and proceedings regarding legislative ethics complaints and investigations" pass the Senate?" The roll was taken with the following result:

CSSB 187(JUD)

Third Reading - Final Passage

YEAS: 11 NAYS: 8 EXCUSED: 1 ABSENT: 0

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

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

Excused: Bunde

and so, CS FOR SENATE BILL NO. 187(JUD) passed the Senate.

Senator Elton gave notice of reconsideration.

Second Reading of House Resolutions**HCR 10**

CS FOR HOUSE CONCURRENT RESOLUTION NO. 10(RES) was read the second time and was before the Senate on final passage.

The question being: "Shall CS FOR HOUSE CONCURRENT RESOLUTION NO. 10(RES) Supporting the development of the Kensington Gold Mine, pass the Senate?" The roll was taken with the following result:

CSHCR 10(RES)
Second Reading - Final Passage

YEAS: 13 NAYS: 1 EXCUSED: 1 ABSENT: 5

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

Nays: Ellis

Excused: Bunde

Absent: Davis, French, Hoffman, Olson, Seekins

and so, CS FOR HOUSE CONCURRENT RESOLUTION NO. 10(RES) passed the Senate, was signed by the President and Secretary and returned to the House.

Citations

Honoring – Noel W. Woods, 60 Years in Alaska
Representative(s) Kohring, Gatto, Neuman, Stoltze
Senator(s) Green, Huggins, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Guess, Hoffman, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

Honoring – David J. Parks
Representative(s) Gatto, Stoltze, Neuman
Senator(s) Green, Huggins, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Guess, Hoffman, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

In Memoriam – Robert “Bobby” Storrs
Representative(s) Seaton
Senator(s) Hoffman, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Green, Guess, Huggins, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

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

Honoring – Nulato Lady Wolves Basketball Team

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

Honoring – Barbara Hall

Representative(s) Ramras

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

Honoring – Top of the World Chorus

Representative(s) Gardner

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

In Memoriam – Donald Alton Stump

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

In Memoriam – Eric Otto Sonneman

Representative(s) Kerttula, Weyhrauch

Senator(s) Elton, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, 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.

Senator Gary Stevens moved and asked unanimous consent that the First Supplemental Calendar be adopted. Without objection, the First Supplemental Calendar was adopted.

Consideration of the First Supplemental Calendar**Second Reading of Senate Bills****SB 100**

SENATE BILL NO. 100 "An Act relating to enhanced 911 surcharges imposed by a municipality" was read the second time.

Senator Cowdery, Chair, moved and asked unanimous consent for the adoption of the Rules Committee Substitute offered on page 1427. Without objection, CS FOR SENATE BILL NO. 100(RLS) "An Act relating to enhanced 911 systems and enhanced 911 surcharges imposed by a municipality, public municipal corporation, or village" 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. 100(RLS) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 100(RLS) "An Act relating to enhanced 911 systems and enhanced 911 surcharges imposed by a municipality, public municipal corporation, or village" pass the Senate?" The roll was taken with the following result:

CSSB 100(RLS)

Third Reading - Final Passage

YEAS: 17 NAYS: 2 EXCUSED: 1 ABSENT: 0

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

Nays: Therriault, Wilken

Excused: Bunde

and so, CS FOR SENATE BILL NO. 100(RLS) passed the Senate and was referred to the Secretary for engrossment.

Second Reading of House Bills**HB 277**

HOUSE BILL NO. 277 "An Act naming the Charles Gamble Jr. - Donald Sperl Joint Use Facility in Juneau" was read the second time.

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

HOUSE BILL NO. 277 was read the third time.

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

The question being: "Shall HOUSE BILL NO. 277 "An Act naming the Charles Gamble Jr. - Donald Sperl Joint Use Facility in Juneau" pass the Senate?" The roll was taken with the following result:

HB 277

Third Reading - Final Passage

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, HOUSE BILL NO. 277 passed the Senate, was signed by the President and Secretary and returned to the House.

HB 286

HOUSE BILL NO. 286 "An Act amending the manner of determining the royalty received by the state on gas production by directing the commissioner of natural resources to accept, under certain circumstances, the transfer price of the gas if established by transfer price order of the Regulatory Commission of Alaska; and providing for an effective date" was read the second time.

Senator Wagoner, Chair, moved and asked unanimous consent for the adoption of the Resources Senate Committee Substitute offered on page 1368. Without objection, SENATE CS FOR HOUSE BILL NO. 286(RES) "An Act amending the manner of determining the royalty received by the state on gas production by directing the commissioner of natural resources to accept, under certain circumstances, the transfer price of the gas if established by transfer price order of the Regulatory Commission of Alaska; extending and amending the requirements applicable to the credit that may be claimed for certain oil and gas exploration expenses incurred in Cook Inlet against oil and gas properties production (severance) taxes, and amending the credit against those taxes for certain exploration expenditures from leases or properties in the state; and providing for an effective date" was adopted.

(Title change authorized by SCR 16)

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 CS FOR HOUSE BILL NO. 286(RES) was read the third time.

The question being: "Shall SENATE CS FOR HOUSE BILL NO. 286(RES) "An Act amending the manner of determining the royalty received by the state on gas production by directing the commissioner of natural resources to accept, under certain circumstances, the transfer price of the gas if established by transfer price order of the Regulatory Commission of Alaska; extending and amending the requirements applicable to the credit that may be claimed for certain oil and gas exploration expenses incurred in Cook Inlet against oil and gas properties production (severance) taxes, and amending the credit against those taxes for certain exploration expenditures from leases or properties in the state; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS HB 286(RES)
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 CS FOR HOUSE BILL NO. 286(RES) 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 Therriault gave notice of reconsideration.

Senator Gary Stevens moved and asked unanimous consent that SCR 16, which had been held on the Secretary's desk (page 1370) be brought up as a special order of business at this time. Without objection, it was so ordered.

Special Order of Business

Second Reading of Senate Resolutions

SCR 16

SENATE CONCURRENT RESOLUTION NO. 16 was read the second time and was before the Senate on final passage.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 16 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 286, amending the manner of determining the royalty received by the state on gas production by directing the commissioner of natural resources to accept, under certain circumstances, the transfer price of the gas if established by transfer price order of the Regulatory Commission of Alaska, pass the Senate?" The roll was taken with the following result:

SCR 16

Second Reading - Final Passage

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 CONCURRENT RESOLUTION NO. 16 passed the Senate and was referred to the Secretary for engrossment.

Second Reading of House Resolutions**HCR 11**

HOUSE CONCURRENT RESOLUTION NO. 11 was read the second time and was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 11 Proclaiming July 24, 2005, as Parents' Day, pass the Senate?"
The roll was taken with the following result:

HCR 11

Second Reading - Final Passage

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, HOUSE CONCURRENT RESOLUTION NO. 11 passed the Senate, was signed by the President and Secretary and returned to the House.

Unfinished Business**HB 283**

Senator Therriault, Chair, moved and asked unanimous consent that the State Affairs Committee referral be waived on CS FOR HOUSE BILL NO. 283(STA) "An Act relating to the compensation for board members of the Alaska Housing Finance Corporation; and providing for an effective date." Without objection, the bill was referred to the Finance Committee.

HCR 13

Senator Wagoner, Chair, moved and asked unanimous consent that the Resources Committee referral be waived on CS FOR HOUSE CONCURRENT RESOLUTION NO. 13(RES) Expressing the legislature's support for the construction of a natural gas spur pipeline between Fairbanks and the Nenana Basin and Southcentral Alaska, commending the interest and initiative of the sponsors of that project, and encouraging the appropriate state resource agencies to lend support to those efforts. Without objection, the resolution was referred to the Rules Committee.

HB 26

Senator Wagoner, Chair, moved and asked unanimous consent that the Resources Committee referral be waived on CS FOR HOUSE BILL NO. 26(FIN) "An Act relating to short-term commercial fishing crewmember licenses; and providing for an effective date." Without objection, the bill was referred to the Finance Committee.

HB 94

Senator Seekins, Chair, moved and asked unanimous consent that the Judiciary Committee referral be waived on CS FOR HOUSE BILL NO. 94(FIN) am "An Act relating to qualifications of voters, requirements and procedures regarding independent candidates for President and Vice-President of the United States, voter registration, voter residence, precinct boundary and polling place designation and modification, political parties, voters unaffiliated with a political party, early voting, absentee voting, ballot design, ballot counting, voting by mail, voting machines, vote tally systems, qualifications for elected office, initiative, referendum, recall, and definitions in the Alaska Election Code; and relating to incorporation elections." Senator Elton objected.

The question being: "Shall the Judiciary Committee referral be waived?" The roll was taken with the following result:

Waive bill from committee?

YEAS: 11 NAYS: 8 EXCUSED: 1 ABSENT: 0

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

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

Excused: Bunde

and so, the Judiciary Committee referral was waived.

The bill was referred to the Finance Committee.

Recess

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 3:28 p.m.

After Recess

The Senate reconvened at 6:04.

Announcements

Announcements are at the end of the journal.

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

Second Reading of Senate Bills

SB 46

SENATE BILL NO. 46 "An Act making capital appropriations and appropriations to capitalize funds; and providing for an effective date" which had been moved to the bottom of the daily order of business (page 1430) was not in the possession of the Senate.

Engrossment**SB 100**

CS FOR SENATE BILL NO. 100(RLS) "An Act relating to enhanced 911 systems and enhanced 911 surcharges imposed by a municipality, public municipal corporation, or village" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

HB 15

SENATE CS FOR CS FOR HOUSE BILL NO. 15(FIN) "An Act relating to brewpub licenses; relating to outdoor recreation lodge alcoholic beverage licenses; relating to transfer of certain beverage dispensary licenses issued before June 6, 1985; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

HB 61

SENATE CS FOR CS FOR HOUSE BILL NO. 61(L&C) "An Act relating to Calcutta pools and crane classics as authorized forms of charitable gaming" was engrossed, signed by the President and Secretary and returned to the House for consideration.

HB 184

SENATE CS FOR HOUSE BILL NO. 184(JUD) am S "An Act relating to firearms" was engrossed, signed by the President and Secretary and returned to the House for consideration.

HB 225

SENATE CS FOR HOUSE BILL NO. 225(HES) "An Act relating to medical examiners and medical death examinations" was engrossed, signed by the President and Secretary and returned to the House for consideration.

SCR 12

SENATE CONCURRENT RESOLUTION NO. 12 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 15, relating to alcoholic beverages licenses, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SCR 16

SENATE CONCURRENT RESOLUTION NO. 16 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 286, amending the manner of determining the royalty received by the state on gas production by directing the commissioner of natural resources to accept, under certain circumstances, the transfer price of the gas if established by transfer price order of the Regulatory Commission of Alaska, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 2:00 p.m., May 8, 2005. Without objection, the Senate adjourned at 6:05 p.m.

Kirsten Waid
Secretary of the Senate

May 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

May 09 Monday Beltz 211 1:30 PM
 + Bills Previously Heard/Scheduled

FINANCE

May 07 Saturday Senate Finance 532 10:00 AM
 -- Committee to Reconvene at 3:40 pm --
 + SB 54 PROTECTIVE ORDERS FOR SEXUAL ASSAULT
 + HB 279 OUTDOOR ADVERTISING; ENCROACHMENTS
 + HB 106 SENIOR CARE PROGRAM
 + HB 53 CHILDREN IN NEED OF AID/ADOPTION/GUARDIAN
 + Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

May 07 Saturday Location Tba
 -- Recessed to a Call of the Chair --
 Time and Location TBA
 Bills Previously Heard/Scheduled

May 08 Sunday Location Tba
 -- Recessed to a Call of the Chair --
 Time and Location TBA
 Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES (continued)

May 09 Monday Location Tba
 -- Recessed to a Call of the Chair --
 Time and Location TBA
 Bills Previously Heard/Scheduled

May 10 Tuesday Location Tba
 -- Recessed to a Call of the Chair --
 Time and Location TBA
 Bills Previously Heard/Scheduled

JUDICIARY

May 07 Saturday Butrovich 205 11:00 AM
 -- Meeting Canceled --
 += SB 165 CARD ROOMS & OPERATIONS
 + Bills Previously Heard/Scheduled

May 08 Sunday Butrovich 205 2:00 PM
 Bills Previously Heard/Scheduled

RULES

May 07 Saturday Butrovich 205 9:30 AM
 SB 100 ENHANCED 911 SURCHARGES

May 08 Sunday Capitol 124 5:00 PM
 Administrative Policy

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

May 07 Saturday Senate Finance 532 3:30 PM

-- Rescheduled to 05/08/05 --

- = HB 66 APPROP: MENTAL HEALTH BUDGET
 - = HB 67 APPROP: OPERATING BUDGET/LOANS/FUNDS/BRF
- Departments -
Administration
Commerce & Economic Development
Education
Labor
Law
Natural Resources
Revenue
DOT & PF
Court Systems

May 08 Sunday Senate Finance 532 3:30 PM

-- Rescheduled from 05/07/05 --

- = HB 66 APPROP: MENTAL HEALTH BUDGET
 - = HB 67 APPROP: OPERATING BUDGET/LOANS/FUNDS/BRF
- Departments -
Administration
Commerce & Economic Development
Education
Labor
Law
Natural Resources
Revenue
DOT & PF
Court Systems