

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE
FIRST SPECIAL SESSION

Juneau, Alaska

Sunday

May 15, 2005

Fifth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 2:38 p.m.

The roll showed fifteen members present. Senators Olson, Bunde were excused from a call of the Senate. Senators Davis, Dyson, Hoffman were absent.

Senator Gary Stevens moved and asked unanimous consent that Senator Davis be excused from a call of the Senate today. Without objection, Senator Davis was excused.

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

Dear Lord,

Thank You for Your marvelous creation. Thank You for the mountains and valleys, the rocks and glaciers, the oceans and the rivers.

Thank You, Lord, for the life that inhabits this incredible planet and thank You for allowing us to be among it. May You bless us and give us the wisdom to appreciate all that we have. 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 fourth legislative day of the First Special Session be approved as certified by the Secretary. Without objection, it was so ordered.

The presence of Senators Dyson, Hoffman was noted.

Special Committee Reports**HB 94**

The following report was received and distributed at 12:15 p.m.,
May 15:

May 14, 2005

Mr. President:

Mr. Speaker:

The Conference Committee considered SENATE CS FOR CS FOR HOUSE BILL NO. 94(STA) and CS FOR HOUSE BILL NO. 94(FIN) am and recommends

CONFERENCE CS FOR HOUSE BILL NO. 94 "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."

be adopted.

Signing the report: Senator Gary Stevens, Chair, Senators Therriault, Elton; Representative Samuels, Chair, Representatives Elkins, Gruenberg

The following previously published fiscal information applies:
Fiscal Note No. 3, Office of the Governor

Senator Gary Stevens moved that the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 94.

The question being: "Shall the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 94 "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"?" The roll was taken with the following result:

CCS HB 94

Shall the Senate Adopt the
Conference Committee Report?

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

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

Excused: Bunde, Davis, Olson

and so, the report was adopted.

The Secretary was requested to notify the House.

HB 147

The following report was received and distributed at 12:15 p.m.,
May 15:

May 14, 2005

Mr. President:

Mr. Speaker:

The Conference Committee considered SENATE CS FOR CS FOR
HOUSE BILL NO. 147(FIN) and CS FOR HOUSE BILL NO.
147(FIN) am and recommends

CONFERENCE CS FOR HOUSE BILL NO. 147 "An Act relating to notice of suspension or revocation of an insurer's certificate of authority and the effect of the suspension or revocation upon the authority of agents and managing general agents of the insurer; relating to certain deposits under AS 21; relating to the yielding of assets and securities held on deposit; relating to third-party administrators under AS 21; relating to insurance agents, managing general agents, reinsurance intermediary managers, and insurance producers; requiring the director of insurance to notify a licensee of a license renewal before the renewal date; defining the term 'appointment' as used in part of AS 21; relating to the eligibility to provide coverage by a nonadmitted insurer and alien insurer; relating to surplus lines insurance and brokers; relating to misrepresentations and false advertising concerning insurance; relating to health discount plans; providing for limitations on owner controlled and contractor controlled insurance programs and limiting the coverage of those programs; prohibiting excessive, inadequate, or unfairly discriminatory rate charges for health insurance; defining the term 'plan administrator' as used in part of AS 21; defining the term 'transact' as used in AS 21; authorizing the director of insurance to designate a person to receive annual reports from companies; reducing the period for filing a quarterly financial statement; and providing for an effective date."

be adopted.

Signing the report: Senator Therriault, Chair, Senators Stedman, Ellis; Representative Rokeberg, Chair, Representatives Anderson, Gardner

The following previously published fiscal information applies:

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

Senator Gary Stevens moved that the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 147.

The question being: "Shall the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 147 "An Act relating to notice of suspension or revocation of an insurer's certificate of authority and the effect of the suspension or revocation upon the authority of agents and managing general agents of the insurer; relating to certain deposits under AS 21; relating to the yielding of assets and securities held on deposit; relating to third-party administrators under AS 21; relating to insurance agents, managing general agents, reinsurance intermediary managers, and insurance producers; requiring the director of insurance to notify a licensee of a license renewal before the renewal date; defining the term 'appointment' as used in part of AS 21; relating to the eligibility to provide coverage by a nonadmitted insurer and alien insurer; relating to surplus lines insurance and brokers; relating to misrepresentations and false advertising concerning insurance; relating to health discount plans; providing for limitations on owner controlled and contractor controlled insurance programs and limiting the coverage of those programs; prohibiting excessive, inadequate, or unfairly discriminatory rate charges for health insurance; defining the term 'plan administrator' as used in part of AS 21; defining the term 'transact' as used in AS 21; authorizing the director of insurance to designate a person to receive annual reports from companies; reducing the period for filing a quarterly financial statement; and providing for an effective date"?" The roll was taken with the following result:

CCS HB 147

Shall the Senate Adopt the
Conference Committee Report? Effective Dates

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

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

Excused: Bunde, Davis, Olson

and so, the report was adopted.

Senator Gary Stevens moved and asked unanimous consent that the vote on the adoption of the Conference Committee Report be considered the vote on the effective date clauses. Without objection, it was so ordered.

The Secretary was requested to notify the House.

SB 46

Senator Green moved and asked unanimous consent that the Senate rescind its previous action in passing CS FOR SENATE BILL NO. 46(FIN) am "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, reappropriations, and appropriations to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date." Without objection, it was so ordered.

CS FOR SENATE BILL NO. 46(FIN) am was before the Senate in third reading on final passage.

Senator Green moved and asked unanimous consent that CS FOR SENATE BILL NO. 46(FIN) am be returned to second reading for the purpose of rescinding the previous action in adopting Amendment No. 1 (page 1540). Without objection, the bill was returned to second reading.

Senator Green moved and asked unanimous consent that the Senate rescind its previous action in adopting Amendment No. 1. Without objection, Amendment No. 1 was before the Senate.

Senator Green moved and asked unanimous consent that Amendment No. 1 be withdrawn. Without objection, Amendment No. 1 was withdrawn.

CS FOR SENATE BILL NO. 46(FIN) am was automatically in third reading on final passage.

Senator Green moved and asked unanimous consent that CS FOR SENATE BILL NO. 46(FIN) am be returned to second reading for the purpose of rescinding the previous action in adopting Amendment No. 2 (page 1539). Without objection, the bill was returned to second reading.

Senator Green moved and asked unanimous consent that the Senate rescind its previous action in adopting Amendment No. 2. Without objection, Amendment No. 2 was before the Senate.

Senator Green moved and asked unanimous consent that Amendment No. 2 be withdrawn. Without objection, Amendment No. 2 was withdrawn.

CS FOR SENATE BILL NO. 46(FIN) "An Act making capital appropriations; and providing for an effective date" was automatically before the Senate in third reading on final passage.

Senator Green moved and asked unanimous consent to return to second reading for the purpose of rescinding the previous action in adopting the Finance Committee Substitute (page 1539). Without objection, the bill was returned to second reading.

Senator Green moved and asked unanimous consent that the Senate rescind its previous action in adopting the Finance Committee Substitute. Without objection, it was so ordered.

Senator Green moved and asked unanimous consent to withdraw the Finance Committee Substitute. Without objection, the Finance Committee Substitute was withdrawn.

SENATE BILL NO. 46 "An Act making capital appropriations and appropriations to capitalize funds; and providing for an effective date" was automatically in third reading on final passage.

Senator Green moved and asked unanimous consent that SENATE BILL NO. 46 be returned to the Finance Committee. Without objection, the bill was returned to the Finance Committee.

Recess

President Stevens stated that, without objection, the Senate would stand in recess to a call of the Chair. There being no objection, the Senate recessed at 2:53 p.m.

After Recess

The Senate reconvened at 5:18 p.m.

Consideration of the Calendar

Second Reading of Senate Bills

SB 122

SENATE BILL NO. 122 "An Act establishing the Alaska capital income account within the Alaska permanent fund; relating to deposits into the account; relating to certain transfers regarding the Amerada Hess settlement to offset the effects of inflation on the Alaska permanent fund; and providing for an effective date" was not taken up on the May 15 calendar. The bill will be on the May 16 calendar.

Adjournment

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., May 16, 2005. Without objection, the Senate adjourned at 5:19 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

FINANCE

May 15 Sunday Senate Finance 532 3:00 PM
 -- Recessed to a Call of the Chair --
 += SB 122 AMERADA HESS INCOME; CAPITAL INCOME ACCT.
 += SB 121 STATE OF AK CAPITAL CORP.; BONDS
 += SB 97 SUPPLEMENTAL APPROPRIATIONS/CBR
 += SB 46 APPROP: CAPITAL BUDGET

May 16 Monday Senate Finance 532
 + Bills Previously Heard/Scheduled

JOINT COMMITTEES

CONFERENCE COMMITTEE ON HB 1

May 15 Sunday Location Tba
 = HB 1 INCREASE AMT OF BASE STUDENT ALLOCATION

May 16 Monday Location Tba
 = HB 1 INCREASE AMT OF BASE STUDENT ALLOCATION

CONFERENCE COMMITTEE ON HB 66 & HB 67

May 15 Sunday Location Tba
= HB 66 APPROP: MENTAL HEALTH BUDGET
= HB 67 APPROP: OPERATING BUDGET/LOANS/FUNDS/BRF

May 16 Monday Location Tba
= HB 66 APPROP: MENTAL HEALTH BUDGET
= HB 67 APPROP: OPERATING BUDGET/LOANS/FUNDS/BRF

CONFERENCE COMMITTEE ON SB 73

May 16 Monday Senate Finance 532
SB 73 STATE VIROLOGY LABORATORY