

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

Juneau, Alaska

Thursday

May 19, 2005

Ninth Day

The Senate was called to order by President Stevens at 5:53 p.m.

The roll showed fourteen members present. Senators Bunde, Davis, Ellis, French, Kookesh were excused from a call of the Senate. Senator Olson was absent.

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

Dear God,

Please grant us patience for another day. Grant us serenity and allow us to appreciate Your creation. Spread peace and happiness within our hearts and give us the wisdom to submit to Your plan. Bless our families and keep them safe. Amen.

Senator Dyson led the Senate in the Pledge of Allegiance.

Certification

Senator Gary Stevens moved and asked unanimous consent that the journals for the seventh and eighth legislative days of the First Special Session be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the Governor**SB 105**

Message dated May 17 was received, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

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."

Chapter 19, SLA 2005
Effective Date: 05/18/2005

HB 219

Message dated May 17 was received, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR HOUSE BILL NO. 219(FIN) "An Act relating to the definition of 'dangerous instrument' as applied within the criminal code."

Chapter 20, SLA 2005
Effective Date: 08/15/2005

HB 185

Message dated May 17 was received, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR HOUSE BILL NO. 185(FIN) "An Act relating to immunization of postsecondary students for meningitis; and providing for an effective date."

Chapter 21, SLA 2005
Effective Date: 05/18/2005

SB 51

Message dated May 17 was received, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR SENATE BILL NO. 51(FIN) "An Act relating to contracts for the provision of state public assistance to certain recipients in the state; providing for regional public assistance plans and programs in the state; relating to grants for Alaska Native family assistance programs; relating to assignment of child support by Alaska Native family assistance recipients; relating to paternity determinations and genetic testing involving recipients of assistance under Alaska Native family assistance programs; and providing for an effective date."

Chapter 22, SLA 2005
Effective Date: 06/30/2005

HB 32

Message dated May 17 was received, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR HOUSE BILL NO. 32(FIN) am "An Act making a special appropriation for a grant to Arctic Power to promote the opening of the Arctic National Wildlife Refuge for oil and gas exploration and development; and providing for an effective date."

Chapter 23, SLA 2005
Effective Date: 05/18/2005

SB 124

Message dated May 17 was received, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE CS FOR CS FOR SENATE BILL NO. 124(FIN) am H "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."

Chapter 24, SLA 2005
Effective Date: 05/18/2005

SJR 2

Message dated May 19 was received, stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE JOINT RESOLUTION NO. 2 am H
Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, Alaska, to oil and gas exploration, development, and production.

Legislative Resolve No. 2

SJR 5

Message dated May 19 was received, stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE CS FOR SENATE JOINT RESOLUTION NO. 5(O&G) Urging the United States Congress to reauthorize the Methane Hydrate Research and Development Act.

Legislative Resolve No. 3

SCR 2

Message dated May 17 was received, stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 2
Proclaiming 2005 as Rotary International Year.

Legislative Resolve No. 4

HJR 6

Message dated May 17 was received, stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR HOUSE JOINT RESOLUTION NO.
6(FSH) Relating to the labeling of fish and shellfish
to identify the country of origin and to distinguish
between wild and farmed fish and shellfish.

Legislative Resolve No. 5

SCR 3

Message dated May 17 was received, stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 3
Authorizing a recess by the Senate and the House of
Representatives for a period of more than three days,
those days being March 25, 26, 27, and 28 of 2005.

Legislative Resolve No. 6

SCR 5

Message dated May 17 was received, stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 5
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 42, relating to the Joe
Williams, Sr., Coastal Trail.

Legislative Resolve No. 7

SJR 6

Message dated May 19 was received, stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE CS FOR SENATE JOINT RESOLUTION
NO. 6(FIN) am H Relating to a reduction in the
Federal Medical Assistance Percentage for Alaskans,
and urging the United States Congress to take action
to prevent the reduction.

Legislative Resolve No. 8

HJR 8

Message dated May 17 was received, stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE JOINT RESOLUTION NO. 8 Expressing
support of Alaska Army National Guard soldiers
deployed worldwide.

Legislative Resolve No. 9

HJR 15

Message dated May 17 was received, stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR HOUSE JOINT RESOLUTION NO.
15(RES) Relating to open ocean aquaculture in the
federal exclusive economic zone.

Legislative Resolve No. 10

HCR 2

Message dated May 17 was received, stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 2
Urging Governor Murkowski to take quick action to conduct, approve, or sanction a study of in-state natural gas needs and take-off points for intrastate use of natural gas transported in a North Slope natural gas pipeline.

Legislative Resolve No. 11

SR 2

Message dated May 17 was received, stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE RESOLUTION NO. 2 Supporting the efforts of the Department of Transportation and Public Facilities to improve transportation to and from Juneau and supporting development of the East Lynn Canal Highway.

Senate Resolve No. 2

Messages from the House

SB 130

Message dated May 17 was read, stating the House failed to adopt the report of the Conference Committee with limited powers of free conference considering CS FOR SENATE BILL NO. 130(FIN) am and HOUSE CS FOR CS FOR SENATE BILL NO. 130(JUD) am H, thus failing to adopt:

CONFERENCE CS FOR SENATE BILL NO. 130
"An Act relating to workers' compensation and to assigned risk pools; relating to the Alaska Insurance Guaranty Association; establishing the Task Force on Workers' Compensation; amending Rule 45, Alaska Rules of Civil Procedure; and providing for an effective date."

President Stevens appointed a Free Conference Committee to meet with a like committee from the House to consider the bills:

Senator Therriault, Chair
Senator Huggins
Senator French

The Secretary was requested to notify the House.

SB 141

Message dated May 17 was read, stating the House failed to adopt the report of the Free Conference Committee considering CS FOR SENATE BILL NO. 141(FIN) and HOUSE CS FOR CS FOR SENATE BILL NO. 141(FIN) am H, thus failing to adopt:

FREE CONFERENCE CS FOR SENATE BILL NO. 141(Corrected) "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, 2006; 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."

President Stevens appointed a 2d Free Conference Committee to meet with a like committee from the House to consider the bills:

Senator Gary Stevens, Chair
Senator Ben Stevens
Senator Guess

The Secretary was requested to notify the House.

Unfinished Business

Senator Hoffman moved and asked unanimous consent to be excused from a call of the Senate from 5:00 p.m. to 8:00 p.m. on May 20. Without objection, Senator Hoffman was excused.

Announcements

Announcements are at the end of the journal.

Enrollment

SCR 10

SENATE CONCURRENT RESOLUTION NO. 10 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 35, extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors, 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 11:05 a.m., May 18, 2005.

SCR 15

SENATE CONCURRENT RESOLUTION NO. 15 Authorizing the Legislative Budget and Audit Committee to pursue and direct litigation relating to state natural gas transportation, 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 11:05 a.m., May 18, 2005.

SJR 11

SENATE JOINT RESOLUTION NO. 11 Urging the United States Congress to amend the tax code to repeal the federal excise tax on communications, 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 11:05 a.m., May 18, 2005.

SJR 16

SENATE JOINT RESOLUTION NO. 16 Supporting legislation before the United States Congress that reaffirms the right of the states to regulate hunting and fishing, 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 11:05 a.m., May 18, 2005.

SB 67

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" 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 11:05 a.m., May 18, 2005.

SB 143

CS FOR SENATE BILL NO. 143(STA) "An Act amending the definition of the term 'state agencies' as it applies under Executive Order No. 113; relating to information systems in the legislative branch and to the Telecommunications Information Council; 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 11:05 a.m., May 18, 2005.

Adjournment

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., May 20, 2005. Without objection, the Senate adjourned at 6:06 p.m.

Kirsten Waid
Secretary of the Senate
June 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

TRANSPORTATION

Jun 09	Thursday	Anch Lio Conf Rm	10:00 AM
+	Joint w/(H) Transportation Force Account Projects Briefing - Pat Davidson, Leg. Auditor Privatization of Transportation Services British Columbia Public Testimony - General Contractors, Builders and Others Force Account Projects Presentation - DOT/PF		

JOINT COMMITTEES

CONFERENCE COMMITTEE ON HB 1

May 19	Thursday	Location Tba	TBA
= HB 1	INCREASE AMT OF BASE STUDENT ALLOCATION		
May 20	Friday	Location Tba	TBA
= HB 1	INCREASE AMT OF BASE STUDENT ALLOCATION		

CONFERENCE COMMITTEE ON HB 66 & HB 67

May 19	Thursday	Location Tba	TBA
=	HB 66	APPROP: MENTAL HEALTH BUDGET	
=	HB 67	APPROP: OPERATING BUDGET/LOANS/FUNDS/BRF	

May 20	Friday	Location Tba	TBA
=	HB 66	APPROP: MENTAL HEALTH BUDGET	
=	HB 67	APPROP: OPERATING BUDGET/LOANS/FUNDS/BRF	

CONFERENCE COMMITTEE ON SB 73

May 19	Thursday	Senate Finance 532	TBA
=	SB 73	STATE VIROLOGY LABORATORY	

May 20	Friday	Senate Finance 532	TBA
=	SB 73	STATE VIROLOGY LABORATORY	

SELECT COMMITTEE ON LEGISLATIVE ETHICS

May 23	Monday	Anch Lio Conf Rm	10:00 AM
+	Full Committee Meeting		