

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Monday

January 9, 2006

First Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:06 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Reverend George Silides of the Holy Trinity Episcopal Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

With deepest respect for the religious beliefs of all Alaskans, I invite you into a time of prayer and reflection. Let us pray.

O God, the Creator and preserver of all life, we give You thanks for this new day, and for the hopes and dreams and opportunities for great good which make it so very precious to us all. You have blessed us with extraordinary resources: wealth of deep ocean and high mountain and rushing river and open land. Above our heads and beneath our feet, and renewed by the turning of the seasons we have been given a rare abundance. But especially within us; in the work of our minds, and labor of our hands, and the sympathy of our hearts, we have a greater treasure which we now bring in service to the people of this Great Land.

Bless each of these gentle people who begin together another season of deliberation and decision. May each of them know the peace of a clear conscience, the guidance of sound advice, the courage of an examined heart, and the faithfulness of promises well kept.

May we citizens too, expect and appreciate and support the best efforts of these good people to serve all of us: villagers and city-dwellers, the wealthy and the unemployed, those who buy and sell and trade or make with their own hands a living and a life within this state. A blessing too, we pray, upon those families left behind for these few months without a father, a mother, a husband or wife, given to us for a time and a season to make more certain a better present and a better future for us all. And finally, for all of those across all the years whose devoted service has made this moment so rich with possibility, we give thanks. Amen.

Senator Bunde led the Senate in the Pledge of Allegiance.

Alaska Flag Song and National Anthem

The Alaska Flag Song and the National Anthem were performed by the following string ensemble:

Conductor and Viola	Guo Hua Xia
First Violin	Franz Felkl and Lindsay Clark
Second Violin	Pauline Zheng and Anna Sutton
Viola	Chrystalina Roberts-Miller
Cello	Daniel Piorkowski
Bass	Tesia Meade

President Stevens appointed Senator Stedman and Senator Kookesh to inform the Governor that the Senate is ready to do business.

President Stevens appointed Senator Dyson and Senator Olson to inform the House that the Senate is ready to do business.

Certification

Senator Gary Stevens moved and asked unanimous consent that the journals for the fourteenth and fifteenth legislative days of the First Special Session, the First and Final Supplements of the First Session and First Special Session, and Senate Supplement No. 4 be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the Governor

Message dated January 6 was read, stating:

Under the provision of article III, section 18 of the Alaska Constitution, I am requesting the opportunity to address a Joint Session of the Legislature on Tuesday, January 10, at 7:00 p.m. for the presentation of the State of the State Address and on Thursday, January 12, at 7:00 p.m. for the presentation of the State of the Budget Address.

Message dated October 3, 2005 was received:

A Declaration of Disaster Emergency for widespread coastal flooding in Clark's Point and Togiak, with an accompanying letter. The declaration and letter had been copied to the Finance Committee Cochairs.

Messages dated December 23, 2005 were received:

A Declaration of Disaster Emergency for a Financial Plan for the 2005 Southeast Alaska Storm, with an accompanying letter. The declaration and letter had been copied to the Finance Committee Cochairs.

An Amended Financial Plan for the 2005 West Coast Storm, with an accompanying letter. The financial plan and letter had been copied to the Finance Committee Cochairs.

Messages from the House

Messages dated January 9 were read, stating:

The House of Representatives respectfully invites the Senate to a Joint Session of the Legislature at 7:00 p.m., Tuesday, January 10 for the purpose of hearing Governor Murkowski's annual State of the State address and 7:00 p.m., Thursday, January 12, for the purpose of hearing the annual State of the Budget address.

Senator Gary Stevens moved and asked unanimous consent that the Senate accept the House invitations to meet in Joint Session. Without objection, it was so ordered.

The Secretary was requested to notify the House.

Message dated May 10, 2005 was read, stating the House passed and transmitted for consideration:

**First Reading and Reference of
House Resolutions****HCR 18**

HOUSE CONCURRENT RESOLUTION NO. 18 BY THE HOUSE FINANCE COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 174, excluding certain trucks from the definition of "passenger vehicle" for purposes of the passenger vehicle rental tax.

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

Concur Messages**SB 174**

Message dated May 10 (page 1674) was read, stating the House passed and returned for consideration 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" with the following amendments:

HOUSE CS FOR SENATE BILL NO. 174(FIN) am H "An Act excluding certain trucks and vehicles provided by automobile dealers as replacement transportation during warranty, recall, or service contract repairs from the definition of 'passenger vehicle' for purposes of the passenger vehicle rental tax; and providing for an effective date." (Title change HCR 18)

President Stevens stated the concur message will be held on the Secretary's desk.

Communications

Letter dated January 7, 2006 from Chief Justice Alexander O. Bryner was read, stating pursuant to AS 24.60.130(b)(3), he has nominated Dennis "Skip" Cook (incumbent), Herman G. Walker, Jr. (incumbent), and Lindsey Holmes to serve terms as public members on the Select Committee on Legislative Ethics.

President Stevens referred the nominations to the Judiciary Committee.

Introduction and Reference of Senate Bills

SB 1

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 1 BY SENATOR WILKEN, entitled:

"An Act relating to the base student allocation used in the formula for state funding of public education; and providing for an effective date."

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

SB 203

SENATE BILL NO. 203 BY SENATOR GUESS, entitled:

"An Act relating to adoption and use of a unified permit application form by the natural resource agencies; and providing for online permit applications."

(Prefile Released 12/30/05)

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

SB 204

SENATE BILL NO. 204 BY SENATOR WAGONER, entitled:

"An Act imposing a maximum pupil-teacher ratio for grades one through three in public schools."

(Prefile Released 12/30/05)

was read the first time and referred to the Health, Education and Social Services and Finance Committees.

SB 205

SENATE BILL NO. 205 BY SENATOR BUNDE, entitled:

"An Act prohibiting the exercise of eminent domain for the purpose of economic development."

(Prefile Released 12/30/05)

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

SB 206

SENATE BILL NO. 206 BY SENATOR BUNDE, entitled:

"An Act relating to material witnesses; and amending Rule 58.1, Alaska Rules of Civil Procedure, and Rule 204, Alaska Rules of Appellate Procedure."

(Prefile Released 12/30/05)

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

SB 207

SENATE BILL NO. 207 BY SENATOR GARY STEVENS, entitled:

"An Act relating to the membership on the board of directors of the Alaska Aerospace Development Corporation."

(Prefile Released 12/30/05)

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

SB 208

SENATE BILL NO. 208 BY SENATOR GARY STEVENS, entitled:

"An Act requiring hospitals to collect data and disclose reports of hospital-acquired infections; and providing for an effective date."

(Prefile Released 12/30/05)

was read the first time and referred to the Health, Education and Social Services and Finance Committees.

SB 209

SENATE BILL NO. 209 BY SENATOR HUGGINS, entitled:

"An Act relating to access by persons under 21 years of age to premises licensed to sell alcoholic beverages as clubs."

(Prefile Released 12/30/05)

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

SB 210

SENATE BILL NO. 210 BY SENATOR THERRIAULT, entitled:

"An Act relating to the manufacture and transportation of alcoholic beverages; relating to forfeitures of property for violations of alcoholic beverage laws; and relating to violations of alcoholic beverage laws."

(Prefile Released 12/30/05)

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

SB 211

SENATE BILL NO. 211 BY SENATOR GARY STEVENS, entitled:

"An Act relating to domestic violence protective orders."

(Prefile Released 12/30/05)

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

SB 212

SENATE BILL NO. 212 BY SENATOR OLSON, entitled:

"An Act making an appropriation to the principal of the Alaska permanent fund; and providing for an effective date."

(Prefile Released 12/30/05)

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

SB 213

SENATE BILL NO. 213 BY SENATOR THERRIAULT, entitled:

"An Act making an appropriation to the Department of Natural Resources for airborne geological and geophysical mineral inventory; and providing for an effective date."

(Prefile Released 12/30/05)

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

SB 214

SENATE BILL NO. 214 BY SENATORS THERRIAULT AND KOOKESH, entitled:

"An Act making appropriations for energy assistance and weatherization; and providing for an effective date."

(Prefile Released 12/30/05)

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

SB 215

SENATE BILL NO. 215 BY SENATORS THERRIAULT AND KOOKESH, entitled:

"An Act relating to the energy dividend for 2005; and providing for an effective date."

(Prefile Released 12/30/05)

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

SB 216

SENATE BILL NO. 216 BY SENATORS HUGGINS AND GREEN, entitled:

"An Act relating to bail."

(Prefile Released 12/30/05)

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

SB 217

SENATE BILL NO. 217 BY SENATOR ELLIS, entitled:

"An Act relating to the local property tax and municipal assistance fund; authorizing municipalities to use money from tax equalization entitlements and from the revenue sharing for the safe communities program to decrease real property taxes; and providing for an effective date."

(Prefile Released 12/30/05)

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

SB 218

SENATE BILL NO. 218 BY SENATOR BUNDE, entitled:

"An Act relating to periodic polygraph examinations for sex offenders released on probation or parole and to sentencing for sex offenders and habitual criminals."

(Prefile Released 12/30/05)

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

SB 219

SENATE BILL NO. 219 BY SENATOR WILKEN, entitled:

"An Act relating to the community dividend program; and providing for an effective date."

(Prefile Released 12/30/05)

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

SB 220

SENATE BILL NO. 220 BY SENATOR ELTON, entitled:

"An Act relating to excusing breast-feeding women from jury service; amending Rule 15(k), Alaska Rules of Administration; and providing for an effective date."

(Prefile Released 12/30/05)

was read the first time and referred to the Health, Education and Social Services and Judiciary Committees.

SB 221

SENATE BILL NO. 221 BY SENATOR SEEKINS, entitled:

"An Act limiting the exercise of eminent domain."
(Prefile Released 12/30/05)

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

SB 222

SENATE BILL NO. 222 BY SENATORS THERRIAULT AND GUESS, Ellis, entitled:

"An Act relating to breaches of security involving personal information, consumer report security freezes, consumer credit monitoring, credit accuracy, protection of social security numbers, disposal of records, factual declarations of innocence after identity theft, filing police reports regarding identity theft, and furnishing consumer credit header information; and amending Rule 60, Alaska Rules of Civil Procedure."

(Prefile Released 12/30/05)

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

SB 223

SENATE BILL NO. 223 BY SENATORS GUESS, Davis, entitled:

"An Act relating to sexual abuse of a minor and to sex offenders and child kidnappers; and providing for an effective date."

(Prefile released 1/6/2006)

was read the first time and referred to the Health, Education and Social Services, and Judiciary Committees.

Representative Stoltze and Representative Croft called on the Senate to advise that the House of Representatives was in session and ready to do business.

SB 224

SENATE BILL NO. 224 BY SENATOR GARY STEVENS, entitled:

"An Act establishing Older Alaskans' Day."
(Prefile released 1/6/2006)

was read the first time and referred to the State Affairs Committee.

SB 225

SENATE BILL NO. 225 BY SENATOR GARY STEVENS, entitled:

"An Act prohibiting mixing zones in freshwater spawning waters."
(Prefile released 1/6/2006)

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

SB 226

SENATE BILL NO. 226 BY SENATORS ELTON, Davis, entitled:

"An Act relating to the municipal endowment program."

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

SB 227

SENATE BILL NO. 227 BY SENATOR ELTON, entitled:

"An Act making a special appropriation from the general fund to the municipal endowment fund; and providing for an effective date."

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

Consideration of the Calendar**Citations**

Senator Gary Stevens moved and asked unanimous consent that the following citation be made a special order of business. Without objection, it was so ordered.

Special Order of Business

Honoring – Dr. Martin Luther King, Jr. Day, Twentieth Anniversary in the Spirit of Unity and Service

Senator(s) Davis, Ben Stevens, Bunde, Cowdery, Dyson, Ellis, Elton, French, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, 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 Wilken moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, January 13 to evening plane time, January 16. Without objection, Senator Wilken was excused.

Adjournment

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 6:45 p.m., January 10, 2006. Without objection, the Senate adjourned at 11:34 a.m.

Kirsten Waid
Secretary of the Senate

September 2006

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

Jan 10	Tuesday	Senate Finance 532	9:00 AM
+		Bills Previously Heard/Scheduled	
Jan 11	Wednesday	Senate Finance 532	9:00 AM
+		Presentation: Education Financing by DEED Commissioner Roger Sampson	
Jan 12	Thursday	Senate Finance 532	9:00 AM
+		Bills Previously Heard/Scheduled	

JOINT COMMITTEES**LEGISLATIVE BUDGET & AUDIT**

Jan 12	Thursday	House Finance 519	3:00 PM
	-- Time Change --		
	Minutes		
	Audits		
	Review of DNR Commissioner's Preliminary Finding and Determination on Royalty Modification Other Committee Business		

JOINT COMMITTEES
(continued)**SCHOOL DISTRICT COSTS TASK FORCE**

Jan 12 **Thursday** **House Finance 519** **1:00 PM**
+ Task Force Meeting on School District
 Cost Factors

OTHER MEETINGS**JOINT SESSION**

Jan 10 **Tuesday** **House Chamber** **7:00 PM**
Address by Governor Frank H Murkowski
State of the State Message

Jan 12 **Thursday** **House Chamber** **7:00 PM**
Address by Governor Frank H Murkowski
State of the Budget Message