

**SENATE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-FOURTH LEGISLATURE**

**SECOND SESSION**

**Juneau, Alaska**                      **Monday**                      **January 30, 2006**

**Twenty-second Day**

Pursuant to adjournment the Senate was called to order by President Stevens at 11:08 a.m.

The roll showed nineteen members present. Senator Therriault was absent.

The prayer was offered by the Chaplain, Pastor Tim Frega of the Auke Bay Bible Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear Heavenly Father, I am very grateful for the men and women that You have called to this Senate. I pray that during this term that You impress on their hearts the honor and privilege it is to serve our country.

I pray that You give them the wisdom that is needed to make proper decisions. Lord, may their decisions be coated in prayer as they seek Your face for the direction only You can give.

Father, I ask that You make us a humble people, people that are relying on Your strength and Your direction. And from our humility may You shed Your grace.

In Christ's name I pray.

Amen.

Senator Olson led the Senate in the Pledge of Allegiance.

### **Certification**

Senator Gary Stevens moved and asked unanimous consent that the journals for the eighteenth through twenty-first legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

### **Messages from the Governor**

#### **SB 174**

Message dated and received January 26 was read, 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 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."

Chapter 1, SLA 2006  
Effective Date: 1/27/2006

Letter dated and received January 27 was read, stating in accordance with AS 18.85.030, I submit the following name for legislative confirmation of appointment to the position noted:

#### **Public Defender**

Quinlan Steiner

Appointed: 10/14/2005

Term Expires: 10/14/2009

The appointment was referred to the Judiciary Committee.

In accordance with AS 39.05.080, I submit the following names for legislative confirmation of appointment to the positions noted:

**Alcoholic Beverage Control Board**

Billy (William) G. Andrews - Anchorage

Reappointed: 1/23/2006                      Term Expires: 3/1/2009

Gail M. Niemi - Juneau

Reappointed: 1/23/2006                      Term Expires: 3/1/2009

**State Board of Registration for Architects, Engineers, and Land Surveyors**

Charles A. Leet - Palmer

Appointed: 1/23/2006                      Term Expires: 3/1/2010

**Board of Veterinary Examiners**

Steven Torrence - Juneau

Reappointed: 1/23/2006                      Term Expires: 3/1/2010

The appointments were referred to the Labor and Commerce Committee.

**Occupational Safety and Health Review Board**

Timothy O. Sharp - Fairbanks

Reappointed: 1/23/2006                      Term Expires: 3/1/2007

Thomas A. Trosvig - Kodiak

Appointed: 1/23/2006                      Term Expires: 3/1/2009

**Professional Teaching Practices Commission**

Craig Baker - Kodiak

Reappointed: 1/23/2006                      Term Expires: 3/1/2009

Bonnie C. Gaborik - North Pole

Reappointed: 1/23/2006                      Term Expires: 3/1/2009

Linda L. Gillam Black - Anchorage

Appointed: 3/1/2006                      Term Expires: 3/1/2009

The appointments were referred to the Health, Education and Social Services Committee.

The resumes for these appointments have been submitted to the Offices of the Senate Secretary and the Chief Clerk.

### **Communications**

The following reports are on file in the Office of the Secretary of the Senate:

2005 Annual Report of Fisheries Enhancement Term Extensions  
from William C. Noll, Commissioner  
Department of Commerce, Community and Economic Development  
in accordance with AS 16.10.510(11)

Annual State Loan Report FY04  
from William C. Noll, Commissioner  
Department of Commerce, Community and Economic Development  
in accordance with AS.37.05.035 and AS 16.10.350(b)

### **Standing Committee Reports**

#### **HJR 17**

The Resources Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 17(RES) Opposing the Federal Lands Recreation Enhancement Act, and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE JOINT  
RESOLUTION NO. 17(RES)

Signing do pass: Senator Wagoner, Chair; Senators Seekins, Stedman, Ben Stevens, Elton. Signing no recommendation: Senator Dyson.

The following fiscal information was published today:  
Fiscal Note No. 2, zero, Legislative Agency

The resolution was referred to the Rules Committee.

**Introduction and Reference of Senate Bills****SB 217**

SPONSOR SUBSTITUTE FOR 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."

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

**SB 251**

SENATE BILL NO. 251 BY THE SENATE LABOR AND COMMERCE COMMITTEE, entitled:

"An Act relating to immunization for meningitis of postsecondary students residing on campus."

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

**SB 252**

SENATE BILL NO. 252 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to the definition of 'child abuse and neglect' for child protection purposes; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Health and Social Services

Governor's transmittal letter dated January 27, 2006:

Dear President Stevens:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the definition of "child abuse and neglect" for child protection purposes.

This bill would clarify that the definition "child" includes an infant who has been identified by a health care provider involved in the delivery or care of that infant as being affected by abuse of a controlled substance or from withdrawal from prenatal exposure to a controlled substance. The purpose of the bill is to ensure that health care professionals report such infants to the Department of Health and Social Services under the state's mandatory reporting laws for child abuse and neglect. This provision is necessary to be in compliance with federal law as a condition of continued federal funding for child abuse and neglect prevention and treatment.

I urge your prompt and favorable action on this measure.

Sincerely yours,

/s/

Frank H. Murkowski

Governor

**SB 253**

SENATE BILL NO. 253 BY THE SENATE RULES COMMITTEE  
BY REQUEST OF THE LEGISLATIVE BUDGET AND AUDIT  
COMMITTEE, entitled:

"An Act extending the termination date for the Board  
of Chiropractic Examiners; and providing for an  
effective date."

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

**SB 254**

SENATE BILL NO. 254 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND AUDIT COMMITTEE, entitled:

"An Act extending the termination date for the State Physical Therapy and Occupational Therapy Board; and providing for an effective date."

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

The presence of Senator Therriault was noted.

**SB 255**

SENATE BILL NO. 255 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND AUDIT COMMITTEE, entitled:

"An Act extending the termination date for the Board of Examiners in Optometry; amending the licensing endorsement provisions for optometrists; and providing for an effective date."

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

**SB 256**

SENATE BILL NO. 256 BY SENATOR GARY STEVENS, entitled:

"An Act extending the period of the fire season."

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

**SB 257**

SENATE BILL NO. 257 BY SENATOR DAVIS, entitled:

"An Act making an appropriation for longevity bonus grants; and providing for an effective date."

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

**SB 258**

SENATE BILL NO. 258 BY SENATOR DAVIS, entitled:

"An Act relating to marriage brokers and advertisers and to dating and social referral services."

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

**Unfinished Business**

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

**Special Order of Business**

In Memoriam - Lance Corporal Grant B. Fraser

Representative(s) Lynn

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

In Memoriam - Malcolm "Mac" Brown

Representative(s) Stoltze, Gatto, Kohring, Neuman, Croft

Senator(s) Green, Huggins, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Guess, Hoffman, 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 Kookesh moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, February 1 to evening plane time, February 2, and from morning plane time, February 6 to evening plane time, February 7. Without objection, Senator Kookesh was excused.



Senator Bunde moved and asked unanimous consent to be excused from a call of the Senate from plane time, February 10 to plane time, February 13 and from afternoon plane time, February 24 to morning plane time, February 27. Without objection, Senator Bunde was excused.

Senator Therriault moved and asked unanimous consent to be excused from a call of the Senate to morning plane time on February 6. Without objection, Senator Therriault was excused.

Senator Hoffman moved and asked unanimous consent to be excused from a call of the Senate on February 3 and February 6. Without objection, Senator Hoffman was excused.

### **Announcements**

Announcements are at the end of the journal.

### **Adjournment**

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 1, 2006. Without objection, the Senate adjourned at 11:30 a.m.

Kirsten Waid  
Secretary of the Senate

January 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

**COMMUNITY & REGIONAL AFFAIRS**

<b>Jan 30</b>	<b>Monday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
	-- Rescheduled to 02/08/06 --		
+ SB 193	DEFERRAL OF MUNICIPAL PROPERTY TAXES		
<b>Feb 01</b>	<b>Wednesday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>Feb 03</b>	<b>Friday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>Feb 08</b>	<b>Wednesday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
	-- Rescheduled from 01/30/06 --		
+ SB 193	DEFERRAL OF MUNICIPAL PROPERTY TAXES		

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**FINANCE**

<b>Jan 30</b>	<b>Monday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
	No Meeting Scheduled		
<b>Jan 31</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+ SB 232	APPROPS: ENERGY-RELATED, PIPELINE & MISC.		
+	Bills Previously Heard/Scheduled		
<b>Feb 01</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+	Bills Previously Heard/Scheduled		

**FINANCE**  
(continued)

**Feb 01      Wednesday                  Senate Finance 532                  1:30 PM**  
 +                  Joint w/(H)Finance  
                     Overview: Profit Sharing Production Tax  
                     Analysis; New Investments & International  
                     Competition

**Feb 02      Thursday                          Senate Finance 532                  9:00 AM**  
 +    SB 218    CRIMINAL SENTENCING AND POLYGRAPHS  
 =    SB 236    AK HOUSING FINANCE CORP DIVIDEND  
 +                  Bills Previously Heard/Scheduled

**Feb 03      Friday                                  Senate Finance 532                  9:00 AM**  
 +                  Bills Previously Heard/Scheduled

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**HEALTH, EDUCATION & SOCIAL SERVICES**

**Jan 30      Monday                                  Butrovich 205                  1:30 PM**  
                     No Meeting Scheduled

**Feb 01      Wednesday                          Butrovich 205                  1:30 PM**  
 +                  Confirmation Hearing  
                     Karleen Jackson, Dept H&SS Commissioner  
 += SB 177    PRACTICE OF PSYCHOLOGY  
 +    SB 235    SCHOOL PERFORMANCE BONUSSES  
 +                  Bills Previously Heard/Scheduled

**Feb 03      Friday                                  Butrovich 205                  1:30 PM**  
 +                  Bills Previously Heard/Scheduled

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**JUDICIARY**

**Jan 31      Tuesday                                  Butrovich 205                  9:30 AM**  
                     -- Time Change --  
 +                  Confirmation  
                     Regina C Chennault, Violent Crimes  
                     Compensation Board  
 +    SB 237    ADDITIONAL JUDGES FOR THIRD DISTRICT  
                     <Bill Hearing Rescheduled to 02/02/06>  
 +    HB 41    ASSAULT ON SCHOOL EMPLOYEES/BUS DRIVERS

**JUDICIARY**

(continued)

**Feb 01      Wednesday                      Butrovich 205              8:30 AM**  
 += SB 10 PARENTAL LIABILITY FOR CHILD'S DAMAGE  
 += HB 101 SEX TOURISM  
 += HB 148 TRAFFICKING OF PERSONS  
 + Bills Previously Heard/Scheduled

**Feb 02      Thursday                              Butrovich 205              8:30 AM**  
 += SB 200 USE OF FORCE TO PROTECT SELF/HOME  
 + SB 210 VIOL. OF ALCOHOLIC BEV. LAWS/FORFEITURE  
 + Bills Previously Heard/Scheduled

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**LABOR & COMMERCE**

**Jan 31      Tuesday                                      Beltz 211              1:30 PM**  
 No Meeting Scheduled

**Feb 02      Thursday                                      Beltz 211              1:30 PM**  
 + Bills Previously Heard/Scheduled  
 += SB 207 AK AEROSPACE DEVEL. CORP BD MEMBERSHIP

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**RESOURCES**

**Jan 30      Monday                                      Butrovich 205              3:30 PM**  
 + HB 107 HUNTING/FISHING INTERFERENCE  
 + HB 269 HAZARDOUS SUBSTANCE RELEASE LIABILITY  
 + HB 251 COMMERCIAL FISHING MULTIPLE PERMIT HOLDER  
 + SB 166 WILDLIFE CONSERVATION TAG

**Feb 01      Wednesday                              House Finance 519              1:00 PM**  
 -- Location Change --  
 Joint w/(H) Resources  
 Presentation by Agrium & Tesoro on Cook  
 Inlet Operations

**Feb 03      Friday    Butrovich 205              3:30 PM**  
 No Meeting Scheduled

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**STATE AFFAIRS**

<b>Jan 31</b>	<b>Tuesday</b>	<b>Beltz 211</b>	<b>3:30 PM</b>
+	Confirmation Hearing		
	William A. Corbus, Lieutenant Governor		
	Designee		
	Office of Administrative Hearings		
	Chief Administrative Law Judge		
	Presentation of Annual Report & Overview		
+	Bills Previously Heard/Scheduled		
<b>Feb 02</b>	<b>Thursday</b>	<b>Beltz 211</b>	<b>3:30 PM</b>
+	Confirmation Hearing		
	Scott Nordstrand,		
	Commissioner Department of Administration		
+= SB 189	REQUIREMENTS FOR DRIVER'S LICENSE/I.D.		
+ SB 224	OLDER ALASKANS' DAY		
+	Bills Previously Heard/Scheduled		

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**TRANSPORTATION**

<b>Jan 31</b>	<b>Tuesday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>Feb 02</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

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**SPECIAL COMMITTEES**

**COMMITTEE ON UNIVERSITY OVERSIGHT**

<b>Feb 07</b>	<b>Tuesday</b>	<b>Beltz 211</b>	<b>11:00 AM</b>
	Overview - University of Alaska		
	President Mark Hamilton		
	Wendy Redman		

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**JOINT COMMITTEES**

**LEGISLATIVE BUDGET & AUDIT**

**Jan 30**      **Monday**                      **House Finance 519**              **1:30 PM**  
Executive Session - Consideration of  
Preliminary Audit  
Professional Services Contracts  
Other Committee Business

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**LEGISLATIVE COUNCIL**

**Feb 02**      **Thursday**                      **Senate Finance 532**              **5:00 PM**  
Legislative Council Meeting

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**SELECT COMMITTEE ON LEGISLATIVE ETHICS**

**Feb 07**      **Tuesday**                      **Butrovich 205**              **10:30 AM**  
+      Public Comment  
Status of Ethics Legislation: SB 187  
Advisory Opinion 06-01  
Committee Rules of Procedure

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**OTHER MEETINGS**

**CHILDREN'S CAUCUS**

**Feb 07**      **Tuesday**                      **Butrovich 205**              **12:00 PM**  
+      Health Teen Relationships with  
Dr. Stan Weed, PhD, Institute for  
Research and Evaluation and  
Carol Kidwell, Program Director, Let's  
Talk Health Relationships

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**JOINT LEGISLATIVE HEALTH CAUCUS**

**Feb 01**      **Wednesday**                      **Butrovich 205**              **12:00 PM**  
"Helping People Beyond Roads"  
Light Lunch Will Be Served

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**JOINT SESSION**

<b>Feb 08</b>	<b>Wednesday</b> Chief Justice Bryner's Annual State of the Judiciary Message	<b>House Chamber</b>	<b>11:00 AM</b>
<b>Feb 21</b>	<b>Tuesday</b> Address by the Honorable Lisa Murkowski, U.S.Senator	<b>House Chamber</b>	<b>2:00 PM</b>
<b>Mar 22</b>	<b>Wednesday</b> Address by the Honorable Ted Stevens, U.S.Senator	<b>House Chamber</b>	<b>11:00 AM</b>