

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Friday

February 3, 2006

Twenty-sixth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:09 a.m.

The roll showed thirteen members present. Senators Cowdery, French, Hoffman, Olson, Wagoner, Wilken were excused from a call of the Senate. Senator Kookesh was absent.

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

Dear Heavenly Father,

My heart goes out for those families that have loved ones who are sacrificing their lives in Iraq and in other areas of the world for our country. May You comfort those families. For the families with loved ones in the military I ask that You strengthen and encourage these men, women and children who are separated from them. I pray that You protect and supply for their husbands and wives. For the children I ask that they feel Your love and may You take some of the hurt away from a mom or dad that is gone. Father, thank You for those that are sacrificing and have sacrificed so that we can live in the wonderful country that we do.

When I look at our worldly warfare I am reminded that we too are in a spiritual warfare with the evil one. Knowing this may we take the opportunities that

we have to stand up for our Lord and Savior. May
You give us eyes that look into the eternals.

In Christ's name I pray, Amen.

Senator Stedman led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House

Concur Messages

SB 164

Message dated February 1 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 164(FIN) "An Act relating to the salmon product development tax credit; providing for an effective date by amending an effective date in sec. 7, ch. 57, SLA 2003; and providing for an effective date" with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL NO. 164(RLS)

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

Recede Messages

HB 149

Message dated February 1 was read, stating the House failed to concur in the Senate amendments to CS FOR HOUSE BILL NO. 149(FIN) an "An Act relating to controlled substances; relating to the crimes of manslaughter, endangering the welfare of a child, and misconduct

involving a controlled substance; relating to the manufacture of methamphetamine and to the sale, possession, and delivery of certain substances and precursors used in the manufacture of methamphetamine; relating to listing certain anabolic steroids as controlled substances; and providing for an effective date" and respectfully requests the Senate to recede from its amendments, namely:

SENATE CS FOR CS FOR HOUSE BILL NO.
149(FIN) am S(ct rule fld S)

In the event the Senate fails to recede, the Speaker has appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the bills:

Representative Coghill, Chair
Representative Stoltze
Representative Crawford

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

Communications

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

School Capital Project Funding
from Roger Sampson, Commissioner
Department of Education and Early Development
in accordance with AS 14.11.013 and AS 14.11.100

2006 Alaska Minerals Commission Report
from Irene Anderson, Chair, Alaska Minerals Commission
Department of Commerce, Community and Economic Development
in accordance with AS 44.33.431

Standing Committee Reports**SB 171**

Forthcoming Finance Committee Substitute (page 2032) for SENATE BILL NO. 171 "An Act amending the National Petroleum Reserve - Alaska special revenue fund; and establishing the Special Legislative Oil and Gas NPR-A Development Impact Review Committee and defining its powers and duties" was received today:

CS FOR SENATE BILL NO. 171(FIN) "An Act amending the National Petroleum Reserve - Alaska special revenue fund; establishing the Special Legislative Oil and Gas NPR-A Development Impact Review Committee and defining its powers and duties; and providing for an effective date."
(technical title change)

SB 200

The Judiciary Committee considered SENATE BILL NO. 200 "An Act relating to defense of self, other persons, and property" and recommended it be replaced with

CS FOR SENATE BILL NO. 200(JUD) "An Act relating to defense of self, other persons, property, or services."

Signing do pass: Senator Seekins, Chair; Senators Huggins, Therriault.
Signing no recommendation: Senator French.

The following fiscal information was published today:

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

The bill was referred to the Rules Committee.

SB 210

The Judiciary Committee considered SENATE BILL NO. 210 "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."
Signing do pass: Senator Seekins, Chair; Senators Huggins, Therriault.

Signing no recommendation: Senator French.

Fiscal information forthcoming.

The bill was referred to the Finance Committee.

SB 224

The State Affairs Committee considered SENATE BILL NO. 224 "An Act establishing Older Alaskans' Day." Signing do pass: Senator Therriault, Chair; Senators Elton, Wagoner, Huggins, Davis.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Office of the Governor

The bill was referred to the Rules Committee.

SB 236

The Finance Committee considered SENATE BILL NO. 236 "An Act relating to the dividend paid to the state by the Alaska Housing Finance Corporation; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 236(FIN) "An Act relating to subsidiary corporations of the Alaska Housing Finance Corporation and to the dividend paid to the state by the Alaska Housing Finance Corporation; and providing for an effective date."

Signing do pass: Senator Green, Cochair; Senators Bunde, Dyson, Stedman. Signing no recommendation: Senator Olson.

The following fiscal information was published today:

Fiscal Note No. 2, Department of Revenue

The bill was referred to the Rules Committee.

HB 217

The Finance Committee considered HOUSE BILL NO. 217(title am) "An Act relating to the determination of full and true value of taxable municipal property for purposes of providing planning assistance to

the Department of Education and Early Development and the legislature, calculating funding for education, calculating school district participating shares for school construction grants, and calculating tax resource equalization payments and excluding from that determination the value of property in certain areas detached from a municipality and the value of certain property involved with oil and gas that is not taxed by a municipality" and recommended it be replaced with

SENATE CS FOR HOUSE BILL NO. 217(FIN)

Signing do pass: Senators Wilken, Green, Cochairs; Senators Bunde, Dyson. Signing no recommendation: Senator Olson.

The following fiscal information was published today:
Fiscal Note No. 2, Department of Commerce, Community and Economic Development

The bill was referred to the Rules Committee.

Introduction and Reference of Senate Bills

SB 99

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 99 BY SENATORS ELLIS, Davis, French, entitled:

"An Act making an appropriation for construction of an integrated science complex at the University of Alaska; and providing for an effective date."

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

SB 199

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 199 BY SENATOR ELTON, entitled:

"An Act relating to public school funding for a prohibition on the sale of food and beverages of minimal nutritional value in schools and for placing restrictions on the use of vending machines in public schools; and providing for an effective date."

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

SB 265

SENATE BILL NO. 265 BY SENATOR STEDMAN, entitled:

"An Act increasing the total amount of bonds and notes that the Alaska Municipal Bond Bank Authority may have outstanding; and providing for an effective date."

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

SB 266

SENATE BILL NO. 266 BY SENATORS GARY STEVENS, Olson, entitled:

"An Act relating to commemorative license plates celebrating Alaska's 50th anniversary as a state; and providing for an effective date."

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

SB 267

SENATE BILL NO. 267 BY SENATOR GUESS, entitled:

"An Act relating to paid administrative leave for state employees who donate bone marrow."

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

Consideration of the Calendar**Citations**

Honoring – Tom and Nancy Sweeney on Their 50th Golden Wedding Anniversary

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

Honoring – Kevin McGowan, Eagle Scout

Representative(s) Coghill

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

Honoring – Arlene Sandberg, 2006 Alaska Teacher of the Year

Representative(s) Gruenberg, Kott

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

Honoring – Woodworker-John Carlson and His Employees

Representative(s) Thomas

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

In Memoriam – William H. (Bill) Ahseln

Representative(s) Coghill

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

Unfinished Business

Senator Dyson moved and asked unanimous consent to be excused from a call of the Senate from noon, February 24 to plane time, February 27, and from morning plane time, March 8 to plane time, March 12. Without objection, Senator Dyson was excused.

Senator Seekins moved and asked unanimous consent to be excused from a call of the Senate to morning plane time on February 6, and from evening plane time, February 9 to evening plane time, February 13. Without objection, Senator Seekins was excused.

Senator Stedman moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 3 to afternoon plane time, February 5, and from afternoon plane time, February 13 to afternoon plane time, February 14. Without objection, Senator Stedman was excused.

Senator Green moved and asked unanimous consent to be excused from a call of the Senate from February 21 to morning plane time, March 1. Without objection, Senator Green was excused.

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

Introduction of Senate Floor Staff

Senator Elton introduced Senate Page Donna Shelton of Juneau.

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 6, 2006. Without objection, the Senate adjourned at 11:27 a.m.

Kirsten Waid
Secretary of the Senate

June 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

Feb 03	Friday No Meeting Scheduled	Beltz 211	1:30 PM
Feb 06	Monday No Meeting Scheduled	Beltz 211	1:30 PM
Feb 08	Wednesday -- Rescheduled from 01/30/06 -- += SB 193 DEFERRAL OF MUNICIPAL PROPERTY TAXES	Beltz 211	1:30 PM
Feb 10	Friday No Meeting Scheduled	Beltz 211	1:30 PM

FINANCE

Feb 03	Friday -- Meeting Canceled -- + Bills Previously Heard/Scheduled	Senate Finance 532	9:00 AM
Feb 06	Monday No Meeting Scheduled	Senate Finance 532	9:00 AM
Feb 07	Tuesday + SB 264 FAST TRACK SUPPLEMENTAL APPROPS + Bills Previously Heard/Scheduled	Senate Finance 532	9:00 AM
Feb 08	Wednesday + SB 233 APPROPRIATIONS FOR CAPITAL PROJECTS + Bills Previously Heard/Scheduled	Senate Finance 532	9:00 AM

FINANCE (continued)

Feb 09 Thursday Senate Finance 532 9:00 AM
 += SB 218 CRIMINAL SENTENCING AND POLYGRAPHS
 + SB 188 BULK FUEL REVOLVING LOAN FUND CAP
 + HB 243 SWAN LAKE-TYEE LAKE INTERTIE
 + Bills Previously Heard/Scheduled

Feb 10 Friday Senate Finance 532 9:00 AM
 + Bills Previously Heard/Scheduled

Feb 16 Thursday Senate Finance 532 9:00 AM
 + Presentation by Lewin Group:
 Long Term Forecast of Medicaid Enrollment and Spending in
 Alaska, 2005-2025

HEALTH, EDUCATION & SOCIAL SERVICES

Feb 03 Friday Butrovich 205 1:30 PM
 -- Rescheduled from 02/01/06 --
 Confirmation Hearing: Karleen Jackson - DHSS Commissioner
 += SB 177 PRACTICE OF PSYCHOLOGY
 += SB 235 SCHOOL PERFORMANCE BONUSES
 <Bill Hearing Canceled>
 + Bills Previously Heard/Scheduled

Feb 06 Monday Butrovich 205 1:30 PM
 No Meeting Scheduled

Feb 08 Wednesday Butrovich 205 1:30 PM
 + SB 251 POSTSEC. STUDENT MENINGITIS IMMUNIZATION
 + SB 252 DEFINITION OF CHILD ABUSE AND NEGLECT
 += SB 235 SCHOOL PERFORMANCE BONUSES
 + Bills Previously Heard/Scheduled

Feb 10 Friday Butrovich 205 1:30 PM
 Bills Previously Heard/Scheduled

JUDICIARY

Feb 07 Tuesday Butrovich 205 8:30 AM
 + Confirmations: Public Defender - Quinlan Steiner
 Select Committee on Legislative Ethics - Dennis "Skip" Cook
 Herman G. Walker, Lindsey Holmes

JUDICIARY (continued)

Feb 08 Wednesday Butrovich 205 8:30 AM

+ SB 10 PARENTAL LIABILITY FOR CHILD'S DAMAGE
 += SB 237 ADDITIONAL JUDGES FOR THIRD DISTRICT
 += HB 41 ASSAULT ON SCHOOL EMPLOYEES/BUS DRIVERS
 + Bills Previously Heard/Scheduled

Feb 09 Thursday Butrovich 205 8:30 AM

+ SB 209 UNDERAGE MILITARY ON LICENSED PREMISES
 + SB 240 DRUG OFFENSES: NEIGHBORS AS CRIME VICTIMS
 + HB 107 HUNTING/FISHING INTERFERENCE
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

Feb 07 Tuesday Beltz 211 1:30 PM

+ SB 244 NO DISCRIMINATION AGAINST ACUPUNCTURIST
 + SB 260 EXTEND TASK FORCE ON WORKERS' COMP
 Bills Previously Heard/Scheduled

Feb 09 Thursday Juneau Lio Conf Rm 1:30 PM

-- Location Change ---- Teleconference <Listen Only>
 Teleconference <Invitation Only> --Confirmation Hearings:
 Commissioner - Dept. of Commerce, Community and
 Economic Development: William Noll; Alaska State Board of
 Public Accountancy: Johnny Floyd – Anchorage; Daniel J.
 Rozema – Anchorage; Elaine R. Williamson – Fairbanks;
 Alcohol Beverage Control Board: Shirley A. Gifford –
 Soldotna; State Board of Registration for Architects, Engineers
 and Land Surveyors: Terry Gorlick – Anchorage, Burdett B.
 Lent – Wasilla, Daniel E. Walsh – Fairbanks; Board of
 Chiropractic Examiners: Dr. Gregory M. Culbert - Eagle River,
 Dr. Rosemary E. Zimmerman – Girdwood; Alaska Labor
 Relations Agency: Matthew R. McSorley –Anchorage; Board
 of Certified Real Estate Appraisers: Steve McSwain –
 Anchorage, Richard (Butch) D. Olmstead Ketchikan; Real
 Estate Commission: Timothy J. Worthen – Anchorage;
 Workers Compensation Appeals Commission: John Giuchici –
 Fairbanks, Kristin Knudsen – Anchorage, Jim E. Robison Eagle
 River, Marc D. Stemp – Bethel, Philip E. Ulmer - Eagle River;
 Alaska Workers' Compensation Board:Raymond (Scott) S.
 Bridges - Eagle River, Stephen T. Hagedorn – Anchorage,
 Linda F. Hutchings – Soldotna, David (Dave) B. Robinson -
 Wasilla

RESOURCES

Feb 03	Friday	Butrovich 205	3:30 PM
	No Meeting Scheduled		
Feb 06	Monday	Butrovich 205	3:30 PM
+ SB 166	WILDLIFE CONSERVATION TAG		
+ HB 37	PUBLIC ACCESS TO FISHING STREAMS		
Feb 08	Wednesday	Senate Finance 532	12:00 PM
	Joint w/(H) Resources		
	Presentations:		
	Alaska Mining Association		
Feb 08	Wednesday	Senate Finance 532	3:30 PM
	Joint w/(H) Resources		
	Alaska Minerals Industry:		
	Alaska Minerals Commission Report &		
	Recommendations		
	Division of Mining, Land and Water		
	Presentation		
Feb 10	Friday	Butrovich 205	3:30 PM
	No Meeting Scheduled		

STATE AFFAIRS

Feb 07	Tuesday	Beltz 211	3:30 PM
	-- Rescheduled from 02/02/06 --		
	Confirmation Hearing:		
	Scott Nordstrand,		
	Commissioner Department of Administration		
+	Bills Previously Heard/Scheduled		
Feb 09	Thursday	Beltz 211	3:30 PM
+	Bills Previously Heard/Scheduled		

TRANSPORTATION

Feb 07	Tuesday	Butrovich 205	1:30 PM
	No Meeting Scheduled		

SENATE JOURNAL

February 3, 2006

2067

TRANSPORTATION (continued)

Feb 09 Thursday Butrovich 205 1:30 PM
+ SB 261 REGULATION OF HWYS; TRAFFIC OFFENSES

Feb 14 Tuesday Butrovich 205 1:30 PM
Bills Previously Heard/Scheduled

Feb 16 Thursday Butrovich 205 1:30 PM
+ Presentation - Context Sensitive Design
"Thinking Beyond the Pavement"
Bills Previously Heard/Scheduled

FINANCE SUBCOMMITTEES

HEALTH & SOCIAL SERVICES

Feb 15 Wednesday Senate Finance 532 5:00 PM
Presentation by Lewin Group entitled:
Long Term Forecast of Medicaid Enrollment and Spending in
Alaska: 2005-2025

SPECIAL COMMITTEES

COMMITTEE ON UNIVERSITY OVERSIGHT

Feb 07 Tuesday Senate Finance 532 11:00 AM
-- Location Change --
-- Teleconference <Listen Only> --
Overview - University of Alaska
President Mark Hamilton
Wendy Redman

JOINT COMMITTEES

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

OTHER MEETINGS**CHILDREN'S CAUCUS**

Feb 07 +	Tuesday Health Teen Relationships with Dr. Stan Weed, PhD, Institute for Research and Evaluation and Carol Kidwell, Program Director, Let's Talk Health Relationships	Butrovich 205	12:00 PM
Feb 14 +	Tuesday Alaska Children's Justice Act Task Force: Reviewing Practice, Policy, and Laws on Child Abuse	Butrovich 205	12:00 PM

JOINT SESSION

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