

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE
SECOND SESSION

Juneau, Alaska **Thursday** **February 23, 2006**
Forty-sixth Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:10 a.m.

The roll showed seventeen members present. Senator Green was excused from a call of the Senate. Senators Therriault, Seekins were absent.

The prayer was offered by the Chaplain, Pastor Tom Matthews of the Douglas Island Bible Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear Lord,

As another day is started here in these chambers, I would again ask You for Your blessings on this day.

Thank You for the pattern that You give us in Your Word on how we are expected to live. I recognize that our very breath comes from You. You are our sovereign Lord. You willed the world into existence and it is Your will that holds it together. As our sovereign, You have an expectation of justice and equity. I pray that any decisions that come out of this body would follow this pattern that You have given us. Humble us Lord. Let us never shake our puny fists against Your authority in our lives.

I not only lift up this assembly Lord, but I recognize the need for Your guiding hand in our nation's capital as well. Lead our president, lead his advisors, direct our United States Senators and Congressmen in their various roles today. Help our nation to always be as our pledge claims it to be, "one nation under God."

I pray this in the name of Your Beloved Son, Jesus Christ.
Amen.

Senator Huggins led the Senate in the Pledge of Allegiance.

Certification

Senator Gary Stevens moved and asked unanimous consent that the journal for the forty-fifth legislative day, Senate Journal Supplement No. 5 and Senate and House Joint Journal Supplement No. 13 be approved as certified by the Secretary. Without objection, it was so ordered.

The presence of Senator Therriault was noted.

Messages from the House

Message dated February 22 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 274

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 274(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to the practice of accounting; and providing for an effective date."

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

HB 326

CS FOR HOUSE BILL NO. 326(JUD) am BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to the definition of the crime of harassment."

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

HB 357

CS FOR HOUSE BILL NO. 357(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act updating the terminology in statutes for persons with disabilities; and providing for an effective date."

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

HB 393

CS FOR HOUSE BILL NO. 393(HES) BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE, entitled:

"An Act requiring that certain health care insurance plans provide coverage for the costs of colorectal cancer screening examinations and laboratory tests; and providing for an effective date."

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

Communications

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

Special Report to the State of Alaska Legislature and Administration dated February 2006
from Patrick K. Gamble, President and CEO
Alaska Railroad Corporation

Notification of Availability of the Fiscal Year 2005 Annual Report
from Kate Giard, Chairman, Regulatory Commission of Alaska
Department of Commerce, Community and Economic Development
available at: www.state.ak.us/rca/AnnualReport/FY05AR.pdf
in accordance with AS 42.05.211 and AS 42.06.220

Review of Indigency Requirements for Eligibility of Public Counsel
from Scott J. Nordstrand, Commissioner
Department of Administration
in accordance with Section 13, Chapter 3, FSSLA 05

Standing Committee Reports

SB 265

The Community and Regional Affairs Committee considered SENATE BILL NO. 265 "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." Signing do pass: Senator Stedman, Chair; Senators Wagoner, Gary Stevens.

The following fiscal information was published today:
Fiscal Note No. 1, Department of Revenue

The bill was referred to the Finance Committee.

Introduction and Reference of Senate Bills

SB 306

SENATE BILL NO. 306 BY THE SENATE LABOR AND COMMERCE COMMITTEE, entitled:

"An Act requiring an employing unit with a change in ownership, management, or control or similar change to notify the Department of Labor and Workforce Development of the change; relating to the unemployment contribution rate of an employing unit; defining 'business' for purposes of statutes setting unemployment contribution rates; establishing the crime of obtaining an unemployment rate by deception; and providing for an effective date."

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

SB 307

SENATE BILL NO. 307 BY THE SENATE LABOR AND COMMERCE COMMITTEE, entitled:

"An Act relating to a fee provided for in the rental agreement for late payment of rent under the Uniform Residential Landlord and Tenant Act."

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

Unfinished Business**SB 36**

President Stevens brought up the report from the Conference Committee considering CS FOR SENATE BILL NO. 36(JUD) "An Act relating to absentee ballots" and HOUSE CS FOR CS FOR SENATE BILL NO. 36(JUD) am H which had been held on the Secretary's desk (page 2122).

President Stevens discharged the Conference Committee and appointed the following members to a Free Conference Committee to meet with a like committee from the House:

Senator Gary Stevens, Chair
Senator Bunde
Senator Hoffman

The Secretary was requested to notify the House.

Senators French, Ellis moved and asked unanimous consent to be excused from a call of the Senate to morning plane time on February 27. Without objection, Senators French, Ellis were excused.

Senators Huggins, Cowdery moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, February 23 to evening plane time, February 26. Without objection, Senators Huggins, Cowdery were 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 27, 2006. Without objection, the Senate adjourned at 11:27 a.m.

Kirsten Waid
Secretary of the Senate

February 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 24	Friday No Meeting Scheduled	Beltz 211	1:30 PM
Feb 27	Monday No Meeting Scheduled	Beltz 211	1:30 PM
Mar 01	Wednesday No Meeting Scheduled	Beltz 211	1:30 PM
Mar 03	Friday No Meeting Scheduled	Beltz 211	1:30 PM

FINANCE

Feb 23	Thursday + Joint w/(H) Finance Presentation by Callan Associates - Re: PFD Five-Year Forecast	Senate Finance 532	9:00 AM
Feb 24	Friday No Meeting Scheduled	Senate Finance 532	9:00 AM
Feb 27	Monday No Meeting Scheduled	Senate Finance 532	9:00 AM

FINANCE (continued)

Feb 28 Tuesday Senate Finance 532 9:00 AM
No Meeting Scheduled

Mar 01 Wednesday Senate Finance 532 9:00 AM
 += SB 207 AK AEROSPACE DEVEL. CORP BD MEMBERSHIP
 + SB 253 EXTEND BOARD OF CHIROPRACTIC EXAMINERS
 + SB 254 EXTEND PT & OCCUPATIONAL THERAPY BOARD
 + SB 255 OPTOMETRY: EXTEND BD/ LIC. ENDORSEMENT
 + Bills Previously Heard/Scheduled

Mar 02 Thursday Senate Finance 532 9:00 AM
 += SB 232 APPROPS: ENERGY-RELATED, PIPELINE & MISC.
 += SB 264 FAST TRACK SUPPLEMENTAL APPROPS
 += SB 243 TOBACCO REV. FOR UNIV. & CORR. FACILITIES
 + Bills Previously Heard/Scheduled

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

Mar 03 Friday Senate Finance 532 3:30 PM
+ Joint w/(S) Resources
Presentation by Legislative Consultants
On Oil and Gas Production Tax

Mar 04 Saturday Senate Finance 532 10:00 AM
+ Joint w/(S) Resources
Presentation by Legislative Consultants
On Oil and Gas Production Tax

HEALTH, EDUCATION & SOCIAL SERVICES

Feb 24 Friday Butrovich 205 1:30 PM
No Meeting Scheduled

Feb 27 Monday Butrovich 205 1:30 PM
 += SB 251 POSTSEC. STUDENT MENINGITIS IMMUNIZATION
 + SB 244 NO DISCRIMINATION AGAINST ACUPUNCTURIST
 + SJR 19 TASK FORCE ON HOSPITAL INFECTIONS
 + SB 242 STATUTORY REFERENCES TO DISABILITIES
 + HB 357 STATUTORY REFERENCES TO DISABILITIES
 + Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES (continued)

Mar 01 Wednesday Butrovich 205 1:30 PM

+ SB 281 SCHOOL DIST. ENROLLMENT SHARING/CORRESPON

+ SB 162 REPORT STUDENT HEALTH/DISCIPLINE/SAFETY

+ SB 199 SCHOOL NUTRITION SUPPORT GRANTS

+ Bills Previously Heard/Scheduled

Mar 03 Friday Butrovich 205 1:30 PM

No Meeting Scheduled

JUDICIARY

Feb 23 Thursday Butrovich 205 8:30 AM

No Meeting Scheduled

Feb 27 Monday Butrovich 205 8:30 AM

+ SB 206 DETENTION OF MATERIAL WITNESSES

+ SB 222 PROTECTION OF PERSONAL INFORMATION

+ SB 216 BAIL RESTRICTIONS

+ Bills Previously Heard/Scheduled

Feb 28 Tuesday Butrovich 205 8:30 AM

+ SJR 20 CONST. AM: BENEFITS & MARRIAGE

+ SB 284 SENTENCING FOR ALCOHOL-RELATED CRIMES

+ Bills Previously Heard/Scheduled

Mar 01 Wednesday Butrovich 205 8:30 AM

+ SB 252 DEFINITION OF CHILD ABUSE AND NEGLECT

+ SB 301 CHANGE OF VENUE IN CIVIL CASES

+ SB 249 REPORTING BAIL AND RELEASE INFORMATION

+ Bills Previously Heard/Scheduled

Mar 02 Thursday Butrovich 205 8:30 AM

+ SB 298 TRUSTS: CHALLENGES; CLAIMS; LIABILITIES

<Pending Referral>

+ HB 92 UNIV. OF ALASKA & NONPROFIT CORP STOCK

+ HB 318 LIMITATION ON EMINENT DOMAIN

+ Bills Previously Heard/Scheduled

LABOR & COMMERCE

Feb 23 Thursday Beltz 211 1:30 PM
 + SB 298 TRUSTS: CHALLENGES; CLAIMS; LIABILITIES
 Bills Previously Heard/Scheduled
 Including but Not Limited to:
 += SB 289 INSURANCE

Feb 28 Tuesday Beltz 211 1:30 PM
 No Meeting Scheduled

Mar 02 Thursday Beltz 211 2:00 PM
 + SB 306 UNEMPLOYMENT INSURANCE FUND & TAXES
 + SB 272 MORTGAGE LENDING
 + Confirmation Hearings:
 Alcohol Beverage Control Board -
 William G. Andrews, Gail M. Niemi
 State Board of Registration for
 Architects, Engineers & Land Surveyors -
 Charles A. Leet
 Board of Veterinary Examiners -
 Steve Torrence
 Bills Previously Heard/Scheduled

RESOURCES

Feb 23 Thursday Butrovich 205 3:30 PM
 += SB 305 OIL AND GAS PRODUCTION TAX
 Presentation by Administration

Feb 24 Friday Butrovich 205 3:30 PM
 += SB 305 OIL AND GAS PRODUCTION TAX
 Presentation by Administration

Feb 25 Saturday Senate Finance 532 10:00 AM
 -- Time and Location Change --
 + Joint w/(H) Resources
 += SB 305 OIL AND GAS PRODUCTION TAX
 Public Hearings

Feb 27 Monday Butrovich 205 3:30 PM
 += SB 305 OIL AND GAS PRODUCTION TAX
 Stakeholder Presentations

RESOURCES (continued)

Feb 28	Tuesday	Butrovich 205	3:30 PM
+ SB 305	OIL AND GAS PRODUCTION TAX Stakeholder Presentations		
Mar 01	Wednesday	Butrovich 205	3:30 PM
+ SB 305	OIL AND GAS PRODUCTION TAX Stakeholder Presentations		
Mar 02	Thursday	Butrovich 205	3:30 PM
+ SB 305	OIL AND GAS PRODUCTION TAX		
Mar 03	Friday	Senate Finance 532	3:30 PM
+ SB 305	Joint w/(S) Finance OIL AND GAS PRODUCTION TAX Presentation by Legislative Consultants		
Mar 04	Saturday	Senate Finance 532	10:00 AM
+ SB 305	Joint w/(S) Finance OIL AND GAS PRODUCTION TAX Presentation by Legislative Consultants		

STATE AFFAIRS

Feb 23	Thursday	Beltz 211	3:30 PM
+ SB 274	-- Location Change -- STATE FIREARM DISPOSAL AND INVENTORY Bills Previously Heard/Scheduled		
Feb 28	Tuesday	Butrovich 205	3:30 PM
+ SB 279	OPERATING BUDGET MISSIONS/DESIRED RESULTS		
+ HB 167	DECEASED VETERAN DEATH CERTIFICATE/HONOR Bills Previously Heard/Scheduled		
Mar 02	Thursday	Butrovich 205	3:30 PM
	Joint w/(H) State Affairs Alaska 20/20 2006 Annual Report Bills Previously Heard/Scheduled		

TRANSPORTATION

Feb 23 Thursday Butrovich 205 1:30 PM
 + SB 300 MOTOR VEHICLE NEGATIVE EQUITY
 + SB 273 MOTOR VEHICLE SALES

Feb 25 Saturday Wasilla Lio Conf Rm 1:30 PM
 -- Note Time and Location Change --
 + Joint w/(H) Transportation Meeting with the House Finance Budget Subcommittee on Public Safety "Discussion of Highway Safety Issues"
 <At 3:15 p.m. there will be a brief project status and update on the Knik Arm Bridge>

Feb 28 Tuesday Butrovich 205 1:30 PM
 + SB 266 COMMEMORATIVE PLATES: STATEHOOD ANIV.
 + SB 304 AIRPORT PARKING SHUTTLES/AIRPORT CHARGES
 + Bills Previously Heard/Scheduled

Mar 02 Thursday Butrovich 205 2:00 PM
 -- Time Change --
 + SB 303 KNIK ARM BRIDGE AND TOLL AUTHORITY
 Bills Previously Heard/Scheduled

FINANCE SUBCOMMITTEES**ADMINISTRATION**

Mar 02 Thursday Beltz 211 5:00 PM
 FY07 Operating Budget

COMMERCE, COMMUNITY & ECONOMIC DEV

Feb 28 Tuesday Beltz 211 8:00 AM
 Budget Overview: DCCED

Mar 07 Tuesday Beltz 211 8:00 AM
 Budget Detail

COMMERCE, COMMUNITY & ECONOMIC DEV (continued)

Mar 14	Tuesday Budget Detail	Beltz 211	8:00 AM
Mar 21	Tuesday Budget Detail	Beltz 211	8:00 AM
Mar 28	Tuesday Budget Detail	Beltz 211	8:00 AM
Apr 04	Tuesday Budget Closeout	Beltz 211	8:00 AM

CORRECTIONS

Mar 02	Thursday Budget Overview	Fahrenkamp 203	4:00 PM
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COURT SYSTEM

Mar 02	Thursday Budget Overview	Beltz 211	8:00 AM
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EDUCATION & EARLY DEVELOPMENT

Mar 02	Thursday FY07 Operating Budget	Fahrenkamp 203	2:30 PM
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ENVIRONMENTAL CONSERVATION

Feb 23	Thursday -- Location Change -- Departmental Overview	Butrovich 205	8:00 AM
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Mar 02	Thursday Agency Overview Follow-up	Senate Finance 532	8:00 AM
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MILITARY AND VETERANS AFFAIRS

Feb 23 **Thursday** **Beltz 211** **7:30 AM**
 + FY07 Operating Budget

NATURAL RESOURCES

Feb 28 **Tuesday** **Senate Finance 532** **8:00 AM**
 + FY 07 Budget Overview
 -- Testimony <Invitation Only> --

REVENUE

Feb 23 **Thursday** **Senate Finance 532** **1:30 PM**
 -- Rescheduled to 03/02/06 --
 Budget Overview: Dept of Revenue

Mar 02 **Thursday** **Beltz 211** **1:30 PM**
 -- Rescheduled from 02/23/06 --
 Budget Overview: Dept of Revenue

Mar 09 **Thursday** **Senate Finance 532** **1:30 PM**
 Budget Detail

Mar 16 **Thursday** **Senate Finance 532** **1:30 PM**
 Budget Detail

Mar 23 **Thursday** **Senate Finance 532** **1:30 PM**
 Budget Detail

Mar 30 **Thursday** **Senate Finance 532** **1:30 PM**
 Budget Closeout

TRANSPORTATION & PUBLIC FACILITIES

Mar 03 **Friday** **Beltz 211** **8:00 AM**
 Budget Overview

UNIVERSITY OF ALASKA

Feb 28 **Tuesday** **Butrovich 205** **5:00 PM**
 -- Teleconference <Listen Only> --
 Overview of National Education Trends
 Julie Bell, National Conference of State
 Legislatures

JOINT COMMITTEES**LEGISLATIVE COUNCIL**

Feb 28 **Tuesday** **Terry Miller 104** **6:30 PM**
 Fairbanks Office Space RFP Protest
 Subcommittee Meeting, 7pm
 Statute Publication RFP - Executive
 Session

OTHER MEETINGS**FISH CAUCUS**

Feb 28 **Tuesday** **Butrovich 205** **12:00 PM**
 New Frontiers in Fisheries:
 The Alaska Fisheries Development
 Foundation, Bob Pawlowski, Exec. Director

JOINT LEGISLATIVE HEALTH CAUCUS

Mar 01 **Wednesday** **Butrovich 205** **12:00 PM**
 Topic: "Black Holes in the Health Care
 Universe"
 A light lunch will be served.

JOINT SESSION

Mar 22 **Wednesday** **House Chamber** **11:00 AM**
 Address by the Honorable
 Ted Stevens, U.S. Senator