

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Monday

February 27, 2006

Fiftieth Day

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

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

The prayer was offered by the Chaplain, Pastor James Duncan, Soldotna-Peninsula Christian Center. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Thank You, Lord, for the opportunity to pray over the servant leaders of our state. We pray that You give us just enough challenges to ask for Your direction, just enough pressure to ask for Your strength, just enough lack of finances and emotional energy to recognize our dependence upon You, leaning not on our own understanding, but acknowledging You in all our ways! Amen.

Senator Kookesh led the Senate in the Pledge of Allegiance.

Certification

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

The presence of Senator Therriault was noted.

Messages from the Governor

Letters dated and received February 23 were read, stating in accordance with AS 39.05.080, I submit the following names for legislative confirmation to the boards and commissions set out below:

Board of Governors of the Alaska Bar

William A. Granger - Anchorage
Reappointed: 2/20/2006 Term Expires: 3/1/2009

The appointment was referred to the Judiciary Committee.

Board of Barbers and Hairdressers

Cody Downs - Anchorage
Appointed: 2/20/2006 Term Expires: 3/1/2008

Charlette Lushin - Fairbanks
Reappointed: 2/20/2006 Term Expires: 3/1/2010

Alice B. Massie - Wasilla
Reappointed: 2/20/2006 Term Expires: 3/1/2010

Alaska Labor Relations Agency

Dennis S. Niedermeyer - King Salmon
Reappointed: 2/20/2006 Term Expires: 3/1/2009

Board of Marine Pilots

Les (Leslie) A. Cronk - Ketchikan
Reappointed: 2/20/2006 Term Expires: 3/1/2010

Personnel Board

Alfred L. Tamagni, Sr. - Anchorage
Appointed: 3/1/2006 Term Expires: 3/1/2012

Real Estate Appraisers

William A. Larick - Anchorage
Appointed: 1/23/2006 Reappointed: 3/1/2006
Term Expires: 3/10/2010

Alaska Workers' Compensation Board

Robert S. Morigeau - Anchorage

Appointed: 1/23/2006 Term Expires: 3/1/2008

Debra G. Norum - Fairbanks

Appointed: 1/23/2006 Term Expires: 3/1/2008

Jeffrey P. Pruss - Fairbanks

Appointed: 1/23/2006 Term Expires: 3/1/2008

H. Bardie Scarbrough - Anchorage

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

Damian J. Thomas - Fairbanks

Appointed: 1/23/2006 Term Expires: 3/1/2008

Robert C. Weel - Anchorage

Appointed: 1/23/2006 Reappointed: 3/1/2006

Term Expires: 3/1/2009

The appointments were referred to the Labor and Commerce Committee.

Board of Dental Examiners

Dr. Kevin L. Gottlieb, DDS - Anchorage

Reappointed: 2/20/2006 Term Expires: 3/1/2010

Board of Nursing

JoAnne Bell-Graves - Juneau

Reappointed: 2/20/2006 Term Expires: 3/1/2010

Catherine A. Giessel - Anchorage

Reappointed: 2/20/2006 Term Expires: 3/1/2010

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

State Commission for Human Rights

Randy H. Eledge - Anchorage

Reappointed: 2/20/2006 Term Expires: 3/1/2011

The appointment was referred to the State Affairs Committee.

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

Messages from the House

Message dated February 24 was read, stating the House passed and transmitted for consideration:

**First Reading and Reference of
House Resolutions****HCR 33**

HOUSE CONCURRENT RESOLUTION NO. 33 BY THE HOUSE RULES COMMITTEE BY REQUEST,

Relating to declaring March 2006 as Sobriety Awareness Month.

was read the first time and was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 33 Relating to declaring March 2006 as Sobriety Awareness Month, pass the Senate?" The roll was taken with the following result:

HCR 33

Final Passage

YEAS: 18 NAYS: 0 EXCUSED: 2 ABSENT: 0

Yea: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Excused: Green, Stedman

and so, HOUSE CONCURRENT RESOLUTION NO. 33 passed the Senate, was signed by the President and Secretary and returned to the House.

First Reading and Reference of House Bills**HB 379**

CS FOR HOUSE BILL NO. 379(JUD) BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to scheduling as a Schedule IA controlled substance gamma-hydroxybutyric acid and certain similar substances."

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

Communications

The following report is on file in the Office of the Secretary of the Senate:

Notification of Availability of the Training Program Performance 2004 Report

Division of Administrative Services Research and Analysis Section
Department of Labor and Workforce Development
available at: www.labor.state.ak.us/awib/forms/FY04-perf-report.pdf
in accordance with AS 23.15.580(f)

Standing Committee Reports**SB 289**

The Labor and Commerce Committee considered SENATE BILL NO. 289 "An Act relating to the payment of insurer examination expenses, to the regulation of managed care insurance plans, to actuarial opinions and supporting documentation for an insurer, to insurance firms, managing general agents, and third-party administrators, to eligibility of surplus lines insurers, to suitability of life and health insurance policies and annuity contracts, to unfair discrimination under a health insurance policy, to prompt payment of health care insurance claims, to required notice by an insurer, to individual deferred annuities, to direct payment to providers under a health insurance policy, to mental health benefits under a health care insurance plan, to the definitions of 'title insurance limited producer'

and of other terms used in the title regulating the practice of the business of insurance, and to small employer health insurance; repealing the Small Employer Health Reinsurance Association; making conforming amendments; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 289(L&C)

Signing do pass: Senator Bunde, Chair; Senators Ben Stevens, Seekins.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Commerce, Community and Economic Development

The bill was referred to the Finance Committee.

SB 290

The State Affairs Committee considered SENATE BILL NO. 290 "An Act relating to reimbursement of premiums for Servicemembers' Group Life Insurance paid by members of the Alaska National Guard deployed to a combat zone; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 290(STA) "An Act providing for the issuance of complimentary fishing and hunting licenses to certain members of the Alaska National Guard returning from active duty deployment; relating to reimbursement of premiums for Servicemembers' Group Life Insurance paid by members of the Alaska National Guard deployed to a combat zone; and providing for an effective date."

Signing do pass: Senator Therriault, Chair; Senator Huggins. Signing no recommendation: Senator Elton.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Military and Veterans' Affairs

The bill was referred to the Finance Committee.

SB 298

The Labor and Commerce Committee considered SENATE BILL NO. 298 "An Act relating to loans from trust property; relating to a trustee's power to appoint the principal of a trust to another trust; relating to challenges to, claims against, and liabilities of trustees, beneficiaries, and creditors of trusts and of trusts and estates; relating to individual retirement accounts and plans; relating to certain trusts in divorce and dissolutions of marriage situations; and providing for an effective date." Signing do pass: Senator Bunde, Chair; Senators Seekins, Ben Stevens.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Commerce, Community and Economic Development

The bill was referred to the Judiciary Committee.

Unfinished Business**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

In Memoriam – Charles Ellis Jackson

Senator(s) Ellis, Davis, Ben Stevens, Bunde, Cowdery, Dyson, Elton, Green, 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.

Senator Wilken moved and asked unanimous consent to withdraw his excusal motion for March 3 to March 5. Without objection, the motion was withdrawn.

Senator Wilken moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, March 10 to evening plane time, March 12. Without objection, Senator Wilken 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., March 1, 2006. Without objection, the Senate adjourned at 11:22 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 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 27	Monday No Meeting Scheduled	Senate Finance 532	9:00 AM
Feb 28	Tuesday No Meeting Scheduled	Senate Finance 532	9:00 AM
Mar 01	Wednesday += 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	Senate Finance 532	9:00 AM

FINANCE (continued)

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 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	
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	

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JUDICIARY

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
+ HB 92 UNIV. OF ALASKA & NONPROFIT CORP STOCK
+ HB 318 LIMITATION ON EMINENT DOMAIN
+ Bills Previously Heard/Scheduled

LABOR & COMMERCE

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 27	Monday	Butrovich 205	3:30 PM
+ = SB 305	OIL AND GAS PRODUCTION TAX Stakeholder Presentations		
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 28	Tuesday	Beltz 211	3:30 PM
	-- Location Change --		
+ 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		

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TRANSPORTATION

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	8:30 AM
	-- Time Change --		
	Budget Overview: DCCED		
	-- Testimony <Invitation Only> --		
Mar 07	Tuesday	Beltz 211	8:00 AM
	Budget Detail		
Mar 14	Tuesday	Beltz 211	8:00 AM
	Budget Detail		
Mar 21	Tuesday	Beltz 211	8:00 AM
	Budget Detail		
Mar 28	Tuesday	Beltz 211	8:00 AM
	Budget Detail		
Apr 04	Tuesday	Beltz 211	8:00 AM
	Budget Closeout		

CORRECTIONS

Mar 02 **Thursday** **Fahrenkamp 203** **4:00 PM**
Commissioner's Remarks/Budget Overview

COURT SYSTEM

Mar 02 **Thursday** **Beltz 211** **8:00 AM**
Director's Remarks/Budget Overview

EDUCATION & EARLY DEVELOPMENT

Mar 02 **Thursday** **Fahrenkamp 203** **2:30 PM**
FY07 Operating Budget
Topics: Intensive Need Student Audit,
Pupil Transportation Costs, Other Issues

ENVIRONMENTAL CONSERVATION

Mar 02 **Thursday** **Senate Finance 532** **8:00 AM**
Agency Overview Follow-up

FISH & GAME

Mar 01 **Wednesday** **Fahrenkamp 203** **1:30 PM**
+ FY 07 Budget Overview
-- Testimony <Invitation Only> --

HEALTH & SOCIAL SERVICES

Mar 02 **Thursday** **Fahrenkamp 203** **1:00 PM**
Commissioner's Remarks/Budget Overview:
"A Half Hour of Highlights."

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LAW

Mar 02	Thursday	Senate Finance 532	4:30 PM
	-- Rescheduled to 03/09/06 --		
	Budget Overview: Dept of Law		
Mar 09	Thursday	Senate Finance 532	4:30 PM
	Budget Overview: Dept of Law		
Mar 16	Thursday	Senate Finance 532	4:30 PM
	Budget Detail		
Mar 23	Thursday	Senate Finance 532	4:30 PM
	Budget Detail		
Mar 30	Thursday	Senate Finance 532	4:30 PM
	Budget Closeout		

NATURAL RESOURCES

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

REVENUE

Mar 02	Thursday	Beltz 211	1:30 PM
	-- Location Change --		
	-- 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		

REVENUE (continued)

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

TRANSPORTATION & PUBLIC FACILITIES

Mar 03 **Friday** **Beltz 211** **8:00 AM**
Commissioner's Remarks/Budget Overview

SPECIAL COMMITTEES**COMMITTEE ON UNIVERSITY OVERSIGHT**

Feb 28 **Tuesday** **Senate Finance 532** **5:00 PM**
-- Location Change --
-- 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
Legislative Council Subcommittee Meeting
Executive Session 7 pm
Statute Publication RFP

OTHER MEETINGS**FISH CAUCUS**

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

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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