

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Wednesday

March 1, 2006

Fifty-second Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:25 a.m.

The roll showed nineteen members present. Senator Wilken was excused from a call of the Senate.

The prayer was offered by the Chaplain, Reverend Steve Olmstead of Chapel by the Lake. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Gracious and loving God, we praise You for Your holiness. We stand in reverence of Your purity, glory and love. You alone are undefiled in righteousness.

We confess our sins. We confess our pride and our self-seeking ways. O Lord, forgive us our sins and lead us to Your mercy and truth.

We thank You for this Senate and each senator. We thank You for each family, for each person here and all who support and enable their work. We lift up the activities, conversations and any decisions made here today. May everything that is done be guided by Your truth, and supported by Your wisdom. May there be unity in this body around truth and around all that pleases You.

May this body uphold the value of every human life.

To You alone be glory, honor and praise, 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 fiftieth and fifty-first legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the House

SB 36

Message dated February 27 was read, stating 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 did not come to agreement and respectfully requested a Free Conference Committee be appointed.

The Conference Committee was discharged and the Speaker appointed the following members to a Free Conference Committee to meet with the like committee from the Senate to consider the bills:

Representative Rokeberg
Representative Olson
Representative Gardner

Senate members appointed February 23 (page 2291):

Senator Gary Stevens, Chair
Senator Bunde
Senator Hoffman

HB 217

Message dated February 27 was read, stating the House concurred in the Senate amendment to HOUSE BILL NO. 217(title am), thus adopting:

SENATE CS FOR HOUSE BILL NO. 217(FIN) "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."

Message dated February 27 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 245

CS FOR HOUSE BILL NO. 245(FIN) am BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to motor vehicle registration plates and fees for Purple Heart recipients and Medal of Honor recipients; and providing for an effective date."

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

HB 382

HOUSE BILL NO. 382 BY REPRESENTATIVE RAMRAS, entitled:

"An Act relating to recorking, sealing, or packaging of wine served with a meal and removal of recorked, sealed, or packaged wine from licensed premises."

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

Communications

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

Statistical Report of the Power Cost Equalization Program FY05
from Ron Miller, Executive Director, Alaska Energy Authority
available at: www.akenergyauthority.org

Notification of availability of the June 30, 2005 and 2004 Financial
Statements and Schedules, and Independent Auditor's Report
from Ron Miller, Executive Director, Alaska Energy Authority
available at: www.akenergyauthority.org

Standing Committee Reports**SB 207**

The Finance Committee considered SENATE BILL NO. 207 "An Act relating to the membership on the board of directors of the Alaska Aerospace Development Corporation" and recommended it be replaced with

CS FOR SENATE BILL NO. 207(FIN)

Signing do pass: Senator Bunde, Vice Chair; Senators Olson, Dyson, Stedman, Hoffman.

The following fiscal information was published today:

Fiscal Note No. 2, zero, Department of Commerce, Community
and Economic Development

The bill was referred to the Rules Committee.

SB 216

The Judiciary Committee considered SENATE BILL NO. 216 "An Act relating to bail" and recommended it be replaced with

CS FOR SENATE BILL NO. 216(JUD) "An Act relating to bail and unlawful evasion; and providing for an effective date."

Signing do pass: Senator Seekins, Chair; Senators French, Therriault Guess, Huggins.

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

The bill was referred to the Finance Committee.

SB 251

The Health, Education and Social Services Committee considered SENATE BILL NO. 251 "An Act relating to immunization for meningitis of postsecondary students residing on campus." Signing do pass: Senator Dyson, Chair; Senators Wilken, Olson. Signing no recommendation: Senator Elton.

The following fiscal information was published today:
Fiscal Note No. 1, zero, Department of Education and Early Development
Fiscal Note No. 2, zero, University of Alaska

The bill was referred to the Rules Committee.

SB 253

The Finance Committee considered SENATE BILL NO. 253 "An Act extending the termination date for the Board of Chiropractic Examiners; and providing for an effective date." Signing do pass: Senator Bunde, Vice Chair; Senators Olson, Dyson, Stedman, Hoffman.

The following previously published fiscal information applies:
Fiscal Note No. 1, Department of Commerce, Community and Economic Development

The bill was referred to the Rules Committee.

SB 254

The Finance Committee considered SENATE BILL NO. 254 "An Act extending the termination date for the State Physical Therapy and Occupational Therapy Board; and providing for an effective date." Signing do pass: Senator Bunde, Vice Chair; Senators Olson, Dyson, Stedman, Hoffman.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

SB 255

The Finance Committee considered SENATE BILL NO. 255 "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" and recommended it be replaced with

CS FOR SENATE BILL NO. 255(FIN) "An Act extending the termination date and duties for the Board of Examiners in Optometry; amending the licensing, endorsement, and renewal provisions for optometrists; and providing for an effective date."

Signing do pass: Senator Bunde, Vice Chair; Senators Hoffman, Olson, Dyson, Stedman.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

SB 266

The Transportation Committee considered SENATE BILL NO. 266 "An Act relating to commemorative license plates celebrating Alaska's 50th anniversary as a state; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 266(TRA)

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

The following fiscal information was published today:

Fiscal Note No. 1, Department of Administration

The bill was referred to the Finance Committee.

HB 357

The Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 357(FIN) "An Act updating the terminology in statutes for persons with disabilities; and providing for an effective date" and further recommended the adoption of the House Letter of Intent (House Journal Page 2558).

Signing do pass: Senator Dyson, Chair; Senator Wilken. Signing no recommendation: Senators Elton, Olson.

The following previously published fiscal information applies:

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

Fiscal Note No. 2, zero, Department of Labor and Workforce Development

The bill was referred to the Finance Committee.

SJR 19

The Health, Education and Social Services Committee considered SENATE JOINT RESOLUTION NO. 19 Relating to creating the Task Force to Assess Public Reporting of Health Care Associated Infections. Signing do pass: Senator Dyson, Chair; Senators Wilken, Olson. Signing no recommendation: Senator Elton.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Senate Health, Education and Social Services Committee

The resolution was referred to the Finance Committee.

SJR 20

The Judiciary Committee considered SENATE JOINT RESOLUTION NO. 20 Proposing an amendment to the section of the Constitution of the State of Alaska relating to marriage. Signing do pass: Senator Seekins, Chair; Senators Therriault, Huggins. Signing do not pass: Senators French, Guess.

The following fiscal information was published today:

Fiscal Note No. 1, Office of the Governor

The resolution was referred to the Finance Committee.

Consideration of the Calendar**Second Reading of Senate Bills****SB 112**

SENATE BILL NO. 112 "An Act imposing a tax on residents of regional educational attendance areas; and providing for an effective date" which had been returned to the Rules Committee (page 1079) was read the second time.

Senator Green, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 1055. Without objection, CS FOR SENATE BILL NO. 112(FIN) "An Act relating to a tax on residents of and individuals employed in regional educational attendance areas and to permanent fund dividend applications; and providing for an effective date" was adopted.

The following fiscal information was published today:

Fiscal Note No. 3, Department of Revenue

President Stevens stated CS FOR SENATE BILL NO. 112(FIN) will be on the March 3 calendar.

Citations

Honoring – James (Jim) C. Lund, 2006 University of Alaska School of Management Business Leader of the Year

Representative(s) Kelly

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

Honoring – Senator Scott Ogan

Representative(s) Kohring

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

Honoring – Palmer High School Varsity Football Team, State Champion Runner-Up

Representative(s) Kohring

Senator(s) Green, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Guess, Hoffman, Huggins, 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 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

Commemorating – Women's History Month, Women: Builders of Communities and Dreams

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

Unfinished Business

SB 171

CS FOR SENATE BILL NO. 171(FIN)(efd fld) "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" which had been engrossed (page 2219), was signed by the President and Secretary and transmitted to the House for consideration on February 28.

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

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

Senator Huggins moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, March 3 to evening plane time, March 6. Without objection, Senator Huggins was excused.

Announcements

SB 250

Senator Dyson, Chair, moved and asked unanimous consent that Uniform Rule 23 be waived for SENATE BILL NO. 250 "An Act extending the termination date of the Council on Domestic Violence and Sexual Assault; and eliminating statutory references to the network on domestic violence and sexual assault" and for bills

previously heard or scheduled for a Health, Education and Social Services Committee meeting on March 3 at 1:30 p.m. Without objection, it was so ordered.

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 3, 2006. Without objection, the Senate adjourned at 11:45 a.m.

Kirsten Waid
Secretary of the Senate

March 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

Mar 01 Wednesday Beltz 211 1:30 PM
No Meeting Scheduled

Mar 03 Friday Beltz 211 1:30 PM
No Meeting Scheduled

FINANCE

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

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FINANCE (continued)

Mar 03 Friday Senate Finance 532 3:30 PM
 -- Meeting Canceled --
 + 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

Mar 01 Wednesday Butrovich 205 1:30 PM
 + SB 281 SCHOOL DIST. ENROLLMENT SHARING/CORRESPON
 += SB 162 REPORT STUDENT HEALTH/DISCIPLINE/SAFETY
 <Bill Hearing Canceled>
 + SB 199 SCHOOL NUTRITION SUPPORT GRANTS
 + Bills Previously Heard/Scheduled

Mar 03 Friday Butrovich 205 1:30 PM
 Uniform Rule 23 Waived
 = SB 250 DOMESTIC VIOLENCE/SEXUAL ASSAULT COUNCIL
 Bills Previously Heard/Scheduled

JUDICIARY

Mar 01 Wednesday Butrovich 205 8:30 AM
 + SB 252 DEFINITION OF CHILD ABUSE AND NEGLECT
 <Bill Hearing Canceled>
 += 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

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

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 Butrovich 205 3:30 PM
 -- Agenda Change --
 Administration Presentation will Continue
 += SB 305 OIL AND GAS PRODUCTION TAX
 Joint w/(S) Finance-Canceled
 (Presentation by Legislative Consultants)
 Canceled-Above Presentation

Mar 04 Saturday Senate Finance 532 10:00 AM
 Joint w/(S) Finance
 += SB 305 OIL AND GAS PRODUCTION TAX
 Presentation by Legislative Consultants

STATE AFFAIRS

Mar 02 Thursday Beltz 211 3:30 PM
 -- Location Change --
 Joint w/(H) State Affairs
 Alaska 20/20 2006 Annual Report
 Bills Previously Heard/Scheduled

TRANSPORTATION

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

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
-- Meeting Canceled --
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		

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		
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

JOINT COMMITTEES**CONFERENCE COMMITTEE ON SB 36**

Mar 02 Thursday Capitol 124 8:30 AM
= SB 36 ABSENTEE BALLOTS

OTHER MEETINGS**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