

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

**Juneau, Alaska**

**Monday**

**April 10, 2006**

**Ninety-second Day**

Pursuant to adjournment the Senate was called to order by President Stevens at 11:15 a.m.

The roll showed eighteen members present. Senators Bunde, Guess were excused from a call of the Senate.

The prayer was offered by the Chaplain, Pastor Gary Waterhouse of the Juneau and Sitka Seventh-Day Adventist Churches. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

O God, we acknowledge Your sovereignty in all things. We know that it is in You that we live and move and have our being.

And it is in deep humility that we invite You to be present in this Senate chamber today. We do so, Lord, because we are just fallible humans, prone to making mistakes. We are limited in our wisdom and vision, but You, O God are infinite and unlimited in Your resources and wisdom and vision. And so we call upon You for guidance.

Your wish is for us to prosper and be in good health, and we ask for those precious assets today. However, if that prosperity wanes and our health vanishes, may we still trust in You to see us through.

Pour out Your blessings on these men and women as they consider the needs and wants of the people of the state of Alaska. These things we ask in Thy name. Amen.

Senator Seekins led the Senate in the Pledge of Allegiance.

### **Certification**

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

### **Communications**

The following Budget and Audit Reports were received from Pat Davidson, Legislative Auditor, in accordance with AS 24.20.311 and are on file in the Office of the Secretary of the Senate:

Department of Administration, State Travel Procurement Process, January 3, 2006

University of Alaska, Unit Cost Analysis and Other Selected Issues Part 2, November 15, 2005

### **Standing Committee Reports**

#### **HB 218**

The Resources Committee considered CS FOR HOUSE BILL NO. 218(FIN) "An Act relating to cost recovery fisheries for private nonprofit hatchery facilities" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.  
218(RES)

Signing amend: Senator Wagoner, Chair; Senator Stedman. Signing do pass: Senators Elton, Ben Stevens.

The following fiscal information was published today:

Fiscal Note No. 5, zero, Department of Commerce, Community and Economic Development

Fiscal Note No. 6, zero, Department of Fish and Game  
Fiscal Note No. 7, zero, Department of Public Safety  
Fiscal Note No. 8, indeterminate, Department of Revenue

The bill was referred to the Finance Committee.

### **Consideration of the Calendar**

#### **Second Reading of Senate Bills**

##### **SB 206**

SENATE BILL NO. 206 "An Act relating to material witnesses; and amending Rule 58.1, Alaska Rules of Civil Procedure, and Rule 204, Alaska Rules of Appellate Procedure" was read the second time.

Senator Green, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 2566. Without objection, CS FOR SENATE BILL NO. 206(FIN) "An Act relating to contempt of court and to temporary detention and identification of persons" was adopted.

President Stevens stated CS FOR SENATE BILL NO. 206(FIN) will be on the April 12 calendar.

##### **SB 289**

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" was read the second time.

Senator Green, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 2609. Without objection, CS FOR SENATE BILL NO. 289(FIN) "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 prompt payment of health care insurance claims, to required notice by an insurer, to individual deferred annuities, 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" was adopted.

President Stevens stated CS FOR SENATE BILL NO. 289(FIN) will be on the April 12 calendar.

### **Citations**

Honoring – Ed O'Neill

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

Representative(s) Gardner

In Memoriam – Margaret Dorothy "Mickey" Duros

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

In Memoriam – Glen E. Jackson

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

**Unfinished Business****SB 189**

The reconsideration on CS FOR SENATE BILL NO. 189(STA) "An Act relating to issuance of identification cards and to issuance of driver's licenses; and providing for an effective date" was not taken up this legislative day and the bill was referred to the Secretary for engrossment.

**Announcements****SB 231**

Senator Green, Cochair, moved and asked unanimous consent that Uniform Rule 23 be waived on SENATE BILL NO. 231 "An Act making appropriations, including capital appropriations and appropriations to capitalize funds; and providing for an effective date" and for a presentation by bond raters regarding tobacco bond issuance for a Finance Committee meeting at 8:00 a.m. on April 12. Without objection, it was so ordered.

Announcements are at the end of the journal.

**Engrossment****SB 189**

CS FOR SENATE BILL NO. 189(STA) "An Act relating to issuance of identification cards and to issuance of driver's licenses; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**Adjournment**

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., April 12, 2006. Without objection, the Senate adjourned at 11:29 a.m.

Kirsten Waid  
Secretary of the Senate

April 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>Apr 10</b>	<b>Monday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
+ HB 395	FIRE SEASON DATES		
<b>Apr 12</b>	<b>Wednesday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
+	Bills Previously Heard/Scheduled		
<b>Apr 14</b>	<b>Friday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

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**FINANCE**

<b>Apr 10</b>	<b>Monday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+= SB 305	OIL AND GAS PRODUCTION TAX		
	Question and Answer Panel		
	-- Testimony <Invitation Only> --		
+	Bills Previously Heard/Scheduled		
<b>Apr 10</b>	<b>Monday</b>	<b>Senate Finance 532</b>	<b>12:00 PM</b>
	-- Time Change --		
+= SB 305	OIL AND GAS PRODUCTION TAX		
	Question and Answer Panel if Necessary		
	-- Testimony <Invitation Only> --		
+	Bills Previously Heard/Scheduled		

**FINANCE (continued)**

**Apr 11      Tuesday                      Senate Finance 532              9:00 AM**

+ = HB 365 APPROP: OPERATING BUDGET/LOANS/FUNDS

+ = HB 366 APPROP: MENTAL HEALTH BUDGET

+ Bills Previously Heard/Scheduled

**Apr 11      Tuesday                      Senate Finance 532              1:00 PM**

-- Time Change --

+ = HB 365 APPROP: OPERATING BUDGET/LOANS/FUNDS

+ = HB 366 APPROP: MENTAL HEALTH BUDGET

+ Bills Previously Heard/Scheduled

**Apr 12      Wednesday                      Senate Finance 532              8:00 AM**

-- Time Change --

-- Agenda Change --

+ = SB 305 OIL AND GAS PRODUCTION TAX

<Above Item Removed from Agenda>

Uniform Rule 23 Waived

Presentation by Bond Raters Regarding

Tobacco Bond Issuance

+ SB 231 BUDGET: CAPITAL & OTHER APPROPRIATIONS

ALMR

Statewide Information Technology Request

Governor's Priority Projects

+ Bills Previously Heard/Scheduled

**Apr 12      Wednesday                      Senate Finance 532              1:00 PM**

-- Time Change --

+ = SB 305 OIL AND GAS PRODUCTION TAX

+ Bills Previously Heard/Scheduled

**Apr 13      Thursday                      Senate Finance 532              1:00 PM**

No Meeting Scheduled

**Apr 14      Friday                      Senate Finance 532              1:00 PM**

No Meeting Scheduled

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**HEALTH, EDUCATION & SOCIAL SERVICES**

**Apr 10      Monday                      Butrovich 205              1:30 PM**

No Meeting Scheduled

**HEALTH, EDUCATION & SOCIAL SERVICES (continued)**

**Apr 12      Wednesday                      Butrovich 205              1:30 PM**  
 +    SB 313    SALVIA DIVINORUM AS CONTROLLED SUBSTANCE  
 +=   SB 48    PSYCH. EVALUATION/TREATMENT FOR STUDENTS  
 +              Bills Previously Heard/Scheduled

**Apr 14      Friday                                  Butrovich 205              1:30 PM**  
 No Meeting Scheduled

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**JUDICIARY**

**Apr 10      Monday                                  Butrovich 205              8:30 AM**  
 No Meeting Scheduled

**Apr 11      Tuesday                                  Butrovich 205              8:30 AM**  
 No Meeting Scheduled

**Apr 12      Wednesday                      Butrovich 205              8:30 AM**  
 +=   HB 318    LIMITATION ON EMINENT DOMAIN  
 +=   SB 134    POLICE INVESTIGATION STANDARDS/ARRESTS  
 +    HB 441    THERAPEUTIC COURT FOR DUI

**Apr 13      Thursday                              Butrovich 205              8:30 AM**  
 +              Bills Previously Heard/Scheduled

**Apr 14      Friday                                  Butrovich 205              8:30 AM**  
 No Meeting Scheduled

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**LABOR & COMMERCE**

**Apr 11      Tuesday                                  Beltz 211                  1:30 PM**  
 +    HB 439    INSURANCE PRODUCT REGULATION COMPACT  
 +    SB 282    BROADCASTING PROMOTING CHARITABLE GAMING  
 +=   HB 122    NATIONAL GUARD INSURANCE & OTHER RELIEF  
                 Confirmation:  
                 Board of Chiropractic Examiners  
                 Jeffrey Garness  
                 Bills Previously Heard/Scheduled  
                 Including But Not Limited to:  
 +=   SB 311    ATHLETIC COMMISSION; BOXING & WRESTLING  
 +=   SB 312    CONCERT OR ATHLETIC EVENT PROMOTERS  
 +=   SB 309    CONSTR. TRAINING GRANT; UNEMPLOYMENT COMP.



**LABOR & COMMERCE (continued)**

**Apr 13      Thursday                      Beltz 211              1:30 PM**  
 No Meeting Scheduled

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**RESOURCES**

**Apr 10      Monday                      Butrovich 205              3:30 PM**  
 +      Confirmations:  
       Big Game Commercial Services Board -  
       Roy Ashenfelter, Robert Mumford,  
       Leif Wilson, Ralph Anderson, Colin Brown,  
       Paul Johnson, Richard Rohrer, BJ Schmitz  
       Board of Fish -  
       Bonnie Williams  
       Board of Game -  
       Cliff Judkins, Richard Burley,  
       Paul Johnson

**Apr 12      Wednesday                      Butrovich 205              3:30 PM**  
 += SB 166 WILDLIFE CONSERVATION TAG  
 += SB 170 BD/DEPT OF FISH & GAME POWERS & DUTIES  
 +    SB 278 ALASKA CLIMATE CHANGE TASK FORCE

**Apr 14      Friday                      Butrovich 205              3:30 PM**  
 No Meeting Scheduled

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**STATE AFFAIRS**

**Apr 11      Tuesday                      Butrovich 205              3:30 PM**  
 +    SB 234 COMMUNITY DIVIDEND PROGRAM  
       Confirmation Hearing:  
       Alaska Human Rights Commission  
       Randy Eledge  
       Bills Previously Heard/Scheduled

**Apr 13      Thursday                      Butrovich 205              3:30 PM**  
 No Meeting Scheduled

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**TRANSPORTATION**

**Apr 11      Tuesday                      Butrovich 205              1:30 PM**  
No Meeting Scheduled

**Apr 13      Thursday                      Butrovich 205              1:30 PM**  
No Meeting Scheduled

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**SPECIAL COMMITTEES****COMMITTEE ON UNIVERSITY OVERSIGHT**

**Apr 10      Monday                      Senate Finance 532              5:00 PM**  
-- Teleconference <Listen Only> --  
University of Alaska Presentation

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**JOINT COMMITTEES****LEGISLATIVE COUNCIL**

**Apr 11      Tuesday                      Terry Miller 104              6:00 PM**  
Statute RFP Subcommittee  
Executive Session

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**OTHER MEETINGS****JOINT SESSION**

**May 04      Thursday                      House Chamber              11:00 AM**  
Confirmation of Governor's Appointees