

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Saturday

April 29, 2006

One Hundred Eleventh Day

Pursuant to adjournment the Senate was called to order by President Stevens at 11:06 a.m. The Senate was convened for the purpose of a technical session.

Senator Green, Acting Majority Leader, moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. Without objection, it was so ordered.

Messages from the Governor

SB 218

Message dated April 27 and received April 28 was read, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE CS FOR CS FOR SENATE BILL NO. 218(FIN) "An Act relating to sex offenders and child kidnappers; relating to periodic polygraph examinations for sex offenders released on probation or parole; relating to sexual abuse of a minor; relating to the definitions of 'aggravated sex offense' and 'child kidnapping'; relating to penalties for failure to report child abuse or neglect; relating to sentencing for sex offenders and habitual criminals; and providing for an effective date."

Chapter 14, SLA 2006
Effective Date: See Chapter

Messages from the House**HB 400**

Message dated April 28 was read, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 400(FIN), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 400(JUD) "An Act relating to confiscation of firearms during disaster emergencies."

SB 54

Message dated April 28 was read, stating the House passed and returned:

CS FOR SENATE BILL NO. 54(FIN) "An Act amending protective order statutes for crimes involving stalking to include crimes involving sexual assault and sexual abuse, to provide for other relief ordered by a court, to add the protective orders to a centralized registry, to prevent denial solely for a lapse of time, and to require notification of the court of known civil or criminal actions involving the petitioner or respondent; relating to notifications to victims of sexual assault and to mandatory arrest for crimes involving violation of protective orders and violation of conditions of release; and amending Rule 65, Alaska Rules of Civil Procedure."

The bill was referred to the Secretary for enrollment.

SB 207

Message dated April 28 was read, stating the House passed and returned:

CS FOR SENATE BILL NO. 207(FIN) "An Act relating to the membership on the board of directors of the Alaska Aerospace Development Corporation."

The bill was referred to the Secretary for enrollment.

SB 253

Message dated April 28 was read, stating the House passed and returned:

SENATE BILL NO. 253 "An Act extending the termination date for the Board of Chiropractic Examiners; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

SB 254

Message dated April 28 was read, stating the House passed and returned:

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."

The bill was referred to the Secretary for enrollment.

SB 255

Message dated April 28 was read, stating the House passed and returned:

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."

The bill was referred to the Secretary for enrollment.

SB 308

Message dated April 28 was read, stating the House passed and returned:

SENATE BILL NO. 308 "An Act authorizing the Alaska Railroad Corporation to issue revenue bonds to finance rail transportation projects that qualify for federal financial participation; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

SB 104

Message dated April 28 was read, stating the House has failed to recede from its amendment to CS FOR SENATE BILL NO. 104(JUD) "An Act relating to the crimes of unsworn falsification in the first and second degrees and false information or report; requiring the establishment of a permanent fund dividend fraud investigation unit in the Department of Revenue; and providing for an effective date" namely:

HOUSE CS FOR CS FOR SENATE BILL NO. 104(JUD) "An Act relating to the crimes of unsworn falsification in the first degree involving an application for a permanent fund dividend and false information or report involving eligibility for a permanent fund dividend; requiring the establishment of a permanent fund dividend fraud investigation unit in the Department of Revenue; relating to service in the peace corps and as a member of the United States Olympic Team as allowable absences from the state for purposes of eligibility for permanent fund dividends and to the period for filing an application for a permanent fund dividend; authorizing the Department of Revenue to issue administrative orders imposing sanctions for certain misrepresentations or other actions concerning eligibility for a permanent fund dividend and providing for administrative appeal of those orders; and providing for an effective date."

The Speaker has appointed the following members to a Conference Committee to meet with the like committee from the Senate to consider the bills:

Representative McGuire
Representative Lynn
Representative Gruenberg

Senate members appointed May 10, 2005 (page 1551):

Senator Seekins, Chair
Senator Therriault
Senator French

Standing Committee Reports

Report dated April 28 was read, stating:

In accordance with AS 39.05.080, the Senate Resources Committee reviewed the following and recommends the appointment be forwarded to a joint session for consideration

Commissioner – Department of Natural Resources

Michael Menge

There were no stated objections to the confirmation of the named individual by committee members. This does not reflect any intent by any of the members to vote for or against the individual during any further sessions.

Signing the report: Senator Wagoner, Chair; Senator Seekins, Vice Chair; Senators Dyson, Ben Stevens, Stedman, Elton.

SB 169

The Judiciary Committee considered SENATE BILL NO. 169 "An Act relating to release of information in individual workers' compensation records for commercial purposes" and recommended it be replaced with

CS FOR SENATE BILL NO. 169(JUD) "An Act relating to release of information in individual workers' compensation records; and providing for an effective date."

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

The following fiscal information was published today:

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

The bill was referred to the Rules Committee.

SB 272

The Finance Committee considered SENATE BILL NO. 272 "An Act relating to mortgage lenders and persons who engage in activities relating to mortgage lending; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 272(FIN)
(forthcoming)

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

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 307

The Judiciary Committee considered SENATE BILL NO. 307 "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" and recommended it be replaced with

CS FOR SENATE BILL NO. 307(JUD) "An Act relating to notice by the landlord to the tenant of intention to terminate a rental agreement for nonpayment of rent under the Uniform Residential Landlord and Tenant Act."

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

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

The bill was referred to the Rules Committee.

SB 309

The Finance Committee considered SENATE BILL NO. 309 "An Act establishing a construction trades training grant program for award by the Department of Labor and Workforce Development, providing for special employee unemployment contributions to fund the program and an offsetting credit against the employees' general unemployment contribution, and providing for an expiration date for the program, contributions, and credit; and providing for an effective date" and recommended the adoption of the Labor and Commerce Committee Substitute offered on page 2742.

Signing do pass: Senator Wilken, Cochair; Senator Bunde. Signing no recommendation: Senator Green, Cochair; Senator Olson.

The following previously published fiscal information applies:
Fiscal Note No. 1, Department of Labor and Workforce
Development
Fiscal Note No. 2, Department of Labor and Workforce
Development

The bill was referred to the Rules Committee.

SB 316

The Judiciary Committee considered SENATE BILL NO. 316 "An Act amending the Alaska Stranded Gas Development Act to eliminate the opportunity for judicial review of the findings and determination of the commissioner of revenue on which are based legislative review for a proposed contract for payments in lieu of taxes and for the other purposes described in that Act; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 316(JUD) "An Act amending provisions of the Alaska Stranded Gas Development Act relating to establishing when records and files relevant to development of a contract for payments in lieu of taxes and for the other purposes described in that Act become public records, to the content of the preliminary and final findings and determinations that apply to a proposed contract negotiated under that Act, to legislative review of, and authorization to execute, a proposed contract negotiated under that Act, to vesting of rights under a contract negotiated under that Act, and to judicial review of the final findings and recommendation that support a proposed contract, of its authorization, and of its enforceability; extending to at least 60 days the period during which the public and members of the legislature may comment on a proposed contract under that Act; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Law

Fiscal Note No. 2, zero, Department of Natural Resources

Fiscal Note No. 3, zero, Department of Revenue

The bill was referred to the Rules Committee.

SB 317

The Finance Committee considered SENATE BILL NO. 317 "An Act relating to the purchase by the Alaska Housing Finance Corporation of a parking garage in Anchorage, Alaska and approving the issuance of bonds for the purchase of that parking garage; providing notice of, and authorizing the commissioner of the Department of Administration to enter into, a lease-purchase agreement with the Alaska Housing Finance Corporation for that parking garage; and providing for an effective date." Signing do pass: Senator Green, Cochair. Signing no recommendation: Senator Wilken, Cochair; Senators Hoffman, Olson.

The following previously published fiscal information applies:
Fiscal Note No. 1, Department of Administration

The bill was referred to the Rules Committee.

HB 122

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 122(FIN) "An Act relating to certain relief concerning motor vehicle leases, telephone services, education, utilities, state loans, and hunting, fishing, and trapping licenses for members of the Alaska National Guard deployed to a combat zone; 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

SENATE CS FOR CS FOR HOUSE BILL NO. 122(L&C)
"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 tuition relief and academic status protection for members and dependents of members of the Alaska National Guard deployed to a combat zone; 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."
(Title change SCR forthcoming)

Signing no recommendation: Senator Bunde, Chair; Senator Seekins.
Signing do pass: Senators Davis, Ellis, Ben Stevens.

The following fiscal information was published today:
Fiscal Note No. 5, Department of Fish and Game
Fiscal Note No. 6, Department of Military and Veterans' Affairs
Fiscal Note No. 7, zero, Department of Commerce, Community and Economic Development
Fiscal Note No. 8, zero, Department of Education and Early Development

The bill was referred to the Finance Committee.

HB 377

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 377(L&C) am "An Act relating to an exemption from certain registration and practice requirements for persons preparing drawings or specifications related to the construction of certain buildings and the grounds of the buildings" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.
377(L&C)

Signing do pass: Senator Bunde, Chair; Senators Davis, Seekins, Ben Stevens. Signing no recommendation: Senator Ellis.

The following previously published fiscal information applies:

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

The bill was referred to the Finance Committee.

HB 393

The Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 393(HES) "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" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.
393(HES)

Signing do pass: Senator Dyson, Chair; Senators Elton, Wilken, Olson.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Commerce, Community and Economic Development
Fiscal Note No. 2, zero, Department of Administration

The bill was referred to the Rules Committee.

HB 395

The Resources Committee considered CS FOR HOUSE BILL NO. 395(FIN) "An Act relating to the period of the fire season; and providing for an effective date." Signing do pass: Senator Wagoner, Chair; Senators Dyson, Stedman, Ben Stevens. Signing no recommendation: Senator Elton.

The following previously published fiscal information applies:
Fiscal Note No. 2, zero, House Finance Committee

The bill was referred to the Rules Committee.

HB 403

Forthcoming Transportation Senate Committee Substitute (page 3001) for CS FOR HOUSE BILL NO. 403(FIN) "An Act relating to registration and operation of low-speed vehicles" was received today:

SENATE CS FOR CS FOR HOUSE BILL NO.
403(TRA)

HB 420

The Resources Committee considered CS FOR HOUSE BILL NO. 420(FSH) "An Act relating to riparian protection standards for forest resources and practices; and providing for an effective date." Signing do pass: Senator Wagoner, Chair; Senators Dyson, Stedman, Ben Stevens. Signing no recommendation: Senator Elton.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Department of Natural Resources

The bill was referred to the Finance Committee.

HB 442

The Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 442(JUD) am "An Act relating to the validity of advance health care directives, individual health care instructions, and do not resuscitate orders; relating to the revocation of advance health care directives; relating to do not resuscitate orders; relating to resuscitative measures; relating to the liability and discipline of health care providers, institutions, and facilities; relating to proceedings for

judicial relief; relating to an individual's capacity for making health care decisions; and providing for an effective date." Signing do pass: Senator Dyson, Chair; Senators Elton, Wilken, Green, Olson.

The following previously published fiscal information applies:

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

The bill was referred to the Judiciary Committee.

Announcements

Rule 23(d) of the Alaska State Legislature Uniform Rules is currently in effect.

Announcements are at the end of the journal.

Adjournment

Senator Green, Acting Majority Leader, moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., May 1, 2006. Without objection, the Senate adjourned at 11:13 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

May 01 Monday Beltz 211 1:30 PM
 + HB 378 CHILKAT BALD EAGLE PRESERVE ADV COUNCIL
 += HB 133 MUNICIPAL BOUNDARY CHANGES/ COMMISSION

May 05 Friday Butrovich 205 1:30 PM
 + Joint w/(S) Health, Education & Social Services
 Overview Presentation: U.S. Ambassador to Mongolia, Pamela J. Slutz
 "A Broader Partnership with Mongolia"
 (Education, Tourism, Trade, Mining, Government)

FINANCE

Apr 29 Saturday Senate Finance 532 9:00 AM
 -- Meeting Canceled --
 += SB 231 BUDGET: CAPITAL & OTHER APPROPRIATIONS
 + Bills Previously Heard/Scheduled

May 01 Monday Senate Finance 532 9:00 AM
 += SB 231 BUDGET: CAPITAL & OTHER APPROPRIATIONS
 += SB 160 STATE PROCUREMENT ELECTRONIC TOOLS
 + HB 500 BONDING AUTHORITY FOR HATCHER PASS
 += HB 283 AK HOUSING FINANCE CORP BOARD COMP.
 + HB 338 CERTIF. OF FITNESS FOR EXPLOSIVE HANDLERS
 + HB 83 SEISMIC HAZARDS SAFETY COMMISSION
 + Bills Previously Heard/Scheduled

FINANCE (continued)

May 02 Tuesday Senate Finance 532 9:00 AM
 + HB 318 LIMITATION ON EMINENT DOMAIN
 + HB 380 ANIMALS & ANIMAL OR AGRICULTURAL PRODUCTS
 + HB 105 MEDICAID FOR ADULT DENTAL SERVICES
 + HB 16 SCHOOL FUNDS RELATED TO BOARDING SCHOOLS
 += HB 218 PRIVATE HATCHERY COST RECOVERY FISHERIES
 + Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

May 01 Monday Butrovich 205 1:30 PM
 + HB 426 MEDICAL ASSISTANCE/INS COOPERATION
 + HB 467 ADMINISTRATION OF MEDICATION BY A NURSE
 + HB 482 SCHOOL:BULLYING/HARASSMENT/INTIMIDATION
 + Bills Previously Heard/Scheduled

May 03 Wednesday Butrovich 205 1:30 PM
 + Bills Previously Heard/Scheduled

May 05 Friday Butrovich 205 1:30 PM
 + Joint w/(S) Community & Regional Affairs
 Overview Presentation: U.S. Ambassador
 to Mongolia, Pamela J. Slutz
 "A Broader Partnership with Mongolia"
 (Education, Tourism, Trade, Mining,
 Government)
 + Bills Previously Heard/Scheduled

RESOURCES

May 01 Monday Butrovich 205 3:30 PM
 += SB 314 RETROACTIVE ADJUSTMENTS IN OIL PRICES
 + HB 304 COMMERCIAL FISHING LOAN PROGRAM
 + Bills Previously Heard/Scheduled

SPECIAL COMMITTEES

COMMITTEE ON UNIVERSITY OVERSIGHT

May 01 Monday Beltz 211 5:00 PM
 --Rescheduled from 4/26/06--
 += HJR 14 URGE CONGRESS TO GRANT LAND TO UNIVERSITY

JOINT COMMITTEES

CONFERENCE COMMITTEE ON HB 365 & HB 366

Apr 29 Saturday Senate Finance 532 12:30 PM
 -- Rescheduled from 04/28/06 --
 = HB 365 APPROP: OPERATING BUDGET/LOANS/FUNDS
 = HB 366 APPROP: MENTAL HEALTH BUDGET
 Dept of Administration
 Dept of Commerce, Community, & Economic
 Development
 Dept of Labor
 Dept of Law

CONFERENCE COMMITTEE ON SB 172

May 01 Monday Butrovich 205 5:00 PM
 SB 172 INITIATIVE\REFERENDUM\RECALL\PAMPHLET

OTHER MEETINGS

JOINT LEGISLATIVE HEALTH CAUCUS

May 01 Monday Fahrenkamp 203 12:00 PM
 "The Uninsured, a Statewide Emergency"
 A light lunch will be served.

JOINT SESSION

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