

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE
SECOND SESSION

Juneau, Alaska

Tuesday

May 9, 2006

One Hundred Twenty-first Day

Pursuant to adjournment the Senate was called to order by President Stevens at 3:25 p.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Senator Guess. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

God grant me the serenity to accept the things I
cannot change; courage to change the things I can;
and wisdom to know the difference.

Living one day at a time;
Enjoying one moment at a time;
Accepting hardships as the pathway to peace;
Taking, as He did, this sinful world
as it is, not as I would have it;
Trusting that He will make all things right
if I surrender to His Will;
That I may be reasonably happy in this life
and supremely happy with Him
Forever in the next. Amen.

Senator Therriault led the Senate in the Pledge of Allegiance.

Certification

Senator Gary Stevens moved and asked unanimous consent that the journal for the one hundred twentieth legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

Special Presentation

The Senate honored Hal Daugherty, Legislative Chef, and presented him with a commemorative letter signed by all members.

Messages from the Governor

Executive Proclamation
by
Frank H. Murkowski, Governor

Under the authority of art. II, sec. 9, and art. III, sec. 17, of the Alaska Constitution, and in the public interest, I call the Twenty-Fourth Legislature of the State of Alaska into its second special session at Juneau, Alaska in the legislative chambers on May 10, 2006, at 11:00 a.m. to consider the:

- 1) subject of statutory changes for the purpose of clarifying or providing additional authority for the development of contract terms under the Alaska Stranded Gas Development Act (AS 43.82);
- 2) subject of judicial review of challenges to the constitutionality of a law authorizing a contract enacted under AS 43.82.435 or the enforceability of a contract executed under a law authorizing a contract enacted under AS 43.82.435;
- 3) subject of establishing the state entity responsible for financing, owning, and managing the state's interest in the Alaska North Slope natural gas pipeline project, including provisions regarding indemnifications among entities involved in the management of the construction of the project;

- 4) subject of establishing a method for providing fiscal certainty for certain Alaska North Slope oil and gas leases not covered by the Alaska Stranded Gas Fiscal Contract;
- 5) preliminary findings and a determination of the commissioner of Department of Revenue made under AS 43.82.400(a)(1); and
- 6) provisions of the proposed Alaska Stranded Gas Fiscal Contract submitted to the governor by the commissioner of the Department of Revenue under AS 43.82.400(a)(2).

Dated this 9th day of May, 2006.

/s/

Frank H. Murkowski, Governor

Message dated and received May 9 was read, stating:

Under the provisions of article III, section 18 of the Alaska Constitution, I am requesting the opportunity to address both Senate and House for a Joint Session of the Twenty-Fourth Alaska State Legislature on Wednesday, May 10, 2006, at 11:15 a.m. for a Special Joint Session.

Messages from the House

Message dated May 9 was read, stating:

The House of Representatives respectfully invites the Senate to a Joint Session of the Twenty-fourth Alaska Legislature at 11:15 a.m. on Wednesday, May 10 for the purpose of hearing a message from the Governor.

Senator Gary Stevens moved and asked unanimous consent that the Senate accept the House invitation to meet in Joint Session. Without objection, it was so ordered.

The Secretary was requested to notify the House.

SCR 33

Message dated May 8 was read, stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 33
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 16, relating to funding for
school districts operating secondary school boarding
programs.

The resolution was referred to the Secretary for enrollment.

SB 271

Message dated May 8 was read, stating the House passed and returned:

SENATE BILL NO. 271 "An Act authorizing the
commissioner of transportation and public facilities
to participate in certain federal highway programs
and relating to that authorization; relating to powers
of the attorney general to waive immunity from suit
in federal court related to those programs; and
providing for an effective date."

The bill was referred to the Secretary for enrollment.

SB 300

Message dated May 8 was read, stating the House passed and returned:

CS FOR SENATE BILL NO. 300(L&C) "An Act
relating to the handling of negative equity in motor
vehicle transactions; and relating to the contents of
retail installment contracts."

The bill was referred to the Secretary for enrollment.

HB 16

Message dated May 8 was read, stating the House concurred in the
Senate amendment to CS FOR HOUSE BILL NO. 16(RLS) "An Act
relating to funding for school districts operating secondary school
boarding programs, to funding for school districts from which

boarding students come, and to the effectiveness of district secondary school boarding programs; and providing for an effective date" thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO.
16(FIN) "An Act relating to funding for school
districts operating statewide residential educational
programs; and providing for an effective date."
(Title change SCR 33)

HB 414

Message dated May 8 was read, stating the Speaker granted limited powers of free conference to the House conferees considering:

SENATE CS FOR CS FOR HOUSE BILL NO. 414(JUD) "An Act relating to allowing a parent or guardian of a minor to intercept the private communications of the minor and to consent to an order authorizing law enforcement to intercept the private communications of the minor"

and

CS FOR HOUSE BILL NO. 414(RLS) am "An Act relating to the interception of the private communications of a minor"

on the requested specific points (House Journal page 3887).

HB 414

Message dated May 8 was read, stating the House has adopted the report of the Conference Committee with limited powers of free conference considering SENATE CS FOR CS FOR HOUSE BILL NO. 414(JUD) and CS FOR HOUSE BILL NO. 414(RLS) am, thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 414
"An Act relating to the interception of the private
communications of a minor."

Message dated May 8 was read, stating the House passed and transmitted for consideration:

**First Reading and Reference of
House Resolutions**

HCR 50

HOUSE CONCURRENT RESOLUTION NO. 50 BY THE HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS,

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 289, 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; and making conforming amendments.

was read the first time and held on the Secretary's desk.

HCR 51

HOUSE CONCURRENT RESOLUTION NO. 51 BY THE HOUSE RULES COMMITTEE BY REQUEST,

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 251, relating to immunization for meningitis of postsecondary students residing on campus.

was read the first time and held on the Secretary's desk.

Concur Messages

SB 171

Message dated May 8 was read, stating the House passed and returned for consideration 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" with the following amendments:

HOUSE CS FOR CS FOR SENATE BILL NO. 171(CRA) "An Act amending the National Petroleum Reserve - Alaska special revenue fund to require allocation and deposit to the Alaska permanent fund and the public school fund of amounts in the percentages that are prescribed by law of the money obtained by the state as semiannual payments of a share of National Petroleum Reserve - Alaska sales, rentals, bonuses, and royalties received by the federal government that have not been appropriated from the state's special revenue fund for grants to municipalities, to authorize pro rata reductions in those fund allocations and deposits if amounts are insufficient to make those deposits in full, and, as to amounts received by the state in excess of amounts appropriated for grants to municipalities, to identify a priority of authorization for appropriations to offset past deficiencies in allocations and deposits of those funds before appropriations to other state funds or for other purposes for which the state may use its share of these payments; and directing that appropriations from the fund made as grants for activities, services, and facilities shall be identified as capital appropriation items and that the amounts of each item shall be specified."

(Title change HCR 46)

President Stevens stated the message will be held on the Secretary's desk.

SB 231

Message dated May 8 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 231(FIN) am "An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and appropriations to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date" with the following amendments:

HOUSE CS FOR CS FOR SENATE BILL NO.
231(FIN) am H (brf sup maj pfl d H)

President Stevens stated the message will be held on the Secretary's desk.

SB 251

Message dated May 8 was read, stating the House passed and returned for consideration SENATE BILL NO. 251 "An Act relating to immunization for meningitis of postsecondary students residing on campus" with the following amendment:

SENATE BILL NO. 251 am H "An Act relating to immunization for meningitis of postsecondary students residing on campus and directing the Department of Military and Veterans' Affairs to seek additional funding to support tuition waivers and assistance."
(Title change HCR 51)

President Stevens stated the message will be held on the Secretary's desk.

SB 289

Message dated May 8 was read, stating the House passed and returned for consideration 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" with the following amendment:

CS FOR SENATE BILL NO. 289(FIN) am H "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; establishing a fund for the payment of Servicemembers' Group Life Insurance premiums and providing for the payment of Servicemembers' Group Life Insurance premiums; and providing for an effective date."
(Title change HCR 50)

President Stevens stated the message will be held on the Secretary's desk.

SB 305

Message dated May 8 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 305(FIN) am "An Act repealing the oil production tax and the gas production tax and providing for a production tax on oil and gas; relating to the calculation of the gross value at the point of production of oil and gas

and to the determination of the value of oil and gas for purposes of the production tax on oil and gas; providing for tax credits against the production tax on oil and gas; relating to the relationship of the production tax on oil and gas to other taxes, to the dates those tax payments and surcharges are due, to interest on overpayments of the tax, and to the treatment of the tax in a producer's settlement with the royalty owners; relating to flared gas, and to oil and gas used in the operation of a lease or property under the production tax; relating to the prevailing value of oil and gas under the production tax; relating to surcharges on oil; relating to statements or other information required to be filed with or furnished to the Department of Revenue, to the penalty for failure to file certain reports for the tax, to the powers of the Department of Revenue, and to the disclosure of certain information required to be furnished to the Department of Revenue as applicable to the administration of the tax; relating to criminal penalties for violating conditions governing access to and use of confidential information relating to the tax, and to the deposit of tax money collected by the Department of Revenue; amending the definitions of 'gas,' 'oil,' and certain other terms for purposes of the production tax, and as the definition of the term 'gas' applies in the Alaska Stranded Gas Development Act, and adding further definitions; making conforming amendments; and providing for an effective date" with the following amendments:

HOUSE CS FOR CS FOR SENATE BILL NO.
305(FIN) am H

President Stevens stated the message will be held on the Secretary's desk.

SB 169

Senator Therriault moved that the concur message on HOUSE CS FOR CS FOR SENATE BILL NO. 169(FIN) am H "An Act relating to release of information in individual workers' compensation records; relating to breaches of security involving personal information, credit report and credit score security freezes, consumer credit monitoring, credit accuracy, protection of social security numbers, disposal of records, identity theft, furnishing consumer credit header information, credit cards, and debit cards; amending Rule 60, Alaska Rules of Civil Procedure; and providing for an effective date" be read.

President Stevens ruled the motion out of order, stating the body was not in possession of the bill.

Senator Therriault rose to a point of order.

President Stevens restated his ruling.

Senator Therriault challenged the ruling of the Chair, citing Mason's Manual Sections 761(5) and 575(j).

The question being: "Shall the ruling of the Chair be upheld?" The roll was taken with the following result:

SB 169

Uphold Ruling of the Chair?

YEAS: 7 NAYS: 13 EXCUSED: 0 ABSENT: 0

Yeas: Cowdery, Davis, Green, Huggins, Stedman, Stevens B, Stevens G

Nays: Bunde, Dyson, Ellis, Elton, French, Guess, Hoffman, Kookesh, Olson, Seekins, Therriault, Wagoner, Wilken

and so, the ruling of the Chair was not upheld.

President Stevens restated the body was not in possession of the bill.

Senator Therriault rose to a point of order.

President Stevens directed the Secretary to read the message.

Message dated May 8 was read, stating the House passed and returned for consideration 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" with the following amendments:

HOUSE CS FOR CS FOR SENATE BILL NO.
169(FIN) am H "An Act relating to release of
information in individual workers' compensation
records; relating to breaches of security involving
personal information, credit report and credit score

security freezes, consumer credit monitoring, credit accuracy, protection of social security numbers, disposal of records, identity theft, furnishing consumer credit header information, credit cards, and debit cards; amending Rule 60, Alaska Rules of Civil Procedure; and providing for an effective date."

(Title change HCR 49)

President Stevens referred the message to the State Affairs, Community and Regional Affairs and Finance Committees.

Special Committee Reports

HB 414

The following corrected report was received and distributed at 11:25 p.m., May 8, 2006:

May 8, 2006

Mr. President:

Mr. Speaker:

The Conference Committee with limited powers of free conference considered SENATE CS FOR CS FOR HOUSE BILL NO. 414(JUD) and CS FOR HOUSE BILL NO. 414(RLS) am and recommends

CONFERENCE CS FOR HOUSE BILL NO.
414(Corrected) "An Act relating to the interception of
the private communications of a minor."

be adopted.

Signing the report: Senator Seekins, Chair, Senator French;
Representative Kott, Chair, Representatives McGuire, Gruenberg \

The following previously published fiscal information applies:

Fiscal Note No. 2, zero, Department of Administration

Fiscal Note No. 3, zero, Department of Administration

Fiscal Note No. 4, zero, Alaska Court System

Fiscal Note No. 5, zero, Department of Public Safety

President Stevens stated the corrected report will be held on the Secretary's desk.

Introduction and Reference of Senate Resolutions

SJR 21

SENATE JOINT RESOLUTION NO. 21 BY THE SENATE
FINANCE COMMITTEE,

Requesting the United States Congress to change the
name of a proposed federal fund for coastal plain
impact aid.

was read the first time and held on the Secretary's desk.

Consideration of the Calendar

Third Reading of House Bills

HB 109

SENATE CS FOR CS FOR HOUSE BILL NO. 109(FIN) "An Act
relating to establishing a screening, tracking, and intervention program
related to the hearing ability of newborns and infants; providing an
exemption to licensure as an audiologist for certain persons
performing hearing screening; relating to insurance coverage for
newborn and infant hearing screening; and providing for an effective
date" was read the third time.

Senator Dyson moved and asked unanimous consent to be shown as a
cross sponsor on the bill. Without objection, it was so ordered.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL
NO. 109(FIN) "An Act relating to establishing a screening, tracking,
and intervention program related to the hearing ability of newborns
and infants; providing an exemption to licensure as an audiologist for
certain persons performing hearing screening; relating to insurance
coverage for newborn and infant hearing screening; and providing for
an effective date" pass the Senate?" The roll was taken with the
following result:

SCS CSHB 109(FIN)
Third Reading - Final Passage
Effective Dates

YEAS: 14 NAYS: 6 EXCUSED: 0 ABSENT: 0

Yeas: Bunde, Davis, Dyson, Ellis, Elton, French, Guess, Hoffman, Kookesh, Olson, Stevens B, Stevens G, Therriault, Wagoner

Nays: Cowdery, Green, Huggins, Seekins, Stedman, Wilken

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 109(FIN) passed the Senate.

Senator Gary Stevens moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clauses. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

HB 133

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 133(JUD) am was read the third time.

The question being: "Shall CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 133(JUD) am "An Act relating to incorporation of boroughs, to annexation by local action, and to regulations of the Local Boundary Commission to provide standards and procedures for municipal incorporation, reclassification, dissolution, and certain municipal boundary changes; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSSHB 133(JUD) am
Third Reading - Final Passage
Effective Date

YEAS: 19 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Therriault

and so, CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 133(JUD) am passed the Senate.

Senator Gary Stevens moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was signed by the President and Secretary and returned to the House.

Senator Gary Stevens called the Senate. The call was satisfied.

HB 300

CS FOR HOUSE BILL NO. 300(O&G) "An Act relating to the qualifications of the member of the Alaska Oil and Gas Conservation Commission who need not be certified, trained, or experienced in either the field of petroleum engineering or the field of petroleum geology" was read the third time.

Senator French moved that the bill be returned to second reading for the purpose of a specific amendment, that being Amendment No. 1. Without objection, the bill was returned to second reading.

Senator French offered Amendment No. 1:

Page 2, line 25:

Delete "**shall**"

Insert "**may**"

Senator French moved for the adoption of Amendment No. 1. Senator Gary Stevens objected.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

CSHB 300(O&G)

Second Reading

Amendment No. 1

YEAS: 7 NAYS: 13 EXCUSED: 0 ABSENT: 0

Yeas: Ellis, Elton, French, Guess, Kookesh, Olson, Stedman

Nays: Bunde, Cowdery, Davis, Dyson, Green, Hoffman, Huggins, Seekins, Stevens B, Stevens G, Therriault, Wagoner, Wilken

and so, Amendment No. 1 failed.

CS FOR HOUSE BILL NO. 300(O&G) was automatically in third reading.

The question being: "Shall CS FOR HOUSE BILL NO. 300(O&G) "An Act relating to the qualifications of the member of the Alaska Oil and Gas Conservation Commission who need not be certified, trained, or experienced in either the field of petroleum engineering or the field of petroleum geology" pass the Senate?" The roll was taken with the following result:

CSHB 300(O&G)

Third Reading - Final Passage

YEAS: 14 NAYS: 6 EXCUSED: 0 ABSENT: 0

Yeas: Cowdery, Davis, Dyson, Green, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Stevens B, Stevens G, Wagoner, Wilken

Nays: Bunde, Ellis, Elton, French, Guess, Therriault

and so, CS FOR HOUSE BILL NO. 300(O&G) passed the Senate, was signed by the President and Secretary and returned to the House.

HB 316

CS FOR HOUSE BILL NO. 316(JUD) was read the third time.

Senator French declared a conflict of interest.

The question being: "Shall CS FOR HOUSE BILL NO. 316(JUD) "An Act extending the termination date for the Board of Governors of the Alaska Bar Association; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 316(JUD)

Third Reading - Final Passage

YEAS: 13 NAYS: 7 EXCUSED: 0 ABSENT: 0

Yeas: Cowdery, Davis, Elton, French, Green, Guess, Hoffman, Huggins, Kookesh, Seekins, Stedman, Stevens B, Stevens G

Nays: Bunde, Dyson, Ellis, Olson, Therriault, Wagoner, Wilken

and so, CS FOR HOUSE BILL NO. 316(JUD) passed the Senate.

Senator Gary Stevens moved for the adoption of the effective date clause.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

CSHB 316(JUD)
Effective Date Clause

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, the effective date clause was adopted and the bill was signed by the President and Secretary and returned to the House.

HB 403

SENATE CS FOR CS FOR HOUSE BILL NO. 403(TRA) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 403(TRA) "An Act relating to registration and operation of low-speed vehicles" pass the Senate?" The roll was taken with the following result:

SCS CSHB 403(TRA)
Third Reading - Final Passage

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 403(TRA) passed the Senate and was referred to the Secretary for engrossment.

HB 482

SENATE CS FOR CS FOR HOUSE BILL NO. 482(JUD) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 482(JUD) "An Act relating to harassment, intimidation, and bullying in schools" pass the Senate?" The roll was taken with the following result:

SCS CSHB 482(JUD)

Third Reading - Final Passage

YEAS: 12 NAYS: 8 EXCUSED: 0 ABSENT: 0

Yeas: Bunde, Davis, Ellis, Elton, French, Guess, Hoffman, Kookesh, Olson, Stevens B, Stevens G, Therriault

Nays: Cowdery, Dyson, Green, Huggins, Seekins, Stedman, Wagoner, Wilken

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 482(JUD) passed the Senate and was referred to the Secretary for engrossment.

Senator Gary Stevens lifted the call.

Recess

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 4:55 p.m.

After Recess

The Senate reconvened at 6:42 p.m.

Senator Gary Stevens called the Senate. The call was satisfied.

Second Reading of House Resolutions

HJR 36

CS FOR HOUSE JOINT RESOLUTION NO. 36(HES) Urging the United States Congress to support the granting of official Observer Status to the Republic of China at the World Health Assembly Annual Conference to be held at Geneva, Switzerland, in May 2006, was read the second time.

Senator Gary Stevens moved and asked unanimous consent that the resolution be advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR HOUSE JOINT RESOLUTION NO. 36(HES) was read the third time.

The question being: "Shall CS FOR HOUSE JOINT RESOLUTION NO. 36(HES) Urging the United States Congress to support the granting of official Observer Status to the Republic of China at the World Health Assembly Annual Conference to be held at Geneva, Switzerland, in May 2006, pass the Senate?" The roll was taken with the following result:

CSHJR 36(HES)

Third Reading - Final Passage

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, CS FOR HOUSE JOINT RESOLUTION NO. 36(HES) passed the Senate, was signed by the President and Secretary and returned to the House.

Citations

Honoring – Latseen Dollin Benson

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

Honoring – Darrel W. Hess

Representative(s) Gara

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

In Memoriam – Dr. Glenn A. Olds

Representative(s) Kohring

Senator(s) Green, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, 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 citations be made a special order of business. Without objection, it was so ordered.

Special Order of Business

Honoring – Herman and Dorothy Hermansen on Their 60th Diamond Wedding Anniversary

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

Representative(s) Olson

Honoring – Trooper Larry Erikson, Trooper Michael Henry

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

Representative(s) Olson

Honoring – The Participants of The Alaska Dental Health Aide Program

Representative(s) Kapsner

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

Honoring – Suzanne Richards 2006 School Librarian of the Year

Representative(s) Kapsner

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

Honoring – Donna Chris

Representative(s) Kapsner

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

Honoring – Alaska Village Public Safety Officers

Representative(s) Kapsner

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

Honoring – Trooper K-9 Sirius and State Trooper Joseph Hazelaar

Representative(s) Kapsner

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

Honoring – Anna Quarrayar Hedlund Alexie

Representative(s) Kapsner

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

Honoring – The First Class of Nursing Graduates in the YK Delta's Nursing Program

Representative(s) Kapsner

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

Honoring – Jason Michael

Representative(s) Kapsner

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

In Memoriam – Helen Chenault

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

Representative(s) Chenault

In Memoriam – Aviva J. Stinson

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

In Memoriam – Wassillie Kaligtuq Kung' Aq Maaggiq Nicholas

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

In Memoriam – Lawrence Davis

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

In Memoriam – Richard Weinig

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

In Memoriam – Lucy Passeq' Aq Jacob

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

In Memoriam – Frank Misaaq Andrew

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

In Memoriam – Eric D. Johnson

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

In Memoriam – Dick (Apaqutq) Andrew
Representative(s) Kapsner
Senator(s) Hoffman, Ben Stevens, Bunde, Cowdery, Davis, Dyson,
Ellis, Elton, Green, Guess, Huggins, Kookesh, Olson, Seekins,
Stedman, Gary Stevens, Therriault, Wagoner, Wilken

In Memoriam – Joe Angutekayak Chief, Jr.
Representative(s) Kapsner
Senator(s) Hoffman, Ben Stevens, Bunde, Cowdery, Davis, Dyson,
Ellis, Elton, Green, Guess, 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

Senator Guess moved and asked unanimous consent to be excused from a call of the Senate from May 10 through June 7. Without objection, Senator Guess was excused.

HB 257

Senator Gary Stevens moved and asked unanimous consent that SENATE CS FOR CS FOR HOUSE BILL NO. 257(FIN)(efd fld S) "An Act relating to and extending the pilot program for state procurement and electronic commerce tools" be taken up. Without objection, it was so ordered.

Senator Gary Stevens moved that the Senate rescind its previous action in passing SENATE CS FOR CS FOR HOUSE BILL NO. 257(FIN)(efd fld S) on reconsideration (page 1561).

The question being: "Shall the Senate rescind its previous action?" The roll was taken with the following result:

SCS CSHB 257(FIN)(efd fld S)

Rescind Previous Action?

YEAS: 12 NAYS: 8 EXCUSED: 0 ABSENT: 0

Yeas: Bunde, Cowdery, Dyson, Green, Huggins, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Davis, Ellis, Elton, French, Guess, Hoffman, Kookesh, Olson

and so, the Senate rescinded its previous action.

SENATE CS FOR CS FOR HOUSE BILL NO. 257(FIN) "An Act relating to and extending the pilot program for state procurement and electronic commerce tools; and providing for an effective date" was before the Senate in third reading.

Senator Bunde moved that the bill be returned to second reading for the purpose of rescinding its previous action in adopting the Finance Senate Committee Substitute. Without objection, the bill was returned to second reading.

Senator Bunde moved that the Senate rescind its previous action in adopting the Finance Senate Committee Substitute (page 1474).

The question being: "Shall the Senate rescind its previous action in adopting the Finance Senate Committee Substitute?" The roll was taken with the following result:

SCS CSHB 257(FIN)

Second Reading

Rescind Action In Adopting Finance SCS?

YEAS: 12 NAYS: 8 EXCUSED: 0 ABSENT: 0

Yeas: Bunde, Cowdery, Dyson, Green, Huggins, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Davis, Ellis, Elton, French, Guess, Hoffman, Kookesh, Olson

and so, the Senate rescinded its previous action in adopting the Finance Senate Committee Substitute.

CS FOR HOUSE BILL NO. 257(JUD) was automatically in third reading.

The following fiscal information was published today:

Fiscal Note No. 4, indeterminate, Department of Administration
Fiscal Note No. 5, zero, Alaska Court System

The question being: "Shall CS FOR HOUSE BILL NO. 257(JUD) "An Act relating to and extending the pilot program for state procurement and electronic commerce tools; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 257(JUD)

Third Reading – Final Passage

YEAS: 12 NAYS: 8 EXCUSED: 0 ABSENT: 0

Yeas: Bunde, Cowdery, Dyson, Green, Huggins, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Davis, Ellis, Elton, French, Guess, Hoffman, Kookesh, Olson

and so, CS FOR HOUSE BILL NO. 257(JUD) passed the Senate.

Senator Gary Stevens moved for the adoption of the effective date clause.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

CSHB 257(JUD)

Effective Date Clause

YEAS: 12 NAYS: 8 EXCUSED: 0 ABSENT: 0

Yeas: Bunde, Cowdery, Dyson, Green, Huggins, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Davis, Ellis, Elton, French, Guess, Hoffman, Kookesh, Olson

and so, the effective date clause failed.

CS FOR HOUSE BILL NO. 257(JUD)(efd fld S) "An Act relating to and extending the pilot program for state procurement and electronic commerce tools" was referred to the Secretary for engrossment.

Concur Messages**SB 305**

Senator Gary Stevens moved and asked unanimous consent that the concur message on HOUSE CS FOR CS FOR SENATE BILL NO. 305(FIN) am H "An Act repealing the oil production tax and the gas production tax and providing for a production tax on oil and gas; relating to the calculation of the gross value at the point of production of oil and gas and to the determination of the value of oil and gas for purposes of the production tax on oil and gas; providing for tax credits against the production tax on oil and gas; relating to the relationship of the production tax on oil and gas to other taxes, to the dates those tax payments and surcharges are due, to interest on overpayments of the tax, and to the treatment of the tax in a producer's settlement with the royalty owners; relating to flared gas, and to oil and gas used in the operation of a lease or property under the production tax; relating to the prevailing value of oil and gas under the production tax; relating to surcharges on oil; relating to statements or other information required to be filed with or furnished to the Department of Revenue, to the penalty for failure to file certain reports for the tax, to the powers of the Department of Revenue, and to the disclosure of certain information required to be furnished to the Department of Revenue as applicable to the administration of the tax; relating to criminal penalties for violating conditions governing access to and use of confidential information relating to the tax, and to the deposit of tax money collected by the Department of Revenue; amending the definitions of 'gas,' 'oil,' and certain other terms for purposes of the production tax, and as the definition of the term 'gas' applies in the Alaska Stranded Gas Development Act, and adding further definitions; making conforming amendments; and providing for an effective date" which had been held on the Secretary's desk (page 3349), be taken up. Without objection, it was so ordered.

Senator Guess declared a conflict of interest.

Senator Gary Stevens moved that the Senate concur in the House amendments.

The question being: "Shall the Senate concur in the House amendments?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H

Shall the Senate Concur in the House Amendments
to CSSB 305(FIN) am?

YEAS: 10 NAYS: 10 EXCUSED: 0 ABSENT: 0

Yeas: Bunde, Cowdery, Green, Hoffman, Huggins, Olson, Seekins,
Stedman, Stevens B, Stevens G

Nays: Davis, Dyson, Ellis, Elton, French, Guess, Kookesh, Therriault,
Wagoner, Wilken

and so, the Senate failed to concur.

The Secretary was requested to notify the House.

SB 171

Senator Gary Stevens moved and asked unanimous consent that the concur message on HOUSE CS FOR CS FOR SENATE BILL NO. 171(CRA) "An Act amending the National Petroleum Reserve - Alaska special revenue fund to require allocation and deposit to the Alaska permanent fund and the public school fund of amounts in the percentages that are prescribed by law of the money obtained by the state as semiannual payments of a share of National Petroleum Reserve - Alaska sales, rentals, bonuses, and royalties received by the federal government that have not been appropriated from the state's special revenue fund for grants to municipalities, to authorize pro rata reductions in those fund allocations and deposits if amounts are insufficient to make those deposits in full, and, as to amounts received by the state in excess of amounts appropriated for grants to municipalities, to identify a priority of authorization for appropriations to offset past deficiencies in allocations and deposits of those funds before appropriations to other state funds or for other purposes for which the state may use its share of these payments; and directing that appropriations from the fund made as grants for activities, services, and facilities shall be identified as capital appropriation items and that the amounts of each item shall be specified" which had been held on the Secretary's desk (page 3347) be taken up. Without objection, it was so ordered.

Senator Gary Stevens moved that the Senate concur in the House amendment.

The question being: "Shall the Senate concur in the House amendment?" The roll was taken with the following result:

HCS CSSB 171(CRA)

Shall the Senate Concur in the House

Amendment to CSSB 171(FIN)(efd fld)?

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 171(CRA) "An Act amending the National Petroleum Reserve - Alaska special revenue fund to require allocation and deposit to the Alaska permanent fund and the public school fund of amounts in the percentages that are prescribed by law of the money obtained by the state as semiannual payments of a share of National Petroleum Reserve - Alaska sales, rentals, bonuses, and royalties received by the federal government that have not been appropriated from the state's special revenue fund for grants to municipalities, to authorize pro rata reductions in those fund allocations and deposits if amounts are insufficient to make those deposits in full, and, as to amounts received by the state in excess of amounts appropriated for grants to municipalities, to identify a priority of authorization for appropriations to offset past deficiencies in allocations and deposits of those funds before appropriations to other state funds or for other purposes for which the state may use its share of these payments; and directing that appropriations from the fund made as grants for activities, services, and facilities shall be identified as capital appropriation items and that the amounts of each item shall be specified."

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

HCR 46

Senator Gary Stevens moved and asked unanimous consent that HOUSE CONCURRENT RESOLUTION NO. 46, which had been held on the Secretary's desk (page 3318), be taken up. Without objection, the resolution was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 46 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 171, relating to the National Petroleum Reserve - Alaska special revenue fund, pass the Senate?" The roll was taken with the following result:

HCR 46

Final Passage

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, HOUSE CONCURRENT RESOLUTION NO. 46 passed the Senate, was signed by the President and Secretary and returned to the House.

SB 251

Senator Gary Stevens moved and asked unanimous consent that the concur message on SENATE BILL NO. 251 am H "An Act relating to immunization for meningitis of postsecondary students residing on campus and directing the Department of Military and Veterans' Affairs to seek additional funding to support tuition waivers and assistance" which had been held on the Secretary's desk (page 3348) be taken up. Without objection, it was so ordered.

Senator Gary Stevens moved that the Senate concur in the House amendment and recommended the body vote no.

The question being: "Shall the Senate concur in the House amendment?" The roll was taken with the following result:

SB 251 am H

Shall the Senate Concur in the House

Amendment to SB 251?

YEAS: 8 NAYS: 12 EXCUSED: 0 ABSENT: 0

Yeas: Davis, Ellis, Elton, French, Guess, Hoffman, Kookesh, Olson

Nays: Bunde, Cowdery, Dyson, Green, Huggins, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

and so, the Senate failed to concur.

The Secretary was requested to notify the House.

SB 289

Senator Gary Stevens moved and asked unanimous consent that the concur message on CS FOR SENATE BILL NO. 289(FIN) am H "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; establishing a fund for the payment of Servicemembers' Group Life Insurance premiums and providing for the payment of Servicemembers' Group Life Insurance premiums; and providing for an effective date" which had been held on the Secretary's desk (page 3348) be taken up. Without objection, it was so ordered.

Senator Gary Stevens moved that the Senate concur in the House amendment.

The question being: "Shall the Senate concur in the House amendment?" The roll was taken with the following result:

CSSB 289(FIN) am H

Shall the Senate Concur in the House

Amendment to CSSB 289(FIN)? Effective Dates

YEAS: 19 NAYS: 1 EXCUSED: 0 ABSENT: 0

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

Nays: Huggins

and so, the Senate concurred in the House amendment, thus adopting CS FOR SENATE BILL NO. 289(FIN) am H "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; establishing a fund for the payment of Servicemembers' Group Life Insurance premiums and providing for the payment of Servicemembers' Group Life Insurance premiums; and providing for an effective date."

Senator Gary Stevens moved and asked unanimous consent that the vote on concurrence be considered the vote on the effective date clauses. Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

HCR 50

Senator Gary Stevens moved and asked unanimous consent that HOUSE CONCURRENT RESOLUTION NO. 50, which had been held on the Secretary's desk (page 3346), be taken up. Without objection, the resolution was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 50 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 289, 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; and making conforming amendments, pass the Senate?" The roll was taken with the following result:

HCR 50

Final Passage

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, HOUSE CONCURRENT RESOLUTION NO. 50 passed the Senate, was signed by the President and Secretary and returned to the House.

Conference Committee Reports

HB 414

Senator Gary Stevens moved and asked unanimous consent that the Corrected Conference Committee Report for CONFERENCE CS FOR HOUSE BILL NO. 414(Corrected) "An Act relating to the interception of the private communications of a minor" which had been held on the Secretary's desk (page 3321) be taken up. Without objection, it was so ordered.

Senator Gary Stevens moved that the Senate adopt the Corrected Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 414(Corrected).

The question being: "Shall the Senate adopt the Corrected Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 414(Corrected) "An Act relating to the interception of the private communications of a minor"?" The roll was taken with the following result:

CCS HB 414(corrected)

Shall the Senate adopt the corrected Conference Committee Report?

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, the report was adopted.

The Secretary was requested to notify the House.

Senator Gary Stevens lifted the call.

Recess

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 8:27 p.m.

After Recess

The Senate reconvened at 10:53 p.m.

HB 366

Senator Gary Stevens moved and asked unanimous consent that the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 366, which had been held on the Secretary's desk (page 3323), be taken up. Without objection, it was so ordered.

Senator Gary Stevens moved that the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 366.

The question being: "Shall the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 366 "An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date"?" The roll was taken with the following result:

CCS HB 366

Adopt Conference Committee Report?

Effective Date

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, the report was adopted.

Senator Gary Stevens moved and asked unanimous consent that the vote on the adoption of the Conference Committee Report be considered the vote on the effective date clause. Without objection, it was so ordered.

The Secretary was requested to notify the House.

HB 365

Senator Gary Stevens moved and asked unanimous consent that the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 365, which had been held on the Secretary's desk (page 3322), be taken up. Without objection, it was so ordered.

The following memorandum, dated and received May 9, 2006, from David Teal, Legislative Fiscal Analyst, Division of Legislative Finance, was distributed to all members:

Version N of the CCS HB 365(FIN)—the Conference Committee operating budget that will be considered on the floor of both House and Senate today—contains a technical error in section 3.

There are two potential courses of corrective action:

1. Produce a corrected version of the bill, explain the problem on the floor, waive the 24-hour rule, and vote on the corrected version.
2. Adopt version N as printed and correct the error in engrossment. Because both House Chief Clerk and Senate Secretary will have the corrected version of the bill, the engrossment process will not be delayed.

Option 2 is the more expedient and is the option I recommend.

A fiscal note submitted by the Department of Corrections clearly makes a fund source change. The note was adopted by the Conference Committee and shows in section 2 of the bill (as a net zero), but the program that generates the fund roll-up in section 3 suppressed printing because the fiscal note nets zero. The programming error has been fixed.

Section 3 makes no appropriations, so is often considered "informational only." Nevertheless, correction of this manifest error would eliminate concerns that the fiscal notes do not match the enacted version of the bill.

Senator Gary Stevens moved that the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 365.

The question being: "Shall the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 365 "An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; making appropriations for state aid to public schools, centralized correspondence study, and transportation of pupils; and providing for an effective date"?" The roll was taken with the following result:

CCS HB 365

Adopt Conference Committee Report?

Effective Dates

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

and so, the report was adopted.

Senator Gary Stevens moved and asked unanimous consent that the vote on the adoption of the Conference Committee Report be considered the vote on the effective date clauses. Without objection, it was so ordered.

The Secretary was requested to notify the House.

Concur Messages

SB 305

Senator Gary Stevens moved that the Senate rescind its previous action in failing to concur (page 3367) in the House amendments to CS FOR SENATE BILL NO. 305(FIN) am; namely,

HOUSE CS FOR CS FOR SENATE BILL NO. 305(FIN) am H
"An Act repealing the oil production tax and the gas production tax and providing for a production tax on oil and gas; relating to the calculation of the gross value at the point of production of oil and gas and to the determination of the value of oil and gas for purposes of the production tax on oil and gas; providing for tax credits against the production tax on oil and gas; relating to the relationship of the production tax on oil and gas to other taxes, to the dates those tax payments and surcharges are due, to interest on overpayments of the tax, and to the treatment of the tax in a producer's settlement with the royalty owners; relating to flared gas, and to oil and gas used in the operation of a lease or property under the production tax; relating to the prevailing value of oil and gas under the production tax; relating to

surcharges on oil; relating to statements or other information required to be filed with or furnished to the Department of Revenue, to the penalty for failure to file certain reports for the tax, to the powers of the Department of Revenue, and to the disclosure of certain information required to be furnished to the Department of Revenue as applicable to the administration of the tax; relating to criminal penalties for violating conditions governing access to and use of confidential information relating to the tax, and to the deposit of tax money collected by the Department of Revenue; amending the definitions of 'gas,' 'oil,' and certain other terms for purposes of the production tax, and as the definition of the term 'gas' applies in the Alaska Stranded Gas Development Act, and adding further definitions; making conforming amendments; and providing for an effective date."

The question being: "Shall the Senate rescind its previous action in failing to concur in the House amendments?" The roll was taken with the following result:

HCS CSSB 305(FIN) am H

Rescind action in failing to concur in the House

Amendments to CSSB 305(FIN) am?

YEAS: 9 NAYS: 11 EXCUSED: 0 ABSENT: 0

Yeas: Cowdery, Green, Hoffman, Huggins, Kookesh, Olson, Stedman, Stevens B, Stevens G

Nays: Bunde, Davis, Dyson, Ellis, Elton, French, Guess, Seekins, Therriault, Wagoner, Wilken

and so, the Senate failed to rescind its previous action.

Recess

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 11:00 p.m.

After Recess

The Senate reconvened at 11:52 p.m.

Concur Messages**SB 231**

Senator Gary Stevens moved and asked unanimous consent that the concur message on HOUSE CS FOR CS FOR SENATE BILL NO. 231(FIN) am H(brf sup maj pfld H) "An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and appropriations to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date" which had been held on the Secretary's desk (page 3348) be taken up. Without objection, it was so ordered.

Senator Gary Stevens moved that the Senate concur in the House amendments.

The question being: "Shall the Senate concur in the House amendments?" The roll was taken with the following result:

HCS CSSB 231(FIN)am H(brf sup maj pfld H)
Shall the Senate Concur in the House Amendments
to CSSB 231(FIN) am? Effective Dates

YEAS: 15 NAYS: 5 EXCUSED: 0 ABSENT: 0

Yeas: Bunde, Cowdery, Davis, Ellis, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Stevens B, Stevens G, Wilken

Nays: Dyson, Elton, French, Therriault, Wagoner

and so, the Senate concurred in the House amendments.

Senator Gary Stevens moved and asked unanimous consent that the vote on concurrence be considered the vote on the effective date clauses. Without objection, it was so ordered.

Senator Gary Stevens moved for the adoption of the constitutional budget reserve fund section.

The question being: "Shall the constitutional budget reserve fund section (Article IX, Section 17(c) Constitution of the State of Alaska) be adopted?" The roll was taken with the following result:

HCS CSSB 231(FIN)am H(brf sup maj pfld H)
Adopt Constitutional Budget Reserve
Fund Section?

YEAS: 15 NAYS: 5 EXCUSED: 0 ABSENT: 0

Yeas: Bunde, Davis, Dyson, Ellis, Elton, French, Guess, Hoffman, Kookesh, Olson, Seekins, Stevens G, Therriault, Wagoner, Wilken

Nays: Cowdery, Green, Huggins, Stedman, Stevens B

and so, the constitutional budget reserve fund section was adopted.

The Secretary was requested to notify the House.

HOUSE CS FOR CS FOR SENATE BILL NO. 231(FIN) am H(brf sup maj pfld H) "An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and appropriations to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date" was referred to the Secretary for enrollment.

HB 266

The reconsideration on CS FOR HOUSE BILL NO. 266(FIN) "An Act relating to penalties for violation of vehicle weight limitations; prohibiting the use of a violation of a vehicle weight limitation for certain personal automobile insurance actions; amending Rule 43.6, Alaska Rules of Administration; and providing for an effective date" was not taken up this legislative day and the bill was signed by the President and Secretary and returned to the House.

HB 485

The reconsideration on HOUSE BILL NO. 485 am (efd fld S) "An Act amending the State Personnel Act to place in the exempt service pharmacists and physicians employed in the Department of Health and Social Services or in the Department of Corrections" was not taken up this legislative day and the bill was referred to the Secretary for engrossment.

Engrossment**HB 13**

SENATE CS FOR CS FOR HOUSE BILL NO. 13(FIN) "An Act relating to reimbursement of municipal bonds for school construction; increasing the base student allocation used in the formula for state financing of public education; relating to the district cost factors for state funding of public education; relating to school improvement funding; and providing for an effective date" which had been engrossed (page 3338) was signed by the President and Secretary and returned to the House for consideration.

HB 109

SENATE CS FOR CS FOR HOUSE BILL NO. 109(FIN) "An Act relating to establishing a screening, tracking, and intervention program related to the hearing ability of newborns and infants; providing an exemption to licensure as an audiologist for certain persons performing hearing screening; relating to insurance coverage for newborn and infant hearing screening; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

HB 257

CS FOR HOUSE BILL NO. 257(JUD)(efd fld S) "An Act relating to and extending the pilot program for state procurement and electronic commerce tools" was engrossed, signed by the President and Secretary and returned to the House for consideration.

HB 381

SENATE CS FOR CS FOR HOUSE BILL NO. 381(FIN) am S "An Act relating to the financing of construction, major maintenance, and renovation of certain capital projects; authorizing the commissioner of revenue to sell the right to receive a portion of the anticipated revenue from a tobacco litigation settlement to the Northern Tobacco Securitization Corporation, and relating to that sale and the use of the revenue; authorizing the Northern Tobacco Securitization Corporation to issue bonds and use the proceeds to acquire the right to receive a portion of anticipated revenue from a tobacco litigation settlement and for other purposes, and relating to those bonds; and providing for an effective date" which had been engrossed (page 3338) was signed by the President and Secretary and returned to the House for consideration.

HB 403

SENATE CS FOR CS FOR HOUSE BILL NO. 403(TRA) "An Act relating to registration and operation of low-speed vehicles" was engrossed, signed by the President and Secretary and returned to the House for consideration.

HB 482

SENATE CS FOR CS FOR HOUSE BILL NO. 482(JUD) "An Act relating to harassment, intimidation, and bullying in schools" was engrossed, signed by the President and Secretary and returned to the House for consideration.

HB 485

HOUSE BILL NO. 485 am(efd fld S) "An Act amending the State Personnel Act to place in the exempt service pharmacists and physicians employed in the Department of Health and Social Services or in the Department of Corrections" was engrossed, signed by the President and Secretary and returned to the House for consideration.

Adjournment

Senator Gary Stevens moved and asked unanimous consent that the Twenty-fourth Alaska Senate adjourn sine die. Without objection, the Senate adjourned at 11:54 p.m.

Kirsten Waid
Secretary of the Senate

May 2006