

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

**Juneau, Alaska**

**Tuesday**

**May 23, 2006**

**Fourteenth Day**

Pursuant to adjournment the Senate was called to order by President Stevens at 8:05 a.m.

The roll showed eighteen members present. Senator Guess was excused from a call of the Senate. Senator Therriault was absent.

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

Dear Lord,

Please guide us through both the trials and tribulations and the joys and discoveries which we encounter today. Help us to use our best judgment in our actions throughout this day, this week and this session.

We thank You for the vast beauty and resources of our State. We thank You for the friends and family who support us while we serve as representatives of the people of this State. With Your help, may we do Your will today. Amen.

Senator Davis led the Senate in the Pledge of Allegiance.

**Certification**

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

**Messages from the Governor****SB 306**

Message was read stating the Governor signed the following bill on May 18 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE BILL NO. 306 "An Act requiring an employing unit with a change in ownership, management, or control or similar change to notify the Department of Labor and Workforce Development of the change; relating to the unemployment contribution rate of an employing unit; defining 'business' for purposes of statutes setting unemployment contribution rates; establishing the crime of obtaining an unemployment rate by deception; and providing for an effective date."

Chapter 27, SLA 2006  
Effective Date: See Chapter

**SB 308**

Message was read stating the Governor signed the following bill on May 18 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

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."

Chapter 28, SLA 2006  
Effective Date: 05/19/06

**SB 207**

Message was read stating the Governor signed the following bill on May 18 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

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

Chapter 29, SLA 2006  
Effective Date: 08/16/2006

**HB 365**

Message dated May 22 was read, stating:

On this date I have signed the following bill passed by the second session of the Twenty-Fourth Alaska State Legislature and am transmitting the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CONFERENCE CS FOR HOUSE BILL NO. 365(Corrected) "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."

Chapter 33, SLA 2006  
[Effective Date: See Chapter]

When I introduced the Fiscal Year 2007 operating budget in December, it reflected my administration's commitment to ensuring each Alaskan has the opportunity to fully participate in Alaska's bright future.

I am pleased with the Legislature's support of our proposals. Our work together reflects our shared vision for the future and means every Alaskan can have hope for what the future will bring, instead of simply hoping for a future.

Sincerely yours,

/s/

Frank H. Murkowski  
Governor

**HB 366**

Message was read stating the Governor signed the following bill on May 22 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

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."

Chapter 34, SLA 2006  
Effective Date: 07/01/2006

**HB 381**

Message dated May 22 was read, stating:

On this date I have signed the following bill passed by the second session of the Twenty-Fourth Alaska State Legislature and am transmitting the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

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."

Chapter 35, SLA 2006  
[Effective Date: 07/01/2006]

Passage of this legislation enables the state to refinance existing tobacco bonds and further leverage payment from the tobacco Master Settlement Agreement that was reached in 1998. This revenue will fund a number of important capital projects—from \$94 million for the University of Alaska to road and other infrastructure improvements around the state.

Sincerely yours,  
/s/  
Frank H. Murkowski  
Governor

#### **Messages from the House**

##### **SCR 201**

Message dated May 22 was read, stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 201  
Authorizing the Senate or the House of Representatives to recess for periods longer than three days during special sessions.

The resolution was referred to the Secretary for enrollment.

#### **Communications**

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

Alaska Labor Relations Agency 2005 Annual Report  
from Mark Torgerson, Administrator/Hearing Examiner  
in accordance with AS 23.05.370(a)(4)

The presence of Senator Therriault was noted.

### **Reconsideration of Senate Bills**

#### **SB 2001**

Senator Gary Stevens requested that the reconsideration on CS FOR SENATE BILL NO. 2001(FIN) be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 2001(FIN) "An Act relating to the production tax on oil and gas and to conservation surcharges on oil; relating to criminal penalties for violating conditions governing access to and use of confidential information relating to the production tax; amending the definition of 'gas' as that definition applies in the Alaska Stranded Gas Development Act; making conforming amendments; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 2001(FIN)  
Third Reading - On Reconsideration  
Effective Date

**YEAS: 15 NAYS: 4 EXCUSED: 1 ABSENT: 0**

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

Nay: Ellis, Elton, French, Kookesh

Excused: Guess

and so, CS FOR SENATE BILL NO. 2001(FIN) passed the Senate on reconsideration.

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 referred to the Secretary for engrossment.

### **Announcements**

Announcements are at the end of the journal.

### **Engrossment**

#### **SB 2001**

CS FOR SENATE BILL NO. 2001(FIN) "An Act relating to the production tax on oil and gas and to conservation surcharges on oil; relating to criminal penalties for violating conditions governing access to and use of confidential information relating to the production tax; amending the definition of 'gas' as that definition applies in the Alaska Stranded Gas Development Act; making conforming amendments; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

### **Engrossment and Enrollment**

#### **SB 104**

CONFERENCE CS FOR SENATE BILL NO. 104 "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" was engrossed and enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 8:49 a.m., May 23, 2006.

Memorandum from the Division of Legal and Research Services, Legislative Affairs Agency, reporting the following manifest error in CONFERENCE CS FOR SENATE BILL NO. 104 which has been corrected in enrolling:

Page 9, line 29:

Delete "(1)"

Insert "(4)"

**Adjournment**

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 1:00 p.m., May 31, 2006. Without objection, the Senate adjourned at 8:23 a.m.

Kirsten Waid  
Secretary of the Senate

May 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.

**OTHER MEETINGS****MISCELLANEOUS MEETINGS**

<b>May 23</b>	<b>Tuesday</b>	<b>Centennial Hall</b>	<b>9:00 AM</b>
		Presentation on Proposed Gas Pipeline Contract	
<b>May 23</b>	<b>Tuesday</b>	<b>Centennial Hall</b>	<b>1:30 PM</b>
	-- Meeting Canceled --	Presentation on Proposed Gas Pipeline Contract	