

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

**Juneau, Alaska**

**Thursday**

**August 3, 2006**

**Twenty-third Day**

Pursuant to adjournment the Senate was called to order by President Stevens at 10:16 p.m.

The roll showed sixteen members present. Senators Cowdery, Davis, Seekins, Therriault were absent.

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

Our Dear Father in Heaven,

We express our gratitude to Thee for the everyday freedoms we enjoy in our country. We are especially grateful for the privilege to express our particular views and opinions.

We ask Thee to bless this legislative body here to serve our fellow Alaskans. May they be inspired on this day to vote their conscience as well as to make the best decisions for the people of Alaska. We pray that Thou wilt bless those who speak on this day with a spirit of unity.

All of these things I say are in the name of Jesus Christ. Amen.

Senator Wilken led the Senate in the Pledge of Allegiance.

**Certification**

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

**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 am supplementing my proclamations of June 26, 2006, and July 25, 2006, concerning the third special session of the Twenty-Fourth Legislature of the State of Alaska, with the addition of the following subject:

Making appropriations from the Railbelt energy fund (AS 37.05.520) to facilitate electric generation and transmission projects and to facilitate providing for the economic dispatch of Railbelt electricity.

This proclamation supplements my proclamations of June 26, 2006, and July 25, 2006.

Dated at Juneau, Alaska this 3rd day of August, 2006.

/s/

Frank H. Murkowski  
Governor

The presence of Senator Seekins was noted.

**HB 393**

Message was read stating the Governor signed the following bill on August 2 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CS FOR 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."

Chapter 97, SLA 2006  
Effective Date: 1/1/07

The presence of Senator Davis was noted.

#### **HB 446**

Message was read stating the Governor signed the following bill on August 2 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR HOUSE BILL NO. 446(JUD) "An Act relating to the amount of a civil penalty for an unlawful act or practice in the conduct of trade or commerce; and eliminating mandatory continuances in these matters after issuance of an injunction."

Chapter 98, SLA 2006  
Effective Date: 10/31/06

### **Consideration of the Calendar**

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

#### **SB 3005**

SENATE BILL NO. 3005 "An Act relating to contempt of court and to temporary detention and identification of persons" was read the second time.

Senator Seekins, Chair, moved and asked unanimous consent for the adoption of the Judiciary Committee Substitute offered on page 3698. Without objection, CS FOR SENATE BILL NO. 3005(JUD) "An Act relating to contempt of court and to temporary detention and identification of persons; and providing for an effective date" was adopted.

Senators Bunde, French offered Amendment No. 1:

Page 2, lines 14 - 16:

Delete all material and insert:

"(1) the person witnessed or was at or near the scene of the commission of a felony crime against a person under AS 11.41, arson under AS 11.46.400 or 11.46.410, criminal mischief under AS 11.46.475 or 11.46.480, or misconduct involving weapons under AS 11.61.190 or 11.61.195(a)(3);"

Page 3, following line 28:

Insert a new subsection to read:

"(e) This section does not limit the authority of peace officers to investigate crimes, to collect evidence, to photograph crime scenes, evidence, or bystanders, to issue lawful court process, or to ensure the welfare of crime victims or other persons."

Reletter the following subsection accordingly.

Senator Bunde moved for the adoption of Amendment No. 1. Without objection, Amendment No. 1 was adopted.

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

CS FOR SENATE BILL NO. 3005(JUD) am was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 3005(JUD) am "An Act relating to contempt of court and to temporary detention and identification of persons; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 3005(JUD) am  
Third Reading - Final Passage  
Effective Date

**YEAS: 16 NAYS: 2 EXCUSED: 0 ABSENT: 2**

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

Nays: Elton, Huggins

Absent: Cowdery, Therriault

and so, CS FOR SENATE BILL NO. 3005(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.

### **Reconsideration of Senate Bills**

#### **SB 3005**

Senator Bunde gave notice of reconsideration on CS FOR SENATE BILL NO. 3005(JUD) am and moved and asked unanimous consent that it be taken up at this time. Without objection, it was so ordered and the bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 3005(JUD) am "An Act relating to contempt of court and to temporary detention and identification of persons; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 3005(JUD) am  
Third Reading - On Reconsideration  
Effective Date

**YEAS: 17 NAYS: 1 EXCUSED: 0 ABSENT: 2**

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

Nays: Elton

Absent: Cowdery, Therriault

and so, CS FOR SENATE BILL NO. 3005(JUD) am 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.

### **Unfinished Business**

#### **Citations**

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**

In Memoriam - Zachary Miller Warwick

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

In Memoriam - Representative Blanche Louise Preston McSmith

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

Senator Gary Stevens moved and asked unanimous consent that the citations be adopted. Without objection, the citations were adopted and referred to the Secretary for transmittal.

Senator Davis moved and asked unanimous consent to be excused from a call of the Senate from August 5 to morning plane time, August 6. Without objection, Senator Davis was excused.

Senator Kookesh moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, August 7 to plane time, August 8. Without objection, Senator Kookesh was excused.

Senator Olson moved and asked unanimous consent to be excused from a call of the Senate from August 5 through August 7. Without objection, Senator Olson was excused.

Senator Seekins moved and asked unanimous consent to be excused from a call of the Senate on August 5. Without objection, Senator Seekins was excused.

### **Announcements**

Announcements are at the end of the journal.

### **Engrossment**

#### **SB 3005**

CS FOR SENATE BILL NO. 3005(JUD) am "An Act relating to contempt of court and to temporary detention and identification of persons; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

### **Adjournment**

Senator Gary Stevens moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., August 4, 2006. Without objection, the Senate adjourned at 10:34 p.m.

Kirsten Waid  
Secretary of the Senate

**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.

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**SPECIAL COMMITTEES****SPECIAL COMMITTEE ON NATURAL GAS DEV**

<b>Aug 03</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
+= SB3002	STRANDED GAS AMENDMENTS		
	AK Gasline Port Authority Presentation		
<b>Aug 04</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>10:00 AM</b>
	-- Time Change --		
+= SB3002	STRANDED GAS AMENDMENTS		
	AK Gasline Port Authority Presentation		