

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE
FIRST SESSION

Juneau, Alaska

Saturday

May 12, 2007

One Hundred Seventeenth Day

Pursuant to adjournment the Senate was called to order by President Green at 11:48 a.m.

The roll showed twenty members present.

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 Heavenly Father,

As the end of session draws near and the tension and stress levels rise, please grant the senators, their staff and their loved ones the strength and clarity to continue to make the right decisions, the endurance to overcome the long hours and the heart to stay passionate about their work.

In your name we pray,

Amen.

Senator Stedman led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the Governor**SB 61**

Message was read stating the Governor signed the following bill on May 11 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR SENATE BILL NO. 61(FIN) am "An Act transferring funds to the public education fund; making supplemental and other appropriations; amending appropriations; and providing for an effective date."

Chapter 10, SLA 2007
Effective Date: See Chapter

HB 168

Message was read stating the Governor signed the following bill on May 11 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE BILL NO. 168 "An Act authorizing two exchanges of land between the Alaska Railroad Corporation and the Department of Transportation and Public Facilities; and providing for an effective date."

Chapter 11, SLA 2007
Effective Date: 5/12/07

HB 35

Message was read stating the Governor signed the following bill on May 11 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE BILL NO. 35 "An Act extending the termination date for the Board of Certified Direct-Entry Midwives; and providing for an effective date."

Chapter 12, SLA 2007
Effective Date: 5/12/07

HCR 4

Message dated May 9 was read stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 4
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning Senate Bill No. 49, relating to
commemorative license plates celebrating Alaska's
50th anniversary as a state.

Legislative Resolve No. 7

HJR 18

Message dated May 11 was read stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CS FOR CS FOR HOUSE JOINT
RESOLUTION NO. 18(TRA) Opposing the
enactment of the provisions in the Next Generation
Air Transportation System Financing Reform Act of
2007 that impose air traffic control user fees, increase
aviation fuel and aviation gas taxes, reduce airport
funding, and reduce Congressional oversight of the
Federal Aviation Administration.

Legislative Resolve No. 8

Messages from the House**SB 103**

Message dated May 11 was read, stating the House passed and returned:

SENATE BILL NO. 103 "An Act authorizing the
transfer of land from the Alaska Railroad Corporation
to Eklutna, Inc.; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

SB 121

Message dated May 11 was read, stating the House passed and returned:

CS FOR SENATE BILL NO. 121(L&C) "An Act relating to discharge from small commercial passenger vessels; relating to information-gathering requirements for small commercial passenger vessels; providing for an effective date by repealing the delayed effective date found in sec. 16, ch. 153, SLA 2004; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

HJR 4

Message dated May 11 was read, stating the House concurred in the Senate amendment to CS FOR HOUSE JOINT RESOLUTION NO. 4(RLS), thus adopting:

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 4(RES) Requesting the Federal Subsistence Board to rescind its decisions regarding the subsistence fishery priority given to Ninilchik, Happy Valley, Hope, and Cooper Landing residents.

HB 171

Message dated May 11 was read, stating the House has adopted the report of the Conference Committee with limited powers of free conference considering CS FOR HOUSE BILL NO. 171(STA) am and SENATE CS FOR CS FOR HOUSE BILL NO. 171(STA), thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 171 An Act relating to the date and time for convening regular legislative sessions, certain procedures of the legislature, the date for organizing the Legislative Budget and Audit Committee, and deadlines for certain matters or reports to be filed or delivered to the legislature or a legislative committee; prohibiting bonuses for legislative employees; and providing for an effective date."

The Senate adopted CONFERENCE CS FOR HOUSE BILL NO. 171 on May 11 (page 1204).

The bill was referred to the Secretary for engrossment and enrollment.

Standing Committee Reports

Report dated May 11 was read, stating:

In accordance with AS 39.05.080, the Health, Education and Social Services Committee reviewed the following and recommends the appointment be forwarded to a joint session for consideration:

University of Alaska Board of Regents

William Andrews - Juneau

This does not reflect an intent by any of the members to vote for or against the confirmation of the individual during any further sessions.

Signing the report: Senator Davis, Chair, Senators Cowdery, Dyson, Thomas, Elton.

HB 118

The Judiciary Committee considered CS FOR HOUSE BILL NO. 118(RLS) "An Act relating to underage possession of alcoholic beverages in a dwelling" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.
118(JUD)

Signing no recommendation: Senator French, Chair; Senator Wielechowski. Signing do pass: Senators Therriault, McGuire.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Corrections
Fiscal Note No. 2, zero, Department of Law
Fiscal Note No. 3, zero, Department of Public Safety

The bill was referred to the Rules Committee.

HB 162

The Finance Committee considered CS FOR HOUSE BILL NO. 162(L&C) "An Act relating to mortgage lenders, mortgage brokers, mortgage originators, state agents who collect program administration fees, and other persons who engage in activities relating to mortgage lending; relating to mortgage loan activities; relating to an originator fund; relating to fees for mortgage loan transactions; making certain violations unfair trade practices; relating to persons who are licensed under the Alaska Small Loans Act; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.
162(FIN)

Signing do pass: Senator Stedman, Cochair; Senators Elton, Thomas, Huggins. Signing no recommendation: Senator Hoffman, Cochair; Senator Olson.

The following previously published fiscal information applies:

- Fiscal Note No. 1, zero, Department of Law
- Fiscal Note No. 2, Department of Administration
- Fiscal Note No. 3, Department of Commerce, Community and Economic Development

The bill is on today's calendar.

HB 177

The Finance Committee considered CS FOR HOUSE BILL NO. 177(FIN) am "An Act relating to the Alaska Gasline Inducement Act; providing inducements for the construction of a natural gas pipeline and shippers that commit to use that pipeline; establishing the Alaska Gasline Inducement Act reimbursement fund; providing for an Alaska Gasline Inducement Act coordinator; making conforming amendments; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.
177(FIN)

Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Elton, Thomas, Dyson, Huggins, Olson.

The following fiscal information was published today:

Fiscal Note No. 9, Department of Natural Resources

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Administration

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

Fiscal Note No. 3, zero, Department of Natural Resources

Fiscal Note No. 5, Department of Revenue

Fiscal Note No. 6, Office of the Governor

Fiscal Note No. 7, Department of Labor and Workforce
Development

The bill is on today's calendar.

HB 217

The Judiciary Committee considered CS FOR HOUSE BILL NO. 217(JUD) "An Act relating to required onboard disclosures about promotions, tours, flightseeing operations, other shoreside activities, shoreside vendors, and visitors bureaus; and providing for an effective date." Signing no recommendation: Senator French, Chair; Senators Therriault, Wielechowski, McGuire.

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 Law

In accordance with Uniform Rule 24(b), President Green put the following question to the body: "Shall the bill be referred to the Rules Committee for placement on the calendar for second reading notwithstanding the report of the committee?" The roll was taken with the following result:

CSHB 217(JUD)

Shall the bill be referred to the Rules Committee notwithstanding the report of the committee?

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

and so, CS FOR HOUSE BILL NO. 217(JUD) was referred to the Rules Committee.

HCR 6

The Finance Committee considered CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(HES) Relating to civics education and a citizens' advisory task force, and recommended the adoption of the Senate Special Committee on Education Committee Substitute offered on page 1216.

Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Thomas, Dyson, Huggins. Signing no recommendation: Senator Olson.

The following previously published fiscal information applies:

Fiscal Note No. 1, Legislative Agency

Fiscal Note No. 2, Department of Education and Early Development

The resolution was referred to the Rules Committee.

**Introduction and Reference of
Senate Resolutions**

SCR 9

SENATE CONCURRENT RESOLUTION NO. 9 BY THE SENATE JUDICIARY COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 90, relating to criminal activity and criminal law and procedure.

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

SCR 10

SENATE CONCURRENT RESOLUTION NO. 10 BY THE
SENATE FINANCE COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 209, relating to the chair
of the Regulatory Commission of Alaska and
amending the timeline requirements for a final order
of the commission.

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

Consideration of the Calendar**Second Reading of Senate Bills****SB 69**

SENATE BILL NO. 69 "An Act relating to the creation of a civil legal
services fund" was read the second time.

Senator Stedman, Cochair, moved and asked unanimous consent for
the adoption of the Finance Committee Substitute offered on page
1153. Without objection, CS FOR SENATE BILL NO. 69(FIN) was
adopted.

Senator 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. 69(FIN) was read the third time.

Senators French, Ellis, Elton, Wielechowski, Thomas, Dyson moved
and asked unanimous consent to be shown as cosponsors on the bill.
Without objection, it was so ordered.

The question being: "Shall CS FOR SENATE BILL NO. 69(FIN) "An Act relating to the creation of a civil legal services fund" pass the Senate?" The roll was taken with the following result:

CSSB 69(FIN)

Third Reading - Final Passage

YEAS: 16 NAYS: 4 EXCUSED: 0 ABSENT: 0

Yeas: Bunde, Davis, Dyson, Ellis, Elton, French, Hoffman, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wielechowski, Wilken

Nays: Cowdery, Green, Huggins, Wagoner

and so, CS FOR SENATE BILL NO. 69(FIN) passed the Senate.

Second Reading of House Bills

HB 110

CS FOR HOUSE BILL NO. 110(L&C) "An Act amending the powers and duties of the legislative audit division regarding the Regulatory Commission of Alaska; amending annual report requirements for the Regulatory Commission of Alaska; extending the termination date for the Regulatory Commission of Alaska; and providing for an effective date" was read the second time.

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

CS FOR HOUSE BILL NO. 110(L&C) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 110(L&C) "An Act amending the powers and duties of the legislative audit division regarding the Regulatory Commission of Alaska; amending annual report requirements for the Regulatory Commission of Alaska; extending the termination date for the Regulatory Commission of Alaska; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 110(L&C)
Third Reading - Final Passage
Effective Dates

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

and so, CS FOR HOUSE BILL NO. 110(L&C) passed the Senate.

Senator 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 signed by the President and Secretary and returned to the House.

HB 132

HOUSE BILL NO. 132 "An Act designating the first Tuesday of May as Alaska Agriculture Day" was read the second time.

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

HOUSE BILL NO. 132 was read the third time.

The question being: "Shall HOUSE BILL NO. 132 "An Act designating the first Tuesday of May as Alaska Agriculture Day" pass the Senate?" The roll was taken with the following result:

HB 132
Third Reading - Final Passage

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

Yeas: Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

Absent: Bunde

and so, HOUSE BILL NO. 132 passed the Senate, was signed by the President and Secretary and returned to the House.

Reconsideration of Senate Bills**SB 53**

Senator Stevens requested that the reconsideration on CS FOR SENATE BILL NO. 53(FIN) "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, and appropriations to capitalize funds; ratifying certain expenditures; and providing for an effective date" be taken up. The bill was before the Senate on reconsideration.

Senator Therriault moved that the bill be returned to second reading for the purpose of a specific amendment, that being Amendment No. 1 which had been offered and withdrawn May 11 (page 1210). Without objection, the bill was returned to second reading.

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

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

CSSB 53(FIN)
Second Reading
Amendment No. 1

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

Yeas: Bunde, Dyson, Therriault, Wagoner, Wilken

Nays: Cowdery, Davis, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Thomas, Wielechowski

and so, Amendment No. 1 failed.

CS FOR SENATE BILL NO. 53(FIN) was automatically in third reading on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 53(FIN) "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, and appropriations to capitalize funds; ratifying certain expenditures; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 53(FIN)
Third Reading - On Reconsideration
Effective Dates

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

Yeas: Cowdery, Davis, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Thomas, Wielechowski

Nays: Bunde, Dyson, Therriault, Wagoner, Wilken

and so, CS FOR SENATE BILL NO. 53(FIN) passed the Senate on reconsideration.

Senator 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.

Senator Stevens moved and asked unanimous consent that the Senate advance to unfinished business. Without objection, the Senate advanced to:

Unfinished Business

HB 186

Senator McGuire, Chair, moved and asked unanimous consent that the State Affairs Committee referral be waived on CS FOR HOUSE BILL NO. 186(FSH) "An Act relating to sharing with certain federal agencies records required of sport fishing guides; and providing for an effective date." Without objection, the bill was referred to the Rules Committee.

Recess

President Green stated that the Senate would stand in recess to a call of the Chair. Without objection, the Senate recessed at 12:55 p.m.

After Recess

The Senate reconvened at 4:12 p.m.

Senator Stevens moved and asked unanimous consent that the Senate return to messages from the House. Without objection, the Senate returned to:

Messages from the House**HB 109**

Message dated May 12 was read, stating the House concurred in the Senate amendments to CS FOR HOUSE BILL NO. 109(JUD) am "An Act relating to bribery, receiving unlawful gratuities, and campaign contributions; denying public employee retirement pension benefits to certain legislators, legislative directors, and public officers who commit certain offenses, and adding to the duties of the Alaska Retirement Management Board and to the list of matters governed by the Administrative Procedure Act concerning that denial; relating to campaign financing and ethics, including disclosures, in state and municipal government, to lobbying, and to employment, service on boards, and disclosures by certain public officers and employees who leave state or municipal service or leave certain positions in state or municipal government; restricting representation of others by legislators and legislative employees; relating to blind trusts approved by the Alaska Public Offices Commission; and providing for an effective date" thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 109(FIN) am S
"An Act relating to bribery, receiving unlawful gratuities, and campaign contributions; denying public employee retirement pension benefits to certain legislators, legislative directors, and public officers who commit certain offenses, and adding to the duties of the Alaska Retirement Management Board and to the list of matters governed by the Administrative Procedure Act concerning that denial; relating to campaign financing and ethics, including disclosures, in state and municipal government, to lobbying, and to employment, service on boards, and disclosures by certain public officers and employees who leave state or municipal service or leave certain

positions in state or municipal government; restricting representation of others by legislators; relating to blind trusts approved by the Alaska Public Offices Commission; and providing for an effective date." (Title Change SCR 6)

HB 229

Message dated May 12 was read, stating the House concurred in the Senate amendments to HOUSE BILL NO. 229 am, thus adopting:

SENATE CS FOR HOUSE BILL NO. 229(FIN) am S
"An Act authorizing the Alaska Railroad Corporation to participate in a project consisting of the acquisition, construction, improvement, maintenance, equipping, or operation of real and personal property, including facilities and equipment, for the Kenai gasification project and Port MacKenzie rail link, authorizing the corporation to issue bonds to finance all or a portion of the project, and identifying these as bonds for an essential public and governmental purpose; and providing for an effective date."

Messages dated May 12 were read, stating the House passed and transmitted for consideration:

**First Reading and Reference of
House Resolutions****HCR 9**

HOUSE CONCURRENT RESOLUTION NO. 9 BY
REPRESENTATIVES HARRIS, Dahlstrom, Gardner, Olson,

Congratulating Alaska Airlines on its 75th
anniversary.

was read the first time.

Senators Wilken, Cowdery, Elton, Stevens, Bunde, Dyson, Kookesh, Davis, Ellis, Therriault, Wagoner moved and asked unanimous consent to be shown as cross sponsors on the resolution. Without objection, it was so ordered.

Senator Stevens moved and asked unanimous consent to take up HOUSE CONCURRENT RESOLUTION NO. 9. Without objection, it was so ordered.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 9 Congratulating Alaska Airlines on its 75th anniversary, pass the Senate?" The roll was taken with the following result:

HCR 9

Final Passage

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

Absent: McGuire

and so, HOUSE CONCURRENT RESOLUTION NO. 9 passed the Senate.

HCR 11

HOUSE CONCURRENT RESOLUTION NO. 11 BY THE HOUSE FINANCE COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 125, relating to contributions to the Public Employees' Retirement System of Alaska and the Teachers' Retirement System, participation in the defined benefit plans of those systems, contributions to the health reimbursement arrangement plan, and related matters.

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

First Reading and Reference of House Bills

HB 88

CS FOR HOUSE BILL NO. 88(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to televisions, monitors, portable computers, and similar devices in motor vehicles; relating to the definition of physical injury for the Alaska Uniform Vehicle Code; and providing for an effective date."

was read the first time and referred to the State Affairs and Judiciary Committees.

Concur Messages

SB 125

Message dated May 12 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 125(FIN) "An Act relating to the accounting and payment of contributions under the retirement plans of the Public Employees' Retirement System of Alaska and the Teachers' Retirement System, to calculations of contributions under those retirement plans, and to participation in, and termination of and amendments to participation in, the defined benefit plans of those systems; relating to employer contributions to the health reimbursement arrangement plan; making conforming amendments; and providing for an effective date" with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL NO. 125(FIN) "An Act relating to the accounting and payment of contributions under the retirement plans of the Public Employees' Retirement System of Alaska and the Teachers' Retirement System, to calculations of contributions under those retirement plans, and to participation in, and termination of and amendments to participation in, the defined benefit plans of those systems; relating to recovery of an award of damages or other recovery by those systems; relating to employer contributions to the health reimbursement arrangement plan; relating to participation in the public employees' defined contribution plan by certain elected officials; making conforming amendments; and providing for an effective date." (Title Change HCR 11)

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

Standing Committee Reports**HB 45**

The State Affairs Committee considered CS FOR HOUSE BILL NO. 45(MLV) "An Act authorizing the Department of Military and Veterans' Affairs to establish and maintain Alaska veterans' cemeteries; and establishing the Alaska veterans' cemetery fund in the general fund." Signing do pass: Senator McGuire, Chair; Senators French, Stevens, Green, Bunde.

The following previously published fiscal information applies:

- Fiscal Note No. 1, zero, Department of Administration
- Fiscal Note No. 2, zero, Department of Administration
- Fiscal Note No. 3, indeterminate, Department of Military and Veterans Affairs

The bill was referred to the Finance Committee.

HB 90

The Finance Committee considered CS FOR HOUSE BILL NO. 90(FIN) "An Act relating to credit toward service of a sentence of imprisonment; relating to violation of probation and parole conditions by sex offenders; relating to bail; relating to distribution of certain materials to minors; relating to time limitations for prosecution of certain crimes; relating to sex offender registration; relating to the maximum time for probation; relating to certain post-conviction relief applications; relating to good time; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 90(FIN) "An Act relating to the purchase of alcoholic beverages and to access to licensed premises; relating to civil liability for certain persons accessing licensed premises; requiring driver's licenses and identification cards to be marked if a person is restricted from consuming alcoholic beverages as a result of a conviction or condition of probation or parole and relating to fees for the marked license or card; relating to the information contained on driver's licenses; requiring the surrender and cancellation of driver's licenses and identification cards under certain circumstances; relating to prostitution; relating to the DNA

registration system; relating to credit toward service of a sentence of imprisonment; relating to violation of probation and parole conditions by sex offenders; relating to bail; relating to distribution of certain materials to minors; relating to time limitations for prosecution of certain crimes; relating to sex offender registration; relating to the maximum time for probation; relating to certain post-conviction relief applications; relating to good time; and providing for an effective date." (Title Change SCR 9)

Signing no recommendation: Senators Hoffman, Stedman, Cochairs; Senators Elton, Thomas, Olson, Huggins. Signing amend: Senator Dyson.

The following fiscal information was published today:
Fiscal Note No. 8, Department of Public Safety

The following previously published fiscal information applies:
Fiscal Note No. 2, zero, Department of Law
Fiscal Note No. 3, indeterminate, Department of Administration
Fiscal Note No. 4, indeterminate, Department of Administration
Fiscal Note No. 7, indeterminate, Department of Corrections

The bill was referred to the Rules Committee.

HB 151

The State Affairs Committee considered CS FOR HOUSE BILL NO. 151(JUD) "An Act requiring an indemnification, defense, and hold harmless provision in construction-related professional services contracts of state agencies, quasi-public agencies, municipalities, and political subdivisions." Signing do pass: Senator McGuire, Chair; Senator Green. Signing no recommendation: Senators French, Bunde.

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

The bill was referred to the Judiciary Committee.

HJR 17

The Resources Committee considered HOUSE JOINT RESOLUTION NO. 17 am Encouraging Coeur Alaska, Inc., to pursue all legal options to resolve the issues presented in Southeast Alaska Conservation Council v. United States Army Corps of Engineers on behalf of itself and consistent with the state's efforts to enforce its rights as a state over its resources. Signing do pass: Senator Huggins, Chair; Senators Green, McGuire, Stevens.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Office of the Governor

The resolution was referred to the Rules Committee.

HJR 21

The Resources Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 21(RES) Opposing the designation of any area in the state as a world heritage site, biosphere reserve, or any other type of international designation without the consent of the Alaska State Legislature and affected local governments; and urging the United States Congress to enact legislation to require congressional approval before an area in the United States may be considered for an international designation. Signing do pass: Senator Huggins, Chair; Senators Green, McGuire, Stevens.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Office of the Governor

The resolution was referred to the Rules Committee.

HJR 22

The State Affairs Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 22(RLS) Denouncing the National Entertainment Collectibles Association's production of the Rapist No. 1 collectible doll, and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE JOINT
RESOLUTION NO. 22(STA)

Signing do pass: Senator McGuire, Chair; Senators French, Stevens, Green, Bunde.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, House State Affairs Committee

The resolution was referred to the Rules Committee.

Introduction and Reference of Senate Bills

SB 178

SENATE BILL NO. 178 BY THE SENATE FINANCE COMMITTEE, entitled:

"An Act relating to school funding, the base student allocation, district cost factors, the local contribution, and the intensive services adjustment for state funding of public education; providing for an effective date by repealing the delayed effective date of sec. 6, ch. 41, SLA 2006; and providing for an effective date."

was read the first time and referred to the Finance Committee.

Consideration of the Calendar

Second Reading of House Bills

HB 133

CS FOR HOUSE BILL NO. 133(FIN) "An Act relating to requiring electronic monitoring as a special condition of probation and parole for offenders whose offense was related to a criminal street gang" was read the second time.

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

CS FOR HOUSE BILL NO. 133(FIN) was read the third time.

Senators Wielechowski, McGuire, Therriault, Bunde, Ellis, Dyson, Green, Olson, Cowdery moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

The question being: "Shall CS FOR HOUSE BILL NO. 133(FIN) "An Act relating to requiring electronic monitoring as a special condition of probation and parole for offenders whose offense was related to a criminal street gang" pass the Senate?" The roll was taken with the following result:

CSHB 133(FIN)

Third Reading - Final Passage

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

and so, CS FOR HOUSE BILL NO. 133(FIN) passed the Senate, was signed by the President and Secretary and returned to the House.

HB 162

Senator Stevens moved and asked unanimous consent that CS FOR HOUSE BILL NO. 162(L&C) "An Act relating to mortgage lenders, mortgage brokers, mortgage originators, state agents who collect program administration fees, and other persons who engage in activities relating to mortgage lending; relating to mortgage loan activities; relating to an originator fund; relating to fees for mortgage loan transactions; making certain violations unfair trade practices; relating to persons who are licensed under the Alaska Small Loans Act; and providing for an effective date" be moved to the bottom of the calendar. Without objection, it was so ordered.

Reconsideration of House Resolutions

HCR 9

Senator Therriault gave notice of reconsideration on HOUSE CONCURRENT RESOLUTION NO. 9 and moved and asked unanimous consent that it be taken up at this time. Without objection, it was so ordered and the resolution was before the Senate on reconsideration.

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

The question to be reconsidered: "Shall HOUSE CONCURRENT RESOLUTION NO. 9 Congratulating Alaska Airlines on its 75th anniversary, pass the Senate?" The roll was taken with the following result:

HCR 9

On Reconsideration

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

and so, HOUSE CONCURRENT RESOLUTION NO. 9 passed the Senate on reconsideration, was signed by the President and Secretary and returned to the House.

Reconsideration of Senate Bills

SB 69

Senator McGuire gave notice of reconsideration on CS FOR SENATE BILL NO. 69(FIN) "An Act relating to the creation of a civil legal services fund" 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. 69(FIN) "An Act relating to the creation of a civil legal services fund" pass the Senate?" The roll was taken with the following result:

CSSB 69(FIN)

Third Reading - On Reconsideration

YEAS: 17 NAYS: 3 EXCUSED: 0 ABSENT: 0

Yeas: Bunde, Davis, Dyson, Ellis, Elton, French, Hoffman, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

Nays: Cowdery, Green, Huggins

and so, CS FOR SENATE BILL NO. 69(FIN) passed the Senate on reconsideration and was referred to the Secretary for engrossment.

Second Reading of House Bills (continued)

HB 177

President Green stated CS FOR HOUSE BILL NO. 177(FIN) am "An Act relating to the Alaska Gasline Inducement Act; providing inducements for the construction of a natural gas pipeline and shippers that commit to use that pipeline; establishing the Alaska Gasline Inducement Act reimbursement fund; providing for an Alaska Gasline Inducement Act coordinator; making conforming amendments; and providing for an effective date" will be on the May 13 calendar. Without objection, it was so ordered.

HB 185

CS FOR HOUSE BILL NO. 185(CRA) "An Act relating to certain municipal service areas that provide road services" was read the second time.

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

CS FOR HOUSE BILL NO. 185(CRA) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 185(CRA) "An Act relating to certain municipal service areas that provide road services" pass the Senate?" The roll was taken with the following result:

CSHB 185(CRA)

Third Reading - Final Passage

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

and so, CS FOR HOUSE BILL NO. 185(CRA) passed the Senate, was signed by the President and Secretary and returned to the House.

HB 209

CS FOR HOUSE BILL NO. 209(JUD) "An Act relating to the chair of the Regulatory Commission of Alaska and amending the timeline requirements for a final order of the commission; and providing for an effective date" was read the second time.

Senator Stedman, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 1215. Senator Therriault objected, then withdrew his objection. There being no further objection, SENATE CS FOR CS FOR HOUSE BILL NO. 209(FIN) "An Act amending the timeline requirements for a final order of the Regulatory Commission of Alaska; and providing for an effective date" was adopted.

Senator 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.

SENATE CS FOR CS FOR HOUSE BILL NO. 209(FIN) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 209(FIN) "An Act amending the timeline requirements for a final order of the Regulatory Commission of Alaska; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 209(FIN)
Third Reading - Final Passage
Effective Date

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 209(FIN) passed the Senate.

Senator 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.

Senator Therriault gave notice of reconsideration.

SCR 10

Senator Stevens moved and asked unanimous consent that SENATE CONCURRENT RESOLUTION NO. 10 be taken up. Without objection, SENATE CONCURRENT RESOLUTION NO. 10 was read the second time and was before the Senate on final passage.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 10 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 209, relating to the chair of the Regulatory Commission of Alaska and amending the timeline requirements for a final order of the commission, pass the Senate?" The roll was taken with the following result:

SCR 10

Second Reading - Final Passage

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

and so, SENATE CONCURRENT RESOLUTION NO. 10 passed the Senate and was referred to the Secretary for engrossment.

HB 213

CS FOR HOUSE BILL NO. 213(JUD) "An Act relating to an aggravating factor at sentencing for crimes committed at, or affecting persons or property at, certain shelters and facilities" was read the second time.

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

CS FOR HOUSE BILL NO. 213(JUD) was read the third time.

Senators Elton, McGuire, Stedman, Wielechowski, French, Dyson, Thomas, Kookesh, Ellis, Bunde moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

The question being: "Shall CS FOR HOUSE BILL NO. 213(JUD) "An Act relating to an aggravating factor at sentencing for crimes committed at, or affecting persons or property at, certain shelters and facilities" pass the Senate?" The roll was taken with the following result:

CSHB 213(JUD)

Third Reading - Final Passage

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

and so, CS FOR HOUSE BILL NO. 213(JUD) passed the Senate, was signed by the President and Secretary and returned to the House.

Second Reading of House Resolutions

HJR 15

President Green stated CS FOR HOUSE JOINT RESOLUTION NO. 15(STA) Supporting the passage of a Filipino Veterans Equity Act and a Filipino Veterans Family Reunification Act, will be on the May 13 calendar. Without objection, it was so ordered.

HCR 8

CS FOR HOUSE CONCURRENT RESOLUTION NO. 8(L&C) was read the second time and was before the Senate on final passage.

The question being: "Shall CS FOR HOUSE CONCURRENT RESOLUTION NO. 8(L&C) Establishing a legislative task force to make recommendations regarding job descriptions and salary changes for the commissioners and support staff and the possible need for additional support staff of the Regulatory Commission of Alaska, pass the Senate?" The roll was taken with the following result:

CSHCR 8(L&C)

Second Reading - Final Passage

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

and so, CS FOR HOUSE CONCURRENT RESOLUTION NO. 8(L&C) passed the Senate, was signed by the President and Secretary and returned to the House.

Citations

Honoring – Bruce Perry

Representative(s) Nelson

Senator(s) Hoffman, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

Honoring – Yaquungviat Flight School

Representative(s) Nelson

Senator(s) Hoffman, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

Honoring – Oscar Kawagley

Representative(s) Nelson

Senator(s) Hoffman, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

In Memoriam – Elton "Paul" Dinkins

Representative(s) Stoltze, Fairclough

Senator(s) Huggins, Dyson, Green, Bunde, Cowdery, Davis, Ellis, Elton, Hoffman, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

In Memoriam – Mary Angak'aq Phillip

Representative(s) Nelson

Senator(s) Hoffman, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

In Memoriam – George Hohman

Representative(s) Nelson

Senator(s) Hoffman, Green, Cowdery, Davis, Elton, Huggins, Kookesh, Olson, Stedman, Stevens, Wilken

In Memoriam – John Wassillie

Representative(s) Nelson

Senator(s) Hoffman, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

Senator 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 Stevens moved and asked unanimous consent that the following citation be made a special order of business. Without objection, it was so ordered.

Special Order of Business

In Memoriam – Vernon Lee Joseph

Representative(s) Samuels

Senator(s) Cowdery, Green, Bunde, Davis, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

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

HB 162

President Green stated CS FOR HOUSE BILL NO. 162(L&C) "An Act relating to mortgage lenders, mortgage brokers, mortgage originators, state agents who collect program administration fees, and other persons who engage in activities relating to mortgage lending; relating to mortgage loan activities; relating to an originator fund; relating to fees for mortgage loan transactions; making certain violations unfair trade practices; relating to persons who are licensed under the Alaska Small Loans Act; and providing for an effective date" which had been held to the bottom of the calendar (page 1252) will be on the May 13 calendar. Without objection, it was so ordered.

Unfinished Business**SB 178**

Senator Stedman, Cochair, moved and asked unanimous consent that Uniform Rule 23 be waived on SENATE BILL NO. 178 "An Act relating to school funding, the base student allocation, district cost factors, the local contribution, and the intensive services adjustment for state funding of public education; providing for an effective date by repealing the delayed effective date of sec. 6, ch. 41, SLA 2006; and providing for an effective date" for a 5:15 p.m. Finance Committee meeting on May 12. Senator Wilken objected.

The question being: "Shall Uniform Rule 23 be waived regarding SENATE BILL NO. 178?" The roll was taken with the following result:

SB 178

Waive Uniform Rule 23?

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

Yeas: Cowdery, Davis, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Thomas, Wielechowski

Nays: Bunde, Dyson, Therriault, Wagoner, Wilken

and so Uniform Rule 23 was waived.

Senators Bunde, Therriault moved and asked unanimous consent to be excused from a call of the Senate from August 8 through 10. Without objection, Senators Bunde, Therriault were excused.

Senator Huggins moved and asked unanimous consent to be excused from a call of the Senate from June 27 through July 3; from July 26 through August 2; from September 27 through 30; and from December 12 through 16. Without objection, Senator Huggins was excused.

SB 170

Senator Davis moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 170 "An Act requiring that health care insurers provide insurance coverage for well-baby exams." Without objection, it was so ordered.

HB 109

SENATE CS FOR CS FOR HOUSE BILL NO. 109(FIN) am S "An Act relating to bribery, receiving unlawful gratuities, and campaign contributions; denying public employee retirement pension benefits to certain legislators, legislative directors, and public officers who commit certain offenses, and adding to the duties of the Alaska Retirement Management Board and to the list of matters governed by the Administrative Procedure Act concerning that denial; relating to campaign financing and ethics, including disclosures, in state and municipal government, to lobbying, and to employment, service on boards, and disclosures by certain public officers and employees who leave state or municipal service or leave certain positions in state or municipal government; restricting representation of others by legislators; relating to blind trusts approved by the Alaska Public Offices Commission; and providing for an effective date" which had been engrossed (page 1225), was signed by the President and Secretary and returned to the House for consideration.

Announcements

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

Announcements are at the end of the journal.

Engrossment**SB 53**

CS FOR SENATE BILL NO. 53(FIN) "An Act making and amending appropriations, including capital appropriations, supplemental appropriations, and appropriations to capitalize funds; ratifying certain expenditures; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 69

CS FOR SENATE BILL NO. 69(FIN) "An Act relating to the creation of a civil legal services fund" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SCR 10

SENATE CONCURRENT RESOLUTION NO. 10 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 209, relating to the chair of the Regulatory Commission of Alaska and amending the timeline requirements for a final order of the commission, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Stevens moved and asked unanimous consent that the Senate stand in adjournment until 3:00 p.m., May 13, 2007. Without objection, the Senate adjourned at 5:05 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.

STANDING COMMITTEES

+ indicates teleconference
= indicates bill previously heard/scheduled

FINANCE

May 12 Saturday Senate Finance 532 9:00 AM

-- Recessed to 01:30 pm --

- + = HB 177 NATURAL GAS PIPELINE PROJECT
 <As Necessary>
- + HCR 6 CIVICS EDUC/ CITIZENS ADVISORY TASK FORCE
- + HB 113 OPTOMETRISTS' USE OF PHARMACEUTICALS
- + HB 90 CRIMES/CRIM PROCEDURE/SENTENCING
- + = HB 162 MORTGAGE LENDING
- + HB 166 CONTRIBUTIONS FROM PERM. FUND DIVIDENDS
- + Bills Previously Heard/Scheduled

May 12 Saturday Senate Finance 532 5:15 PM

-- Immediately Following Session --

- + SB 178 EDUCATION FUNDING
 Uniform Rule 23 Waived

May 13 Sunday Senate Finance 532 2:00 PM

- + = SB 178 EDUCATION FUNDING
- + Bills Previously Heard/Scheduled

JUDICIARY

May 12 Saturday Butrovich 205 2:00 PM
 -- Meeting Postponed to 5:15 pm --
 + SB 168 PASSENGER VESSEL TAX CREDIT

May 12 Saturday Butrovich 205 5:15 PM
 -- Immediately Following Session --
 = SB 168 PASSENGER VESSEL TAX CREDIT

May 13 Sunday Butrovich 205 2:00 PM
 = SB 168 PASSENGER VESSEL TAX CREDIT

RESOURCES

May 12 Saturday Fahrenkamp 203 1:00 PM
 + HJR 21 OPPOSE UN LAND DESIGNATIONS IN ALASKA
 -- Testimony <Time Limit May Be Set> --
 HJR 17 KENSINGTON MINE APPEAL
 -- Testimony <Time Limit May Be Set> --
 Bills Previously Heard/Scheduled

STATE AFFAIRS

May 12 Saturday Beltz 211 1:00 PM
 + HB 151 INDEMNITY CLAUSE IN PUBLIC CONTRACTS
 + HJR 22 DENOUNCE SALE OF "RAPIST" DOLL
 + HB 45 STATE VETERANS' CEMETERY & FUND
 + Bills Previously Heard/Scheduled
 HB 186 SPORT FISHING GUIDE RECORDS
 Uniform Rule 23 Waived

OTHER MEETINGS**JOINT SESSION**

May 14 Monday House Chamber 11:00 AM
 Confirmation of Governor's Appointees