

# **SENATE JOURNAL**

## **ALASKA STATE LEGISLATURE**

### **TWENTY-SECOND LEGISLATURE -- FIRST SESSION**

**Juneau, Alaska**

**Wednesday**

**February 14, 2001**

#### **Thirty-eighth Day**

Pursuant to adjournment the Senate was called to order by President Halford at 11:19 a.m.

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

The prayer was offered by the Chaplain, Pastor Larry Rorem of the Shepherd of the Valley Lutheran Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

In deepest respect for the religious beliefs of each person here, I invite you into a time of prayer and reflection. Let us pray.

Dear Lord: Be with our state and its leaders so that we never take ourselves so seriously that we cannot be open to learning from one another. May learning not be top down but horizontal with respect for every person and every issue. May shared voices result in decisions that honor all the people of our state.

We thank You for the gift of laughter and humor that is shared in this room. May good humor be a gift that sensitizes, conciliates and brings dialogue into the flow of decision making.

As this Senate steps forward into the challenges of this session, may the pressure points of differing priorities, the exposure to diverse opinions and the time expectations of all that will transpire not take away the need and desire to be in good relationship. Good relationships benefit us all and promote caring leaders.

May this session be a blessing to all. May dialogue, respect, humor and good relationships between individuals, branches of government and the people of our state be cultivated and celebrated through the dedicated efforts of all who are gathered in this room. In Your Holy Name we pray, Amen.

Senator Taylor led the Senate in the Pledge of Allegiance.

### **Certification**

Senator Leman moved and asked unanimous consent that the journal for the thirty-seventh legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

The presence of Senator Kelly was noted.

### **Communications**

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

Report on Law Enforcement Activities Related to Charitable Gaming  
from Bruce Botelho, Attorney General, Department of Law  
in accordance with AS 05.15.090

**Standing Committee Reports****SB 24**

The State Affairs Committee considered SENATE BILL NO. 24 "An Act giving notice of and approving the entry into, and the issuance of certificates of participation for, a lease-purchase agreement for a seafood and food safety laboratory facility; and providing for an effective date." Signing no recommendation: Senator Therriault, Chair, Senator Phillips. Signing do pass: Senators Pearce, Davis.

The following previously published fiscal information applies:

Fiscal Note No. 1, Department of Environmental Conservation

Fiscal Note No. 2, Department of Revenue

Fiscal Note No. 3, Department of Administration

The bill was referred to the Resources Committee.

**SB 65**

The State Affairs Committee considered SENATE BILL NO. 65 "An Act requiring a study to determine if gender is a determinant in state employee compensation." Signing do pass: Senator Therriault, Chair, Senators Halford, Pearce, Davis. Signing no recommendation: Senator Phillips.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Administration

The bill was referred to the Finance Committee.

**SJR 10**

The State Affairs Committee considered SENATE JOINT RESOLUTION NO. 10 Urging the United States Congress to fully fund the operational readiness and recapitalization requirements of the United States Coast Guard. Signing do pass: Senator Therriault, Chair, Senators Phillips, Pearce, Davis, Halford.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Senate State Affairs Committee

The resolution was referred to the Rules Committee.

**SB 52**

The Rules Committee considered SENATE BILL NO. 52 "An Act extending the termination date of the State Physical Therapy and Occupational Therapy Board." Signing to calendar: Senator Pearce, Chair, Senators Ellis, Therriault, Phillips.

The bill is on today's calendar.

**HB 44**

The Rules Committee considered CS FOR HOUSE BILL NO. 44(TRA) "An Act designating the Joe Redington, Sr., Memorial Trail." Signing to calendar: Senator Pearce, Chair, Senators Phillips, Therriault, Ellis.

The bill is on today's calendar.

**HJR 6**

The Rules Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 6(RES) Relating to opposition to the inclusion of national forests in Alaska within former President Clinton's Roadless Area Conservation rule and supporting the overturning of this inclusion by litigation, by congressional action, or by action of President Bush. Signing to calendar: Senator Pearce, Chair, Senators Therriault, Phillips. Signing under other recommendations: Senator Ellis.

The resolution is on today's calendar.

**Introduction and Reference of  
Senate Resolutions**

**SJR 13**

SENATE JOINT RESOLUTION NO. 13 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND AUDIT COMMITTEE,

Proposing amendments to the Constitution of the State of Alaska relating to inflation-proofing the permanent fund.

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

### **Introduction and Reference of Senate Bills**

#### **SB 90**

SENATE BILL NO. 90 BY SENATORS KELLY, Austerman, Ellis, entitled:

"An Act establishing the Office of Citizenship Assistance; and providing for an effective date."

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

#### **SB 91**

SENATE BILL NO. 91 BY SENATOR WARD, entitled:

"An Act relating to information and services available to pregnant women and other persons; and ensuring informed consent before an abortion may be performed, except in cases of medical emergency."

was read the first time and referred to the Health, Education and Social Services, Judiciary and Finance Committees.

#### **SB 92**

SENATE BILL NO. 92 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND AUDIT COMMITTEE, entitled:

"An Act relating to removal of members of the board of trustees of the Alaska Permanent Fund Corporation; and providing for an effective date."

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

**Consideration of the Calendar****Second Reading of Senate Bills****SB 52**

SENATE BILL NO. 52 "An Act extending the termination date of the State Physical Therapy and Occupational Therapy Board" was read the second time.

Senator Kelly, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 341. Without objection, CS FOR SENATE BILL NO. 52(FIN) was adopted and read the second time.

Senator Davis offered Amendment No. 1:

Amend Section 1, line 6 to read: (AS 08.84.010) --  
June 30, **2007** [2001];

Senator Davis moved for the adoption of Amendment No. 1. Senator Leman objected.

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

CSSB 52(FIN)  
Second Reading  
Amendment No. 1

**YEAS: 9 NAYS: 10 EXCUSED: 1 ABSENT: 0**

Yeas: Davis, Ellis, Elton, Hoffman, Kelly, Lincoln, Olson, Phillips, Torgerson

Nays: Austerman, Donley, Green, Halford, Leman, Pearce, Taylor, Therriault, Ward, Wilken

Excused: Cowdery

Austerman changed from "Yea" to "Nay".

Kelly changed from "Nay" to "Yea".

and so, Amendment No. 1 failed.

Senator Leman 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. 52(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 52(FIN) "An Act extending the termination date of the State Physical Therapy and Occupational Therapy Board" pass the Senate?" The roll was taken with the following result:

CSSB 52(FIN)

Third Reading - Final Passage

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

Yeas: Austerman, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Excused: Cowdery

and so, CS FOR SENATE BILL NO. 52(FIN) passed the Senate.

Senator Ellis gave notice of reconsideration.

### **Second Reading of House Bills**

#### **HB 44**

CS FOR HOUSE BILL NO. 44(TRA) "An Act designating the Joe Redington, Sr., Memorial Trail" was read the second time.

Senators Leman, Ward, Phillips, Halford moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

Senator Leman 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. 44(TRA) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 44(TRA) "An Act designating the Joe Redington, Sr., Memorial Trail" pass the Senate?" The roll was taken with the following result:

CSHB 44(TRA)

Third Reading - Final Passage

**YEAS: 18 NAYS: 0 EXCUSED: 1 ABSENT: 1**

Yeas: Austerman, Davis, Donley, Ellis, Elton, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Excused: Cowdery

Absent: Green

and so, CS FOR HOUSE BILL NO. 44(TRA) passed the Senate.

Senator Ellis gave notice of reconsideration.

### **Second Reading of House Resolutions**

#### **HJR 6**

CS FOR HOUSE JOINT RESOLUTION NO. 6(RES) Relating to opposition to the inclusion of national forests in Alaska within former President Clinton's Roadless Area Conservation rule and supporting the overturning of this inclusion by litigation, by congressional action, or by action of President Bush, was read the second time.

Senator Torgerson, Chair, moved and asked unanimous consent for the adoption of the Resources Senate Committee Substitute offered on page 342. Without objection, SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 6(RES) was adopted and read the second time.

Senators Taylor, Pearce, Donley moved and asked unanimous consent to be shown as cross sponsors on the resolution. Without objection, it was so ordered.



Senator Phillips offered Amendment No. 1:

Page 3, line 5 after "and":

Delete "several"

Insert "over four"

Page 3, line 25 after "the":

Delete "illegal"

Senator Phillips moved and asked unanimous consent for the adoption of Amendment No. 1. Without objection, Amendment No. 1 was adopted.

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

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 6(RES) am S was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 6(RES) am S Relating to opposition to the inclusion of national forests in Alaska within former President Clinton's Roadless Area Conservation rule and supporting the overturning of this inclusion by litigation, by congressional action, or by action of President Bush, pass the Senate?" The roll was taken with the following result:

SCS CSHJR 6(RES) am S

Third Reading - Final Passage

**YEAS: 18 NAYS: 1 EXCUSED: 1 ABSENT: 0**

Yeas: Austerman, Davis, Donley, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Ellis

Excused: Cowdery

and so, SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 6(RES) am S passed the Senate.

Senator Ellis gave notice of reconsideration.

### **Citations**

Honoring – Eielson's 354<sup>th</sup> Civil Engineering Squadron  
Senator(s) Therriault, Wilken, Kelly, Pearce, Green, Taylor,  
Austerman, Lincoln, Davis, Elton, Hoffman, Donley, Leman, Ward

Honoring – Admiral Dennis Cutler Blair  
Representative(s) Mulder  
Senator(s) Phillips, Pearce, Wilken, Green, Kelly, Taylor, Austerman,  
Lincoln, Davis, Elton, Hoffman, Donley, Leman, Ward

Senator Leman 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**

#### **SJR 10**

Senators Pearce, Taylor moved and asked unanimous consent to be shown as cosponsors on SENATE JOINT RESOLUTION NO. 10 Urging the United States Congress to fully fund the operational readiness and recapitalization requirements of the United States Coast Guard. Without objection, it was so ordered.

#### **SB 65**

Senators Davis, Ellis, Therriault, Elton, Lincoln moved and asked unanimous consent to be shown as cosponsors on SENATE BILL NO. 65 "An Act requiring a study to determine if gender is a determinant in state employee compensation." Without objection, it was so ordered.

Senator Green moved and asked unanimous consent to be excused from a call of the Senate on February 16. Without objection, Senator Green was excused.

**Announcements**

Announcements are at the end of the journal.

**Enrollment****SCR 1**

HOUSE CS FOR CS FOR SENATE CONCURRENT RESOLUTION NO. 1(RES) Relating to Avalanche Awareness Month, was 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 2:25 p.m., February 14, 2001.

**Adjournment**

Senator Leman moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 15, 2001. Without objection, the Senate adjourned at 12:21 pm.

Heidi Vogel  
Secretary of the Senate

February 2001

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

COMMUNITY & REGIONAL AFFAIRS

<b>Feb 14</b>	<b>Wednesday</b>	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
+ SB 75	SERVICE AREAS:VOTER APPROVAL/TAX ZONES		
<b>Feb 16</b>	<b>Friday</b>	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

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FINANCE

<b>Feb 14</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
SB 19	CHILD SUPPORT ENFORCEMENT/SOC SEC. #		
	Bills Previously Heard/Scheduled		
<b>Feb 15</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
SB 80	APPROP: SPECIAL OLYMPICS		
SB 73	SUPPLEMENTAL APPROPRIATIONS/AMEND APPROP.		
SB 74	FAST TRACK SUPPLEMENTAL APPROPRIATIONS		
	Overview: Governor's Supplemental Budget		
	Annalee McConnell, Director, OMB		
	Bills Previously Heard/Scheduled		

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HEALTH, EDUCATION & SOCIAL SERVICES

<b>Feb 14</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
+	Bills Previously Heard/Scheduled		

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## JUDICIARY

<b>Feb 14</b>	<b>Wednesday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>Feb 16</b>	<b>Friday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

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## LABOR & COMMERCE

<b>Feb 15</b>	<b>Thursday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
= SB 38	MEDICAL ASSISTANCE:BREAST/CERVICAL CANCER		

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## RESOURCES

<b>Feb 14</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
+	TAPS Briefing: David Wight, CEO and President Alyeska Pipeline		
<b>Feb 15</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>12:00 PM</b>
+	-- Time and Location Change -- Joint w/(H) Resources and (H) Special Committee on Oil & Gas Presentation on LNG Market in Japan and Asia: Shigeru Muraki, General Manager, Gas Resources Dept, Tokyo Gas Co. Ltd.		
<b>Feb 16</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
	No Meeting Scheduled		
<b>Feb 19</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
	Comparison of Northern vs Southern Gas Pipeline Route: Foothills Pipelines Ltd		

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**RULES**

**Feb 14      Wednesday                      Fahrenkamp 203              10:45 AM**  
 SB 52    TERMINATION OF STATE PHYS THERAPY BOARD  
 HB 44    JOE REDINGTON SR. MEMORIAL TRAIL  
 HJR 6    ROADLESS POLICY

**Feb 15      Thursday                      Fahrenkamp 203              10:45 AM**  
 SB 53    EXTENDING THE BD. OF BARBERS/HAIRDRESSERS  
 SJR 7    REINSTATE WILDERNESS STUDY PROHIBITION

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**STATE AFFAIRS**

**Feb 15      Thursday                      Beltz 211              3:30 PM**  
 Bills Previously Heard/Scheduled

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**TRANSPORTATION**

**Feb 15      Thursday                      Butrovich 205              1:30 PM**  
 No Meeting Scheduled

**Feb 23      Friday                      Anch Lio Conf Rm              1:30 PM**  
 -- Time and Location Change --  
 +      Presentation: Alaska's Future  
 Transportation Needs

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**FINANCE SUBCOMMITTEES****COMMUNITY AND ECONOMIC DEVELOPMENT**

**Feb 15      Thursday                      Senate Finance 532              3:30 PM**  
 Department Overview

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**EDUCATION & EARLY DEVELOPMENT**

**Feb 15      Thursday                      Terry Miller 104              8:00 AM**  
 Child Care Assistance, Child Care  
 Licensing, Child Care Grants, Head Start

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**FISH & GAME**

<b>Feb 15</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>2:00 PM</b>
	Division of Habitat and Restoration		
	Commercial Fisheries Entry Commission		
	Division of Commercial Fisheries		
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**LABOR & WORKFORCE DEVELOPMENT**

<b>Feb 15</b>	<b>Thursday</b>	<b>Beltz 211</b>	<b>3:45 PM</b>
	Workers' Comp/Labor Standards and Safety		
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**JOINT COMMITTEES****ADMINISTRATIVE REGULATION REVIEW**

<b>Feb 20</b>	<b>Tuesday</b>	<b>Fahrenkamp 203</b>	<b>2:45 PM</b>
+	Review of Past and Proposed Regulations		
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**ARMED SERVICES COMMITTEE**

<b>Feb 22</b>	<b>Thursday</b>	<b>House Finance 519</b>	<b>3:30 PM</b>
	Alaska's Space Mission and Military		
	Force Projection:		
	Adjutant General Phil Oates,		
	Military & Veterans Affairs Commissioner		
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**SELECT CMTE ON LEGISLATIVE ETHICS**

<b>Feb 14</b>	<b>Wednesday</b>	<b>Beltz 211</b>	<b>8:00 AM</b>
+	Open Meeting Guidelines		
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**OTHER MEETINGS****JOINT SESSION**

<b>Feb 21</b>	<b>Wednesday</b> U.S. Senator Frank Murkowski's Annual Message	<b>House Chamber</b>	<b>11:00 AM</b>
<b>Feb 23</b>	<b>Friday</b> Chief Justice Dana Fabe's State of the Judiciary Message	<b>House Chamber</b>	<b>11:00 AM</b>