

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Thursday

March 15, 2001

Sixty-seventh Day

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

The roll showed eighteen members present. Senators Lincoln, Olson were excused from a call of the Senate.

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

Eternal Spirit unto whom the founders of this nation prayed as they formed the Constitution, we would follow in that spirit as moment by moment we serve in this place.

May our life be an expression of answered prayer. From busy days and anxious moments we turn aside to bathe our spirits in the silence and power of Thy presence; we were made for service and with Your presence we may have assurance of a mission well done. Continue to bless democracy for it places value upon its people. Amen.

Senator Wilken led the Senate in the Pledge of Allegiance.

Certification

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

Introduction of Guests

Senator Phillips introduced the following members of The Yukon Legislative Assembly from the Yukon Territory, Canada: Cynthia Tucker, Government House Leader and Caucus Chair; Eric Fairclough, Critic for Education and Tourism; Mike McLarnon, Deputy Speaker and Chair of the Committee of the Whole House; Gary McRobb, Critic for Renewable Resources and Community and Transportation Services; Jim McLachlan, Assembly Member; and Pat Michael, Clerk of the Yukon Assembly.

Messages from the House**SCR 4**

Message dated March 14 was read, stating the House passed and returned:

CS FOR SENATE CONCURRENT RESOLUTION
NO. 4(STA) Relating to declaring April 6, 2001, as
Alaska Tartan Day.

The resolution was referred to the Secretary for enrollment.

Message dated March 14 was read, stating the House passed and transmitted for consideration:

**First Reading and Reference of
House Resolutions****HCR 6**

CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(HES) am
BY THE HOUSE HEALTH, EDUCATION AND SOCIAL
SERVICES COMMITTEE,

Requesting the Governor to declare March 18 - 24,
2001, to be Inhalants and Poisons Awareness Week
and August 26 - September 1, 2001, to be Inhalant
Awareness Week.

was read the first time and referred to the State Affairs Committee.

Standing Committee Reports**SB 78**

The Community and Regional Affairs Committee considered SENATE BILL NO. 78 "An Act relating to municipal regulation of radio antennas" and recommended it be replaced with

CS FOR SENATE BILL NO. 78(CRA)

Signing do pass: Senator Torgerson, Chair, Senators Phillips, Austerman.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Community and Economic Development

The bill was referred to the Rules Committee.

SB 93

Forthcoming Finance Committee Substitute (page 654) for SENATE BILL NO. 93 "An Act relating to the Arctic Winter Games Team Alaska trust; and providing for an effective date" was received today.

SB 104

The Community and Regional Affairs Committee considered SENATE BILL NO. 104 "An Act relating to state aid for volunteer services; and providing for an effective date." Signing do pass: Senator Torgerson, Chair, Senator Austerman. Signing no recommendation: Senator Phillips.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Community and Economic Development

The bill was referred to the Finance Committee.

SB 105

Forthcoming Finance Committee Substitute (page 655) for SENATE BILL NO. 105 VICTIMS' RIGHTS/ PRISONER'S PFD was received today:

CS FOR SENATE BILL NO. 105(FIN) "An Act relating to victims' rights; relating to establishing an office of victims' rights; relating to the authority of litigants and the court to comment on the crime victim's choice to appear or testify in a criminal case; relating to compensation of victims of violent crimes; relating to eligibility for a permanent fund dividend for persons convicted of and incarcerated for certain offenses; relating to notice of appropriations concerning victims' rights; amending Rules 16 and 30, Alaska Rules of Criminal Procedure, Rule 9, Alaska Delinquency Rules, and Rule 501, Alaska Rules of Evidence; and providing for an effective date."

SB 109

The Community and Regional Affairs Committee considered SENATE BILL NO. 109 "An Act relating to the unincorporated community capital project matching grant program; and providing for an effective date." Signing do pass: Senator Torgerson, Chair, Senator Austerman. Signing no recommendation: Senator Phillips.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Community and Economic Development

The bill was referred to the Finance Committee.

SB 112

The Finance Committee considered SENATE BILL NO. 112 "An Act placing certain employees of the Alaska Mental Health Trust Authority in the exempt service; establishing a minimum salary for the long term care ombudsman; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 112(FIN)

Signing do pass: Senators Donley, Kelly, Cochairs, Senators Green, Wilken, Ward, Leman. Signing no recommendation: Senators Austerman, Hoffman.

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

The bill was referred to the Rules Committee.

SJR 14

The Rules Committee considered SENATE JOINT RESOLUTION NO. 14 Urging President Bush, the United States Department of State, and the United States Congress to intervene and negotiate with the government of Canada to reconsider the imposition of a fee to transport firearms through Canada. Signing to calendar: Senator Pearce, Chair, Senators Cowdery, Phillips, Therriault.

The resolution is on today's calendar.

Introduction and Reference of Senate Bills

SB 144

SENATE BILL NO. 144 BY SENATORS OLSON, Ellis, entitled:

"An Act relating to a curriculum for Alaska history; and providing for an effective date."

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

SB 145

SENATE BILL NO. 145 BY SENATORS HALFORD, Ward, Lincoln, Olson, Austerman, Hoffman entitled:

"An Act relating to the expansion of the village public safety officer program to include the provision of probation and parole supervision services, and to retirement benefits for village public safety officers."

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

SB 146

SENATE BILL NO. 146 BY THE SENATE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to the primary election; and
providing for an effective date."

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

Fiscal note information forthcoming.

Governor's transmittal letter dated March 14:

Dear President Halford:

The United States Supreme Court decision California Democratic Party v. Jones requires states to recognize a political party's First Amendment rights in determining which voters may participate in nominating its party candidates for placement on general election ballots. This bill that I transmit today implements the findings of the primary election task force that the lieutenant governor convened to respond to this court decision.

The bill requires political parties to notify the division of elections by September 1 of the year preceding a primary election if they choose to not participate in a blanket primary. If a party fails to submit its party primary preference to the division of elections by this deadline, the party's candidates will appear on the blanket primary ballot.

The bill provides for the primary ballot to be designed as a blanket ballot. However, if a political party chooses to exclude voters not registered with its party from participating in their primary election, then a ballot listing appropriate candidates would be prepared for that party.

It is important to all Alaska voters that the legislature adopts a new primary election system this session, in time to conduct the next primary election in an orderly and efficient manner consistent with this court decision.

Sincerely,
/s/
Tony Knowles
Governor

Consideration of the Calendar

Second Reading of Senate Resolutions

SJR 14

SENATE JOINT RESOLUTION NO. 14 Urging President Bush, the United States Department of State, and the United States Congress to intervene and negotiate with the government of Canada to reconsider the imposition of a fee to transport firearms through Canada, was read the second time.

Senator Therriault, Chair, moved and asked unanimous consent for the adoption of the State Affairs Committee Substitute offered on page 535. Without objection, CS FOR SENATE JOINT RESOLUTION NO. 14 (STA) was adopted and read the second time.

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.

CS FOR SENATE JOINT RESOLUTION NO. 14(STA) was read the third time.

Senators Ward, Leman, Green, Kelly, Donley, Pearce, Davis, Cowdery, Therriault, Halford moved and asked unanimous consent to be shown as cosponsors on the resolution. Without objection, it was so ordered.

The question being: "Shall CS FOR SENATE JOINT RESOLUTION NO. 14(STA) Urging President Bush, the United States Department of State, and the United States Congress to intervene and negotiate with the government of Canada to reconsider the imposition of a fee to transport firearms through Canada, pass the Senate?" The roll was taken with the following result:

CSSJR 14(STA)

Third Reading - Final Passage

YEAS: 18 NAYS: 0 EXCUSED: 2 ABSENT: 0

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

Excused: Lincoln, Olson

and so, CS FOR SENATE JOINT RESOLUTION NO. 14(STA) passed the Senate.

Senator Ellis gave notice of reconsideration.

Citations

Honoring – Mary Calhoun, Alaska City Clerk of the Year
Senator(s) Torgerson, Pearce, Green, Kelly, Taylor, Austerman, Lincoln, Davis, Elton, Hoffman, Leman, Wilken, Halford, Therriault

Honoring – Kodiak Special Olympics, Unified Floor Hockey Team
Representative(s) Stevens
Senator(s) Austerman, Ward, Pearce, Green, Kelly, Taylor, Lincoln, Davis, Elton, Hoffman, Leman, Wilken, Halford, Therriault

Honoring – Linda Schandelmeier
Representative(s) Whitaker, Davies
Senator(s) Kelly, Pearce, Green, Taylor, Austerman, Lincoln, Davis, Elton, Hoffman, Leman, Wilken, Halford, Therriault

Honoring – Consul General Yoshinori Tsujimoto
Senator(s) Cowdery, Pearce, Green, Kelly, Taylor, Austerman, Lincoln, Davis, Elton, Hoffman, Leman, Wilken, Halford, Therriault

In Memoriam – Jim Munson
Representative(s) Chenault
Senator(s) Ward, Pearce, Green, Kelly, Taylor, Austerman, Lincoln,
Davis, Elton, Hoffman, Leman, Wilken, Halford, Therriault

In Memoriam – Axenia Annie Simeon Nook
Representative(s) Morgan
Senator(s) Lincoln, Pearce, Green, Kelly, Taylor, Austerman, Davis,
Elton, Hoffman, Leman, Wilken, Halford, Therriault

In Memoriam – Christopher D. Kobierowski
Representative(s) Harris
Senator(s) Lincoln, Pearce, Green, Kelly, Taylor, Austerman, Davis,
Elton, Hoffman, Leman, Wilken, Halford, Therriault

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.

Announcements

Announcements are at the end of the journal.

Enrollment

SJR 8

HOUSE CS FOR CS FOR SENATE JOINT RESOLUTION NO. 8(MLV) am H Relating to supporting polling places at military installations, 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 8:45 a.m., March 15, 2001.

Adjournment

Senator Lemman moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., March 16, 2001. Without objection, the Senate adjourned at 11:44 a.m.

Heidi Vogel
Secretary of the Senate

March 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

+ indicates teleconference
 = indicates bill previously heard/scheduled

COMMUNITY & REGIONAL AFFAIRS

Mar 16	Friday	Fahrenkamp 203	1:30 PM
		No Meeting Scheduled	
Mar 19	Monday	Fahrenkamp 203	1:30 PM
+ SB 1	FOUNDATION FORMULA INCREASE		
+ SB 59	FEDERAL FUNDS TO MUNICIPALITIES FOR ROADS		
+ HB 13	SERVICE AREAS:VOTER APPROVAL/TAX ZONES		
+ HB 24	BOROUGH REVENUES FOR TOURISM MARKETING		
Mar 21	Wednesday	Fahrenkamp 203	1:30 PM
		No Meeting Scheduled	
Mar 23	Friday	Fahrenkamp 203	1:30 PM
		No Meeting Scheduled	

FINANCE

Mar 15	Thursday	Senate Finance 532	9:15 AM
		-- Time Change --	
+ SB 112	LONG-TERM CARE OMBUDSMAN;MENTAL HLTH AUTH		
+ HB 90	MUNICIPAL SCHOOL BOND REIMBURSEMENT		
	Bills Previously Heard/Scheduled		
Mar 16	Friday	Senate Finance 532	9:00 AM
	University of Alaska Budget Request/ Missions and Measures Bills Previously Heard/Scheduled		

FINANCE (continued)

Mar 19 Monday Senate Finance 532 9:00 AM
 SCR 7 HEALTH CARE COST REVIEW TASK FORCE
 SB 4 MUNICIPAL PROPERTY TAX EXEMPTION
 SB 137 ALASKA HUMAN RESOURCE INVESTMENT COUNCIL
 SB 6 MOBILE HOME PARK EVICTION NOTICE
 Bills Previously Heard/Scheduled

Mar 20 Tuesday Senate Finance 532 9:00 AM
 = SB 29 APPROP: GOVERNOR'S CAPITAL BUDGET
 Bills Previously Heard/Scheduled

Mar 21 Wednesday Senate Finance 532 9:00 AM
 No Meeting Scheduled

Mar 22 Thursday Senate Finance 532 9:00 AM
 SB 48 MUNICIPALITIES:INCORP/PROPERTY VALUATION
 SB 103 ELECTION CAMPAIGNS AND LEGISLATIVE ETHICS
 SB 88 METROPOLITAN PLANNING ORGANIZATIONS
 Bills Previously Heard/Scheduled

Mar 23 Friday Senate Finance 532 9:00 AM
 HB 103 APPROP: OPERATING BUDGET
 <Pending Referral>
 HB 104 APPROP: MENTAL HEALTH BUDGET
 <Pending Referral>
 Budget Subcommittee Chairs' Progress Rpts
 -- no public testimony --
 -- no testimony by invitation --
 Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

Mar 15 Thursday Senate Finance 532 8:00 AM
 -- Time and Location Change --
 + Key Campaign
 Uniform Rule 23 Waived

HEALTH, EDUCATION & SOCIAL SERVICES (continued)

Mar 16 Friday Beltz 211 11:15 AM
 -- Time and Location Change --
 (Upon Adjournment)
 += SB 133 PUBLIC SCHOOL EXIT EXAM
 += SB 67 ASSISTED LIVING HOMES
 += SB 91 ABORTION: INFORMED CONSENT; INFORMATION
 + SB 86 TEACHER EMPLOYMENT & SUBJECT EXPERTISE
 += SB 94 EDUCATION FUNDING
 Bills Previously Heard/Scheduled

Mar 19 Monday Butrovich 205 1:30 PM
 + Education Funding Task Force Presentation
 Bills Previously Heard/Scheduled

Mar 21 Wednesday Butrovich 205 1:30 PM
 + Bridges Campaign Presentation
 Bills Previously Heard/Scheduled

JUDICIARY

Mar 16 Friday Beltz 211 1:30 PM
 No Meeting Scheduled

Mar 19 Monday Beltz 211 1:30 PM
 + HB 34 RULE AGAINST PERPETUITIES
 + SB 85 FAILURE TO REPORT A VIOLENT CRIME

Mar 21 Wednesday Beltz 211 1:30 PM
 + SB 82 2001 REVISOR'S BILL
 + SB 142 LEASE-PURCHASE SPRING CREEK CORRECTIONAL

Mar 23 Friday Beltz 211 1:30 PM
 No Meeting Scheduled

LABOR & COMMERCE

Mar 15 Thursday Beltz 211 1:30 PM
 += SB 66 FINANCIAL INSTITUTIONS
 Bills Previously Heard/Scheduled

LABOR & COMMERCE (continued)

Mar 20 Tuesday Beltz 211 1:30 PM
 + SB 138 INSURANCE CODE AMENDMENTS
 Bills Previously Heard/Scheduled

Mar 22 Thursday Beltz 211 1:30 PM
 Bills Previously Heard/Scheduled

RESOURCES

Mar 16 Friday Butrovich 205 3:30 PM
 + SB 121 RIGHT-OF-WAY LEASING ACT
 SB 125 LAND ENTRY UNDER STATE RESERVATION OF RT.
 <Above Bill Removed from Agenda>

+ SJR 15 CHILEAN FARMED SALMON
 + HJR 10 GROUND FISH FISHERIES AND STELLER SEA LION

Mar 19 Monday Butrovich 205 3:30 PM
 + SB 136 RESOURCE DEVELOPMENT: BD./GRANTS/FUND
 + SB 143 RIGHT-OF-WAY LEASING ACT:APPLICATION COST

Mar 21 Wednesday Butrovich 205 3:30 PM
 += SB 125 LAND ENTRY UNDER STATE RESERVATION OF RT.
 + SB 140 SMALL WATER-POWER DEVELOPMENT PROJECTS
 + SB 24 LEGIS APPROVAL OF SEAFOOD/FOOD SAFETY LAB

Mar 23 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

RULES

Mar 15 Thursday Fahrenkamp 203 10:45 AM
 SJR 14 OPPOSE CANADIAN FEE TO TRANSPORT FIREARMS

Mar 16 Friday Fahrenkamp 203 11:15 AM
 -- Upon Recess --
 SB 119 WILLIAM R. WOOD FAIRBANKS INTL AIRPORT
 SB 93 ARCTIC WINTER GAMES TEAM ALASKA TRUST
 HCR 6 INHALANTS AND POISONS AWARENESS WEEKS
 <Pending Referral>

STATE AFFAIRS

- Mar 15 Thursday Beltz 211 3:30 PM**
 HB 109 VOTING IN PERSON BY ABSENTEE BALLOT
 + SB 126 RIGHT OF ACTION FOR LEGAL SEPARATION
 --Following Bills Cont from 3/13/01--
 = HCR 6 INHALANTS AND POISONS AWARENESS WEEKS
 <Pending Referral>
 = SB 90 OFFICE OF CITIZENSHIP ASSISTANCE
- Mar 20 Tuesday Beltz 211 3:30 PM**
 Overview: Readyng Our Workforce for
 Progress
 Steve Goodrich, President, Center for
 Organizational Excellence
 SJR 17 FEDERAL GUN POLICIES
 Bills Previously Heard/Scheduled
- Mar 22 Thursday Beltz 211 3:30 PM**
 SB 127 OPTIONAL BLANKET PRIMARY
 SB 146 MODIFIED BLANKET PRIMARY ELECTION
 SCR 8 POLITICAL PARTIES BLANKET PRIMARY ELECTNS

TRANSPORTATION

- Mar 15 Thursday Butrovich 205 1:30 PM**
 No Meeting Scheduled
- Mar 20 Tuesday Butrovich 205 1:30 PM**
 No Meeting Scheduled
- Mar 22 Thursday Butrovich 205 1:30 PM**
 + SB 123 LEGISLATIVE APPROVAL:RAILROAD FACILITIES
 + SB 111 BONDS TO FUND PORTS AND HARBORS
 + SB 44 ALASKA TOLL BRIDGE AND CAUSEWAY
 AUTHORITY
 + SB 45 APPROP: DESIGN OF KNIK ARM CROSSING

FINANCE SUBCOMMITTEES**ADMINISTRATION**

Mar 19 Monday Fahrenkamp 203 8:00 AM
 Review Operating Budget

CORRECTIONS

Mar 22 Thursday Fahrenkamp 203 8:00 AM
 Review Operating Budget

EDUCATION & EARLY DEVELOPMENT

Mar 20 Tuesday Terry Miller 104 8:00 AM
 Education Funding Task Force Presentation

Mar 20 Tuesday Terry Miller 104 3:30 PM
 Child Care Issues

LAW

Mar 15 Thursday Terry Miller 104 8:00 AM
 -- Meeting Canceled --
 FY02 Operating Budget
 Major Increments and Decrements

Mar 19 Monday Terry Miller 104 8:00 AM
 FY02 Operating Budget
 Major Increments and Decrements

NATURAL RESOURCES

Mar 19 Monday Senate Finance 532 12:00 PM
 Operating Budget

FINANCE SUBCOMMITTEES (continued)**PUBLIC SAFETY**

Mar 15 **Thursday** **Fahrenkamp 203** **3:45 PM**
 -- Meeting Canceled --
 Specific GF Increments/Decrements

TRANSPORTATION & PUBLIC FACILITIES

Mar 21 **Wednesday** **Fahrenkamp 203** **8:00 AM**
 Review Operating Budget

JOINT COMMITTEES**ADMINISTRATIVE REGULATION REVIEW**

Mar 20 **Tuesday** **Capitol 102** **2:45 PM**
 +
 Kachemak Bay Closure to Bottom
 Mariculture (continued from 3/8/01)

Mar 27 **Tuesday** **Capitol 102** **2:45 PM**
 +
 To be announced

Apr 03 **Tuesday** **Capitol 102** **2:45 PM**
 +
 To Be Announced

OTHER MEETINGS**CHILDREN'S CAUCUS**

Mar 20 **Tuesday** **Fahrenkamp 203** **12:00 PM**
 Alaska State Troopers: Child Abuse in AK

FISH CAUCUS

Mar 16 **Friday** **Butrovich 205** **12:00 PM**
 Local Area Management Plans