

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Monday

March 19, 2001

Seventy-first Day

Pursuant to adjournment the Senate was called to order by President Halford at 11:14 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Father Michael Nash of the Cathedral of the Nativity. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Good and Loving God, in Your wisdom You created in human persons a desire to live together and to form communities. Here, in the chamber of the Alaska State Senate, may the voices of all Alaskans, from the greatest to the least, be heard and respected. Grant wisdom to the members of this body as they endeavor to balance the autonomy of the individual against the needs of society. May they be people of deep integrity. May their decisions always advance the common good of the people of this state. We pray
You gracious God. Amen.

Senator Torgerson led the Senate in the Pledge of Allegiance.

Certification

Senator Leman moved and asked unanimous consent that the journals for the sixty-eighth through seventieth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the Governor**SB 146**

Forthcoming fiscal information (page 676) for SENATE BILL NO. 146 "An Act relating to the primary election; and providing for an effective date" published today:

Fiscal Note No. 1, Office of the Governor

Messages from the House**SCR 2**

Message dated March 16 was read, stating the House passed and returned:

CS FOR SENATE CONCURRENT RESOLUTION
NO. 2(HES) Relating to declaring March 2001 as
Sobriety Awareness Month.

The resolution was referred to the Secretary for enrollment.

SB 16

Message dated March 16 was read, stating the House passed and returned:

CS FOR SENATE BILL NO. 16(RLS) "An Act regarding oil discharge prevention and cleanup involving self-propelled nontank vessels exceeding 400 gross registered tonnage and railroad tank cars and related facilities and operations and requiring preparation and implementation of oil discharge contingency plans for those nontank vessels and railroad tank cars; amending the definition of 'response action' that relates to releases or threatened releases of oil and thereby amending the duties and liabilities of response action contractors; authorizing compliance verification for nontank vessels and for trains and related facilities and operations; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

HB 117

Message dated March 16 was read, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 117(FIN) am, thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO.
117(FIN) "An Act making supplemental and other
appropriations; and providing for an effective date."

HCR 6

Message dated March 16 was read, stating the House concurred in the Senate amendment to CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(HES) am, thus adopting:

SENATE CS FOR CS FOR HOUSE
CONCURRENT RESOLUTION NO. 6(STA)
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.

Message dated March 16 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills**HB 150**

HOUSE BILL NO. 150 BY THE HOUSE LABOR AND COMMERCE COMMITTEE BY REQUEST, entitled:

"An Act relating to insurance premiums for rental
motor vehicles."

was read the first time and referred to the Labor and Commerce and Judiciary Committees.

Standing Committee Reports**SJR 15**

The Resources Committee considered SENATE JOINT RESOLUTION NO. 15 Relating to imports of salmon from Chile. Signing do pass: Senator Torgerson, Chair, Senators Taylor, Pearce, Kelly, Elton, Halford.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Senate Resources Committee

The resolution was referred to the Rules Committee.

HJR 10

The Resources Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 10(FSH) Relating to the management of the Bering Sea/Aleutian Islands and Gulf of Alaska groundfish fisheries and the protection and restoration of the Steller sea lion. Signing do pass: Senator Torgerson, Chair, Senators Pearce, Taylor, Kelly, Elton, Halford.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, House Special Committee on Fisheries

The resolution was referred to the Rules Committee.

SB 77

The Rules Committee considered SENATE BILL NO. 77 "An Act repealing the exception that applies to collection and payment of interest of \$150 or less on royalty or net profit share underpayments and overpayments; and providing for an effective date." Signing to calendar: Senator Pearce, Chair, Senators Phillips, Therriault, Cowdery.

The bill is on today's calendar.

**Introduction and Reference of
Senate Resolutions**

SJR 21

SENATE JOINT RESOLUTION NO. 21 BY THE SENATE
HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE,

Urging the United States Congress to extend the
authorization date for supplemental block grants to
the State of Alaska under the Federal Temporary
Assistance to Needy Families Program.

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

Introduction and Reference of Senate Bills

SB 149

SENATE BILL NO. 149 BY SENATOR LEMAN, entitled:

"An Act establishing the Alaska education and health
care professional incentive program; and providing
for an effective date."

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

SB 150

SENATE BILL NO. 150 BY SENATOR WARD, entitled:

"An Act making appropriations for the design and
construction of a youth detention facility in Kenai;
and providing for an effective date."

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

Consideration of the Calendar**Second Reading of Senate Bills****SB 77**

SENATE BILL NO. 77 "An Act repealing the exception that applies to collection and payment of interest of \$150 or less on royalty or net profit share underpayments and overpayments; and providing for an effective date" was read the second time.

Senator Lemman 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 BILL NO. 77 was read the third time.

The question being: "Shall SENATE BILL NO. 77 "An Act repealing the exception that applies to collection and payment of interest of \$150 or less on royalty or net profit share underpayments and overpayments; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SB 77

Third Reading - Final Passage

Effective Date

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

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

and so, SENATE BILL NO. 77 passed the Senate.

Senator Lemman 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.

Citations

Honoring – Malcolm Fleming, Alaska State Principal of the Year
Senator(s) Torgerson, Donley, Wilken, Leman, Pearce, Elton, Green,
Davis, Kelly, Lincoln, Taylor, Austerman, Ellis, Hoffman

Honoring – Tim Osmar, Winner - 2001 Yukon Quest International
Sled Dog Race
Senator(s) Torgerson, Phillips, Donley, Wilken, Leman, Pearce, Elton,
Green, Davis, Kelly, Lincoln, Taylor, Austerman, Ellis, Hoffman

Honoring – Mrs. Eunice Kennedy Shriver, Founder and Honorary
Chairman, Special Olympics, Incorporated
Representative(s) McGuire
Senator(s) Cowdery, Wilken, Leman, Pearce, Elton, Green, Davis,
Kelly, Lincoln, Taylor, Austerman, Ellis, Hoffman

Honoring – Jason Palmer, Eagle Scout
Representative(s) Williams
Senator(s) Taylor, Phillips, Wilken, Leman, Pearce, Elton, Green,
Davis, Kelly, Lincoln, Austerman, Ellis, Hoffman

In Memoriam – Charles Simpler
Representative(s) Harris
Senator(s) Lincoln, Wilken, Leman, Pearce, Elton, Green, Davis,
Kelly, Taylor, Austerman, Hoffman

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.

Senator Leman 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

Honoring – Paul Queary, The Associated Press
Representative(s) Berkowitz
Senator(s) Leman, Elton, Davis, Lincoln, Austerman, Kelly, Green,
Pearce, Hoffman

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

Unfinished Business

Senator Taylor moved and asked unanimous consent to be excused from the Senate, not subject to a call, from plane time, March 23 through plane time, March 25. Without objection, Senator Taylor was excused.

Senator Pearce moved and asked unanimous consent to be excused from a call of the Senate on March 21 and from March 26 through morning plane time, March 27. Without objection, Senator Pearce was excused.

Senator Leman moved and asked unanimous consent to be excused from a call of the Senate on March 21. Without objection, Senator Leman was excused.

Announcements

Announcements are at the end of the journal.

Engrossment

SB 77

SENATE BILL NO. 77 "An Act repealing the exception that applies to collection and payment of interest of \$150 or less on royalty or net profit share underpayments and overpayments; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Leman moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., March 20, 2001. Without objection, the Senate adjourned at 11:30 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 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 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		

FINANCE (continued)

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
 HB 104 APPROP: MENTAL HEALTH BUDGET
 Budget Subcommittee Chairs' Progress Rpts
 -- no public testimony --
 -- no testimony by invitation --
 Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

Mar 19 Monday Butrovich 205 1:30 PM
 + Education Funding Task Force Presentation
 += SB 86 TEACHER EMPLOYMENT & SUBJECT EXPERTISE
 Bills Previously Heard/Scheduled

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

JUDICIARY

Mar 19 Monday Beltz 211 1:30 PM
 + HB 34 RULE AGAINST PERPETUITIES
 + SB 85 FAILURE TO REPORT A VIOLENT CRIME
 <Above Bill Removed from Agenda>

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 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 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 19 Monday Fahrenkamp 203 10:45 AM
 SB 77 NET PROFIT SHARE UNDER/OVERPAYMENTS
 SB 78 MUNICIPAL REGULATION OF RADIO ANTENNAS
 SB 99 DNA REGISTRATION OF BURGLARS

Mar 20 Tuesday Fahrenkamp 203 10:45 AM
 SB 64 HIGH SCHOOL DIPLOMA FOR CERTAIN WWII VETS
 SB 65 PAY EQUITY FOR STATE EMPLOYEES
 = SB 99 DNA REGISTRATION OF BURGLARS
 SB 105 VICTIMS' RIGHTS/ PRISONER'S PFD
 SB 112 LONG-TERM CARE OMBUDSMAN;MENTAL HLTH
 AUTH

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STATE AFFAIRS

Mar 20 Tuesday Beltz 211 3:00 PM
 -- Time Change --
 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 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
 -- Meeting Postponed to 3/20/01--
 Review Operating Budget

Mar 20 Tuesday Fahrenkamp 203 8:00 AM
 -- Rescheduled from 3/19/01 --
 Review Operating Budget

FINANCE SUBCOMMITTEES (continued)**COMMUNITY AND ECONOMIC DEVELOPMENT**

Mar 22	Thursday	Senate Finance 532	3:30 PM
	Budget Closeout		

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		

ENVIRONMENTAL CONSERVATION

Mar 22	Thursday	Butrovich 205	4:30 PM
	Budget Closeout		

FISH & GAME

Mar 22	Thursday	Senate Finance 532	1:30 PM
	Budget Closeout		

LABOR & WORKFORCE DEVELOPMENT

Mar 20	Tuesday	Fahrenkamp 203	5:30 PM
	Budget Closeout		

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FINANCE SUBCOMMITTEES (continued)

LAW

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

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 23 **Friday** **Butrovich 205** **12:00 PM**
+ Dept of Fish & Game's use of commercial test fisheries

MINORITY CAUCUS

Mar 19 **Monday** **Governor's Conf Rm** **4:00 PM**
Joint Open Caucus with House:
Presentation by the Education Task Force