

# SENATE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Tuesday

April 3, 2001

#### Eighty-sixth Day

Pursuant to adjournment the Senate was called to order by President Halford at 11:22 a.m.

The roll showed nineteen members present. Senator Cowdery was absent.

The prayer was offered by the Chaplain, Jesse Kiehl of the Juneau Jewish Community. Senator Hoffman moved and asked unanimous consent that the prayers for today and April 2 be spread. Without objection, it was so ordered.

Grant, O Eternal God, that we may live this day in peace, and raise us up, each morning, to life renewed. Spread over us the shelter of Your peace; guide us with Your good counsel; and for Your name's sake, be our Help. Shield us from hatred and sickness; keep us from strife and famine and anguish. O God, our Guardian and Helper, give us refuge in the shadow of Your wings. O guard our coming and going, that now and always we have life and peace. *Baruch atah Adonai.* Blessed is the Eternal, whose shelter of peace spreads over us, and over all the people of the world.

We add a prayer today for Juanita Cowdery, wife of Senator Cowdery. *Mi Sheberakh:* May the One who blessed our ancestors and the forebearers of all people, bless and heal those who are ill. May the Holy Blessed One overflow with compassion upon them, to restore them, and to heal and strengthen them. May God send Juanita speedily a complete healing - healing of the soul and healing of the body - along with all those who are ill, and let us all say: Amen.

Prayer offered April 2:

*Baruch atah Adonai, eloheinu melekh ha-olam, hama-avir shayno may-aynoy usnumo mayafapoi.* Blessed art Thou, Eternal God, ruler of the universe, Who removes sleep from the eyes and slumber from the eyelids.

*Baruch atah Adonai, eloheinu ruach ha-olam, pokayach ivrim.* Blessed are You, Eternal God, Who guides all the world, and Who opens the eyes of the blind.

*Baruch atah Adonai, eloheinu melekh ha-olam, zokaiif kefufim.* Blessed is the Eternal our God, Maker of the universe, Who lifts up the fallen.

*Baruch atah Adonai, eloheinu ruach ha-olam, hanosayn layo-ayf koach.* Blessed art Thou, oh Eternal God, Who gives strength to the weary.

*Oseh shalom bimromav hu ya-asseh shalom aleinu, v'al kol yoshvei teyvel, veimru. Amen.* May the one Who makes peace in the high places help us and all those on earth to achieve Shalom: oneness with ourselves, one another and with God. Amen.

Senator Davis led the Senate in the Pledge of Allegiance.

Senator Leman moved and asked unanimous consent that Senator Cowdery be excused from a call of the Senate. Without objection, it was so ordered.

### **Certification**

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

**Messages from the House****HB 24**

Message dated April 2 was read, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 24(EDT) "An Act relating to use of borough revenues from a sales tax levied upon room rentals for a tourism marketing campaign" thus adopting:

CS FOR HOUSE BILL NO. 24(EDT)(efd add S)  
"An Act relating to use of borough revenues from a sales tax levied upon room rentals for a tourism marketing campaign; and providing for an effective date."

**Standing Committee Reports****SB 76**

The Resources Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 76 "An Act relating to the Alaska Right-of-Way Leasing Act; and providing for an effective date." Signing do pass: Senator Torgerson, Chair, Senators Pearce, Halford. Signing no recommendation: Senators Lincoln, Elton.

The following fiscal information was published today:

Fiscal Note No. 1, indeterminate, Department of Natural Resources

The bill was referred to the Rules Committee.

**SB 91**

The Health, Education and Social Services Committee considered SENATE BILL NO. 91 "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" and recommended it be replaced with

CS FOR SENATE BILL NO. 91(HES)

Signing do pass: Senator Green, Chair, Senators Leman, Ward. Signing no recommendation: Senator Wilken.

The following fiscal information was published today:  
Fiscal Note No. 1, Department of Health and Social Services

The bill was referred to the Judiciary Committee.

**SB 121**

The Resources Committee considered SENATE BILL NO. 121 "An Act adding, for purposes of the Alaska Right-of-Way Leasing Act, a definition of 'substantial change' as applied to an amended right-of-way lease application; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 121(RES)

Signing do pass: Senator Torgerson, Chair, Senators Taylor, Pearce, Kelly.

The following fiscal information was published today:  
Fiscal Note No. 1, zero, Department of Natural Resources

The bill was referred to the Finance Committee.

**SB 148**

The Resources Committee considered SENATE BILL NO. 148 "An Act relating to remote water storage for fire departments." Signing do pass: Senator Torgerson, Chair, Senators Taylor, Pearce, Kelly.

The following fiscal information was published today:  
Fiscal Note No. 1, Department of Natural Resources

The bill was referred to the Finance Committee.

**HCR 5**

The Rules Committee considered HOUSE CONCURRENT RESOLUTION NO. 5(title am) Proposing amendments to Uniform Rules 20(a), 37, and 49(a)(4) of the Alaska State Legislature. Signing to calendar: Senator Pearce, Chair, Senators Phillips, Therriault, Ellis.

The resolution is on today's calendar.

**Introduction and Reference of Senate Bills****SB 174**

SENATE BILL NO. 174 BY THE SENATE FINANCE COMMITTEE, entitled:

"An Act relating to education funding; 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 Resolutions****HCR 5**

HOUSE CONCURRENT RESOLUTION NO. 5(title am) Proposing amendments to Uniform Rules 20(a), 37, and 49(a)(4) of the Alaska State Legislature, was read the second time.

Senator Therriault, Chair, moved and asked unanimous consent for the adoption of the State Affairs Senate Committee Substitute offered on page 452. Without objection, SENATE CS FOR HOUSE CONCURRENT RESOLUTION NO. 5(STA) was adopted, read the second time and was before the Senate on final passage.

The question being: "Shall SENATE CS FOR HOUSE CONCURRENT RESOLUTION NO. 5(STA) Proposing amendments to Uniform Rules 20(a), 37, and 49(a)(4) of the Alaska State Legislature, pass the Senate?" The roll was taken with the following result:

SCS HCR 5(STA)

Second 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, SENATE CS FOR HOUSE CONCURRENT RESOLUTION NO. 5(STA) passed the Senate and was referred to the Secretary for engrossment.

### **Unfinished Business**

#### **SB 156**

The reconsideration on CS FOR SENATE BILL NO. 156(RES) "An Act amending the Alaska Land Act to clarify the requirement of a single written best interest finding required for the sale, lease, or other disposal of state land or resources or an interest in them, and relating to certain disposals involving multiphased development; and providing for an effective date" was not taken up this legislative day and the bill was referred to the Secretary for engrossment.

### **Announcements**

#### **SJR 22**

Senator Taylor, Chair, moved and asked unanimous consent that Uniform Rule 23 be waived on SENATE JOINT RESOLUTION NO. 22 Proposing an amendment to the Constitution of the State of Alaska relating to the retention elections for justices of the Alaska supreme court and judges of the superior court, for the Judiciary Committee meeting on April 4. Without objection, it was so ordered.

#### **HB 13**

Senator Taylor, Chair, moved and asked unanimous consent that Uniform Rule 23 be waived on CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 13(JUD) "An Act relating to municipal service areas and providing for voter approval of the formation, alteration, or abolishment of certain service areas" for the Judiciary Committee meeting on April 4. Without objection, it was so ordered.

Announcements are at the end of the journal.

**Engrossment****SB 156**

CS FOR SENATE BILL NO. 156(RES) "An Act amending the Alaska Land Act to clarify the requirement of a single written best interest finding required for the sale, lease, or other disposal of state land or resources or an interest in them, and relating to certain disposals involving multiphased development; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**HCR 5**

SENATE CS FOR HOUSE CONCURRENT RESOLUTION NO. 5(STA) Proposing amendments to Uniform Rules 20(a), 37, and 49(a)(4) of the Alaska State Legislature, was engrossed, signed by the President and Secretary and returned to the House for consideration.

**Adjournment**

Senator Leman moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., April 4, 2001. Without objection, the Senate adjourned at 11:39 a.m.

Heidi Vogel  
Secretary of the Senate

April 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**

**Apr 04      Wednesday                  Fahrenkamp 203                  1:30 PM**  
 + HB 16 HOME RULE COMMUNITIES

**Apr 06      Friday                                  Fahrenkamp 203                  1:30 PM**  
 No Meeting Scheduled

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**FINANCE**

**Apr 03      Tuesday                                  Senate Finance 532                  9:00 AM**  
 = HB 103 APPROP: OPERATING BUDGET  
 = HB 104 APPROP: MENTAL HEALTH BUDGET  
 Bills Previously Heard/Scheduled

**Apr 04      Wednesday                                  Senate Finance 532                  9:00 AM**  
 = HB 103 APPROP: OPERATING BUDGET  
 = HB 104 APPROP: MENTAL HEALTH BUDGET  
 Bills Previously Heard/Scheduled

**Apr 05      Thursday                                  Senate Finance 532                  9:00 AM**  
 += HB 103 APPROP: OPERATING BUDGET  
 += HB 104 APPROP: MENTAL HEALTH BUDGET  
 + SB 154 REPEAL SUNSET OF MENTAL HEALTH ASSISTANCE  
 += SB 136 RESOURCE DEVELOPMENT: BD./GRANTS/FUND  
 += SB 123 LEGISLATIVE APPROVAL:RAILROAD FACILITIES  
 + Bills Previously Heard/Scheduled



**FINANCE (continued)**

**Apr 06 Friday Senate Finance 532 9:00 AM**  
 += HB 103 APPROP: OPERATING BUDGET  
 += HB 104 APPROP: MENTAL HEALTH BUDGET  
 + SB 172 COURT SYSTEM ANNUAL REPORT  
 + HB 118 SR. CIT./VETERAN PROPERTY TAX EXEMPTION  
 + SB 158 REPORT:STATE PARTICIPATE IN NAT GAS PIPE.  
 + SB 3 APPROP:ENV.ASSESS. NORTHERN DENALI ACCESS  
 + Bills Previously Heard/Scheduled

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**HEALTH, EDUCATION & SOCIAL SERVICES**

**Apr 04 Wednesday Butrovich 205 1:30 PM**  
 + Discussion of Medicaid Directions  
 + SB 135 MENTAL HEALTH INFORMATION AND RECORDS  
 Bills Previously Heard/Scheduled

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**JUDICIARY**

**Apr 04 Wednesday Beltz 211 1:30 PM**  
 + SB 161 NO PAY FOR JUDGES UNTIL DECISION  
 + SB 166 APPOINTMENT OF US SENATORS  
 += HB 13 SERVICE AREAS:VOTER APPROVAL/TAX ZONES  
 Uniform Rule 23 Waived  
 += SJR 22 CONST. AM: JUDICIAL OFFICERS' TERMS  
 Uniform Rule 23 Waived

**Apr 06 Friday Beltz 211 1:30 PM**  
 + HB 150 INSURANCE PREMIUMS FOR RENTAL VEHICLES

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**LABOR & COMMERCE**

**Apr 03 Tuesday Beltz 211 1:30 PM**  
 += SB 66 FINANCIAL INSTITUTIONS  
 + SB 50 EXTENDING BOARD OF VETERINARY EXAMINERS

**Apr 05 Thursday Beltz 211 1:30 PM**  
 += SB 138 INSURANCE CODE AMENDMENTS  
 + SB 30 UNEMPLOYMENT COMPENSATION BENEFITS

**RESOURCES**

**Apr 04      Wednesday                      Butrovich 205              3:30 PM**

- + SB 35 ELECTRONIC FISH & GAME LICENSURE
- + SB 139 STATE WATER USE
- + SB 167 AGRICULTURAL LAND
- + Bills Previously Heard/Scheduled

**Apr 06      Friday                                      Butrovich 205              3:30 PM**

- + Governor's Confirmations:
  - Bruce C. Twomley, AK CFEC
  - William H. Dennerlein, Board of Game
  - Ben Grussendorf, Board of Game
  - Dr. Julie Maier, Board of Game
  - Julie M. Heusser, AK Oil and Gas
  - Conservation Commission
- += SB 140 SMALL WATER-POWER DEVELOPMENT PROJECTS
- + SB 115 EXTEND BD. OF STORAGE TANK ASSISTANCE
- + Bills Previously Heard/Scheduled

**RULES**

**Apr 04      Wednesday                      Fahrenkamp 203              10:45 AM**

- SB 37 PHYSICIAN NEGOTIATIONS WITH HEALTH INSURE
- SB 48 MUNICIPALITIES:INCORP/PROPERTY VALUATION
- SB 60 FARM OPERATIONS:DISCLOSURE /NUISANCES
- SB 76 RIGHT-OF-WAY LEASING ACT: TERM & RENEWAL
- SB 88 METROPOLITAN PLANNING ORGANIZATIONS

**STATE AFFAIRS**

**Apr 03      Tuesday                                      Beltz 211              3:30 PM**  
No Meeting Scheduled

**Apr 05      Thursday                                      Beltz 211              3:30 PM**

- HJR 22 DIVERSE COMMUNITY/CONDEMN HATE CRIMES
- SB 34 COMMISSIONERS' SALARIES
- Bills Previously Heard/Scheduled

**TRANSPORTATION**

**Apr 03 Tuesday Butrovich 205 1:30 PM**  
 + Rights of Way & Transportation Corridors: Richard Odsather  
 = SB 44 ALASKA TOLL BRIDGE AND CAUSEWAY AUTHORITY  
 = SB 45 APPROP: DESIGN OF KNIK ARM CROSSING

**Apr 05 Thursday Butrovich 205 1:30 PM**  
 + HB 8 LEGIS.PIONEER ROAD DEVELOPMENT TASK FORCE  
 + SB 130 ALASKA MARINE HIGHWAY AUTHORITY

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**JOINT COMMITTEES**

**ADMINISTRATIVE REGULATION REVIEW**

**Apr 03 Tuesday Capitol 102 2:45 PM**  
 -- Meeting Canceled --  
 + Review Proposed and Approved Regulations

**Apr 10 Tuesday Capitol 102 2:45 PM**  
 + To Be Announced

**Apr 17 Tuesday Capitol 102 2:45 PM**  
 + To Be Announced

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**LEGISLATIVE BUDGET & AUDIT**

**Apr 03 Tuesday House Finance 519 12:00 PM**  
 -- Rescheduled from 4/2/01 --  
 -- Teleconference <Listen Only> --  
 + Presentation by Gail Phillips:  
 Regional Learning Center Study

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**OTHER MEETINGS**

**CHILDREN'S CAUCUS**

**Apr 03 Tuesday Fahrenkamp 203 12:00 PM**  
 + Child Abuse Prevention Network

**CHILDREN'S CAUCUS (continued)**

<b>Apr 10</b> +	<b>Tuesday</b>	<b>Fahrenkamp 203</b>	<b>12:00 PM</b>
	Alaskans for Tobacco-Free Kids		
<b>Apr 17</b> +	<b>Tuesday</b>	<b>Fahrenkamp 203</b>	<b>12:00 PM</b>
	ASSETS: Building a framework for development of youth		
<b>Apr 24</b> +	<b>Tuesday</b>	<b>Fahrenkamp 203</b>	<b>12:00 PM</b>
	Alaska Humanities Forum: Intrastate Urban/Rural Student Exchange		

**FISCAL POLICY CAUCUS**

<b>Apr 04</b>	<b>Wednesday</b>	<b>Fahrenkamp 203</b>	<b>8:00 AM</b>
<b>Apr 06</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>

**FISH CAUCUS**

<b>Apr 06</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
	Local Area Management Plans		

**JOINT SESSION**

<b>Apr 11</b>	<b>Wednesday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
	US Senator Ted Stevens' Annual Message		

**MAJORITY CAUCUS**

<b>Apr 03</b>	<b>Tuesday</b>	<b>Capitol 107</b>	<b>11:45 AM</b>
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