SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Friday

April 12, 2002

Eighty-ninth 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 Donley was excused from a call of the Senate.

The prayer was offered by the Chaplain, Pastor Mike Rose of the Juneau Christian Center. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Heavenly Father, I'm grateful for this opportunity to acknowledge and thank You for Your faithfulness to this great state and nation. May in God we trust be much more than a national motto. Help us as a nation to rediscover a deep respect, reverence and reliance on Your provision of grace and mercy. As we view the chaos and confusion throughout our world today, we pray for Your wisdom and peace in the Middle East. As Psalm 122:6 declares: "Pray for the peace of Jerusalem: May they prosper who love You. Peace be within Your walls." Lord, help our President, and his cabinet to respond with Your wisdom in this crisis in the Middle East.

Lord, we pray for blessing, health, strength, and prosperity for each Senator, their families and their staff today. We ask that You lead, guide and direct their decisions for the good of this great state, and our country.

Heavenly Father we ask that Your kingdom come, Your will be done on earth today, as it is in Heaven. Thank You for hearing and answering prayer. In Jesus' Name I pray.

Amen.

Senator Austerman led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House

Message dated April 11 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 397

CS FOR HOUSE BILL NO. 397(STA) BY THE HOUSE STATE AFFAIRS COMMITTEE, entitled:

"An Act exempting a person driving certain motor vehicles, aircraft, or watercraft from driver licensing requirements; and providing for an effective date."

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

HB 438

CS FOR HOUSE BILL NO. 438(STA) BY THE HOUSE STATE AFFAIRS COMMITTEE, entitled:

"An Act relating to motor vehicle registration plates for disabled veterans; and providing for an effective date."

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

HB 444

HOUSE BILL NO. 444 BY REPRESENTATIVES JAMES, Rokeberg, entitled:

"An Act relating to buildings covered under the Alaska public building fund; and providing for an effective date."

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

Concur Message

SB 291

Message dated April 11 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 291(RLS) with the following amendments:

HOUSE CS FOR CS FOR SENATE BILL NO. 291(FIN) am H "An Act making supplemental and other appropriations; amending appropriations; and providing for an effective date."

President Halford stated the message would be held on the Secretary's desk.

Standing Committee Reports

Reports dated April 11 were read, stating:

In accordance with AS 39.05.080, the Senate Labor and Commerce Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

Alaska Labor Relations Agency

Roberta Demoski - Anchorage Aaron T. Isaacs - Klawock David D. Rasley - Fairbanks Raymond P. Smith - Anchorage

Board of Marine Pilots

Jack G Poulson - Juneau

Board of Certified Real Estate Appraisers

Judy Kemplen - Anchorage Stephen F. Turner - Anchorage

Real Estate Commission

Lowell (Tom) T. Freeman - Anchorage Jeannie Johnson - Douglas Susan Rainey - Fairbanks

Regulatory Commission of Alaska

Will Abbott - Anchorage

There were no stated objections to the confirmation of the named individuals by committee members. This does not reflect an intent by any of the members to vote for or against the confirmation of the named individuals during any further sessions.

Signing the reports: Senator Stevens, Chair, Senators Leman, Torgerson, Davis.

SB 219

The Finance Committee considered SENATE BILL NO. 219 "An Act establishing and relating to the Joint Federal and State Navigable Waters Commission for Alaska; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 219(FIN) "An Act establishing and relating to the Navigable Waters Commission for Alaska."

Signing do pass: Senator Kelly, Cochair, Senators Green, Leman, Wilken. Signing no recommendation: Senators Olson, Hoffman, Austerman.

The following previously published fiscal information applies: Fiscal Note No. 1, Legislative Affairs Agency

The bill was referred to the Rules Committee.

SB 309

The Labor and Commerce Committee considered SENATE BILL NO. 309 "An Act relating to actions to quiet title to, eject a person from, or recover real property or the possession of it, and to acquisition of real property by adverse possession; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 309(L&C)

Signing do pass: Senator Stevens, Chair, Senator Leman. Signing no recommendation: Senators Austerman, Davis.

The following fiscal information was published today:

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

The bill was referred to the Judiciary Committee.

SB 355

The State Affairs Committee considered SENATE BILL NO. 355 "An Act establishing an account in the general fund to receive general gifts, donations, and bequests to the State of Alaska." Signing no recommendation: Senator Therriault, Chair, Senators Phillips, Davis.

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

The bill was referred to the Finance Committee.

HB 128

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 128(L&C)(efd add) "An Act relating to the required approval of the commissioner of labor and workforce development for the employment of certain minors; and providing for an effective date." Signing do pass: Senator Stevens, Chair, Senators Austerman, Davis, Leman.

The following previously published fiscal information applies: Fiscal Note No. 1, Department of Labor and Workforce Development

The bill was referred to the Finance Committee.

HB 355

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 355(CRA) "An Act relating to the taxation of mobile telecommunications services by municipalities; and providing for an effective date." Signing do pass: Senator Stevens, Chair, Senators Austerman, Davis, Leman.

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

The bill was referred to the Rules Committee.

HB 374

The State Affairs Committee considered HOUSE BILL NO. 374 "An Act naming the David Douthit Veterans' Memorial Bridge." Signing do pass: Senator Therriault, Chair, Senators Davis, Stevens.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Transportation and Public Facilities

The bill was referred to the Transportation Committee.

HB 480

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 480(STA) "An Act providing that the death of an employee killed because of the employee's job status shall be considered an occupational death for purposes of survivor's pension benefits in the teachers' retirement system and the public employees' retirement system." Signing do pass: Senator Stevens, Chair, Senators Austerman, Davis, Leman.

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

The bill was referred to the Rules Committee.

SB 354

The Rules Committee considered SENATE BILL NO. 354 "An Act relating to the prices paid by milk processing plants to suppliers of fluid milk." Signing under other recommendations: Senator Phillips, Chair, Senator Ellis. Signing to calendar: Senators Cowdery, Therriault.

The bill is on today's calendar.

SB 358

The Rules Committee considered SENATE BILL NO. 358 "An Act naming state ferries." Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Therriault, Ellis.

The bill is on today's calendar.

SB 345

Senator Green moved and asked unanimous consent that SENATE BILL NO. 345 "An Act relating to medical assistance for rehabilitative services for certain children with disabilities; relating to agreements to pay medical assistance for covered services paid for or furnished to eligible children with disabilities by a school district; and providing for an effective date" be held on reconsideration to April 15. Without objection, it was so ordered.

Introduction and Reference of Senate Resolutions

SCR 32

SENATE CONCURRENT RESOLUTION NO. 32 BY THE SENATE RULES COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 390, relating to the Alaska Seafood Marketing Institute and the salmon marketing tax.

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

Introduction and Reference of Senate Bills

SB 361

SENATE BILL NO. 361 BY THE SENATE STATE AFFAIRS COMMITTEE, entitled:

"An Act relating to coordination of the application, review, decision, and appeal process for certain project permits, leases, plans, notices, disposals, licenses, preferences, grants, reservations, approvals, and sales; relating to the Alaska Coastal Policy Council and the Alaska Coastal Management Program; relocating certain functions of the office of management and budget to a statutorily created division of project assistance in the Office of the Governor; repealing the Environmental Procedures Coordination Act; 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 354

SENATE BILL NO. 354 "An Act relating to the prices paid by milk processing plants to suppliers of fluid milk" was read the second time.

SENATE BILL NO. 354 will be on the April 15 calendar.

SB 358

SENATE BILL NO. 358 "An Act naming state ferries" was read the second time.

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.

SENATE BILL NO. 358 was read the third time.

The question being: "Shall SENATE BILL NO. 358 "An Act naming state ferries" pass the Senate?" The roll was taken with the following result:

SB 358

Third Reading - Final Passage

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

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

Excused: Donley

and so, SENATE BILL NO. 358 passed the Senate and was referred to the Secretary for engrossment.

Unfinished Business

Senator Ellis moved and asked unanimous consent to be excused from a call of the Senate to morning plane time, April 15. Without objection, Senator Ellis was excused.

Senator Taylor moved and asked unanimous consent to be excused from the Senate, not subject to a call, from afternoon plane time, April 15 through morning plane time, April 19. Without objection, Senator Taylor was excused.

HB 239

Senator Cowdery moved and asked unanimous consent to be shown as a cross sponsor on HOUSE BILL NO. 239 "An Act establishing a pilot program for a regional learning center." Without objection, it was so ordered.

SB 263

The reconsideration on CS FOR SENATE BILL NO. 263(RLS) "An Act relating to the subsequent acquisition of title to, or an interest in, real property by a person to whom the property has purportedly been granted in fee or fee simple; and providing for an effective date" was not taken up this legislative day and the bill was referred to the Secretary for engrossment.

Announcements

SB 306

Senator Green, Chair, moved and asked unanimous consent that Uniform Rule 23 be waived on SENATE BILL NO. 306 "An Act establishing the Prescription Drug Assistance Task Force; and providing for an effective date" for the Health, Education and Social Services Committee meeting on April 17. Without objection, it was so ordered.

Announcements are at the end of the journal.

Engrossment

SB 263

CS FOR SENATE BILL NO. 263(RLS) "An Act relating to the subsequent acquisition of title to, or an interest in, real property by a person to whom the property has purportedly been granted in fee or fee simple; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 358

SENATE BILL NO. 358 "An Act naming state ferries" 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., April 15, 2002. Without objection, the Senate adjourned at 11:57 a.m.

Heidi Vogel Secretary of the Senate

April 2002

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 b	ill previously heard/schedul	led	
	COMMUNITY & RE	GIONAL AFFAIRS	
Apr 12	Friday No Meeting Scheduled	Fahrenkamp 203	1:30 PM
Apr 15	Monday No Meeting Scheduled	Fahrenkamp 203	1:30 PM
Apr 17	Wednesday	- u	1:30 PM
+ HB 312 + HB 455	MUNICIPAL ORGANIZ. SUPP. PUBLIC SCHOOI MUNICIPAL TAXATION MUNICIPAL MERGER	L FUNDING/YOUTH AC N OF AGRICULTURAL	LAND
Apr 19	Friday No Meeting Scheduled	Fahrenkamp 203	1:30 PM
	FINA	NCE	
Apr 12	Friday Bills Previously Heard/Sc Teleconference Upon R		9:00 AM
	Monday WASTEWATER DISCHL STATE EMPLOYEES CA TAKING PROPERTY BY Bills Previously Heard/Sc Teleconference Upon R	ALLED TO MILITARY E Y EMINENT DOMAIN heduled	9:00 AM DUTY

FINANCE (continued)

Apr = = =	SB 289 HB 404		ALTH BUDGET occommittees	4:00 PM
Apr = = = = = =	SB 289 HB 404		ALTH BUDGET occommittees	9:00 AM
Apr = = = = = = =	SB 289 HB 404		ALTH BUDGET ocommittees rsity of Alaska Only	4:00 PM
Ap : =	HB 4	AGRICULT. PROG.CO MOTOR VEHICLES &	& PRACTICES STANDARI cheduled	ED

FINANCE (continued)

+= HB 403 += SB 289	APPROP: OPERATING APPROP: MENTAL HE	ALTH BUDGET NFERENCE omer,Seward,Valdez ai, Kodiak, Bethel otersburg, Sitka	4:00 PM
+= SB 289 += HB 404		ALTH BUDGET NFERENCE a Junction, ome,Kotzebue,Barrow	9:00 AM
+= SB 289		ALTH BUDGET NFERENCE	4:00 PM

FINANCE (continued)

Apı	· 19	Friday	Senate Finance 532	9:00 AM
=	HB 403	APPROP: OPERATING	BUDGET/LOANS/FUNDS	
=	SB 289	APPROP: OPERATING	BUDGET/LOANS/FUNDS	
=	HB 404	APPROP: MENTAL HE	ALTH BUDGET	
=	SB 288	APPROP:MENTAL HEA	ALTH BUDGET	
		TESTIMONY BY INVI	ΓATION ONLY	
		Bills Previously Heard/S	cheduled	
Apı	· 19	Friday	Senate Finance 532	4:00 PM
= -		•	BUDGET/LOANS/FUNDS	
=	SB 289	APPROP: OPERATING	BUDGET/LOANS/FUNDS	
=	HB 404	APPROP: MENTAL HE	ALTH BUDGET	
=	SB 288	APPROP:MENTAL HEA	ALTH BUDGET	
		TESTIMONY BY INVI	ΓATION ONLY	
		Bills Previously Heard/S	cheduled	
Apı	20	Saturday	Senate Finance 532	10:00 AM
= -			BUDGET/LOANS/FUNDS	
=	SB 289	APPROP: OPERATING	BUDGET/LOANS/FUNDS	
=	HB 404	APPROP: MENTAL HE	ALTH BUDGET	
=	SB 288	APPROP:MENTAL HEA	ALTH BUDGET	
		TESTIMONY BY INVI	ΓΑΤΙΟΝ ONLY	
		Bills Previously Heard/S	cheduled	

HEALTH, EDUCATION & SOCIAL SERVICES

Ap	r 12	Friday Continued from 4/3/02 Statewide School Safety Rep McQueen School Closure, K		1:30 PM
Ap	r 15	Monday	Butrovich 205	1:30 PM
+	HB 160	REPORTING OF ABORTIC	ONS	
+	HB 276	REGULATION OF NURSIN	lG	
+	HB 209	PROGRAM FOR FORMER	FOSTER CHILDREN	
+		Bills Previously Heard/Sched	luled	

HEALTH, EDUCATION & SOCIAL SERVICES (continued)

	ŕ	•	,
Apr 17	Wednesday	House Finance 519	1:00 PM
	Time and Location Ch		
+	Joint w/(H) Health, Educ	cation and Social Services, ((H) Finance,
	(H) Special Committee of	on Education	
	Baldridge Award/Chuga	ch School, Gates Foundatio	n,
	Standards Based Educati		
Apr 17	Wednesday	Butrovich 205	2:30 PM
	Time Change		
HB 239	VOCATIONAL EDUCA	ATION PILOT PROGRAM	ĺ
SB 306	PRESCRIPTION DRUG	S ASSISTANCE TASK FO	RCE
	Uniform Rule 23 Waived	1	
	Bills Previously Heard/S	cheduled	
	Emiliar 110 . To doing Trout di B	***************************************	

JUDICIARY				
Apı	r 12	Friday No Meeting Scheduled	Beltz 211	1:30 PM
+		Saturday Time and Location Char OIL/GAS EXPLORATIO FISH & WILDLIFE PUBL	•	3:00 PM
+= +	SB 231 HB 375	Monday CORRECTIONAL FACIL REVISOR'S BILL APPEALS COURT JUDG		1:30 PM
	HB 381	Wednesday FAILURE TO STOP FOR DESECRATION OF U.S.		1:30 PM
Api + +	r 19 HB 243		R DEFENSE IN SEX CRIM aska Bar-	

LABOR & COMMERCE

Apr + + +	• 16 HB 504 SJR 44	Tuesday Beltz 211 MINIMUM WAGE FOR WORKERS IN FISHERIES <pending referral=""> STATE-FEDERAL JOINT RESEARCH PLAN Bills Previously Heard/Scheduled</pending>	1:30 PM
+=		Thursday Beltz 211 MOTOR VEHICLE INSURANCE & REPAIRS EMPLOYMENT AND TRAINING PROGRAM/BOA Bills Previously Heard/Scheduled	1:30 PM RD
		RESOURCES	
+ += +	HB 241 HB 420	Friday Butrovich 205 TRACKING OF PESTICIDE USE RAIL AND UTILITY CORRIDOR TO CANADA REPEAL SUNSET FOR TEMP WATER USE PERM WATER USE ACT PROCEDURES & RECORDS Bills Previously Heard/Scheduled	3:30 PM ITS
Apr +	• 15 SB 360	Monday Butrovich 205 ALASKA NATURAL GAS PROJECT ACT Bills Previously Heard/Scheduled	3:30 PM
+	SB 360 SCR 30	Wednesday Butrovich 205 Harold Heinze:North Slope Gas Development ALASKA NATURAL GAS PROJECT ACT ALASKA SALMON DAY LIMITED ENTRY FOR COMM. FISHERIES Bills Previously Heard/Scheduled	3:30 PM
Apr + + +		TERMINATION OF FED LAND WITHDRAWALS EXEMPTION FROM PROPERTY TAX: TIMBER	3:30 PM ATE

RULES

Apr 12	Friday	Fahrenkamp 203	10:30 AM
SB 100	ELECTRIC PERSONAL	VEHICLES/ REGISTRAT	TION
HCR 26	HOUSE ARREST/ELEC	TRONIC MONITORING	

Apr 16TuesdayFahrenkamp 20310:30 AMHB 411PHYSICIAN ASSISTANTS

STATE AFFAIRS

Apr 16 Tuesday Beltz 211 3:30 PM SCR 9 APPROVING LEG. OPEN MEETINGS GUIDELINES Bills Previously Heard/Scheduled

Apr 18 Thursday Beltz 211 3:30 PM

HB 53 SEISMIC HAZARDS SAFETY COMMISSION
Bills Previously Heard/Scheduled

TRANSPORTATION

Apr 16 Tuesday Butrovich 205 1:30 PM
SB 238 SECURITY OF FACILITIES AND SYSTEMS
HB 397 NO DRIVERS' LIC. FOR OFF HWY VEHICLES
Bills Previously Heard/Scheduled

Apr 18 Thursday Butrovich 205
SB 327 MOTOR VEHICLE LIABILITY INSURANCE
Bills Previously Heard/Scheduled

1:30 PM

FINANCE SUBCOMMITTEES

ADMINISTRATION

Apr 12 Friday Beltz 211 12:30 PM
Dept of Administration
FY03 Budget Hearing Closeout

FINANCE SUBCOMMITTEES (continued)

LAW

Apr 12	Friday Budget Closeout	Terry Miller 104	8:00 AM
	NATURAL	RESOURCES	
Apr 12	Friday Meeting Postponed t Dept of Natural Resou Budget Closeout		8:00 AM
Apr 15 +	Monday Rescheduled from 4/ Location Change Dept of Natural Resou Operating Budget Clos	rces	12:00 PM
	JOINT C	OMMITTEES	
	ARMED SERVI	CES COMMITTEE	
May 03	Friday Admiral Thomas Barre Pat Ladner, AK Aeros	House Finance 519 ett, US Coast Guard pace Development Corp	1:30 PM
	LEGISLAT	IVE COUNCIL	
Apr 17	Wednesday Information Technolog	Capitol 208	8:30 AM
	OMBUDSMAN SEL	ECTION COMMITTEE	
Apr 17	Wednesday	Terry Miller 104	2:00 PM
Apr 18	Thursday	Terry Miller 104	2:00 PM

OTHER MEETINGS

MAJORITY CAUCUS

Apr 12 Friday Capitol 107 12:00 PM