

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Friday

January 31, 2003

Eleventh Day

Pursuant to adjournment the Senate was called to order by President Therriault at 10:03 a.m.

The roll showed fifteen members present. Senators Cowdery, Green, Wagoner, Wilken were excused. Senator Olson was absent.

The prayer was offered by the Chaplain, Pastor Larry Rorem of the Shepherd of the Valley Lutheran Church.

Senator Ellis led the Senate in the Pledge of Allegiance.

Certification

Senator Stevens moved and asked unanimous consent that the journals for the ninth and tenth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Communications

The following reports are on file in the Office of the Secretary of the Senate:

Annual Report of the Interstate Commission
from Marc Antrim, Commissioner, Department of Corrections
in accordance with AS 33.36.110

Report on National Conference of Commissioners on Uniform State
Laws 2002 Meeting
from Deborah E. Behr, Alaska Uniform Law Commissioner

Annual Report of the Alaska Drinking Water and Clean Water Loan Funds
from Ernesta Ballard, Commissioner, Department of Environmental Conservation
in accordance with AS 37.05.035 and AS 46.03.032

Report Listing Alaska Statutes with Delayed Repeals or Delayed Amendments and Examining Court Decisions of the Attorney General Construing Alaska Statutes
from Lynn M. Barnes, Special Assistant, Division of Legal and Research Services, Legislative Affairs Agency
in accordance with AS 24.20.065(b)

Special Report to the Legislature and Administration, State of Alaska
from Patrick K. Gamble, President and CEO, Alaska Railroad Corporation

Local Boundary Commission Report, received January 30
from Kevin Waring, Chair
in accordance with AS 44.33.812 and Article X, section 12 of the Alaska Constitution

The Local Boundary Commission recommendations will be published in House and Senate Joint Journal Supplement No. 2.

President Theriault referred the report to the Community and Regional Affairs Committee.

Standing Committee Reports

Report dated January 30 was read, stating:

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

Commissioner, Department of Labor and Workforce Development

Mr. Greg O'Claray

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

Signing the report: Senator Bunde, Chair; Senators Davis, French, Austerman, Seekins.

Introduction and Reference of Senate Resolutions

SJR 6

SENATE JOINT RESOLUTION NO. 6 BY SENATOR GUESS,

Proposing an amendment to the Constitution of the State of Alaska relating to the duration of a regular session.

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

Introduction and Reference of Senate Bills

SB 49

SENATE BILL NO. 49 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE COUNCIL, entitled:

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

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

SB 50

SENATE BILL NO. 50 BY SENATOR WAGONER, entitled:

"An Act amending the manner of determining the royalty received by the state on gas production as it relates to the manufacture of certain value-added products."

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

SB 51

SENATE BILL NO. 51 BY THE SENATE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to revenue bonds issued by the Alaska Municipal Bond Bank Authority and the total amount of bonds and notes outstanding of that authority; and providing for an effective date."

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

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

Governor's transmittal letter dated January 30:

Dear President Therriault:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to revenue bonds issued by the Alaska Municipal Bond Bank Authority and the total amount of bonds and notes outstanding of that authority.

The Alaska Municipal Bond Bank Authority (AMBBA) was created in 1975 to assist Alaskan municipalities issue bonds for local projects. The AMBBA is able to realize savings for municipalities by pooling bonds in large numbers and obtaining lower interest rates that result in reduced costs for bond issuance, and often better terms overall, that would not be obtainable by municipalities on their own. The purpose of this bill is to raise the limit on the amount of revenue bonds that the AMBBA may issue in any one fiscal year and to raise the limit on the total outstanding bond debt the AMBBA may carry at any one time. These limits have not been raised by the legislature since 1983 and 1984, respectively.

An increase in the annual bonding cap under AS 44.85.100(b) from \$50,000,000 to \$75,000,000, would enable the AMBBA to act on the

applications it has already received from municipalities this fiscal year. Current fiscal year applications exceed \$56,000,000.

Further, an increase in the cap on the total outstanding bonds and notes from \$300,000,000 to \$500,000,000 under AS 44.85.180(c), would enable AMBBA to issue the bonds and notes already applied for as well as those that are anticipated, which may exceed \$70,000,000. Reaching the annual fiscal year limit or the outstanding limits would prevent municipalities from proceeding with projects or prevent municipalities from using the financially more attractive debt terms that could be made available if the bonds are issued by AMBBA.

An increase in the amount of the AMBBA's indebtedness limit will not have a fiscal impact on the state's general fund. Debt of the AMBBA is not a direct liability of the state. Additionally, municipalities that use the AMBBA to issue bonds pay all of the debt service on the bonds. And the AMBBA has sufficient reserve capacity to continue financing capital projects up to the requested \$500,000,000 cap.

Finally, in order to accommodate current fiscal year applications received by the AMBBA, an immediate effective date is included in the bill.

I urge your prompt and favorable action on this measure.

Sincerely Yours,

/s/

Frank H. Murkowski
Governor

SB 52

SENATE BILL NO. 52 BY SENATORS ELLIS, Davis, Elton, French, Guess, Hoffman, Lincoln, Olson, entitled:

"An Act relating to filling a vacancy in the office of
United States Senator."

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

SB 53

SENATE BILL NO. 53 BY SENATOR OGAN, entitled:

"An Act relating to disposition of a traffic offense involving the death of a person; providing for the revocation of driving privileges by a court for a driver convicted of a violation of traffic laws in connection with a fatal motor vehicle or commercial motor vehicle accident; amending Rules 43 and 43.1, Alaska Rules of Administration; and providing for an effective date."

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

SB 54

SENATE BILL NO. 54 BY SENATORS OLSON, Bunde, entitled:

"An Act exempting flight crew members of certain air carriers from overtime pay requirements."

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

The presence of Senator Olson was noted.

Consideration of the Calendar**Citations**

Commemorating – Dr. Martin Luther King, Jr. Day
Senator(s) Davis, Austerman, Cowdery, Elton, Green, Lincoln, Taylor, Therriault, Wilken, Dyson, Hoffman, Guess, Ellis, Olson, Stevens, Ogan, Seekins

Commemorating – Black History Month
Senator(s) Davis, Austerman, Cowdery, Elton, Lincoln, Taylor, Therriault, Wilken, Dyson, Hoffman, Guess, Ellis, Olson, Stevens, Ogan, Bunde, Seekins

In Memoriam – Mike O'Neill

Representative(s) Samuels

Senator(s) Cowdery, Austerman, Davis, Elton, Green, Lincoln, Taylor, Therriault, Wilken, Hoffman, Guess, Olson, Stevens, Ogan, Bunde, Seekins

Senator Stevens 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

Senator Elton moved and asked unanimous consent to be excused from a call of the Senate on February 14. Without objection, Senator Elton was excused.

Senator French moved and asked unanimous consent to be excused from a call of the Senate on February 3. Without objection, Senator French was excused.

Announcements

Announcements are at the end of the journal.

Engrossment and Enrollment

SR 1

SENATE RESOLUTION NO. 1 Establishing a Senate Special Committee on World Trade and State/Federal Relations, was engrossed and enrolled, signed by the President and Secretary and the engrossed and enrolled copies transmitted to the Office of the Governor at 3:40 p.m., January 29, 2003.

Adjournment

Senator Stevens moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 3, 2003. Without objection, the Senate adjourned at 10:21 a.m.

Kirsten Waid
Secretary of the Senate

January 2003

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

Jan 31	Friday No Meeting Scheduled	Fahrenkamp 203	1:30 PM
Feb 03	Monday No Meeting Scheduled	Fahrenkamp 203	1:30 PM
Feb 05 +	Wednesday Confirmation Hearing: Commissioner, Dept of Community & Economic Development- Edgar Blatchford	Fahrenkamp 203	1:30 PM
Feb 07	Friday No Meeting Scheduled	Fahrenkamp 203	1:30 PM

FINANCE

Jan 31	Friday No Meeting Scheduled	Senate Finance 532	9:00 AM
Feb 03	Monday No Meeting Scheduled	Senate Finance 532	9:00 AM
Feb 04	Tuesday No Meeting Scheduled	Senate Finance 532	9:00 AM

FINANCE (continued)

Feb 05	Wednesday No Meeting Scheduled	Senate Finance 532	9:00 AM
Feb 06	Thursday No Meeting Scheduled	Senate Finance 532	9:00 AM
Feb 07	Friday No Meeting Scheduled	Senate Finance 532	9:00 AM

HEALTH, EDUCATION & SOCIAL SERVICES

Feb 03	Monday No Meeting Scheduled	Butrovich 205	1:30 PM
Feb 05	Wednesday No Meeting Scheduled	Butrovich 205	1:30 PM

JUDICIARY

Jan 31 +	Friday -- Meeting Canceled -- Joint w/(H) Judiciary Confirmation Hearings: Select Committee on Legislative Ethics- Dennis "Skip" Cook Shirley McCoy Herman G. Walker, Jr.	Capitol 122	1:00 PM
Feb 03	Monday No Meeting Scheduled	Beltz 211	1:30 PM
Feb 05	Wednesday AK Court System Overview: C.S. "Chris" Christensen III, Deputy Administrative Director Doug Wooliver, Administrative Attorney	Beltz 211	1:30 PM
Feb 07	Friday No Meeting Scheduled	Beltz 211	1:30 PM

LABOR & COMMERCE

Feb 04	Tuesday	Beltz 211	1:30 PM
	No Meeting Scheduled		
Feb 06	Thursday	Beltz 211	1:30 PM
SB 20	EXTEND BOARD OF MARINE PILOTS		
Feb 26	Wednesday	Senate Finance 532	3:15 PM
	-- Time and Location Change --		
	Joint w/(H) Labor and Commerce		
	Confirmation Hearings:		
	Regulatory Commission of Alaska-		
	Dave Harbour		
	Mark Johnson		

RESOURCES

Jan 31	Friday	Butrovich 205	3:30 PM
	No Meeting Scheduled		
Feb 03	Monday	Butrovich 205	3:30 PM
	Organizational Meeting		
+ SJR 4	ENDORSING ANWR LEASING		
Feb 05	Wednesday	Butrovich 205	3:30 PM
	Confirmation Hearings:		
	Commissioner, Dept of Environmental		
	Conservation- Ernesta Ballard		
	Commissioner, Dept of Natural Resources-		
	Tom Irwin <Confirmation Postponed>		
	Board of Game-		
	Pete Buist, Michael R. Fleagle, Cliff		
	Judkins, Sharon McLeod-Everette, Ron		
	Somerville, Ted Spraker		
Feb 07	Friday	Butrovich 205	3:30 PM
	No Meeting Scheduled		

RULES

Feb 03 Monday Fahrenkamp 203 1:00 PM
Organizational Meeting
Longevity Pay Increment Policy

STATE AFFAIRS

Feb 04 Tuesday Beltz 211 3:30 PM
+ Confirmation Hearings:
Commissioner, Dept of Corrections-
Marc Antrim
Commissioner, Dept of Military and
Veterans' Affairs-
Colonel Craig E. Campbell

Feb 06 Thursday Beltz 211 3:30 PM
No Meeting Scheduled

TRANSPORTATION

Feb 11 Tuesday Butrovich 205 1:30 PM
SB 31 RAILROAD UTILITY CORRIDOR TO & IN CANADA

Feb 18 Tuesday Butrovich 205 1:30 PM
SB 40 CONSTRUCTION OF HIGHWAYS BY DOTPF

JOINT COMMITTEES**ADMINISTRATIVE REGULATION REVIEW**

Feb 05 Wednesday Beltz 211 8:30 AM
Introductory Organizational Meeting

LEGISLATIVE BUDGET & AUDIT

Feb 19 Wednesday House Finance 519 12:00 PM
Audits and Other Committee Business

OTHER MEETINGS**FISH CAUCUS**

Feb 05	Wednesday	Butrovich 205	12:00 PM
+	Status of AK Commercial Seafood Industry: Chris McDowell		

JOINT SESSION

Mar 05	Wednesday	House Chamber	11:00 AM
	State of the Judiciary Chief Justice Dana Fabe		