

# **SENATE JOURNAL**

## **ALASKA STATE LEGISLATURE**

### **TWENTY-THIRD LEGISLATURE -- SECOND SESSION**

**Juneau, Alaska**

**Monday**

**February 2, 2004**

#### **Twenty-second Day**

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

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

Senator Ben Stevens moved and asked unanimous consent that Senator Davis be excused from a call of the Senate today through February 6. Without objection, Senator Davis was excused.

The prayer was offered by the Chaplain, Pastor Tom Matthews of the Douglas Island Bible Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

In great respect for the religious beliefs of each person who is assembled here today, I invite you into a time of prayer and reflection. Please, let us pray:

Dear Lord, it is indeed an honor today to come before You in prayer. We acknowledge that You are holy, righteous and just, and yet You desire our communication with You. For that we are humbled.

This is a traumatic time for our country, Lord. There are people who would seek to harm us, who hate everything this great nation stands for. I pray for safety and protection for our military that are in harm's way as they seek to protect our nation. I pray for Your blessing in the middle of conflict as I remember Your promise that "blessed is the nation whose God is the Lord."

Today Lord, the Senate is again gathered together to start another week of discussing the business of the great State of Alaska. Many decisions need to be made. We pray for Your direction, Lord. We have a great heritage of being a nation that is "under God." As a state, we also affirm that and seek Your clear direction.

So guide us Lord. Help us to sense Your presence in this place today. I pray this in the name of Your beloved Son, Jesus Christ. Amen.

Senator Lincoln led the Senate in the Pledge of Allegiance.

### **Certification**

Senator Ben Stevens moved and asked unanimous consent that the journals for the nineteenth through twenty-first legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

### **Messages from the Governor**

Message dated January 30 was read, stating:

Under the provision of article III, section 18 of the Alaska Constitution, I am pleased to accept your invitation to address a Joint Session of the Twenty-third Alaska State Legislature on Wednesday, February 4, 2004, at 11:00 a.m. to present an update of the administration's actions regarding a gas pipeline.

### **Communications**

The following report is on file in the Office of the Secretary of the Senate:

**HCR 6**

Joint Legislative Salmon Industry Task Force Report to the 23<sup>rd</sup>  
Alaska State Legislature dated January 31, 2004  
from Senator Ben Stevens, Chair  
in accordance with Legislative Resolve 3, 2003

**Introduction and Reference of Senate Bills**

**SB 288**

SENATE BILL NO. 288 BY SENATOR GREEN, entitled:

"An Act relating to certain determinations concerning  
placement of a child in emergency custody and  
temporary placement hearings in child-in-need-of-aid  
proceedings; and providing for an effective date."

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

**SB 289**

SENATE BILL NO. 289 BY SENATOR GREEN, entitled:

"An Act extending the termination date of the special  
education service agency; and providing for an  
effective date."

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

**SB 290**

SENATE BILL NO. 290 BY SENATOR ELTON, entitled:

"An Act relating to the continuation of pay and  
benefits to employees of public corporations called to  
active duty; and providing for an effective date."

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

**Consideration of the Calendar****Citations**

Honoring – Kodiak Electric Association for its Outstanding Efforts to Reduce Raptor Losses

Senator(s) Gary Stevens, Therriault, Bunde, Cowdery, Davis, Dyson, Elton, Green, Guess, Hoffman, Lincoln, Olson, Seekins, Stedman, Ben Stevens, Wagoner, Wilken

Honoring – William “Bill” J. Tobin

Senator(s) French, Therriault, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Green, Guess, Hoffman, Lincoln, Olson, Seekins, Stedman, Ben Stevens, Gary Stevens, Wagoner, Wilken  
Representative(s) Berkowitz

Honoring – Carl Brady, Jr.

Senator(s) French, Therriault, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Green, Guess, Hoffman, Lincoln, Olson, Seekins, Stedman, Ben Stevens, Gary Stevens, Wagoner, Wilken  
Representative(s) Berkowitz

Honoring – Service High School Hockey Team, 2002 – 2003 State Champions

Representative(s) Rokeberg, Meyer, Hawker, McGuire, Samuels  
Senator(s) Ben Stevens, Therriault, Bunde, Cowdery, Davis, Dyson, Elton, Green, Guess, Hoffman, Lincoln, Olson, Seekins, Stedman, Gary Stevens, Wagoner, Wilken

In Memoriam – Dr. Harriet “Rusty” Bellringer

Representative(s) Stoltze, Dahlstrom  
Senator(s) Ogan, Therriault, Cowdery, Davis, Dyson, Elton, Green, Guess, Hoffman, Lincoln, Olson, Seekins, Stedman, Ben Stevens, Gary Stevens, Wagoner, Wilken

In Memoriam – Cynthia E. Samuelson

Representative(s) Moses  
Senator(s) Hoffman, Therriault, Cowdery, Davis, Dyson, Elton, Green, Guess, Lincoln, Olson, Seekins, Stedman, Ben Stevens, Gary Stevens, Wagoner, Wilken

In Memoriam – George Wehmhoff  
Representative(s) Stoltze, Berkowitz  
Senator(s) French, Ogan, Therriault, Cowdery, Davis, Dyson, Elton,  
Green, Guess, Hoffman, Lincoln, Olson, Seekins, Stedman, Ben  
Stevens, Gary Stevens, Wagoner, Wilken

Senator Ben 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 Guess moved and asked unanimous consent to be excused from a call of the Senate on February 6, February 9, February 11 and February 13. Without objection, Senator Guess was excused.

Senator Ogan moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, February 9 to morning plane time, February 11. Without objection, Senator Ogan was excused.

Senator Bunde moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, February 6 to evening plane time, February 8. Without objection, Senator Bunde was excused.

Senator Stedman moved and asked unanimous consent to be excused from a call of the Senate from plane time, February 6 to plane time, February 8. Without objection, Senator Stedman was excused.

Senator Ben Stevens moved and asked unanimous consent to be excused from a call of the Senate from afternoon plane time, February 9 to morning plane time, February 13. Without objection, Senator Ben Stevens was excused.

Senator Hoffman moved and asked unanimous consent to be excused from a call of the Senate on February 20. Without objection, Senator Hoffman was excused.

**Announcements**

Announcements are at the end of the journal.

**Adjournment**

Senator Ben Stevens moved and asked unanimous consent that the Senate stand in adjournment until 10:45 a.m., February 4, 2004. Without objection, the Senate adjourned at 11:24 a.m.

Kirsten Waid  
Secretary of the Senate

February 2004

**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**

**Feb 02      Monday                      Fahrenkamp 203              1:30 PM**  
 + SB 266 BRISTOL BAY OIL & GAS LEASE SALE CLOSURE

**Feb 04      Wednesday                      Fahrenkamp 203              1:30 PM**  
 + SB 250 NATURAL GAS LEASES ON THE KENAI PENINSULA  
      \*\* Teleconference <Listen Only> \*\*  
      \*\* No Public Testimony Will Be Heard\*\*

**Feb 06      Friday                              Fahrenkamp 203              1:30 PM**  
      -- Rescheduled to 02/09/04 --  
 = SB 260 METROPOLITAN PLANNING ORGANIZATIONS

**Feb 09      Monday                              Fahrenkamp 203              1:30 PM**  
      -- Rescheduled from 02/06/04 --  
 + SB 260 METROPOLITAN PLANNING ORGANIZATIONS

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**FINANCE**

**Feb 02      Monday                              Senate Finance 532              10:00 AM**  
      -- Time Change --  
      SB 283 APPROP: REVERSE 2003 CBR SWEEP  
      Bills Previously Heard/Scheduled

**Feb 03      Tuesday                              Senate Finance 532              9:00 AM**  
      No Meeting Scheduled

**FINANCE (continued)**

<b>Feb 04</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
	No Meeting Scheduled		
<b>Feb 05</b>	<b>Thursday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
	Alaska Mental Health Trust Authority		
	Presentation by Mr. Jeff Jessee		
	Executive Director		
	Veteran's Home Project Update		
	Presentation by Governor Murkowski's		
	Administration		
HB 374	SENIORCARE		
	<Pending Referral>		
	Bills Previously Heard/Scheduled		
<b>Feb 06</b>	<b>Friday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
	No Meeting Scheduled		

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**HEALTH, EDUCATION & SOCIAL SERVICES**

<b>Feb 02</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>Feb 04</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
+ SB 201	HOME & RESPITE CARE: CRIMINAL RECORDS		
+ SB 277	STUDENT LOAN PROGRAMS		
+ SB 239	LENGTH OF SCHOOL TERM		
+	Bills Previously Heard/Scheduled		

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**JUDICIARY**

<b>Feb 02</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
	No Meeting Scheduled		
<b>Feb 04</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
	No Meeting Scheduled		
<b>Feb 06</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>8:00 AM</b>
+ SB 217	GENETIC PRIVACY		
+ SB 203	OFFICE OF ADMINISTRATIVE HEARINGS		



**LABOR & COMMERCE**

**Feb 03      Tuesday      Beltz 211      1:30 PM**  
 + SB 273 ASMI BOARD/ SEAFOOD TAXES & ASSESSMENTS  
 += HB 305 UNEMPLOYMENT COMPENSATION BENEFITS  
 + SB 276 ALASKA INSURANCE GUARANTY ASSOCIATION

**Feb 05      Thursday      Beltz 211      1:30 PM**  
 Committee Work Session on Pull-tab  
 Regulations  
 <Teleconference and Testimony  
 by Invitation Only>

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**RESOURCES**

**Feb 02      Monday      Butrovich 205      3:30 PM**  
 + HB 98 SPORT FISHING SEASONS FOR YOUTH  
 + HB 196 CARBON SEQUESTRATION  
 += HCR 10 RESTORATION OF RIPARIAN HABITAT  
 + Bills Previously Heard/Scheduled

**Feb 04      Wednesday      Butrovich 205      3:30 PM**  
 + SB 265 OIL&GAS LEASE SALE SCHEDULE/NOTIFICATION  
 + SB 266 BRISTOL BAY OIL & GAS LEASE SALE CLOSURE  
 <Pending Referral>  
 + Bills Previously Heard/Scheduled

**Feb 06      Friday      Butrovich 205      3:30 PM**  
 No Meeting Scheduled

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**STATE AFFAIRS**

**Feb 03      Tuesday      Beltz 211      3:30 PM**  
 + SB 279 AHFC WATER & SEWER BONDS  
 HB 288 CHANGING NAME OF DEPT OF COMM & ECON DEV.  
 + SB 270 AVALANCHE AWARENESS MONTH

**Feb 05      Thursday      Beltz 211      3:30 PM**  
 + Bills Previously Heard/Scheduled

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**TRANSPORTATION**

<b>Feb 03</b>	<b>Tuesday</b> No Meeting Scheduled	<b>Butrovich 205</b>	<b>1:30 PM</b>
<b>Feb 05</b>	<b>Thursday</b> No Meeting Scheduled	<b>Butrovich 205</b>	<b>1:30 PM</b>

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**JOINT COMMITTEES****ARMED SERVICES COMMITTEE**

<b>Feb 25</b>	<b>Wednesday</b> Alaskan Command's Annual Address by Lt.General Carrol H."Howie" Chandler Testimony by Invitation Only	<b>Senate Finance 532</b>	<b>3:00 PM</b>
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**LEGISLATIVE BUDGET & AUDIT**

<b>Feb 03</b>	<b>Tuesday</b> ISER's Peer Review of the School District Cost Study	<b>House Finance 519</b>	<b>11:00 AM</b>
<b>Feb 19</b>	<b>Thursday</b> Audits and Other Committee Business	<b>House Finance 519</b>	<b>12:00 PM</b>

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**LEGISLATIVE COUNCIL**

<b>Feb 05</b>	<b>Thursday</b> Roll Call Approval of January 15, 2004 Minutes Approval of Intro. of 2004 Revisor's Bill Approval of Flag and Walrus Pins Copies of FY03 Legislature Audit Presentation of FY05 Proposed LAA Budget Presentation of FY05 Office of Ombudsman Budget Appointment of IT Subcommittee Protest on RFP #391	<b>Senate Finance 532</b>	<b>4:00 PM</b>
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**OTHER MEETINGS****CHILDREN'S CAUCUS**

<b>Feb 03</b>	<b>Tuesday</b>	<b>Fahrenkamp 203</b>	<b>12:00 PM</b>
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Children's Justice Act Task Force:  
This is a federally funded group that is  
tasked with recommending improvements  
to the system of addressing child sexual  
abuse and exploitation.

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**JOINT SESSION**

<b>Feb 04</b>	<b>Wednesday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
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Address by Governor Murkowski  
Administration's Actions Regarding a Gas  
Pipeline

<b>Feb 25</b>	<b>Wednesday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
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State of the Judiciary  
Chief Justice Alexander O. Bryner

<b>Mar 16</b>	<b>Tuesday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
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Address by U.S. Senator Lisa Murkowski