

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Thursday

January 25, 2001

Eighteenth Day

Pursuant to adjournment the Senate was called to order by President Halford at 11:07 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Father Rob Bruschi of the Holy Trinity Episcopal Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Eternal Spirit, Earth-maker, Pain-bearer, Life-giver,
Source of all that is and that shall be, Father and
Mother of us all, Loving God, in Whom is heaven:

The hallowing of Your name echoes through the
universe! The way of Your justice be followed by the
peoples of the world! Your heavenly will be done by
all created beings! Your commonwealth of peace and
freedom sustain our hope and come on earth.

With the bread we need for today, feed us. In the
hurts we absorb from one another, forgive us. In
times of temptation and test, strengthen us. From
trials too great to endure, spare us. From the grip of
all that is evil, free us.

For You reign in the glory of the power that is love,
now and forever. Amen.

Senator Phillips led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House

Message dated January 24 was read, stating:

The House of Representatives respectfully invites the Senate to a Joint Session of the Legislature at 11:00 a.m. on Wednesday, February 21, 2001 to hear U.S. Senator Frank Murkowski's annual message to the Alaska State Legislature.

Senator Leman moved and asked unanimous consent that the Senate accept the House invitation to meet in Joint Session. Without objection, it was so ordered.

The Secretary was requested to notify the House.

Standing Committee Reports**SB 19**

The Resources Committee considered SENATE BILL NO. 19 "An Act repealing the termination date of changes made by ch. 87, SLA 1997 and ch. 132, SLA 1998 regarding child support enforcement and related programs; repealing the nonseverability provision of ch. 132, SLA 1998; repealing certain requirements for applicants for hunting and sport fishing licenses or tags, and for certain hunting permits, to provide social security numbers for child support enforcement purposes; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 19(RES) "An Act repealing the termination date of changes made by ch. 87, SLA 1997, and ch. 132, SLA 1998, regarding child support enforcement and related programs;

repealing the nonseverability provision of ch. 132, SLA 1998; repealing uncodified laws relating to ch. 87, SLA 1997, and ch. 132, SLA 1998; and providing for an effective date."

Signing do pass: Senator Torgerson, Chair, Senators Pearce, Lincoln, Taylor, Kelly. Signing no recommendation: Senator Elton.

The following previous fiscal information applies to the committee substitute:

Fiscal Note No. 1, zero, Department of Revenue

The bill was referred to the Health, Education and Social Services Committee.

SB 49

The Resources Committee considered SENATE BILL NO. 49 "An Act eliminating a requirement that a social security number be provided by an applicant for a hunting or sport fishing license or tag and for certain hunting permits; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 49(RES) "An Act eliminating a requirement that a social security number be provided by an applicant for certain hunting or sport fishing licenses, tags, and permits; eliminating a requirement that an application for certain licenses and tags be subscribed and sworn to before an officer authorized to administer oaths; and providing for an effective date."

Signing do pass: Senator Torgerson, Chair, Senators Taylor, Pearce, Lincoln, Kelly. Signing no recommendation: Senator Elton.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Fish and Game

The bill was referred to the Rules Committee.

SCR 1

The Rules Committee considered SENATE CONCURRENT RESOLUTION NO. 1 Relating to Avalanche Awareness Month, and recommended it be replaced with

CS FOR SENATE CONCURRENT RESOLUTION
NO. 1(RLS)

Signing to calendar: Senator Pearce, Chair, Senators Cowdery, Ellis, Phillips, Therriault.

The following previous fiscal information applies to the committee substitute:

Fiscal Note No. 1, zero, Senate Resources Committee

The resolution is on today's calendar.

SJR 5

Senator Therriault, Chair, moved and asked unanimous consent that the State Affairs Committee referral be waived on SENATE JOINT RESOLUTION NO. 5 Relating to opposition to National Collegiate Athletic Association legislative proposal 2000-106. Without objection, the resolution was referred to the Rules Committee.

Senator Pearce, Chair, moved and asked unanimous consent that Uniform Rule 23 be waived on SENATE JOINT RESOLUTION NO. 5 for the Rules Committee meeting on January 25. Without objection, it was so ordered.

Recess

Senator Pearce moved and asked unanimous consent that the Senate stand in recess to a call of the Chair for a Rules Committee meeting. Without objection, the Senate recessed at 11:14 a.m.

After Recess

The Senate reconvened at 11:28 a.m.

SB 10

The Rules Committee considered SENATE BILL NO. 10 "An Act extending the termination date of the Board of Public Accountancy."

Signing to calendar: Senator Pearce, Chair, Senators Cowdery, Phillips, Ellis, Therriault.

The bill is on today's calendar.

SJR 5

The Rules Committee considered SENATE JOINT RESOLUTION NO. 5 Relating to opposition to National Collegiate Athletic Association legislative proposal 2000-106, and recommended it be replaced with

CS FOR SENATE JOINT RESOLUTION NO. 5(RLS) Relating to supporting the Great Alaska Shootout, the Top of the World Classic, and similar preseason basketball tournaments, and requesting that the National Collegiate Athletic Association reject legislative proposal No. 2000-106.

Signing to calendar and do pass: Senator Pearce, Chair, Senators Cowdery, Phillips, Ellis, Therriault.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Senate Rules Committee

The resolution is on today's first supplemental calendar.

**Introduction and Reference of
Senate Resolutions**

SJR 8

SENATE JOINT RESOLUTION NO. 8 BY SENATORS LEMAN, Phillips, Wilken, Taylor, Kelly, Cowdery, Austerman, Ward, Pearce, Green, Therriault,

Relating to supporting polling places at military installations and reserve component facilities.

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

Introduction and Reference of Senate Bills**SB 56**

SENATE BILL NO. 56 BY THE SENATE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to initiatives for quality schools;
relating to pupil competency testing and the issuance
of secondary school diplomas; relating to certain
reports regarding academic performance of schools;
and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Education and Early
Development

Governor's transmittal letter dated January 24:

Dear President Halford:

As the next step in continuing the progress of the Quality Schools Initiative, which calls for higher academic standards and improved student achievement in Alaska, I am transmitting this bill relating to fair and responsible timelines for the high school graduation qualifying exam.

A date change from current law, which sets the effective date of the graduation exam at January 1, 2002, is necessary for several reasons. School districts need to make sure their lesson plans teach the standards being tested. Students need more time to learn those standards and to get help if they are not on track for a diploma. Proper resources must be in place to provide that help. In short, any final decision to deny a high school diploma must be made fairly, thoughtfully, compassionately and legally.

Under this bill, the effective date of the statutory provision requiring high school students to pass the graduation exam in order to receive a diploma would be changed to January 1, 2006. That means the class of

2006 - today's seventh graders - will have the benefit of two benchmark exams before taking the graduation exam. They took benchmark tests in reading, writing and math last year as sixth graders. They'll take them again next year as eighth graders. Then, as sophomores three years from now, they'll take the high school graduation exam for the first time.

This will allow parents and teachers the time to help students who need it well before the graduation exam. This is not the case with the current effective date, or for the students who are now in high school and will be denied diplomas next year if the law does not change. To recognize the unique needs of our special education students, the bill provides for those students' graduation requirements to be developed by the state Board of Education and Early Development.

The bill also requires regular reports from the Department of Education and Early Development to the Legislature on the progress each school is making in helping students achieve high academic performance. The state Board of Education and Early Development will use these reports to recommend to the Legislature whether a different effective date should be used to implement the graduation exams.

Finally, the bill makes it clear the graduation qualifying test will be given, scored and counted in the interim between 2002 and 2006. Diplomas will be awarded to those students who complete their coursework but do not pass the test. However, the test results will appear on transcripts so that teachers, prospective employers and colleges can review students' proficiency in reading, writing, and math.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Tony Knowles
Governor

SB 57

SENATE BILL NO. 57 BY SENATOR DAVIS, entitled:

"An Act increasing quality school funding grants for public schools; and providing for an effective date."

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

Consideration of the Calendar**Second Reading of Senate Bills****SB 10**

SENATE BILL NO. 10 "An Act extending the termination date of the Board of Public Accountancy" 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. 10 was read the third time.

The question being: "Shall SENATE BILL NO. 10 "An Act extending the termination date of the Board of Public Accountancy" pass the Senate?" The roll was taken with the following result:

SB 10

Third Reading - Final Passage

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

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

and so, SENATE BILL NO. 10 passed the Senate and was referred to the Secretary for engrossment.

Second Reading of Senate Resolutions**SCR 1**

SENATE CONCURRENT RESOLUTION NO. 1 Relating to Avalanche Awareness Month, was read the second time.

Senator Pearce, Chair, moved and asked unanimous consent for the adoption of the Rules Committee Substitute offered on page 170. Without objection, CS FOR SENATE CONCURRENT RESOLUTION NO. 1(RLS) was adopted, read the second time and was before the Senate on final passage.

The question being: "Shall CS FOR SENATE CONCURRENT RESOLUTION NO. 1(RLS) Relating to Avalanche Awareness Month, pass the Senate?" The roll was taken with the following result:

CSSCR 1(RLS)

Second Reading - Final Passage

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

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

and so, CS FOR SENATE CONCURRENT RESOLUTION NO. 1(RLS) passed the Senate and was referred to the Secretary for engrossment.

Senator Pearce moved and asked unanimous consent for the adoption of the First Supplemental Calendar. Without objection, it was so ordered.

Consideration of the First Supplemental Calendar**Second Reading of Senate Resolutions****SJR 5**

SENATE JOINT RESOLUTION NO. 5 Relating to opposition to National Collegiate Athletic Association legislative proposal 2000-106, was read the second time.

Senator Pearce, Chair, moved and asked unanimous consent for the adoption of the Rules Committee Substitute offered on page 171. Without objection, CS FOR SENATE JOINT RESOLUTION NO. 5(RLS) Relating to supporting the Great Alaska Shootout, the Top of the World Classic, and similar preseason basketball tournaments, and requesting that the National Collegiate Athletic Association reject legislative proposal No. 2000-106, was adopted and read the second time.

Senator Leman moved and asked unanimous consent that the resolution be considered engrossed, advanced to third reading and placed on final passage. Senator Ellis objected, then withdrew his objection. There being no further objections, it was so ordered.

CS FOR SENATE JOINT RESOLUTION NO. 5(RLS) was read the third time.

The question being: "Shall CS FOR SENATE JOINT RESOLUTION NO. 5(RLS) Relating to supporting the Great Alaska Shootout, the Top of the World Classic, and similar preseason basketball tournaments, and requesting that the National Collegiate Athletic Association reject legislative proposal No. 2000-106, pass the Senate?" The roll was taken with the following result:

CSSJR 5(RLS)

Third Reading - Final Passage

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

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

and so, CS FOR SENATE JOINT RESOLUTION NO. 5(RLS) passed the Senate and was referred to the Secretary for engrossment.

Unfinished Business

Senator Olson moved and asked unanimous consent to be excused from a call of the Senate from January 26 through morning plane time, January 29. Without objection, Senator Olson was excused.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 10**

SENATE BILL NO. 10 "An Act extending the termination date of the Board of Public Accountancy" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SCR 1

CS FOR SENATE CONCURRENT RESOLUTION NO. 1(RLS) Relating to Avalanche Awareness Month was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SJR 5

CS FOR SENATE JOINT RESOLUTION NO. 5(RLS) Relating to supporting the Great Alaska Shootout, the Top of the World Classic, and similar preseason basketball tournaments, and requesting that the National Collegiate Athletic Association reject legislative proposal No. 2000-106, 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., January 26, 2001. Without objection, the Senate adjourned at 11:41 a.m.

Heidi Vogel
Secretary of the Senate

January 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.

SENATE STANDING COMMITTEES

+ indicates teleconference

= indicates bill previously heard/scheduled

COMMUNITY & REGIONAL AFFAIRS**FAHRENKAMP 203**

Jan 26	Friday	1:30 PM
No Meeting Scheduled		
Jan 29	Monday	1:30 PM
No Meeting Scheduled		
Jan 31	Wednesday	1:30 PM
Local Boundary Commission Briefing		
+SB 48	MUNICIPALITIES:INCORP/PROPERTY VALUATION	
-- Teleconference <Listen Only> --		
Feb 02	Friday	1:30 PM
No Meeting Scheduled		

FINANCE**SENATE FINANCE 532**

Jan 31	Wednesday	9:00 AM
SJR 6	EDUCATION BLOCK GRANTS	
SB 16	OIL DISCH PREVENTION: NONTANK VESSELS/RR	
Feb 01	Thursday	9:00 AM
SB 27	APPROP: GOVERNOR'S OPERATING BUDGET	
SB 28	APPROP: MENTAL HEALTH BUDGET	
SB 29	APPROP: GOVERNOR'S CAPITAL BUDGET	

FINANCE (continued)

Feb 02	Friday	9:00 AM
SB 9	EXTENDED BOARD OF ARCHITECTS ETC	
SB 21	FINES BY THE STATE MEDICAL BOARD	

HEALTH, EDUCATION & SOCIAL SERVICES**HOUSE FINANCE 519**

Jan 27	Saturday	10:00 AM
+	-- Time and Location Change --	
	Joint w/(H) Special Committee on Education	
	High School Competency Test	

Jan 29	Monday	1:30 PM
+SCR 2	SOBRIETY AWARENESS MONTH	
+SB 19	CHILD SUPPORT ENFORCEMENT/SOC SEC. #	

Jan 31	Wednesday	1:30 PM
	Overview: Dept. of Education and Early Development	

JUDICIARY**BELTZ 211**

Jan 26	Friday	1:30 PM
	No Meeting Scheduled	

Jan 29	Monday	1:30 PM
	No Meeting Scheduled	

Jan 31	Wednesday	1:30 PM
	No Meeting Scheduled	

Feb 02	Friday	1:30 PM
	No Meeting Scheduled	

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LABOR & COMMERCE

BELTZ 211

Jan 25 Thursday 1:30 PM
Walking Tour: Dept. Community & Economic Development

Jan 30 Tuesday 1:30 PM
No Meeting Scheduled

Feb 01 Thursday 1:30 PM
SB 38 MEDICAL ASSISTANCE:BREAST/CERVICAL CANCER
Presentation/Overview:
AK State Hospital & Nursing Home Assoc.
AK Process Industry Careers Consortium

RESOURCES

BUTROVICH 205

Jan 26 Friday 3:30 PM
No Meeting Scheduled

Jan 29 Monday 3:30 PM
Status of Statehood Defense Cases:
Department of Law

Jan 31 Wednesday 3:30 PM
Alaska Soil and Water Conservation District Briefing
Department overviews on Natural Gas Pipeline:
Department of Revenue, Department of Natural Resources

Feb 02 Friday 3:30 PM
No Meeting Scheduled

Feb 05 Monday 3:30 PM
Natural Gas Pipeline Briefing: Foothills Pipelines Co.

SENATE FINANCE 532

Feb 06 Tuesday 12:15 PM
-- Time and Location Change --
Joint w/(H) Resources Mining Industry Briefing

Feb 07 Wednesday 3:30 PM
Natural Gas Pipeline Briefing: Gas Pipeline Consortium

RESOURCES (continued)

Feb 09	Friday	3:30 PM
Status Briefing on Donald H. Carlson et al. vs State of Alaska		
Commercial Fisheries Entry Commission:		
Dept. of Law, OMB, CFEC		
Feb 14	Wednesday	3:30 PM
TAPS Briefing:		
Dave White, COO Alyeska Pipeline		

RULES**FAHRENKAMP 203**

Jan 25	Thursday	11:15 AM
=SB 10	EXTENDED BOARD OF PUBLIC ACCOUNTANCY	
SJR 5	NCAA BASKETBALL PRESEASON TOURNAMENTS	
Uniform Rule 23 Waived		

STATE AFFAIRS**BELTZ 211**

Jan 25	Thursday	3:30 PM
+SJR 3	F-22 RAPTOR AIRCRAFT AT ELMENDORF AFB	
=SJR 5	NCAA BASKETBALL PRESEASON TOURNAMENTS	
<waived from committee>		

Jan 30	Tuesday	3:30 PM
No Meeting Scheduled		

Feb 01	Thursday	3:30 PM
+SJR 8	VOTING SITES AT MILITARY INSTALLATIONS	

TRANSPORTATION**BUTROVICH 205**

Jan 30	Tuesday	1:30 PM
Joint w/(H) Transportation		
Report by the Commissioner of Transportation, Joseph L. Perkins		

Feb 01	Thursday	1:30 PM
No Meeting Scheduled		

OTHER MEETINGS

CHILDREN'S CAUCUS
FAHRENKAMP 203

Jan 30	Tuesday	12:00 PM
+	Balloon Project Report	

FISH CAUCUS
BUTROVICH 205

Jan 26	Friday	12:00 PM
	Organizational meeting	