

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Monday

February 5, 2001

Twenty-ninth Day

Pursuant to adjournment the Senate was called to order by President Halford at 11:12 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Minister Robert Taverner of the Church of Christ. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Father, we ask that You bless the day, that each matter of importance be decided with Your will. We ask that You bless the life of each senator and their families. Help them to guide our state in such a way that every person will benefit from their time of service. Help us to remember the importance of each and every life under their authority. Give them wisdom and a clean heart that seeks You and Your Kingdom. Thank You for our freedom and liberty. Thank You for these senators that desire to give their lives in service. Thank You for loving us.

Please be with the village of Huslia as they grieve the loss of life there. Give them strength for the day and a hope for tomorrow. In Jesus' name, Amen.

Senator Lincoln led the Senate in the Pledge of Allegiance.

Certification

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

Standing Committee Reports**SB 9**

The Rules Committee considered SENATE BILL NO. 9 "An Act extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors." Signing to calendar: Senator Pearce, Chair, Senators Therriault, Phillips, Ellis, Cowdery.

The bill is on today's calendar.

SJR 6

The Rules Committee considered SENATE JOINT RESOLUTION NO. 6 Urging the Congress of the United States to provide federal education funds as a block grant to the state. Signing to calendar: Senator Pearce, Chair, Senators Therriault, Phillips, Cowdery. Signing under other recommendations: Senator Ellis.

The resolution is on today's calendar

SJR 8

The Rules Committee considered SENATE JOINT RESOLUTION NO. 8 Relating to supporting polling places at military installations and reserve component facilities. Signing to calendar: Senator Pearce, Chair, Senators Therriault, Phillips, Ellis, Cowdery.

The resolution is on today's calendar.

Introduction and Reference of Senate Bills**SB 66**

SENATE BILL NO. 66 BY THE SENATE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to the authorizations for state financial institutions; relating to confidential financial records of depositors and customers of certain financial institutions; relating to the Alaska Banking Code, Mutual Savings Bank Act, Alaska Small Loans Act, and Alaska Credit Union Act; and providing for an effective date."

was read the first time and referred to the Labor and Commerce, Judiciary and Finance Committees.

The following fiscal information was published today:

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

Governor's transmittal letter dated February 2:

Dear President Halford:

This bill I transmit today allows state financial institutions to compete on equal terms with their federal counterparts by removing current restraints on the state's financial industry. These changes are encouraged under the federal Gramm-Leach-Bliley Act which permits the combining of banking institutions with insurance and securities businesses. Previous federal law prohibited this practice.

This bill allows the Department of Community and Economic Development to grant state banks those powers enjoyed by national banks in a simplified, efficient process.

The bill is patterned after federal law, but offers greater protection to depositor and consumer financial records. The state would use the more stringent practice of asking depositors and consumers to choose to allow specific disclosure of their records. Conversely, federal law and many other states allow disclosure unless the depositor or consumer specifically requests confidentiality.

The bill also clarifies and updates existing statutes, partly in response to discussions with the financial industry. For example, the bill allows state banks to publish their financial reports in electronic form or in a local newspaper, and simplifies the procedure by which state banks obtain authority to install off-premises automated teller machines. The bill also removes the statutory limitation on the interest rate and fees state banks may charge on credit cards and grants credit unions the authority to issue credit cards. These provisions will keep Alaska banks competitive with out-of-state banks.

As a means of modernizing Alaska's financial institutions, I urge your prompt and favorable action on this measure.

Sincerely,
/s/
Tony Knowles
Governor

SB 67

SENATE BILL NO. 67 BY THE SENATE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to assisted living homes and to liability for acts or omissions in the licensing, monitoring, or supervision of assisted living homes; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, Department of Health and Social Services

Fiscal Note No. 2, zero, Department of Administration

Governor's transmittal letter dated February 2:

Dear President Halford:

Concerns over the health and safety of Alaska's assisted living home residents and the wish to ensure greater safety to these vulnerable citizens is the impetus behind this bill I am transmitting today.

Current statutes regulating and licensing assisted living homes apply only to residential facilities that serve three or more adults. This bill expands the law to include any residential facility that receives state or federal payment for services, regardless of the number of adults the facility serves.

The bill increases the safety of residents in assisted living homes in several ways, including:

- Strengthening the requirements for criminal background checks for assisted living home employees;
- Giving the state more flexibility to suspend or revoke licenses if an assisted living home operator is convicted of criminal offenses;
- Allowing immediate suspension of a home's license under certain circumstances, particularly when serious life or safety concerns exist for the residents;
- Allowing the state to petition for a court order to temporarily administer the home when serious life or safety concerns exist for the residents;
- Allowing an assisted living home to terminate a resident's contract when the resident poses a risk to self, others or property.

The bill also provides civil immunity for the state licensing agencies in licensing, monitoring, and supervising assisted living homes. This provision is intended to create protections similar to those afforded certain state agencies and personnel working in similar fields and promotes the ability for employees to do their jobs thoroughly without being subject to certain pressures for quick or rash decisions. The licensing agencies and the state would still be liable if the damage occurred due to grossly negligent or reckless, or intentional, conduct.

I urge your prompt and favorable action on this measure.

Sincerely,
/s/
Tony Knowles
Governor

SB 68

SENATE BILL NO. 68 BY THE SENATE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to the accounting for and appropriation of fees for recording and related services by the Department of Natural Resources; and providing for an effective date."

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

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

Governor's transmittal letter dated February 2:

Dear President Halford:

I am transmitting this bill to help ensure the state recorder's office can do the best possible job in its task as depository of vital documents related to real estate and secured personal property transactions throughout Alaska.

Under this bill the customers who use the recorder's office, well over 50,000 contacts annually, will directly support its operations. Receipts for recording and other fees of this office will be accounted for separately and intended for appropriation to run the recording functions of the state. This funding method should provide the recorder's office with the resources needed to maintain and improve operations, including upgrading recording office systems to stay abreast of technological advances in the field, as well as to permanently preserve the millions of records in its custody.

The state recorder's office is responsible for recording and preserving more than 200,000 documents per year. It is necessary to the health of Alaska's economy that this office functions efficiently and offers excellent service to its users.

Sincerely,

/s/

Tony Knowles
Governor

SB 69

SENATE BILL NO. 69 BY THE SENATE FINANCE COMMITTEE,
entitled:

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

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

SB 70

SENATE BILL NO. 70 BY THE SENATE FINANCE COMMITTEE,
entitled:

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

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

SB 71

SENATE BILL NO. 71 BY SENATORS DAVIS, Ellis, entitled:

"An Act establishing the third Saturday of each June as Juneteenth Day."

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

Consideration of the Calendar

Second Reading of Senate Bills

SB 9

SENATE BILL NO. 9 "An Act extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors" was read the second time.

Senator Phillips, Chair, moved and asked unanimous consent for the adoption of the Labor and Commerce Committee Substitute offered on page 158. Without objection, CS FOR SENATE BILL NO. 9(L&C) "An Act extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors; relating to the temporary member of that board; and providing for an effective date" was adopted and 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.

CS FOR SENATE BILL NO. 9(L&C) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 9(L&C) "An Act extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors; relating to the temporary member of that board; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 9(L&C)

Third Reading - Final Passage

Effective Dates

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 BILL NO. 9(L&C) passed the Senate.

Senator Leman moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clauses. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

Second Reading of Senate Resolutions

SJR 6

SENATE JOINT RESOLUTION NO. 6 Urging the Congress of the United States to provide federal education funds as a block grant to the state, was read the second time.

Senator Kelly, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 233. Without objection, CS FOR SENATE JOINT RESOLUTION NO. 6(FIN) 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. Without objection, it was so ordered.

CS FOR SENATE JOINT RESOLUTION NO. 6(FIN) was read the third time.

The question being: "Shall CS FOR SENATE JOINT RESOLUTION NO. 6(FIN) Urging the Congress of the United States to provide federal education funds as a block grant to the state, pass the Senate?" The roll was taken with the following result:

CSSJR 6(FIN)

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. 6(FIN) passed the Senate and was referred to the Secretary for engrossment.

SJR 8

SENATE JOINT RESOLUTION NO. 8 Relating to supporting polling places at military installations and reserve component facilities, was read the second time.

Senator Therriault, Chair, moved and asked unanimous consent for the adoption of the State Affairs Committee Substitute offered on page 255. Without objection, CS FOR SENATE JOINT RESOLUTION NO.8(STA) Relating to supporting polling places at military installations, 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. Without objection, it was so ordered.

CS FOR SENATE JOINT RESOLUTION NO. 8(STA) was read the third time.

The question being: "Shall CS FOR SENATE JOINT RESOLUTION NO. 8(STA) Relating to supporting polling places at military installations, pass the Senate?" The roll was taken with the following result:

CSSJR 8(STA)

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. 8(STA) passed the Senate and was referred to the Secretary for engrossment.

Citations

Honoring – Karma Hibbetts

Representative(s) Lancaster

Senator(s) Torgerson, Wilken, Leman, Elton, Davis, Lincoln, Austerman, Taylor, Kelly, Green, Pearce, Hoffman

In Memoriam – Don Douglas "Doug" Arduser

Senator(s) Cowdery, Ward, Wilken, Leman, Elton, Davis, Lincoln, Austerman, Taylor, Kelly, Green, Pearce, Donley, Hoffman

In Memoriam – Lavon White

Senator(s) Taylor, Wilken, Leman, Elton, Davis, Lincoln, Austerman, Kelly, Green, Pearce, Hoffman

In Memoriam – Fletcher Gilbert Machen

Representative(s) Lancaster

Senator(s) Torgerson, Ward, Wilken, Leman, Elton, Davis, Lincoln, Austerman, Taylor, Kelly, Green, Pearce, Hoffman

Senator Leman 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**SJR 12**

Senators Wilken, Taylor, Kelly, Green, Ward, Pearce, Cowdery, Austerman, Hoffman, Halford moved and asked unanimous consent to be shown as cosponsors on SENATE JOINT RESOLUTION NO. 12 Urging the United States Congress to amend the tax code to reduce the marriage penalty. Without objection, it was so ordered.

Senator Pearce moved and asked unanimous consent to be excused from a call of the Senate on February 6. Without objection, Senator Pearce was excused.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 9**

CS FOR SENATE BILL NO. 9(L&C) "An Act extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors; relating to the temporary member of that board; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SJR 6

CS FOR SENATE JOINT RESOLUTION NO. 6(FIN) Urging the Congress of the United States to provide federal education funds as a block grant to the state, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SJR 8

CS FOR SENATE JOINT RESOLUTION NO. 8(STA) Relating to supporting polling places at military installations, 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., February 6, 2001. Without objection, the Senate adjourned at 11:42 a.m.

Heidi Vogel
Secretary of the Senate

February 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**

Feb 05	Monday	1:30 PM
	No Meeting Scheduled	
Feb 07	Wednesday	1:30 PM
+ SB 4	MUNICIPAL PROPERTY TAX EXEMPTION	
+ SB 48	MUNICIPALITIES:INCORP/PROPERTY VALUATION	
Feb 09	Friday	1:30 PM
	No Meeting Scheduled	
Feb 10	Saturday	1:30 PM
	-- Time Change --	
+ SB 48	MUNICIPALITIES:INCORP/PROPERTY VALUATION	

FINANCE**SENATE FINANCE 532**

Feb 05	Monday	9:00 AM
	Joint w/(H) Finance:	
	Mark Hamilton, University of Alaska President	
Feb 06	Tuesday	9:00 AM
+	Overview: Diane Barrans	
	AK Commission on Postsecondary Education	
+ SB 16	OIL DISCH PREVENTION: NONTANK VESSELS/RR	
Feb 07	Wednesday	9:00 AM
	Status of Donald H. Carlson et al. vs State of AK Commercial Fisheries Entry Commission: Dept of Law, OMB, CFEC	

FINANCE (continued)

Feb 08 Thursday 9:00 AM
 Overview: Annalee McConnell
 Governor's Supplemental Budget

HEALTH, EDUCATION & SOCIAL SERVICES

BUTROVICH 205

Feb 05 Monday 1:30 PM
 + SB 2 MUNICIPAL SCHOOL BOND REIMBURSEMENT
 + SB 11 COMPULSORY SCHOOL AGE
 += SB 19 CHILD SUPPORT ENFORCEMENT/SOC SEC. #
 Bills Previously Heard/Scheduled

Feb 07 Wednesday 1:30 PM
 + SB 40 EDUC.OF DISABLED OR GIFTED CHILDREN
 + SB 64 HIGH SCHOOL DIPLOMA FOR CERTAIN WWII VETS
 Bills Previously Heard/Scheduled

JUDICIARY

BELTZ 211

Feb 05 Monday 1:30 PM
 + SB 23 EXTEND TERMINATION DATE FOR BD OF PAROLE
 + SB 25 COMPACT FOR ADULT OFFENDER SUPERVISION

Feb 07 Wednesday 1:30 PM
 Confirmation Hearing:
 Judicial Conduct, AK Judicial Council

Feb 09 Friday 1:30 PM
 Confirmation Hearing:
 Violent Crimes Compensation Board

LABOR & COMMERCE

BELTZ 211

Feb 06 Tuesday 1:30 PM
 + SB 58 ADD PHYSICIAN ASST TO STATE MEDICAL BOARD

Feb 08 Thursday 1:30 PM
 SB 52 TERMINATION OF STATE PHYS THERAPY BOARD
 SB 53 EXTENDING THE BD. OF BARBERS/HAIRDRESSERS

RESOURCES**BUTROVICH 205**

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

BUTROVICH 205

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

Feb 09 Friday 3:30 PM
 + Status Briefing on Donald H. Carlson et al. vs State of AK
 Commercial Fisheries Entry Commission:
 Dept of Law, OMB, CFEC
 + HJR 6 ROADLESS POLICY

Feb 14 Wednesday 3:30 PM
 TAPS Briefing:
 David Wight, CEO and President, Alyeska Pipeline

SENATE FINANCE 532

Feb 15 Thursday 12:00 PM
 -- Time and Location Change --
 Joint w/(H) Resources and (H) Special Committee on Oil &
 Gas: Presentation on LNG Market in Japan and Asia:
 Shigeru Muraki, General Manager, Gas Resources Dept,
 Tokyo Gas Co. Ltd.

RULES**FAHRENKAMP 203**

Feb 05 Monday 10:45 AM
 SJR 6 EDUCATION BLOCK GRANTS
 SJR 8 VOTING SITES AT MILITARY INSTALLATIONS
 SB 9 BD OF ARCHITECTS,ENGINEERS,LAND SURV. ETC

STATE AFFAIRS

BELTZ 211

Feb 06 Tuesday 3:30 PM

- + SJR 9 NATIONAL MISSILE DEFENSE SYSTEM
- + SJR 12 ELIMINATE MARRIAGE TAX PENALTY
- + SB 39 ASST. ADJUTANT GENERAL FOR MISSILE DEFENSE

Feb 08 Thursday 3:30 PM

- + SB 54 ALASKA VETERANS ADVISORY COUNCIL
 - + SB 55 PIONEERS' AND VETERANS' HOME/ADVISORY BD
- Bills Previously Heard/Scheduled

TRANSPORTATION

BUTROVICH 205

Feb 06 Tuesday 1:30 PM

No Meeting Scheduled

Feb 08 Thursday 1:30 PM

- + HB 44 JOE REDINGTON SR. MEMORIAL TRAIL
- + SB 3 APPROP:ENV.ASSESS. NORTHERN DENALI ACCESS

FINANCE SUBCOMMITTEES

EDUCATION & EARLY DEVELOPMENT

SENATE FINANCE 532

Feb 08 Thursday 8:00 AM

Overview:
Dept of Education and Early Development

HEALTH & SOCIAL SERVICES

SENATE FINANCE 532

Feb 07 Wednesday 4:00 PM

Missions and Measures:
Div of Medical Assistance, Public Assistance, Public Health

JOINT COMMITTEES**LEGISLATIVE COUNCIL**

HOUSE FINANCE 519

Feb 08

Thursday

12:00 PM

Fairbanks Office Lease Renewal

Flag Pins

Information Technology Subcommittee

Pacific NW Economic Region Discussion