

SENATE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Tuesday

February 27, 2001

Fifty-first Day

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

The roll showed sixteen members present. Senators Donley, Kelly, Olson, Taylor were absent.

The prayer was offered by the Chaplain, Karina Rawhani of the Juneau Baha'i Assembly. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Glory be to Thee, O God, for Thy manifestation of love to mankind! O Thou Who art our Life and Light, guide Thy servants in Thy way, and make us rich in Thee and free from all save Thee.

O God, teach us Thy Oneness and give us a realization of Thy Unity, that we may see no one save Thee. Thou art the Merciful and the Giver of bounty!

O God, create in the hearts of Thy beloved the fire of Thy love, that it may consume the thought of everything save Thee.

Reveal to us, O God, Thine exalted eternity - that Thou hast ever been and wilt ever be, and that there is no God save Thee. Verily, in Thee will we find comfort and strength. (Baha'u'llah: Baha'i Prayers (UK), Pages: 60-61)

Senator Ward led the Senate in the Pledge of Allegiance.

Certification

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

The presence of Senators Donley, Taylor, Kelly was noted.

Messages from the House

Message dated February 26 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills**HB 24**

CS FOR HOUSE BILL NO. 24(EDT) BY THE HOUSE SPECIAL COMMITTEE ON ECONOMIC DEVELOPMENT, TRADE, AND TOURISM, entitled:

"An Act relating to use of borough revenues from a sales tax levied upon room rentals for a tourism marketing campaign."

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

HB 118

HOUSE BILL NO. 118 BY REPRESENTATIVES WHITAKER, Hayes, Rokeberg, Crawford, Croft, entitled:

"An Act relating to a mandatory exemption from municipal taxes on certain residences; and providing for an effective date."

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

The presence of Senator Olson was noted.

Standing Committee Reports**SB 84**

Forthcoming Finance Committee Substitute (page 500) for SENATE BILL NO. 84 "An Act exempting joint action agencies from regulation by the state or municipalities; relating to the relationship between a joint action agency and the public utilities that form the joint action agency; relating to powers and immunities of a joint action agency; requiring filing of the joint action agency agreement; relating to the financial affairs of a joint action agency; declaring certain joint action agencies to be political subdivisions for certain purposes; relating to liability and indemnification of officers, employees, and agents of joint action agencies; and defining 'agency agreement' as used with reference to joint action agencies" was received today:

CS FOR SENATE BILL NO. 84(FIN) "An Act exempting certain joint action agencies from regulation by the state or municipalities; relating to the relationship between certain joint action agencies and the public utilities that form the joint action agencies; relating to powers and immunities of certain joint action agencies; requiring filing of certain joint action agency agreements; relating to the financial affairs of certain joint action agencies; declaring certain joint action agencies to be political subdivisions for certain purposes; relating to liability and indemnification of officers, employees, and agents of certain joint action agencies; and defining 'agency agreement' and 'parties to the agency agreement' as used with reference to certain joint action agencies."

SB 79

The Rules Committee considered SENATE BILL NO. 79 "An Act naming the Fred Zharoff Memorial Bridge." Signing to calendar: Senator Pearce, Chair, Senators Phillips, Therriault, Ellis, Cowdery.

The bill is on today's calendar.

HB 79

The Rules Committee considered HOUSE BILL NO. 79 "An Act designating a portion of the Eagle River Loop Road as the Eagle River Veterans' Memorial Highway." Signing to calendar: Senator Pearce, Chair, Senators Ellis, Therriault, Phillips, Cowdery.

The bill is on today's calendar.

**Introduction and Reference of
Senate Resolutions****SCR 5**

SENATE CONCURRENT RESOLUTION NO. 5 BY SENATORS HOFFMAN, Ellis,

Requesting the Governor to declare March 18 - 24, 2001, to be Inhalants and Poisons Awareness Week.

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

Introduction and Reference of Senate Bills**SB 120**

SENATE BILL NO. 120 BY SENATOR WARD, entitled:

"An Act relating to a public school student high school graduation examination; and providing for an effective date."

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

SB 121

SENATE BILL NO. 121 BY SENATOR LEMAN, entitled:

"An Act adding, for purposes of the Alaska Right-of-Way Leasing Act, a definition of 'substantial change'

as applied to an amended right-of-way lease application; and providing for an effective date."

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

Consideration of the Calendar

Second Reading of Senate Bills

SB 79

SENATE BILL NO. 79 "An Act naming the Fred Zharoff Memorial Bridge" was read the second time.

Senators Pearce, Phillips, Wilken, Torgerson, Green moved and asked unanimous consent to be shown as cosponsors on the bill. Without objection, it was so ordered.

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. 79 was read the third time.

The question being: "Shall SENATE BILL NO. 79 "An Act naming the Fred Zharoff Memorial Bridge" pass the Senate?" The roll was taken with the following result:

SB 79

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. 79 passed the Senate and was referred to the Secretary for engrossment.

Second Reading of House Bills**HB 79**

HOUSE BILL NO. 79 "An Act designating a portion of the Eagle River Loop Road as the Eagle River Veterans' Memorial Highway" was read the second time.

Senators Phillips, Halford, Leman, Taylor, Wilken, Ward, Cowdery moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

Senator Cowdery, Chair, moved and asked unanimous consent for the adoption of the Transportation Senate Committee Substitute offered on page 451. Without objection, SENATE CS FOR HOUSE BILL NO. 79(TRA) 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.

SENATE CS FOR HOUSE BILL NO. 79(TRA) was read the third time.

The question being: "Shall SENATE CS FOR HOUSE BILL NO. 79(TRA) "An Act designating a portion of the Eagle River Loop Road as the Eagle River Veterans' Memorial Highway" pass the Senate?" The roll was taken with the following result:

SCS HB 79(TRA)

Third Reading - Final Passage

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

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

and so, SENATE CS FOR HOUSE BILL NO. 79(TRA) passed the Senate and was referred to the Secretary for engrossment.

Citations

Commemorating – Women in History Month
Senator(s) Davis, Phillips, Ward, Hoffman, Wilken, Ellis, Leman, Taylor, Pearce, Elton, Lincoln, Austerman

Honoring – Wendy M. Redman
Senator(s) Wilken, Phillips, Ward, Hoffman, Ellis, Leman, Taylor, Kelly, Green, Pearce, Elton, Davis, Lincoln, Austerman, Halford

Honoring – Kari Wise, Justin Gonka, Jacob Fuller
Representative(s) Porter, Guess, Rokeberg
Senator(s) Donley, Ellis, Pearce, Ward, Hoffman, Wilken, Leman, Taylor, Kelly, Green, Elton, Davis, Lincoln, Austerman

Honoring – Southeast Alaska Eagle Scouts
Representative(s) Wilson
Senator(s) Taylor, Phillips, Ward, Hoffman, Wilken, Ellis, Leman, Kelly, Green, Pearce, Elton, Davis, Lincoln, Austerman

Honoring – 2000 Eagle Scouts - Christopher Michael Thomas, Brian Scott Fairchild, Daniel Christian Peterson
Representative(s) Hudson, Kerttula
Senator(s) Elton, Phillips, Ward, Hoffman, Wilken, Ellis, Leman, Taylor, Kelly, Green, Pearce, Davis, Lincoln, Austerman

Honoring – Kikkan Randall, World Ski Championships
Representative(s) Crawford
Senator(s) Ward, Phillips, Hoffman, Wilken, Leman, Taylor, Kelly, Green, Pearce, Elton, Davis, Lincoln, Austerman

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**HJR 7**

The reconsideration on CS FOR HOUSE JOINT RESOLUTION NO. 7(RES) am Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, Alaska, to oil and gas exploration, development, and production, was not taken up this legislative day and the resolution was signed by the President and Secretary and returned to the House.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 79**

SENATE BILL NO. 79 "An Act naming the Fred Zharoff Memorial Bridge" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

HB 79

SENATE CS FOR HOUSE BILL NO. 79(TRA) "An Act designating a portion of the Eagle River Loop Road as the Eagle River Veterans' Memorial Highway" was engrossed, signed by the President and Secretary and returned to the House for consideration.

Adjournment

Senator Leman moved and asked unanimous consent that the Senate stand in adjournment until 10:45 a.m., February 28, 2001. Without objection, the Senate adjourned at 11:39 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.

STANDING COMMITTEES**COMMUNITY & REGIONAL AFFAIRS**

Feb 28	Wednesday	Fahrenkamp 203	1:30 PM
		Bills Previously Heard/Scheduled	
+ SB 4		MUNICIPAL PROPERTY TAX EXEMPTION	
+= SB 48		MUNICIPALITIES:INCORP/PROPERTY VALUATION	
		Testimony by Invitation Only	
Mar 01	Thursday	Fahrenkamp 203	1:30 PM
		No Meeting Scheduled	

FINANCE

Feb 27	Tuesday	Senate Finance 532	9:00 AM
+= HB 117		SUPPLEMENTAL APPROPRIATIONS: FAST TRACK	
+= SB 73		SUPPLEMENTAL APPROPRIATIONS/AMEND	
		APPROP.	
Feb 28	Wednesday	Senate Finance 532	9:00 AM
= HB 117		SUPPLEMENTAL APPROPRIATIONS: FAST TRACK	
= SB 73		SUPPLEMENTAL APPROPRIATIONS/AMEND	
		APPROP.	
+ SB 58		ADD PHYSICIAN ASST TO STATE MEDICAL BOARD	
SB 77		NET PROFIT SHARE UNDER/OVERPAYOUTS	
SB 93		ARCTIC WINTER GAMES TEAM ALASKA TRUST	
		Bills Previously Heard/Scheduled	
Mar 01	Thursday	Senate Finance 532	9:00 AM
+= SB 29		APPROP: GOVERNOR'S CAPITAL BUDGET	
		Bills Previously Heard/Scheduled	

HEALTH, EDUCATION & SOCIAL SERVICES

Feb 28	Wednesday	Butrovich 205	1:30 PM
+	Fish Safety Monitoring: Dept of Health & Social Services Dept of Environmental Conservation		
+	SB 96 C.O.P.S FOR API DEMOLITION/CONSTRUCTION		
+	SB 112 LONG-TERM CARE OMBUDSMAN;MENTAL HLTH AUTH Senate Bill: HIGH SCHOOL GRADUATION QUALIFYING EXAM <Removed from Agenda> Bills Previously Heard/Scheduled		

JUDICIARY

Mar 02 **Friday** **Beltz 211** **1:30 PM**
No Meeting Scheduled

LABOR & COMMERCE

Feb 27 **Tuesday** **Terry Miller 104** **1:30 PM**

+ -- Location Change --

Joint w/(H) Confirmation Hearings:

Kathleen B. Schreiber, Eagle River

Linda C. Thomas, Juneau

Daphne E. Brown, Anchorage

Patrick H. Kalen, Fairbanks

Dr. Robert E. Miller, Anchorage

Darae Crews, Anchorage

Sheryl L. Sutton, Juneau

Larry Allen Ungerecht, Anchorage

Richard D. Brickley, Fairbanks

Aaron T. Isaacs, Klawock

Anthony (Tony) J. Joslyn, Anchor Point

Jeffrey L. Thompson, Anchorage

The Honorable Cliff Davidson, Kodiak

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LABOR & COMMERCE (continued)

Feb 27 Tuesday Terry Miller 104 1:30 PM (continued)

Carla L. Meek, Juneau
James A. Hage, Fairbanks
Stephen F. Turner, Anchorage
Clarence Bolden, Anchorage
Gail Dossman, Anchorage
Lottie M. Michael, Anchorage
James S. Strandberg, Anchorage
Col William (Bill) McDonald, Fairbanks
John A. Abshire, Wasilla
Valerie K. Baffone, Anchorage
Richard H. Behrends, Juneau
John Giuchici, Fairbanks
Stephen T. Hagedorn, Anchorage
Andrew (Bear) J. Piekarski, Eagle River
Marc D. Stemp, Bethel
Robin E. Ward, Anchorage

Mar 01 Thursday Beltz 211 1:30 PM

+ Confirmation Hearings:
Vince Coan, Wasilla
Ronald L. Otte, Anchorage
+ SB 6 MOBILE HOME PARK EVICTION NOTICE
+ SB 37 PHYSICIAN NEGOTIATIONS WITH HEALTH INSURE

RESOURCES

Feb 28 Wednesday Butrovich 205 3:30 PM

+ Supply and Demand of Future Natural Gas Market:
Cambridge Energy Research Associates

Mar 02 Friday Butrovich 205 3:30 PM

No Meeting Scheduled

RULES

STATE AFFAIRS

Feb 27 **Tuesday** **Beltz 211** **3:30 PM**
+ SJR 14 OPPOSE CANADIAN FEE TO TRANSPORT FIREARMS
+ SB 102 SOCIAL SECURITY # & DRIVER'S LICENSES
+= SB 103 ELECTION CAMPAIGNS AND LEGISLATIVE ETHICS

TRANSPORTATION

Feb 27 **Tuesday** **Butrovich 205** **1:30 PM**
No Meeting Scheduled

Mar 01 **Thursday** **Butrovich 205** **1:30 PM**
No Meeting Scheduled

Mar 06 **Tuesday** **Butrovich 205** **1:30 PM**
No Meeting Scheduled

Mar 08 Thursday Butrovich 205 1:30 PM
SB 100 REGULATION OF AERONAUTICS
= SB 59 FEDERAL FUNDS TO MUNICIPALITIES FOR ROADS
SB 83 CONSTRUCTION OF HIGHWAYS BY DOTPF
SB 119 WILLIAM R. WOOD FAIRBANKS INTL AIRPORT

FINANCE SUBCOMMITTEES

EDUCATION & EARLY DEVELOPMENT

Feb 27 Tuesday House Finance 519 3:30 PM
Joint w/(H) Pupil Transportation Review

ENVIRONMENTAL CONSERVATION

Feb 28 **Wednesday** **Senate Finance 532** **12:00 PM**
+ Missions and Measures
Capital Budget Requests (other than Village Safe Water
Program)

LABOR & WORKFORCE DEVELOPMENT

Feb 27 **Tuesday** **Terry Miller 104** **3:45 PM**
Administrative Services/Office of the Commissioner

LAW

Mar 01 Thursday Terry Miller 104 8:00 AM
Overview: FY02 Operating Budget

MILITARY AND VETERANS AFFAIRS

Mar 14 Wednesday Fahrenkamp 203 3:45 PM
Budget Overview/Increment Details

PUBLIC SAFETY

Mar 08 **Thursday** **Fahrenkamp 203** **3:45 PM**
Overview: Operating Budget

Mar 15 **Thursday** **Fahrenkamp 203** **3:45 PM**
Specific GF Increments/Decrements

JOINT COMMITTEES

ADMINISTRATIVE REGULATION REVIEW

Feb 27 **Tuesday** **Capitol 102** **2:45 PM**
+ "Best Value" Procurement by UAF

LEGISLATIVE BUDGET & AUDIT

Feb 28	Wednesday	House Finance 519	12:00 PM
		Executive Session: Preliminary Audit Rpts	
		Final Audit Report: DPS/Board of Parole	
		Audit Reports:	
		Release of Final Audit to Public	
		Release of Preliminary Audits for Agency	
		Response	

SELECT CMTE ON LEGISLATIVE ETHICS

Mar 12 **Monday** **Beltz 211** **8:00 AM**
+ Public Comment
Proposed Open Meetings Guidelines

OTHER MEETINGS

FISH CAUCUS

Mar 09 **Friday** **Butrovich 205** **12:00 PM**
Impact of Fishing Gear on Marine Habitat

JOINT SESSION

Feb 28 **Wednesday** **House Chamber** **11:00 AM**
-- Rescheduled from 02/23/01 --
Chief Justice Dana Fabe's State of the Judiciary Message