

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Friday

March 9, 2001

Sixty-first Day

Pursuant to adjournment the Senate was called to order by President pro tempore Leman at 11:06 a.m.

The roll showed twelve members present. Senators Pearce, Phillips, Therriault were excused from a call of the Senate. Senators Cowdery, Halford, Kelly, Olson, Wilken were absent.

The prayer was offered by the Chaplain, Reverend Steve Olmstead of the Chapel by the Lake. Senator Hoffman moved and asked unanimous consent that the prayers for today and March 7 be spread. Without objection, it was so ordered.

Reverend Olmstead requested the Senate observe a moment of silence in memory of former Speaker of the House, the Honorable Hugh Malone.

My Lord God, I do not know where I am going. I do not see the road ahead of me. I cannot know for certain where it will end.

Nor do I really know myself, and the fact that I think that I am following Your will does not mean that I am actually doing so.

But I believe that the desire to please You does in fact please You.

And I hope that I have that desire in all that I am doing. I hope that I will never do anything apart from that desire.

And I know that if I do this You will lead me by the right road though I may know nothing about it.

Therefore I will trust You always. I will not fear, for You are ever with me and will never leave me alone.
Amen. (Thomas Merton)

Prayer offered March 7:

With respect for the religious beliefs of all here let us enter a time of silence.

Gracious God, we thank You for the gift of life and the privilege of serving other people. May You guide and direct these Senators and their staff in all they do. Thank You for Your faithfulness.

In God's Holy Name, Amen.

Senator Green led the Senate in the Pledge of Allegiance.

Certification

Senator Taylor, Acting Majority Leader, moved and asked unanimous consent that the journals for the fifty-third through sixtieth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Standing Committee Reports

SB 6

The Labor and Commerce Committee considered SENATE BILL NO. 6 "An Act relating to required notice of eviction to mobile home park dwellers and tenants before redevelopment of the park" and recommended it be replaced with

CS FOR SENATE BILL NO. 6(L&C)

Signing do pass: Senator Phillips, Chair, Senators Davis, Austerman, Leman. Signing no recommendation: Senator Torgerson.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Law

The bill was referred to the Finance Committee.

SB 48

The Community and Regional Affairs Committee considered SENATE BILL NO. 48 "An Act relating to the determination of full and true value of taxable municipal property for purposes of calculating funding for education and certain other programs; and relating to incorporation of second class boroughs in the unorganized borough and to annexation of portions of the unorganized borough to boroughs and unified municipalities" and recommended it be replaced with

CS FOR SENATE BILL NO. 48(CRA) "An Act relating to the determination of full and true value of taxable municipal property for purposes of calculating funding for education and certain other programs, to incorporation of third class boroughs, to incorporation of certain boroughs in the unorganized borough and annexation of portions of the unorganized borough to boroughs and unified municipalities, and to the formation of separate unorganized boroughs; and providing for an effective date."

Signing do pass: Senator Torgerson, Chair, Senator Phillips. Signing no recommendation: Senator Austerman.

The following fiscal information was published today:

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

Fiscal Note No. 2, Department of Community and Economic Development

The bill was referred to the Finance Committee.

SB 88

The Community and Regional Affairs Committee considered SENATE BILL NO. 88 "An Act relating to metropolitan planning organizations and to establishment of a metropolitan planning organization for the Anchorage metropolitan area; and providing for an effective date." Signing do pass: Senator Torgerson, Chair, Senator Phillips. Signing no recommendation: Senator Austerman.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Transportation and Public Facilities

The bill was referred to the Finance Committee.

HB 100

The State Affairs Committee considered HOUSE BILL NO. 100 "An Act establishing the third Saturday of each June as Juneteenth Day" and recommended it be replaced with

SENATE CS FOR HOUSE BILL NO. 100(STA)

Signing no recommendation: Senator Therriault, Chair. Signing do pass: Senators Davis, Phillips.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, House State Affairs Committee

The bill was referred to the Rules Committee.

SCR 6

The State Affairs Committee considered SENATE CONCURRENT RESOLUTION NO. 6 Relating to proclaiming April 2001 as Sexual Assault Awareness Month, and recommended it be replaced with

CS FOR SENATE CONCURRENT RESOLUTION
NO. 6(STA)

Signing do pass: Senator Therriault, Chair, Senators Phillips, Davis.

The following fiscal information was published today:
Fiscal Note No. 1, zero, Senate State Affairs Committee

The resolution was referred to the Rules Committee.

Introduction and Reference of Senate Bills

SB 89

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 89 BY
SENATOR DAVIS, entitled:

"An Act relating to charter schools; and providing for
an effective date."

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

SB 129

SENATE BILL NO. 129 BY SENATOR DAVIS, entitled:

"An Act relating to a public high school competency
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 130

SENATE BILL NO. 130 BY SENATOR TAYLOR, entitled:

"An Act establishing the Alaska Marine Highway
Authority; and providing for an effective date."

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

SB 131

SENATE BILL NO. 131 BY SENATOR DAVIS, entitled:

"An Act relating to the forfeiture of property used to
possess or distribute child pornography, to commit
indecent viewing or photography, to commit a sex

offense, or to solicit the commission of, attempt to commit, or conspire to commit possession or distribution of child pornography, indecent viewing or photography, or a sexual offense."

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

SB 132

SENATE BILL NO. 132 BY SENATOR DAVIS, entitled:

"An Act relating to minimum wages."

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

SB 133

SENATE BILL NO. 133 BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE, entitled:

"An Act relating to a two-year transition for implementation of the public high school competency examination and to establishing an essential skills examination as a high school graduation requirement; 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**Citations**

Honoring – Alaska Air National Guard's 168th Aerial Refueling Wing
Senator(s) Therriault, Wilken, Kelly, Pearce, Green, Taylor, Austerman, Lincoln, Davis, Elton, Donley, Leman, Halford, Phillips, Hoffman
Representative(s) Hayes, James, Fate, Coghill, Davies, Whitaker

Honoring – Willa Ashenfelter
Representative(s) Foster
Senator(s) Olson, Pearce, Green, Kelly, Taylor, Austerman, Lincoln,
Davis, Elton, Wilken, Leman, Halford, Hoffman

Honoring – Irene Aukongak
Representative(s) Foster
Senator(s) Olson, Pearce, Green, Kelly, Taylor, Austerman, Lincoln,
Davis, Elton, Wilken, Leman, Halford, Hoffman

Senator Donley, Acting Majority Leader, moved and asked unanimous consent that the citations be adopted. Without objection, the citations were adopted and referred to the Secretary for transmittal.

Senator Donley, Acting Majority Leader, moved and asked unanimous consent that the following citation be made a special order of business. Without objection, it was so ordered.

Special Order of Business

In Memoriam – Norman Sommers
Senator(s) Leman, Cowdery, Austerman, Davis, Donley, Elton, Green,
Hoffman, Kelly, Pearce, Taylor, Therriault, Ward, Lincoln
Representative(s) Mulder, Dyson, Kott, Porter, Berkowitz, Chenault,
Cissna, Coghill, Crawford, Croft, Davies, Fate, Foster, Guess, Halcro,
Harris, Hayes, Hudson, James, Kapsner, Masek, Meyer, Morgan,
Murkowski, Ogan, Rokeberg, Whitaker

Senator Donley, Acting Majority Leader, moved and asked unanimous consent that the citation be adopted. Without objection, the citation was adopted and referred to the Secretary for transmittal.

Unfinished Business

Senator Austerman moved and asked unanimous consent to be excused from a call of the Senate from March 22 through 26. Without objection, Senator Austerman was excused.

Senator Ellis moved and asked unanimous consent to be excused from a call of the Senate through morning plane time on March 12. Without objection, Senator Ellis was excused.

EO 102

In accordance with AS 24.08.210, action was not taken on the following Executive Order and it was returned to the Governor's Office at 8:55 a.m. on March 9, 2001:

Transferring the office of the long term care ombudsman from the Alaska Commission on Aging in the Department of Administration to the Alaska Mental Health Trust Authority in the Department of Revenue.

Announcements**SB 133**

Senator Green, Chair, moved and asked unanimous consent that the five-day notice be waived on SENATE BILL NO. 133 "An Act relating to a two-year transition for implementation of the public high school competency examination and to establishing an essential skills examination as a high school graduation requirement; and providing for an effective date" for the Health, Education and Social Services Committee meeting on March 10. Without objection, it was so ordered.

SB 129

Senator Davis moved and asked unanimous consent that the five-day notice be waived on SENATE BILL NO. 129 "An Act relating to a public high school competency examination; and providing for an effective date" for the Health, Education and Social Services Committee meeting on March 10. Without objection, it was so ordered.

Announcements are at the end of the journal.

Adjournment

Senator Taylor, Acting Majority Leader, moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., March 12, 2001. Without objection, the Senate adjourned at 11:29 a.m.

Heidi Vogel
Secretary of the Senate

March 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**

Mar 09	Friday	Fahrenkamp 203	1:30 PM
	No Meeting Scheduled		
Mar 12	Monday	Fahrenkamp 203	1:30 PM
	No Meeting Scheduled		
Mar 14	Wednesday	Fahrenkamp 203	1:30 PM
+ =	SB 75	SERVICE AREAS: VOTER APPROVAL/TAX ZONES	
+ =	SB 78	MUNICIPAL REGULATION OF RADIO ANTENNAS	
+	SB 104	AID TO VOLUNTEER SERVICES	
+	SB 109	UNINCORP. COMMUNITY MATCHING GRANTS	
Mar 16	Friday	Fahrenkamp 203	1:30 PM
	No Meeting Scheduled		

FINANCE

Mar 09	Friday	Senate Finance 532	9:00 AM
	-- Meeting Canceled --		
+ =	SB 65	PAY EQUITY FOR STATE EMPLOYEES	
	Bills Previously Heard/Scheduled		
Mar 12	Monday	Senate Finance 532	9:00 AM
+ =	HB 117	SUPPLEMENTAL APPROPRIATIONS: FAST TRACK	

FINANCE (continued)

- Mar 13 Tuesday Senate Finance 532 9:15 AM**
 -- Time Change --
 = SB 65 PAY EQUITY FOR STATE EMPLOYEES
 = SB 77 NET PROFIT SHARE UNDER/OVERPAYMENTS
 = SB 93 ARCTIC WINTER GAMES TEAM ALASKA TRUST
 SB 102 SOCIAL SECURITY # & DRIVER'S LICENSES
 Bills Previously Heard/Scheduled
- Mar 13 Tuesday Senate Finance 532 6:00 PM**
 -- Time Change --
 = SB 29 APPROP: GOVERNOR'S CAPITAL BUDGET
- Mar 14 Wednesday Senate Finance 532 9:00 AM**
 = HB 117 SUPPLEMENTAL APPROPRIATIONS: FAST TRACK
 + SB 99 DNA REGISTRATION OF BURGLARS
 SB 105 VICTIMS' RIGHTS/ PRISONER'S PFD
 Bills Previously Heard/Scheduled
- Mar 14 Wednesday Senate Finance 532 6:00 PM**
 -- Time Change --
 = SB 29 APPROP: GOVERNOR'S CAPITAL BUDGET
- Mar 15 Thursday Senate Finance 532 9:00 AM**
 SB 112 LONG-TERM CARE OMBUDSMAN;MENTAL HLTH
 AUTH
 HB 90 MUNICIPAL SCHOOL BOND REIMBURSEMENT
 = SB 58 ADD PHYSICIAN ASST TO STATE MEDICAL BOARD
 Bills Previously Heard/Scheduled
- Mar 16 Friday Senate Finance 532 9:00 AM**
 University of Alaska Budget Request/
 Missions and Measures
 Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

- Mar 10 Saturday Butrovich 205 10:30 AM**
 -- Time Change --
 += SB 120 PUBLIC SCHOOL EXIT EXAM
 += SB 128 PUBLIC SCHOOL EXIT EXAM TRANSITION PERIOD
 + SB 129 HIGH SCHOOL EXIT EXAM
 Uniform Rule 23 Waived
 + SB 133 PUBLIC SCHOOL EXIT EXAM
 Uniform Rule 23 Waived
 + Testimony from Parents, Students, Public
 Bills Previously Heard/Scheduled
- Mar 12 Monday Butrovich 205 1:30 PM**
 += SB 133 PUBLIC SCHOOL EXIT EXAM
 Bills Previously Heard/Scheduled
- Mar 14 Wednesday Butrovich 205 1:30 PM**
 + SB 67 ASSISTED LIVING HOMES
 + SB 91 ABORTION: INFORMED CONSENT; INFORMATION
 Bills Previously Heard/Scheduled
- Mar 16 Friday Butrovich 205 1:30 PM**
 + SB 86 TEACHER EMPLOYMENT & SUBJECT EXPERTISE
 += SB 94 EDUCATION FUNDING
 Bills Previously Heard/Scheduled
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JUDICIARY

- Mar 09 Friday Beltz 211 1:30 PM**
 + SB 103 ELECTION CAMPAIGNS AND LEGISLATIVE ETHICS
- Mar 12 Monday Beltz 211 1:30 PM**
 += SB 97 PROBATION AND PAROLE FEES
- Mar 14 Wednesday Beltz 211 1:30 PM**
 + Confirmation Hearings:
 Eleanor Andrews, Alaska Judicial Council
 Dr. Colleen M. Murphy, Violent Crimes
 Compensation Board
 Ethel L. Staton, Judicial Conduct

JUDICIARY (continued)

Mar 16 Friday Beltz 211 1:30 PM
 No Meeting Scheduled

LABOR & COMMERCE

Mar 13 Tuesday Beltz 211 1:30 PM
 += SB 37 PHYSICIAN NEGOTIATIONS WITH HEALTH INSURE
 Bills Previously Heard/Scheduled

Mar 15 Thursday Beltz 211 1:30 PM
 += SB 66 FINANCIAL INSTITUTIONS
 Bills Previously Heard/Scheduled

RESOURCES

Mar 09 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

Mar 12 Monday Butrovich 205 3:30 PM
 No Meeting Scheduled

Mar 14 Wednesday Butrovich 205 3:30 PM
 + Presentation on Alcan Highway Gas
 Pipeline Route: Ken Thompson, President,
 Pacific Rim Leadership Development

Mar 16 Friday Butrovich 205 3:30 PM
 SB 121 RIGHT-OF-WAY LEASING ACT
 SB 125 LAND ENTRY UNDER STATE RESERVATION OF RT.
 SJR 15 CHILEAN FARMED SALMON
 HJR 10 GROUND FISH FISHERIES AND STELLER SEA LION

STATE AFFAIRS

Mar 13 Tuesday Beltz 211 3:30 PM
 = HCR 6 INHALANTS AND POISONS AWARENESS WEEK
 <Pending Referral>
 SB 90 OFFICE OF CITIZENSHIP ASSISTANCE
 = SB 92 REMOVAL OF MEMBERS OF THE PF BOARD

STATE AFFAIRS (continued)

Mar 15 Thursday Beltz 211 3:30 PM
 HB 109 VOTING IN PERSON BY ABSENTEE BALLOT
 SB 126 RIGHT OF ACTION FOR LEGAL SEPARATION

TRANSPORTATION

Mar 13 Tuesday Butrovich 205 1:30 PM
 -- Rescheduled from 3/8/01 --
 += SB 59 FEDERAL FUNDS TO MUNICIPALITIES FOR ROADS
 + SB 83 CONSTRUCTION OF HIGHWAYS BY DOTPF
 + SB 100 REGULATION OF AERONAUTICS
 + SB 119 WILLIAM R. WOOD FAIRBANKS INTL AIRPORT

Mar 15 Thursday Butrovich 205 1:30 PM
 No Meeting Scheduled

FINANCE SUBCOMMITTEES**EDUCATION & EARLY DEVELOPMENT**

Mar 13 Tuesday Terry Miller 104 3:30 PM
 FY02 Operating Budget:
 Increments/Decrements

ENVIRONMENTAL CONSERVATION

Mar 13 Tuesday Senate Finance 532 12:00 PM
 Operating Budget:
 Spill Prevention and Response Division
 Division of Air and Water Quality
 Environmental Health<Removed from Agenda>

FINANCE SUBCOMMITTEES (continued)**LAW**

Mar 13 **Tuesday** **Terry Miller 104** **8:00 AM**
Continuation Dept of Law Overview
Missions and Measures

Mar 15 **Thursday** **Terry Miller 104** **8:00 AM**
FY02 Operating Budget
Major Increments and Decrements

MILITARY AND VETERANS AFFAIRS

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

NATURAL RESOURCES

Mar 12 **Monday** **Senate Finance 532** **12:00 PM**
Missions and Measures

Mar 19 **Monday** **Senate Finance 532** **12:00 PM**
Operating Budget

PUBLIC SAFETY

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

REVENUE

Mar 14 **Wednesday** **Senate Finance 532** **3:30 PM**
Operating Budget Close-out

JOINT COMMITTEES

ADMINISTRATIVE REGULATION REVIEW

Mar 13	Tuesday -- Meeting Canceled --	Capitol 102	2:45 PM
Mar 20 +	Tuesday Kachemak Bay Closure to Bottom Mariculture (continued from 3/8/01)	Capitol 102	2:45 PM
Mar 27 +	Tuesday To be announced	Capitol 102	2:45 PM

SELECT CMTE ON LEGISLATIVE ETHICS

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

CHILDREN'S CAUCUS

Mar 20	Tuesday Alaska State Troopers: Child Abuse in AK	Fahrenkamp 203	12:00 PM
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FISH CAUCUS

Mar 09 +	Friday Impact of Fishing Gear on Marine Habitat	Butrovich 205	12:00 PM
Mar 16	Friday Local Area Management Plans	Butrovich 205	12:00 PM