

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Friday

March 16, 2001

Sixty-eighth Day

Pursuant to adjournment the Senate was called to order by President Halford at 11:16 a.m.

The roll showed fourteen members present. Senators Cowdery, Lincoln, Olson were excused from a call of the Senate. Senators Hoffman, Kelly, Pearce were absent.

The prayer was offered by the Chaplain, Dr. Walter Soboleff. Senator Elton moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Thou who art merciful, wise and glorious, our God and Father, once again as You have spared us with life, we humbly bow in a moment of prayer to say we have need of thee always. In Your providence we have fresh air, water, food, shelter, land, seasons, all in order; Your blessings are manifold. Thou art the Great Host and we are Your guests. Thank You for this great love. Amen.

Senator Ward led the Senate in the Pledge of Allegiance.

Certification

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

The presence of Senators Kelly, Pearce was noted.

Messages from the House**SB 84**

Message dated March 15 was read, stating the House passed and returned:

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."

The bill was referred to the Secretary for enrollment.

Message dated March 15 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills**HB 103**

CS FOR HOUSE BILL NO. 103(FIN)(brf sup maj fld) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; and providing for an effective date."

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

HB 104

CS FOR HOUSE BILL NO. 104(FIN) BY THE HOUSE 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.

HB 127

CS FOR HOUSE BILL NO. 127(RLS) BY THE HOUSE RULES COMMITTEE, entitled:

"An Act relating to aviation and to emergency equipment to be carried on aircraft."

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

Senator Olson was added as a cross sponsor on the bill.

Standing Committee Reports**SB 83**

Forthcoming fiscal note (page 654) for the SENATE BILL NO. 83 "An Act relating to construction of highways by the Department of Transportation and Public Facilities" published today from Department of Transportation and Public Facilities.

HB 109

The State Affairs Committee considered HOUSE BILL NO. 109 "An Act relating to failure by an election official to execute the voter's certificate on an absentee ballot or by a person authorized by law to execute the voter's certificate on a questioned ballot." Signing do pass: Senator Therriault, Chair, Senators Phillips, Davis, Pearce.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Office of the Governor

The bill was referred to the Rules Committee.

HCR 6

The State Affairs Committee considered CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(HES) am Requesting the Governor to declare March 18 - 24, 2001, to be Inhalants and Poisons Awareness Week and August 26 - September 1, 2001, to be Inhalant Awareness Week, and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE
CONCURRENT RESOLUTION NO. 6(STA)

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

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, House Health, Education and Social Services Committee

The resolution was referred to the Rules Committee.

Recess

Senator Leman 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 11:23 a.m.

After Recess

The Senate reconvened at 11:36 a.m.

Standing Committee Reports (continued)**SB 93**

The Rules Committee considered SENATE BILL NO. 93 "An Act relating to the Arctic Winter Games Team Alaska trust; and providing for an effective date." Signing to calendar: Senator Pearce, Chair, Senators Phillips, Therriault, Ellis.

The bill is on today's calendar.

SB 119

The Rules Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 119 "An Act naming the William R. Wood Fairbanks International Airport; and providing for an effective date." Signing to calendar: Senator Pearce, Chair, Senators Phillips, Therriault, Ellis.

The bill is on today's calendar.

HCR 6

The Rules Committee considered CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(HES) am Requesting the Governor to declare March 18 - 24, 2001, to be Inhalants and Poisons Awareness Week and August 26 - September 1, 2001, to be Inhalant Awareness Week. Signing to calendar: Senator Pearce, Chair, Senators Phillips, Therriault, Ellis.

The resolution is on today's calendar.

Introduction and Reference of Senate Bills**SB 147**

SENATE BILL NO. 147 BY SENATOR COWDERY, entitled:

"An Act relating to nongovernmental activities of state departments; and providing for an effective date."

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

SB 148

SENATE BILL NO. 148 BY SENATOR TORGERSON, entitled:

"An Act relating to remote water storage for fire departments."

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

Consideration of the Calendar**Second Reading of Senate Bills****SB 93**

SENATE BILL NO. 93 "An Act relating to the Arctic Winter Games Team Alaska trust; and providing for an effective date" was read the second time.

Senator Kelly, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 673. Without objection, CS FOR SENATE BILL NO. 93(FIN) 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. 93(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 93(FIN) "An Act relating to the Arctic Winter Games Team Alaska trust; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 93(FIN)
Third Reading - Final Passage
Effective Date

YEAS: 15 NAYS: 1 EXCUSED: 3 ABSENT: 1

Yeas: Austerman, Davis, Donley, Ellis, Elton, Halford, Kelly, Leman, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Green

Excused: Cowdery, Lincoln, Olson

Absent: Hoffman

and so, CS FOR SENATE BILL NO. 93(FIN) 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 clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

SB 119

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 119 "An Act naming the William R. Wood Fairbanks International Airport; and providing for an effective date" 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.

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 119 was read the third time.

The question being: "Shall SPONSOR SUBSTITUTE FOR SENATE BILL NO. 119 "An Act naming the William R. Wood Fairbanks International Airport; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SSSB 119
Third Reading - Final Passage
Effective Date

YEAS: 16 NAYS: 0 EXCUSED: 3 ABSENT: 1

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

Excused: Cowdery, Lincoln, Olson

Absent: Hoffman

and so, SPONSOR SUBSTITUTE FOR SENATE BILL NO. 119 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 clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

Second Reading of House Resolutions

HCR 6

CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(HES) am Requesting the Governor to declare March 18 - 24, 2001, to be Inhalants and Poisons Awareness Week and August 26 - September 1, 2001, to be Inhalant Awareness Week, was read the second time.

Senators Ward, Halford, Pearce, Leman, Taylor, Green, Ellis, Davis, Austerman, Elton, Wilken moved and asked unanimous consent to be shown as cross sponsors on the resolution. Without objection, it was so ordered.

Senator Therriault, Chair, moved and asked unanimous consent for the adoption of the State Affairs Senate Committee Substitute offered on page 692. Without objection, SENATE CS FOR CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(STA) was adopted, read the second time and was before the Senate on final passage.

The question being: "Shall SENATE CS FOR CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(STA) Requesting the Governor to declare March 18 - 24, 2001, to be Inhalants and Poisons Awareness Week and August 26 - September 1, 2001, to be Inhalant Awareness Week, pass the Senate?" The roll was taken with the following result:

SCS CSHCR 6(STA)

Second Reading - Final Passage

YEAS: 16 NAYS: 0 EXCUSED: 3 ABSENT: 1

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

Excused: Cowdery, Lincoln, Olson

Absent: Hoffman

and so, SENATE CS FOR CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(STA) passed the Senate and was referred to the Secretary for engrossment.

Citations

Honoring – Le Bron McPhail, Milken Family Foundation National Educator Award

Senator(s) Green, Ward, Austerman, Taylor, Kelly, Pearce, Elton, Davis, Lincoln, Wilken, Ellis, Halford, Therriault, Leman

Senator Leman 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 Ward moved and asked unanimous consent to be excused from a call of the Senate from March 23 through plane time, March 24, and from March 28 through plane time, March 29. Without objection, Senator Ward was excused.

SJR 14

The reconsideration on CS FOR SENATE JOINT RESOLUTION NO. 14(STA) Urging President Bush, the United States Department of State, and the United States Congress to intervene and negotiate with the government of Canada to reconsider the imposition of a fee to transport firearms through Canada, was not taken up this legislative day and the resolution was referred to the Secretary for engrossment.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 93**

CS FOR SENATE BILL NO. 93(FIN) "An Act relating to the Arctic Winter Games Team Alaska trust; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 119

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 119 "An Act naming the William R. Wood Fairbanks International Airport; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SJR 14

CS FOR SENATE JOINT RESOLUTION NO. 14(STA) Urging President Bush, the United States Department of State, and the United States Congress to intervene and negotiate with the government of Canada to reconsider the imposition of a fee to transport firearms through Canada, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

HCR 6

SENATE CS FOR CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(STA) Requesting the Governor to declare March 18 - 24, 2001, to be Inhalants and Poisons Awareness Week and August 26 - September 1, 2001, to be Inhalant Awareness Week, was engrossed, signed by the President and Secretary and returned to the House for consideration.

Enrollment**SCR 4**

CS FOR SENATE CONCURRENT RESOLUTION NO. 4(STA) Relating to declaring April 6, 2001, as Alaska Tartan Day, was enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 3:05 p.m., March 16, 2001.

Adjournment

Senator Leman moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., March 19, 2001. Without objection, the Senate adjourned at 11:56 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

+ indicates teleconference
 = indicates bill previously heard/scheduled

COMMUNITY & REGIONAL AFFAIRS

Mar 16	Friday	Fahrenkamp 203	1:30 PM
		No Meeting Scheduled	
Mar 19	Monday	Fahrenkamp 203	1:30 PM
+ SB 1	FOUNDATION FORMULA INCREASE		
+ SB 59	FEDERAL FUNDS TO MUNICIPALITIES FOR ROADS		
+ HB 13	SERVICE AREAS:VOTER APPROVAL/TAX ZONES		
+ HB 24	BOROUGH REVENUES FOR TOURISM MARKETING		
Mar 21	Wednesday	Fahrenkamp 203	1:30 PM
		No Meeting Scheduled	
Mar 23	Friday	Fahrenkamp 203	1:30 PM
		No Meeting Scheduled	

FINANCE

Mar 16	Friday	Senate Finance 532	9:00 AM
+	University of Alaska Budget Request/ Missions and Measures Bills Previously Heard/Scheduled		

FINANCE (continued)

- Mar 19 Monday Senate Finance 532 9:00 AM**
 + SCR 7 HEALTH CARE COST REVIEW TASK FORCE
 + SB 4 MUNICIPAL PROPERTY TAX EXEMPTION
 + SB 137 ALASKA HUMAN RESOURCE INVESTMENT COUNCIL
 + SB 6 MOBILE HOME PARK EVICTION NOTICE
 Bills Previously Heard/Scheduled
- Mar 20 Tuesday Senate Finance 532 9:00 AM**
 = SB 29 APPROP: GOVERNOR'S CAPITAL BUDGET
 Bills Previously Heard/Scheduled
- Mar 21 Wednesday Senate Finance 532 9:00 AM**
 No Meeting Scheduled
- Mar 22 Thursday Senate Finance 532 9:00 AM**
 SB 48 MUNICIPALITIES:INCORP/PROPERTY VALUATION
 SB 103 ELECTION CAMPAIGNS AND LEGISLATIVE ETHICS
 SB 88 METROPOLITAN PLANNING ORGANIZATIONS
 Bills Previously Heard/Scheduled
- Mar 23 Friday Senate Finance 532 9:00 AM**
 HB 103 APPROP: OPERATING BUDGET
 HB 104 APPROP: MENTAL HEALTH BUDGET
 Budget Subcommittee Chairs' Progress Rpts
 -- no public testimony --
 -- no testimony by invitation --
 Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

- Mar 16 Friday Beltz 211 12:00 PM**
 -- Time and Location Change--
 = SB 133 PUBLIC SCHOOL EXIT EXAM
 = SB 67 ASSISTED LIVING HOMES
 = SB 91 ABORTION: INFORMED CONSENT;INFORMATION
 = SB 86 TEACHER EMPLOYMENT & SUBJECT EXPERTISE
 = SB 94 EDUCATION FUNDING
 Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES (continued)

Mar 19 Monday Butrovich 205 1:30 PM
 + Education Funding Task Force Presentation
 += SB 86 TEACHER EMPLOYMENT & SUBJECT EXPERTISE
 Bills Previously Heard/Scheduled

Mar 21 Wednesday Butrovich 205 1:30 PM
 + Building Bridges Campaign Presentation
 Bills Previously Heard/Scheduled

JUDICIARY

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

Mar 19 Monday Beltz 211 1:30 PM
 + HB 34 RULE AGAINST PERPETUITIES
 + SB 85 FAILURE TO REPORT A VIOLENT CRIME
 <Above Bill Removed from Agenda>

Mar 21 Wednesday Beltz 211 1:30 PM
 + SB 82 2001 REVISOR'S BILL
 + SB 142 LEASE-PURCHASE SPRING CREEK CORRECTIONAL

Mar 23 Friday Beltz 211 1:30 PM
 No Meeting Scheduled

LABOR & COMMERCE

Mar 20 Tuesday Beltz 211 1:30 PM
 + SB 138 INSURANCE CODE AMENDMENTS
 Bills Previously Heard/Scheduled

Mar 22 Thursday Beltz 211 1:30 PM
 Bills Previously Heard/Scheduled

RESOURCES

Mar 16 Friday Butrovich 205 3:30 PM

- + SB 121 RIGHT-OF-WAY LEASING ACT
- SB 125 LAND ENTRY UNDER STATE RESERVATION OF RT.
<Above Bill Removed from Agenda>
- + SJR 15 CHILEAN FARMED SALMON
- + HJR 10 GROUND FISH FISHERIES AND STELLER SEA LION

Mar 19 Monday Butrovich 205 3:30 PM

- + SB 136 RESOURCE DEVELOPMENT: BD./GRANTS/FUND
- + SB 143 RIGHT-OF-WAY LEASING ACT:APPLICATION COST

Mar 21 Wednesday Butrovich 205 3:30 PM

- + SB 125 LAND ENTRY UNDER STATE RESERVATION OF RT.
- + SB 140 SMALL WATER-POWER DEVELOPMENT PROJECTS
- + SB 24 LEGIS APPROVAL OF SEAFOOD/FOOD SAFETY LAB

Mar 23 Friday Butrovich 205 3:30 PM

No Meeting Scheduled

RULES

Mar 16 Friday Fahrenkamp 203 11:30 AM

-- Time Change --

- = SB 119 WILLIAM R. WOOD FAIRBANKS INTL AIRPORT
- = SB 93 ARCTIC WINTER GAMES TEAM ALASKA TRUST
- = HCR 6 INHALANTS AND POISONS AWARENESS WEEKS

Mar 19 Monday Fahrenkamp 203 10:45 AM

- SB 77 NET PROFIT SHARE UNDER/OVERPAYMENTS
- SB 78 MUNICIPAL REGULATION OF RADIO ANTENNAS
- SB 99 DNA REGISTRATION OF BURGLARS

STATE AFFAIRS

Mar 20 Tuesday Beltz 211 3:30 PM
 Overview: Readyng Our Workforce for
 Progress
 Steve Goodrich, President, Center for
 Organizational Excellence

SJR 17 FEDERAL GUN POLICIES
 Bills Previously Heard/Scheduled

Mar 22 Thursday Beltz 211 3:30 PM
 SB 127 OPTIONAL BLANKET PRIMARY
 SB 146 MODIFIED BLANKET PRIMARY ELECTION
 SCR 8 POLITICAL PARTIES BLANKET PRIMARY ELECTNS

TRANSPORTATION

Mar 20 Tuesday Butrovich 205 1:30 PM
 No Meeting Scheduled

Mar 22 Thursday Butrovich 205 1:30 PM
 + SB 123 LEGISLATIVE APPROVAL:RAILROAD FACILITIES
 + SB 111 BONDS TO FUND PORTS AND HARBORS
 + SB 44 ALASKA TOLL BRIDGE AND CAUSEWAY
 AUTHORITY
 + SB 45 APPROP: DESIGN OF KNIK ARM CROSSING

FINANCE SUBCOMMITTEES

ADMINISTRATION

Mar 19 Monday Fahrenkamp 203 8:00 AM
 -- Meeting Postponed to 3/20/01--
 Review Operating Budget

Mar 20 Tuesday Fahrenkamp 203 8:00 AM
 -- Rescheduled from 3/19/01 --
 Review Operating Budget

FINANCE SUBCOMMITTEES (continued)**COMMUNITY AND ECONOMIC DEVELOPMENT**

Mar 22 Thursday Senate Finance 532 3:30 PM
 Budget Closeout

CORRECTIONS

Mar 22 Thursday Fahrenkamp 203 8:00 AM
 Review Operating Budget

EDUCATION & EARLY DEVELOPMENT

Mar 20 Tuesday Terry Miller 104 8:00 AM
 Education Funding Task Force Presentation

Mar 20 Tuesday Terry Miller 104 3:30 PM
 Child Care Issues

FISH & GAME

Mar 22 Thursday Senate Finance 532 1:30 PM
 Budget Closeout

LAW

Mar 19 Monday Terry Miller 104 8:00 AM
 FY02 Operating Budget
 Major Increments and Decrements

NATURAL RESOURCES

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

FINANCE SUBCOMMITTEES (continued)**TRANSPORTATION & PUBLIC FACILITIES**

Mar 21	Wednesday	Fahrenkamp 203	8:00 AM
	Review Operating Budget		

JOINT COMMITTEES**ADMINISTRATIVE REGULATION REVIEW**

Mar 20	Tuesday	Capitol 102	2:45 PM
+	Kachemak Bay Closure to Bottom Mariculture (continued from 3/8/01)		

Mar 27	Tuesday	Capitol 102	2:45 PM
+	To be announced		

Apr 03	Tuesday	Capitol 102	2:45 PM
+	To Be Announced		

OTHER MEETINGS**CHILDREN'S CAUCUS**

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

FISH CAUCUS

Mar 16	Friday	Butrovich 205	12:00 PM
	Local Area Management Plans		

Mar 23	Friday	Butrovich 205	12:00 PM
+	Dept of Fish & Game's use of commercial test fisheries		

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MINORITY CAUCUS

Mar 19	Monday	Governor's Conf Rm	4:00 PM
	Joint Open Caucus with House		
	Presentation by the Education Task Force		