

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Wednesday

March 21, 2001

Seventy-third Day

Pursuant to adjournment the Senate was called to order by President Halford at 11:14 a.m.

The roll showed fourteen members present. Senators Leman, Pearce, Therriault, Wilken were excused from a call of the Senate. Senators Cowdery, Green were absent.

The prayer was offered by the Chaplain, Father Michael Nash of the Cathedral of the Nativity. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Munificent God, Creator and Ruler of heaven and earth, we see Your hand in the beauty of the mountains and waters of this Great Land. Grant that Your people, surrounded on all sides by reminders of Your presence, may live in peace with each other. We pray for the men and women of this body. May they never forget their duty to represent the interests of all Alaskans; may they be examples of forthrightness and honesty in all their dealings; and may their decisions advance the well being of all. We Pray You Gracious God. Amen.

Senator Taylor led the Senate in the Pledge of Allegiance.

Certification

Senator Kelly, Acting Majority Leader, moved and asked unanimous consent that the journal for the seventy-second legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

The presence of Senators Cowdery, Green was noted.

Messages from the House

SJR 7

Message dated March 20 was read, stating the House passed and returned:

CS FOR SENATE JOINT RESOLUTION NO. 7(RES) Supporting reinstatement of the United States Department of the Interior directive exempting the United States Bureau of Land Management in Alaska from the mandatory wilderness review process.

The resolution was referred to the Secretary for enrollment.

SJR 12

Message dated March 20 was read, stating the House passed and returned:

SENATE JOINT RESOLUTION NO. 12(title am) Urging the United States Congress to amend the tax code to eliminate the marriage penalty.

The resolution was referred to the Secretary for enrollment.

Message dated March 21 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, April 11, 2001 for the purpose of hearing Senator Ted Stevens' annual message.

Senator Kelly, Acting Majority Leader, 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.

SJR 6

Message dated March 20 was read, stating the House passed and returned for consideration 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, with the following amendment:

HOUSE CS FOR CS FOR SENATE JOINT
RESOLUTION NO. 6(FIN)

Senator Kelly, Acting Majority Leader, moved that the Senate concur in the House amendment.

The question being: "Shall the Senate concur in the House amendment?" The roll was taken with the following result:

HCS CSSJR 6(FIN)

Shall the Senate concur in the House
amendment to CSSJR 6(FIN)?

YEAS: 16 NAYS: 0 EXCUSED: 4 ABSENT: 0

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

Excused: Leman, Pearce, Therriault, Wilken

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR 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.

The Secretary was requested to notify the House.

The resolution was referred to the Secretary for enrollment.

Communications

The following reports are on file in the Senate Secretary's Office:

Annual Report on the Constitutional Budget Reserve Fund
from Wilson L. Condon, Commissioner, Department of Revenue
in accordance with AS 37.10.430(b)

Determination to Take Oil and Gas Royalty In-Value
from Pat Pourchot, Commissioner, Department of Natural Resources
in accordance with AS 38.05.182

Standing Committee Reports**SB 126**

The State Affairs Committee considered SENATE BILL NO. 126 "An Act establishing a right of action for a legal separation; and amending Rule 42(a), Alaska Rules of Civil Procedure" and recommended it be replaced with

CS FOR SENATE BILL NO. 126(STA) "An Act establishing a right of action for a legal separation; requiring a report about legal separations; and amending Rule 42(a), Alaska Rules of Civil Procedure."

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

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Law

The bill was referred to the Judiciary Committee.

SJR 17

The State Affairs Committee considered SENATE JOINT RESOLUTION NO. 17 Relating to requesting that President Bush renounce and reverse Clinton Administration anti-gun-ownership policies and reorient the United States Department of Justice towards

policies that accurately reflect the intent of the Second Amendment to the United States Constitution to grant individual Americans the right to keep and bear arms, and recommended it be replaced with

CS FOR SENATE JOINT RESOLUTION NO.
17(STA)

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

SB 64

The Rules Committee considered SENATE BILL NO. 64 "An Act relating to the award of a high school diploma to certain World War II veterans." Signing to calendar: Senator Pearce, Chair, Senators Cowdery, Phillips, Ellis.

The bill is on today's calendar.

SB 112

The Rules Committee considered SENATE BILL NO. 112 "An Act placing certain employees of the Alaska Mental Health Trust Authority in the exempt service; establishing a minimum salary for the long term care ombudsman; and providing for an effective date." Signing to calendar: Senator Pearce, Chair, Senators Ellis, Cowdery, Phillips, Therriault.

The bill is on today's calendar.

Introduction and Reference of Senate Bills

SB 153

SENATE BILL NO. 153 BY SENATOR LEMAN, entitled:

"An Act replacing the storage tank assistance fund with the underground storage tank revolving loan fund and relating to that revolving loan fund; repealing the tank cleanup program and the tank upgrading and closure program; and providing for an effective date."

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

SB 154

SENATE BILL NO. 154 BY SENATOR KELLY, entitled:

"An Act relating to mental health treatment facilities; repealing the termination date of the mental health treatment assistance program; and providing for an effective date."

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

SB 155

SENATE BILL NO. 155 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to the Alaska Commission on Postsecondary Education and the Alaska Student Loan Corporation; relating to student financial aid programs and the financing of those programs; establishing the Alaska Advantage Loan Program and the Alaska Supplemental Education Loan Program; increasing the bonding authorization of the Alaska Student Loan Corporation; providing for liens resulting from a default under AS 14.43 or AS 14.44; relating to the duties of the recorder regarding those liens; relating to defaults under the Western Regional Higher Education Compact; relating to the prohibition on discrimination regarding programs

under AS 14.43; relating to fees for the review of certain postsecondary institutions; making conforming amendments; 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, Department of Education and Early Development

Governor's transmittal letter dated March 20:

Dear President Halford:

Alaska's student loan program has achieved great success in the past few years. The Commission on Postsecondary Education and the Alaska Student Loan Corporation have turned the program around -- running it in the black for the first time in history and paying a dividend back to the state. This year the dividend payment is \$2.2 million with another \$4 million expected for fiscal year 2002. All of this while serving over 90,000 Alaska student loan customers with \$615 million in loans.

This bill I transmit today establishes the AlaskAdvantage Loan Program, the next step in continuing the growth and financial integrity of the state student loan program. Under this legislation, Alaska would participate in the federal guaranteed student loan program which brings benefits including low interest rates for borrowers and reduced risk to the state through federal loan guarantees.

This bill also creates a supplemental loan program to provide financial assistance in the event the AlaskAdvantage Loan is insufficient to cover education costs or the student does not qualify for assistance under the federal guaranteed student loan program.

This bill will create a one-stop financial aid information center and financial opportunity, guaranty the lowest possible borrowing rates, streamline aid delivery and reduce financial risk to the State through

the federal guarantee. This program will also offer expanded options for borrowers with special needs in loan repayment.

At a time when access to quality education is at the forefront of our legislative agenda, I urge your prompt and favorable action on this measure.

Sincerely,
/s/
Tony Knowles
Governor

SB 156

SENATE BILL NO. 156 BY THE SENATE RESOURCES COMMITTEE, entitled:

"An Act amending the Alaska Land Act to clarify the requirement of a single written best interest finding required for the sale, lease, or other disposal of state land or resources or an interest in them, and relating to certain disposals involving multiphased development; and providing for an effective date."

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

Consideration of the Calendar**Second Reading of Senate Bills****SB 64**

SENATE BILL NO. 64 "An Act relating to the award of a high school diploma to certain World War II veterans" was read the second time.

Senator Kelly, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 499. Without objection, CS FOR SENATE BILL NO. 64(FIN) was adopted and read the second time.

Senator Kelly, Acting Majority Leader, 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. 64(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 64(FIN) "An Act relating to the award of a high school diploma to certain World War II veterans" pass the Senate?" The roll was taken with the following result:

CSSB 64(FIN)

Third Reading - Final Passage

YEAS: 16 NAYS: 0 EXCUSED: 4 ABSENT: 0

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

Excused: Leman, Pearce, Therriault, Wilken

and so, CS FOR SENATE BILL NO. 64(FIN) passed the Senate and was referred to the Secretary for engrossment.

SB 112

SENATE BILL NO. 112 "An Act placing certain employees of the Alaska Mental Health Trust Authority in the exempt service; establishing a minimum salary for the long term care ombudsman; 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 674. Without objection, CS FOR SENATE BILL NO. 112(FIN) was adopted and read the second time.

Senator Kelly, Acting Majority Leader, 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. 112(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 112(FIN) "An Act placing certain employees of the Alaska Mental Health Trust Authority in the exempt service; establishing a minimum salary for the long term care ombudsman; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 112(FIN)

Third Reading - Final Passage

Effective Date

YEAS: 16 NAYS: 0 EXCUSED: 4 ABSENT: 0

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

Excused: Leman, Pearce, Therriault, Wilken

and so, CS FOR SENATE BILL NO. 112(FIN) passed the Senate.

Senator Kelly, Acting Majority Leader, 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.

Citations

Commemorating – Law Enforcement Memorial Day, May 11, 2001

Representative(s) Porter

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

In Memoriam – William Ransom Wood

Representative(s) Fate, Coghill

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

Senator Kelly, 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 Kelly 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

Honoring – Marc Langland
Representative(s) Bunde
Senator(s) Phillips, Leman, Ward, Austerman, Lincoln, Davis, Elton,
Pearce, Green, Kelly, Taylor

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

Announcements

Announcements are at the end of the journal.

Engrossment

SB 64

CS FOR SENATE BILL NO. 64(FIN) "An Act relating to the award of a high school diploma to certain World War II veterans" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 112

CS FOR SENATE BILL NO. 112(FIN) "An Act placing certain employees of the Alaska Mental Health Trust Authority in the exempt service; establishing a minimum salary for the long term care ombudsman; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Kelly, Acting Majority Leader, moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., March 22, 2001. Without objection, the Senate adjourned at 11:52 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 21 | Wednesday | Fahrenkamp 203 | 1:30 PM |
| | No Meeting Scheduled | | |
| Mar 23 | Friday | Fahrenkamp 203 | 1:30 PM |
| | No Meeting Scheduled | | |

FINANCE

| | | | |
|---------------|---|---------------------------|----------------|
| Mar 21 | Wednesday | Senate Finance 532 | 9:00 AM |
| | No Meeting Scheduled | | |
| Mar 22 | Thursday | Senate Finance 532 | 9:00 AM |
| = SB 4 | MUNICIPAL PROPERTY TAX EXEMPTION | | |
| = SB 6 | MOBILE HOME PARK EVICTION NOTICE | | |
| + 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 21 **Wednesday** **Butrovich 205** **1:30 PM**
 + Building Bridges Campaign Presentation
 Bills Previously Heard/Scheduled

JUDICIARY

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 22 **Thursday** **Beltz 211** **1:30 PM**
 -- Meeting Canceled --
 Bills Previously Heard/Scheduled

RESOURCES

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 22 **Thursday** **Fahrenkamp 203** **10:45 AM**
 HB 100 JUNETEENTH DAY
 HCR 7 APRIL 2001 SEXUAL ASSAULT AWARENESS MONTH
 = SB 65 PAY EQUITY FOR STATE EMPLOYEES
 HJR 10 GROUND FISH FISHERIES AND STELLER SEA LION

STATE AFFAIRS

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 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

Mar 27 Tuesday Butrovich 205 1:30 PM
 No Meeting Scheduled

Mar 29 Thursday Butrovich 205 1:30 PM
 No Meeting Scheduled

FINANCE SUBCOMMITTEES

COMMUNITY AND ECONOMIC DEVELOPMENT

Mar 22 Thursday Senate Finance 532 3:00 PM
 -- Time Change --
 Budget Closeout

CORRECTIONS

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

ENVIRONMENTAL CONSERVATION

Mar 22 Thursday Butrovich 205 4:30 PM
 Budget Closeout

FINANCE SUBCOMMITTEES (continued)**FISH & GAME**

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

MILITARY AND VETERANS AFFAIRS

Mar 28 **Wednesday** **Fahrenkamp 203** **8:00 AM**
 Budget Closeout

PUBLIC SAFETY

Mar 29 **Thursday** **Fahrenkamp 203** **8:00 AM**
 Budget Closeout

TRANSPORTATION & PUBLIC FACILITIES

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

SPECIAL COMMITTEES**WORLD TRADE AND STATE/FEDERAL RELATIONS**

Mar 27 **Tuesday** **House Finance 519** **8:30 AM**
 Joint w/House Economic Development Trade
 and Tourism
 Northwest Territories Delegation:
 Partnership Opportunities for Economic
 Development

JOINT COMMITTEES**ADMINISTRATIVE REGULATION REVIEW**

| | | | |
|---------------|---|--------------------|----------------|
| Mar 27 | Tuesday | Capitol 102 | 2:45 PM |
| + | Review of proposed/approved regulations | | |
| + | Proposed Pioneers' Homes rate increases | | |
| Apr 03 | Tuesday | Capitol 102 | 2:45 PM |
| + | To Be Announced | | |
| Apr 10 | Tuesday | Capitol 102 | 2:45 PM |
| + | To Be Announced | | |

OTHER MEETINGS**CHILDREN'S CAUCUS**

| | | | |
|---------------|--|-----------------------|-----------------|
| Mar 27 | Tuesday | Fahrenkamp 203 | 12:00 PM |
| | Victims for Justice: Grief Recovery for Children | | |
| Apr 03 | Tuesday | Fahrenkamp 203 | 12:00 PM |
| | Child Abuse Prevention Network | | |

FISH CAUCUS

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

JOINT SESSION

| | | | |
|---------------|--|----------------------|-----------------|
| Apr 11 | Wednesday | House Chamber | 11:00 AM |
| | US Senator Ted Stevens' Annual Message | | |