

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Friday

April 20, 2001

One Hundred Third Day

Pursuant to adjournment the Senate was called to order by President Halford at 11:22 a.m.

The roll showed seventeen members present. Senators Lincoln, Pearce were excused from a call of the Senate. Senator Taylor was absent.

The prayer was offered by the Chaplain, Major Nila Fankhauser of The Salvation Army. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Lord, bless those of the Senate chamber today. When they have worked hard and given their all, and may find themselves tired and discouraged, renew their strength. Give them good health and energy that they might "soar on wings like eagles, run and not grow weary, walk and not faint." Encourage them to live and work with integrity so that at the end of their days they may say with the apostle Paul, "I have fought the good fight, I have finished the race, I have kept the faith."
Amen.

Senator Olson led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House**SB 78**

Message dated April 19 was read, stating the House passed and returned:

CS FOR SENATE BILL NO. 78(CRA) "An Act relating to municipal regulation of radio antennas."

The bill was referred to the Secretary for enrollment.

The presence of Senator Taylor was noted.

Message dated April 19 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills**HB 214**

CS FOR HOUSE BILL NO. 214(L&C) BY THE HOUSE LABOR AND COMMERCE COMMITTEE, entitled:

"An Act relating to a civil action against a person under 21 years of age who enters premises where alcohol is sold or consumed."

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

SB 164

Message dated April 19 was read, stating the House passed and returned for consideration SENATE BILL NO. 164 with the following amendment:

HOUSE CS FOR SENATE BILL NO. 164(O&G)
"An Act prohibiting leases under the Right-of-Way Leasing Act on state land in or adjacent to the Beaufort Sea; and providing for an effective date."

Senator Leman 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 SB 164(O&G)

Shall the Senate concur in the House amendment to SB 164?

YEAS: 18 NAYS: 0 EXCUSED: 2 ABSENT: 0

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

Excused: Lincoln, Pearce

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR SENATE BILL NO. 164(O&G).

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.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

Reconsideration of House Bills

HB 13

Senator Phillips requested that the reconsideration on SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 13(RLS) be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 13(RLS) "An Act relating to municipal service areas and providing for voter approval of the formation, alteration, or abolishment of certain service areas" pass the Senate?" The roll was taken with the following result:

SCS CSSSHB 13(RLS)

Third Reading - On Reconsideration

YEAS: 13 NAYS: 5 EXCUSED: 2 ABSENT: 0

Yeas: Austerman, Cowdery, Donley, Green, Halford, Kelly, Leman, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Hoffman, Olson

Excused: Lincoln, Pearce

and so, SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 13(RLS) passed the Senate on reconsideration, and was referred to the Secretary for engrossment.

Communications

Disclosure letters received in accordance with AS 24.60 will be published in Senate Journal Supplement No. 4 and House and Senate Joint Journal Supplement No. 7.

Standing Committee Reports

SB 86

The Finance Committee considered SENATE BILL NO. 86 "An Act relating to employment of teachers who have subject-matter expertise; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 86(FIN)

Signing do pass: Senators Kelly, Donley, Cochair, Senators Austerman, Green, Hoffman, Olson, Wilken, Leman, Ward.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Department of Education and Early Development

The bill was referred to the Rules Committee.

SB 145

The Finance Committee considered SENATE BILL NO. 145 "An Act relating to the expansion of the village public safety officer program to include the provision of probation and parole supervision services, and to retirement benefits for village public safety officers" and recommended it be replaced with

CS FOR SENATE BILL NO. 145(FIN) "An Act relating to regional and village public safety officers; relating to the expansion of the village public safety officer program to include the provision of probation and parole supervision services; and relating to retirement benefits for village public safety officers."

Signing do pass: Senators Donley, Kelly, Cochair, Senators Green, Austerman, Hoffman, Olson, Wilken, Leman, Ward.

The following fiscal information was published today:
Fiscal Note No. 4, zero, Department of Administration

The following previously published fiscal information applies:
Fiscal Note No. 1, Department of Public Safety
Fiscal Note No. 2, Department of Corrections

Senators Therriault, Kelly, Taylor, Wilken, Davis, Cowdery, Elton, Ellis, Donley, Leman moved and asked unanimous consent to be shown as cosponsors on the bill. Without objection, it was so ordered.

The bill was referred to the Rules Committee.

SB 187

The State Affairs Committee considered SENATE BILL NO. 187 "An Act relating to absentee voting stations" and recommended it be replaced with

CS FOR SENATE BILL NO. 187(STA) "An Act relating to absentee and special needs voting."

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

The following fiscal information was published today:

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

The bill was referred to the Finance Committee.

SB 193

The State Affairs Committee considered SENATE BILL NO. 193 "An Act relating to a study of the economic and social effects of the permanent fund dividend on the state." Signing do pass: Senator Therriault, Chair, Senators Phillips, Halford. Signing no recommendation: Senator Davis.

The bill was referred to the Finance Committee.

SJR 26

The Rules Committee considered SENATE JOINT RESOLUTION NO. 26 Urging the President and the Congress to provide additional funding for special education services. Signing to calendar: Senator Cowdery, Vice Chair, Senators Phillips, Therriault, Ellis.

The resolution is on today's calendar.

**Introduction and Reference of
Senate Resolutions**

SCR 10

SENATE CONCURRENT RESOLUTION NO. 10 BY THE
SENATE FINANCE COMMITTEE,

Expressing the legislature's support for sale of a portion of Alaska's North Slope natural gas for electrical generation to power data centers within the North Slope Borough.

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

Introduction and Reference of Senate Bills

SB 198

SENATE BILL NO. 198 BY SENATORS HALFORD, Lincoln, Olson, Hoffman, Ward, Green, Ellis, entitled:

"An Act establishing the Statewide Suicide Prevention Council; 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

Second Reading of Senate Resolutions

SJR 26

SENATE JOINT RESOLUTION NO. 26 Urging the President and the Congress to provide additional funding for special education services, was read the second time.

Senator Green, Chair, moved and asked unanimous consent for the adoption of the Health, Education and Social Services Committee Substitute offered on page 1176. Without objection, CS FOR SENATE JOINT RESOLUTION NO. 26(HES) 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. 26(HES) was read the third time.

The question being: "Shall CS FOR SENATE JOINT RESOLUTION NO. 26(HES) Urging the President and the Congress to provide additional funding for special education services, pass the Senate?"
The roll was taken with the following result:

CSSJR 26(HES)

Third Reading - Final Passage

YEAS: 18 NAYS: 0 EXCUSED: 2 ABSENT: 0

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

Excused: Lincoln, Pearce

and so, CS FOR SENATE JOINT RESOLUTION NO. 26(HES) passed the Senate and was referred to the Secretary for engrossment.

Citations

Honoring – David L. and Emma Rose Gress

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

Representative(s) Hudson, Kerttula

Honoring – East Anchorage High School Girls 2001 Class 4-A State Basketball Champions

Representative(s) Meyer

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

Honoring – Dr. Ralph Gabrielli

Representative(s) Hayes, Davies

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

Honoring – Jim Hickey, Upon His Retirement

Representative(s) Mulder

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

In Memoriam – Jerry Michael Williams

Representative(s) Rokeberg

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

In Memoriam – Reverend Robert G. Palmer

Representative(s) Rokeberg

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

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

SB 166

The reconsideration on SENATE BILL NO. 166 "An Act relating to the time of filling by appointment a vacancy in the office of United States senator" was not taken up this legislative day and the bill was referred to the Secretary for engrossment.

HJR 22

President Halford made the following committee member change to the CONFERENCE COMMITTEE (page 1161) considering CS FOR HOUSE JOINT RESOLUTION NO. 22(RLS) Relating to a diverse community; condemning a recent racially motivated attack; and requesting the Municipality of Anchorage police department to continue their conclusive investigation and requesting the criminal justice system to take rapid action to reach the determination of this case, and SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 22(STA) am S:

Senator Davis replaces Senator Hoffman.

The Secretary was requested to notify the House.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 166**

SENATE BILL NO. 166 "An Act relating to the time of filling by appointment a vacancy in the office of United States senator" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

HB 13

SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 13(RLS) "An Act relating to municipal service areas and providing for voter approval of the formation, alteration, or abolishment of certain service areas" was engrossed, signed by the President and Secretary and returned to the House for consideration.

SJR 26

CS FOR SENATE JOINT RESOLUTION NO. 26(HES) Urging the President and the Congress to provide additional funding for special education services was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Enrollment**SB 76**

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 76 "An Act relating to the Alaska Right-of-Way Leasing Act; and providing for an effective date" 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 9:00 a.m., April 20, 2001.

Adjournment

Senator Leman moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., April 23, 2001. Without objection, the Senate adjourned at 11:47 a.m.

Heidi Vogel
Secretary of the Senate

April 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

FINANCE

Apr 20 Friday Senate Finance 532 9:00 AM
 SB 86 TEACHER EMPLOYMENT & SUBJECT EXPERTISE
 SB 186 LIMIT MUNICIPAL G.O.BOND DEBT
 Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

Apr 20 Friday Butrovich 205 1:30 PM
 + SB 178 DETENTION OF DELINQUENT MINORS
 += SB 11 COMPULSORY SCHOOL AGE
 + SB 41 KINDERGARTEN & DEFINITION OF "SCHOOL AGE"
 + HB 99 SCHOOL DISCIPLINE AND SAFETY
 + HB 203 APPROP: STUDY OF SCHOOL COST FACTORS
 += SB 149 TEACHER/HEALTH CARE PROVIDER INCENTIVES
 += SB 188 EDUCATION FUND/ LAND ENDOWMENT
 += SJR 25 CONST. AM: EDUCATION FUND
 + HB 162 ABSENCES UNDER LONGEVITY BONUS PROGRAM
 Bills Previously Heard/Scheduled

Apr 23 Monday Butrovich 205 1:30 PM
 + Continuation of Medicaid Directions
 + SB 198 STATEWIDE SUICIDE PREVENTION COUNCIL
 + SB 38 MEDICAL ASSISTANCE:BREAST/CERVICAL CANCER
 + HB 115 EMERGENCY COMMITMENT ORDERS & TREATMENT
 Bills Previously Heard/Scheduled

Apr 25 Wednesday Butrovich 205 1:30 PM
 + Confirmation Hearings
 Bills Previously Heard/Scheduled

JUDICIARY

Apr 20 Friday Beltz 211 1:30 PM

+ HB 32 SEX CRIME AND PORNOGRAPHY FORFEITURES
 += SB 161 NO PAY FOR JUDGES UNTIL DECISION
 + Bills Previously Heard/Scheduled

Apr 23 Monday Beltz 211 1:30 PM

+ SB 116 AK TEMP. ASSISTANCE PROGRAM AMENDMENTS
 += SB 178 DETENTION OF DELINQUENT MINORS
 <Pending Referral>
 + SB 135 MENTAL HEALTH INFORMATION AND RECORDS
 += SJR 11 CONST AM: PERM FUND INCOME DISTRIBUTION
 + Bills Previously Heard/Scheduled
 = SB 159 APPEALS COURT JUDGES RETENTION
 <Above Item Removed from Agenda>

Apr 25 Wednesday Beltz 211 1:30 PM

+ SB 138 INSURANCE CODE AMENDMENTS
 += SB 142 LEASE-PURCHASE CORRECTIONAL FACILITY
 + Bills Previously Heard/Scheduled

Apr 27 Friday Beltz 211 1:30 PM

+ SB 170 RAILROAD EMPLOYEE SALARIES AND WAGES
 + SB 177 DRIVING WHILE INTOXICATED:BAC LEVEL/FINES
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

Apr 24 Tuesday Beltz 211 1:30 PM

+= SB 168 COMMERCIAL FISHING LOAN PROGRAM
 += SB 176 DISTRIBUTORSHIPS
 += SB 191 INSURANCE POOLING FOR AIRLINE EMPLOYERS
 += SB 189 MOTOR VEHICLE SALES AND DEALERS
 + Bills Previously Heard/Scheduled

Apr 26 Thursday Beltz 211 1:30 PM

+ HB 113 HEALTH CARE INSURANCE PAYMENTS
 + HB 121 CHARITABLE GIFT ANNUITIES
 + Bills Previously Heard/Scheduled

RESOURCES

Apr 20 Friday Butrovich 205 3:30 PM
+= SB 153 UNDERGROUND STORAGE TANK LOAN FUND
+= SB 115 EXTEND BD. OF STORAGE TANK ASSISTANCE
+ HB 111 CIVIL LIABILITY AND LIVESTOCK

Apr 23 Monday Butrovich 205 3:30 PM
+ HB 61 HABITAT RESTORATION/ENHANCEMENT GRANTS
+= HJR 19 DIGITAL ORTHOIMAGERY AND ELEVATION DATA
+ HCR 8 NORTH SLOPE NATURAL GAS PIPELINE ROUTING

RULES

Apr 20 Friday Fahrenkamp 203 10:45 AM
SJR 26 FEDERAL AID FOR SPECIAL EDUCATION
SB 4 MUNICIPAL PROPERTY TAX EXEMPTION

Apr 23 Monday Fahrenkamp 203 10:45 AM
HB 150 INSURANCE PREMIUMS FOR RENTAL VEHICLES
SB 86 TEACHER EMPLOYMENT & SUBJECT EXPERTISE
SB 145 VILLAGE PUB.SAFETY OFFICER PROGRAM

JOINT COMMITTEES**ADMINISTRATIVE REGULATION REVIEW**

Apr 24 Tuesday Capitol 102 2:45 PM
+ Proposed/Approved Regulations
+ Mariculture Regulations
+ Department on Pioneer Homes

ARMED SERVICES COMMITTEE

Apr 27 Friday Senate Finance 532 3:30 PM
Fire Island Logistics Project
National Missile Defense System Update

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CONFERENCE COMMITTEE ON HJR 22

Apr 20 Friday Beltz 211 4:00 PM
HJR 22 DIVERSE COMMUNITY/CONDEMN HATE CRIMES

CONFERENCE COMMITTEES ON HB 103 & HB 104

Apr 21 Saturday Senate Finance 532 11:00 AM
= HB 103 APPROP: OPERATING BUDGET
= HB 104 APPROP: MENTAL HEALTH BUDGET
Dept of Law
Dept of Transportation
Dept of Corrections

OTHER MEETINGS

CHILDREN'S CAUCUS

Apr 24 Tuesday Fahrenkamp 203 12:00 PM
+ Alaska Humanities Forum:
Intrastate Urban/Rural Student Exchange

FISCAL POLICY CAUCUS

Apr 20 Friday Butrovich 205 8:00 AM

MAJORITY CAUCUS

Apr 20 Friday Capitol 107 12:00 PM