

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

Juneau, Alaska

Thursday

June 7, 2001

First Day

Pursuant to the May 8 Proclamation of the Governor calling for the convening of the First Special Session of the Twenty-Second Alaska Legislature, and the May 14 Proclamation amending the call to Special Session by changing the convening date, the Senate was called to order by President Halford at 10:38 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Senator Taylor. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

God, grant me the serenity to accept those things we
cannot change, the courage to change those things
that we can and the wisdom to know the difference.
Amen.

Senator Wilken led the Senate in the Pledge of Allegiance.

Certification

Senator Leman moved and asked unanimous consent that the journals for the one hundred twentieth and one hundred twenty-first legislative days of the First Session of the Twenty-Second Legislature be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the Governor

The following proclamation was received:

Executive Proclamation

Under the authority of art. II, sec. 9, and art. III, sec. 17, of the Alaska Constitution, and in the public interest, I call the Twenty-Second Legislature of the State of Alaska into its first special session at Juneau, Alaska, in the legislative chambers on May 21, 2001, at 10:00 a.m. to consider the enactment of law:

Requiring the owners or operators of certain commercial passenger vessels operating in the marine waters of the state to register with the Department of Environmental Conservation and providing for sampling, testing, record keeping, and reporting requirements relating to commercial passenger vessels' sewage, graywater, hazardous substances, hazardous wastes, solid wastes, and other pollutants; authorizing the Department of Environmental Conservation to provide for independent verification of compliance by commercial passenger vessels; prohibiting or limiting the discharge of sewage and graywater from commercial passenger vessels; establishing fees applicable to commercial passenger vessels; authorizing the Department of Environmental Conservation to research, monitor, and study discharges and releases from commercial passenger vessels and their effects on the environment, including the opacity of air emissions from the vessels; establishing penalties for failure to comply with certain laws relating to commercial passenger vessels; and establishing a commercial passenger vessel coastal protection fund.

Dated at Juneau, Alaska this 8th day of May, 2001.

/s/

Tony Knowles, Governor

The Secretary read the following amended proclamation:

Under the authority of art. II, sec. 9, and art. III, sec. 17, of the Alaska Constitution, I amend the call to special session issued on May 8, 2001 by changing the convening date of the special session.

Under the foregoing authority and for the purpose of amending the proclamation dated May 8, 2001, I call the Twenty-Second Legislature of the State of Alaska into its first special session at Juneau, Alaska, in the legislative chambers on June 7, 2001, at 10:00 a.m. to consider the enactment of law:

Requiring the owners or operators of certain commercial passenger vessels operating in the marine waters of the state to register with the Department of Environmental Conservation and providing for sampling, testing, record keeping, and reporting requirements relating to commercial passenger vessels' sewage, graywater, hazardous substances, hazardous wastes, solid wastes, and other pollutants; authorizing the Department of Environmental Conservation to provide for independent verification of compliance by commercial passenger vessels; prohibiting or limiting the discharge of sewage and graywater from commercial passenger vessels; establishing fees applicable to commercial passenger vessels; authorizing the Department of Environmental Conservation to research, monitor, and study discharges and releases from commercial passenger vessels and their effects on the environment, including the opacity of air emissions from the vessels; establishing penalties for failure to comply with certain laws relating to commercial passenger vessels; and establishing a commercial passenger vessel coastal protection fund.

Dated at Anchorage, Alaska this 14th day of May, 2001.

/s/

Tony Knowles, Governor

SB 82

Message dated May 9 was received, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR SENATE BILL NO. 82(STA) "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

Chapter 22, SLA 2001
Effective Date: See Chapter

HB 118

Message dated May 9 was received, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE BILL NO. 118 "An Act relating to a mandatory exemption from municipal taxes on certain residences; and providing for an effective date."

Chapter 23, SLA 2001
Effective Date: 01/01/02

HB 81

Message dated May 9 was received, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CS FOR CS FOR HOUSE BILL NO. 81(FIN) "An Act extending the termination date of the Board of Dental Examiners; relating to the Board of Dental Examiners and regulation of the practice of dentistry; and relating to dental hygienists and dental assistants."

Chapter 24, SLA 2001
Effective Date: 08/07/01

HB 137

Message dated May 9 was received, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE BILL NO. 137 "An Act relating to records of veterans of the armed forces; and providing for an effective date."

Chapter 25, SLA 2001
Effective Date: 05/10/01

SB 121

Message dated May 9 was received, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR SENATE BILL NO. 121(RES) am H "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."

Chapter 26, SLA 2001
Effective Date: 05/10/01

HB 194

Message dated May 9 was received, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR HOUSE BILL NO. 194(FIN) "An Act relating to fees for commercial fishing licenses and permits; and providing for an effective date."

Chapter 27, SLA 2001
Effective Date: See Chapter

SB 60

Message dated May 9 was received, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE CS FOR CS FOR SENATE BILL NO. 60(RES) "An Act relating to agricultural facilities and operations as private nuisances; and to disclosures in transfers of certain real property located within the vicinity of an agricultural facility or an agricultural operation."

Chapter 28, SLA 2001
Effective Date: 08/07/01

SB 164

Message dated May 16 was received, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

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."

Chapter 29, SLA 2001
Effective Date: 05/17/01

HB 72

Message dated May 24 was received, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CS FOR HOUSE BILL NO. 72(RLS) "An Act relating to an assistant adjutant general for space and missile defense in the Department of Military and Veterans' Affairs; and providing for an effective date."

Chapter 30, SLA 2001
Effective Date: 05/25/01

HB 13

Message dated May 24 was received, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CONFERENCE CS FOR SPONSOR SUBSTITUTE
FOR HOUSE BILL NO. 13 "An Act relating to
municipal service areas and providing for voter
approval of the formation, alteration, or abolishment
of certain service areas."

Chapter 31, SLA 2001
Effective Date: 08/22/01

HB 149

Message dated and received May 29, stating:

On this date I have signed the following bill passed by the first session of the Twenty-second Alaska State Legislature and am transmitting the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CS FOR CS FOR HOUSE BILL NO.
149(FIN) am S "An Act expressing legislative intent
regarding correctional facility space; relating to
correctional facility space; authorizing the
Department of Corrections to enter into an agreement
to lease facilities for the confinement and care of
prisoners within the Kenai Peninsula Borough; and
providing for an effective date."

Chapter 32, SLA 2001
Effective Date: 06/01/01

My action on this legislation will enable the Department of Corrections to continue working with the Kenai Peninsula Borough to help meet the State's need for prison beds in Alaska.

In deciding to sign this bill, I have weighed the five long-standing principles by which my Administration has measured proposed prison expansion in Alaska. They are:

- Protecting the public's safety;
- Consistency with best correctional practices;
- Community participation through government-to-government transactions;
- Addressing statewide and regional needs; and
- Cost-effectiveness.

If this proposed prison is to proceed, it will do so only if the Kenai Peninsula Borough continues to the government-to-government relationship it has established with the state on this project. In turn, those negotiations will proceed only if the state Department of Corrections is assured the public safety will be protected through the use of best correctional practices. It is important to note that this bill says the commissioner may order the Borough to terminate its contract with a private, third-party prison vendor if that vendor is not operating a safe or secure facility.

As for statewide and regional needs, this bill represents a step in the right direction but is far from complete. My Administration will continue to advocate jail and prison expansion in other regions of Alaska. However, the Kenai area is on the Department's list for more needed beds. In addition, because the state has contracted for years with a private prison operator in Arizona to house Alaska inmates, I believe it is of statewide interest and importance to bring those dollars, those jobs, and those inmates back to Alaska. If this project is completed, the Legislature and this and subsequent administrations must continue to work together to build more beds, find alternatives to prison where appropriate, and do all we can to reduce future inmate populations through well-funded early childhood and education programs.

The cost-effectiveness of this project is protected through another clause in the bill that says the Department of Corrections "may" enter into an agreement with the Borough to lease prison beds. As the Department has stated, any such agreement must describe how to maximize the purchasing value of public funds spent on the design,

construction and operation of the proposed prison. Negotiations on such an agreement, should the project move forward, will involve the good-faith efforts of both the Department and the Borough to protect the financial interests of the citizens of the State of Alaska and the Kenai Peninsula Borough. Borough Mayor Dale Bagley, in a May 25 letter to Corrections Commissioner Margaret Pugh, acknowledges their mutual responsibilities: "Once HB 149 is signed into law, we could then continue the discussion we began earlier this week concerning how we can meet your five principles, as well as our mutual fiduciary duties."

My signature on this bill continues the process by which a prison could be built. Many steps remain to accomplish this goal, including the development of an intergovernmental agreement as well as negotiation of necessary agreements regarding the lease and operation of such a prison facility. Those steps, coupled with the permissive nature of the legislation and the fact that the local assembly and Legislature have voted favorably for the project, all lead me to the conclusion to proceed with the possibility of a new prison facility being constructed in the Kenai Peninsula Borough.

Sincerely,

/s/

Tony Knowles

Governor

HJR 19

Message dated May 9 was received, stating the Governor transmitted the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's Office for permanent filing:

HOUSE JOINT RESOLUTION NO. 19 Urging the United States Congress to pass legislation to fund the acquisition of high-resolution digital orthoimagery and digital elevation data for the entire state of Alaska.

Legislative Resolve No. 20

Senator Kelly moved and asked unanimous consent that the Senate move down the calendar to Unfinished Business. Without objection, the Senate proceeded to:

Unfinished Business

HB 260

Senator Kelly, Cochair, Finance, moved and asked unanimous consent that the twenty-four hour notice and publication requirements be waived on CS FOR HOUSE BILL NO. 260(FIN) am COMMERCIAL PASSENGER VESSEL REGULATION & FEES, for the meeting on June 7. Without objection, it was so ordered.

Recess

Senator Leman moved and asked unanimous consent that the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 10:46 a.m.

After Recess

The Senate reconvened at 12:51 p.m.

Announcements

Senator Therriault, Chair, moved and asked unanimous consent that the twenty-four hour notice and publication requirements be waived for the Legislative Budget and Audit Committee meeting on June 7. Without objection, it was so ordered.

Recess

Senator Leman moved and asked unanimous consent that the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 12:58 p.m.

After Recess

The Senate reconvened at 6:51 p.m.

President Halford stated the Senate would return to Messages from the House. Without objection, the Senate returned to:

Messages from the House

SCR 14

Message dated May 8 was received, stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 14
Establishing the Joint Committee on Natural Gas
Pipelines.

The resolution was referred to the Secretary for enrollment.

SCR 15

Message dated May 8 was received, stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 15
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 177, placing certain
special interest organizations within the definition of
"group" for purposes of Alaska's campaign finance
statutes; and requiring disclosure of the true source of
campaign contributions.

The resolution was referred to the Secretary for enrollment.

SCR 19

Message dated May 8 was received, stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 19
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning House Bill No. 115, relating to the
definition of 'mental health professional' for certain
mental health proceedings and treatments; relating to

the services of certain medical professionals in civil proceedings for the commitment of certain intoxicated persons; allowing a physician assistant or advanced nurse practitioner to certify the need for emergency treatment as a result of intoxication.

The resolution was referred to the Secretary for enrollment.

SJR 21

Message dated May 8 was received, stating the House passed and returned:

CS FOR SENATE JOINT RESOLUTION NO. 21(HES) Urging the United States Congress to extend the authorization date for supplemental block grants to the State of Alaska under the Federal Temporary Assistance to Needy Families Program.

The resolution was referred to the Secretary for enrollment.

SJR 28

Message dated May 8 was received, stating the House passed and returned:

CS FOR SENATE JOINT RESOLUTION NO. 28(HES) Urging dissemination of information about the costs of long-term care services and the availability of long-term care insurance for individuals.

The resolution was referred to the Secretary for enrollment.

SB 86

Message dated May 8 was received, stating the House passed and returned:

CS FOR SENATE BILL NO. 86(FIN) "An Act relating to employment of teachers who have subject-matter expertise; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

SB 193

Message dated May 8 was received, stating the House passed and returned:

CS FOR SENATE BILL NO. 193(FIN) "An Act making a special appropriation to the Alaska Legislative Council for a study of the economic and social effects of the permanent fund dividend on the state; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

SB 198

Message dated May 8 was received, stating the House passed and returned:

CS FOR SENATE BILL NO. 198(HES) "An Act establishing the Statewide Suicide Prevention Council; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

SB 218

Message dated May 8 was received, stating the House passed and returned:

CS FOR SENATE BILL NO. 218(TRA) am "An Act relating to international airports revenue bonds and requiring that the spending plan for the International Airports Construction Fund include information about the amounts spent during the previous fiscal year for cost overruns on certain projects and the identification of time delays on certain projects; relating to customer facility charges to fund facilities in airports to be constructed without using international airport revenue bonds; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

HCR 17

Message dated May 8 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE CONCURRENT RESOLUTION NO. 17(RES), thus adopting:

SENATE CS FOR CS FOR HOUSE
CONCURRENT RESOLUTION NO. 17(JUD)
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.

HJR 23

Message dated May 8 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE JOINT RESOLUTION NO. 23(STA) Advocating the retention of the electoral college system in its present form, thus adopting:

SENATE CS FOR CS FOR HOUSE JOINT
RESOLUTION NO. 23(STA) Advocating the
retention of the electoral college system in its present
form.

HB 65

Message dated May 8 was received, stating:

The Speaker has granted limited powers of free conference to the Conference Committee considering CS FOR HOUSE BILL NO. 65(HES) "An Act relating to a new optional group of persons eligible for medical assistance who require treatment for breast or cervical cancer; and providing for an effective date" and SENATE CS FOR CS FOR HOUSE BILL NO. 65(HES) am S (same title) on the following specific points:

Page 1, line 9, following "assistance" insert:

"whenever they are eligible for coverage under 42 USC 1396a(a)(10)(A)(ii)(XVIII) if they apply for the assistance before the date that is two years after the effective date of this Act"

Page 2, line 30:

Delete all material.

Message dated May 8 was read, stating the House has adopted the report of the Conference Committee with limited powers of free conference considering CS FOR HOUSE BILL NO. 65(HES) and SENATE CS FOR CS FOR HOUSE BILL NO. 65(HES) am S, thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 65 "An Act relating to a new optional group of persons eligible for medical assistance who require treatment for breast or cervical cancer; and providing for an effective date."

The Senate adopted CONFERENCE CS FOR HOUSE BILL NO. 65 on May 8 (page 1717).

HB 90

Message dated May 8 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 90(FIN), thus adopting:

CS FOR HOUSE BILL NO. 90(FIN) am S "An Act relating to reimbursement of municipal bonds for school construction; and providing for an effective date."

HB 101

Message dated May 8 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 101(FIN), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 101(HES) "An Act relating to charter schools; and providing for an effective date."

HB 102

Message dated May 8 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 102(JUD), thus adopting:

CS FOR HOUSE BILL NO. 102(JUD) am S "An Act relating to the theft of propelled vehicles."

HB 103

Message dated May 8 was read, stating the House has adopted the report of the Conference Committee with limited powers of free conference considering CS FOR HOUSE BILL NO. 103(FIN)(brf sup maj fld) and SENATE CS FOR CS FOR HOUSE BILL NO. 103(FIN)(brf sup maj fld S), thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 103
"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."

The Senate adopted CONFERENCE CS FOR HOUSE BILL NO. 103 on May 8 (page 1744).

HB 104

Message dated May 8 was read, stating the House has adopted the report of the Conference Committee with limited powers of free conference considering CS FOR HOUSE BILL NO. 104(FIN) and SENATE CS FOR CS FOR HOUSE BILL NO. 104(FIN)(brf sup maj fld S), thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 104
"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."

The Senate adopted CONFERENCE CS FOR HOUSE BILL NO. 104 on May 8 (page 1745).

HB 113

Message dated May 8 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 113(HES) am, thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 113(HES) "An Act relating to health care insurance payments for hospital or medical services; and providing for an effective date."

HB 115

Message dated May 8 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 115(HES) "An Act relating to the definition of 'mental health professional' for certain mental health proceedings and treatments; relating to the services of certain medical professionals in civil proceedings for the commitment of certain intoxicated persons; allowing a physician assistant or advanced nurse practitioner to certify the need for emergency treatment as a result of intoxication; and providing for an effective date" thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 115(HES) "An Act relating to the services of certain medical professionals in civil proceedings for the commitment of certain intoxicated persons; allowing a physician assistant or advanced nurse practitioner to certify the need for emergency treatment as a result of intoxication; and providing for an effective date."
(Title change authorized by SCR 19)

HB 112

Message dated May 8 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 121(L&C), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 121(JUD) "An Act relating to the issuance of qualified charitable gift annuities."

HB 127

Message dated May 8 was read, stating the House has adopted the report of the Conference Committee with limited powers of free conference considering CS FOR HOUSE BILL NO. 127(RLS) and SENATE CS FOR CS FOR HOUSE BILL NO. 127(TRA) am S, thus adopting:

2d CONFERENCE CS FOR HOUSE BILL NO. 127
"An Act relating to aviation and to emergency
equipment to be carried on aircraft."

The Senate adopted 2d CONFERENCE CS FOR HOUSE BILL NO. 127 on May 8 (page 1731).

HB 132

Message dated May 8 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 132(2d RLS)(efd am), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 132(FIN) "An Act relating to the possession, distribution, importation, and transportation of alcohol in a local option area; requiring liquor license applicants to submit fingerprints for the purpose of conducting a criminal history background check, and relating to the use of criminal justice information by the Alcoholic Beverage Control Board; relating to the offenses of operating a motor vehicle, aircraft, or watercraft while intoxicated and refusal to take a breath test; relating to implied consent to take a chemical test; relating to presumptions arising from the amount of alcohol in a person's breath or blood; and providing for an effective date."

HB 172

Message dated May 8 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 172(FIN) am "An Act relating to therapeutic courts for offenders and to the authorized number of superior court judges" thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 172(FIN) "An Act relating to therapeutic courts for offenders; to the authorized number of superior court judges; amending Rule 35, Alaska Rules of Criminal Procedure; and providing for an effective date." (technical title change)

HB 177

Message dated May 8 was received, stating the House concurred in the Senate amendments to CS FOR HOUSE BILL NO. 177(STA) "An Act placing certain special interest organizations within the definition of 'group' for purposes of Alaska's campaign finance statutes; and requiring disclosure of the true source of campaign contributions" thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 177(RLS) am S "An Act regulating nongroup entities and certain tax-exempt organizations under Alaska's election campaign finance statutes; and requiring disclosure of the true source of campaign contributions." (Title change authorized by SCR 15)

HB 184

Message dated May 8 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 184(JUD) am, thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 184(JUD) "An Act relating to insurance; amending Rule 402, Alaska Rules of Evidence; and providing for an effective date."

HB 193

Message dated May 8 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 193(FIN), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 193(FIN) "An Act relating to the primary election and to the nomination of candidates for the general election; and providing for an effective date."

HB 234

Message dated May 8 was received, stating the House concurred in the Senate amendments to CS FOR HOUSE BILL NO. 234(FIN) am, thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 234(FIN) am S "An Act relating to the tobacco use education and cessation fund and to smoking education and cessation programs; relating to funding the tobacco use education and cessation fund; relating to financing of construction and major maintenance of public school facilities, facilities for the University of Alaska, and facilities for ports and harbors; authorizing the commissioner of revenue to sell the right to receive a portion of the anticipated revenue from a tobacco litigation settlement to the Northern Tobacco Securitization Corporation; relating to the deposit of certain anticipated revenue from a tobacco litigation settlement; authorizing the issuance of bonds by the Northern Tobacco Securitization Corporation with proceeds to finance public school construction and major maintenance, facilities for the University of Alaska, and facilities for ports and harbors; and providing for an effective date."

HB 242

Message dated May 8 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 242(FIN), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 242(FIN) "An Act relating to reemployment of and medical benefits for retired members of the teachers' retirement system and public employees' retirement system; relating to the inclusion of cost-of-living differentials on compensation and benefits under the public employees' retirement system; and providing for an effective date."

HB 244

Message dated May 8 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 244(FIN), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 244(RES) "An Act relating to a grant of state land to the Denali Borough for a railroad and utility corridor and a railroad development project; repealing provisions relating to a grant of a right-of-way of land for a railroad and utility corridor to the Alaska Industrial Development and Export Authority; and providing for an effective date."

HB 250

Message dated May 8 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 250(FIN), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO. 250(FIN) "An Act relating to missions and measures to be applied to certain expenditures by the executive branch of state government and the University of Alaska from the state operating budget for the fiscal year ending June 30, 2002; and providing for an effective date."

Standing Committee Reports**HB 260**

The Transportation Committee considered CS FOR HOUSE BILL NO. 260(FIN) am "An Act requiring the owners or operators of certain commercial passenger vessels operating in the marine waters of the state to register with the Department of Environmental Conservation; establishing information-gathering, record keeping, and reporting requirements relating to the vessels' graywater, sewage, hazardous substances, hazardous wastes, solid wastes, and other pollutants; establishing certain sampling, testing, reporting, and record-keeping requirements as terms and conditions of permitting discharges from

the vessels; authorizing the Department of Environmental Conservation to provide for independent verification of compliance by the vessels, and to monitor and supervise discharges from the vessels; prohibiting the discharge of untreated sewage from the vessels; placing limits on discharges of treated sewage and graywater from the vessels; providing that there is no audit report privilege for complying with a requirement that the owner or operator of a commercial passenger vessel must report discharges of sewage or graywater that violate laws; establishing a fee, ranging from \$.70 - \$1.75 per berth, with a maximum of \$3,750 per voyage, on commercial passenger vessels that are not operated by the state for each voyage during which the vessels operate in the marine waters of the state based on the overnight accommodation capacity of the vessels determined with reference to the number of lower berths; providing for a fee for vessels operated by the state to be determined by an agreement between the commissioner of environmental conservation and the commissioner of transportation and public facilities; authorizing the Department of Environmental Conservation to research, monitor, and study discharges and releases from commercial passenger vessels, including the opacity of air emissions from the vessels; establishing penalties for failure to comply with certain laws relating to the vessels; authorizing the Department of Environmental Conservation to encourage and recognize superior environmental protection efforts related to commercial passenger vessels; authorizing the Department of Environmental Conservation to adopt regulations to implement laws relating to commercial passenger vessels and directing the department to use negotiated regulation procedures, when appropriate, to develop the regulations; establishing a commercial passenger vessel coastal protection fund; requiring a report from the Department of Environmental Conservation concerning matters relating to the vessels; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.
260(TRA) "An Act relating to marine passenger
vessels; and providing for an effective date."
(Title Change Authorized by SCR 18)

The following fiscal information was published today:

Fiscal Note No. 2, Department of Environmental Conservation

Fiscal Note No. 3, Department of Transportation and Public
Facilities

Fiscal Note No. 4, Department of Law

Signing do pass: Senator Cowdery, Chair. Signing no
recommendation: Senators Wilken, Taylor, Ward. Signing do not pass:
Senator Elton.

The bill was referred to the Resources Committee.

Citations

Senator Leman moved and asked unanimous consent that the
following citations be made a special order of business. Without
objection, it was so ordered.

Special Order of Business

Honoring – Frank J. Dillon

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

Honoring – Birchwood Dynamics Choral Group

Representative(s) Dyson

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

In Memoriam – Elizabeth R. "Pinky" Folger

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

In Memoriam – Walter H. Day

Representative(s) Harris

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

In Memoriam – Joseph "Toshi" Nishimura
Representative(s) Mulder
Senator(s) Phillips, Pearce, Green, Kelly, Taylor, Austerman, Lincoln,
Davis, Elton, Halford, Hoffman, Ward, Leman

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

HB 260

Senator Torgerson, Chair, moved and asked unanimous consent that the Resources Committee referral be waived on CS FOR HOUSE BILL NO. 260(FIN) am COMMERCIAL PASSENGER VESSEL REGULATION & FEES. Without objection, the bill was referred to the Finance Committee.

Senator Green moved and asked unanimous consent to be excused from a call of the Senate from morning plane time, June 8 through June 14. Without objection, Senator Green was excused.

Announcements

Announcements are at the end of the journal.

Engrossment

SCR 18

SENATE CONCURRENT RESOLUTION NO. 18 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 260, relating to commercial passenger vessels so that the title may read "An Act relating to marine passenger vessels; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Leman moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., June 8, 2001. Without objection, the Senate adjourned at 7:00 p.m.

Heidi Vogel
Secretary of the Senate

June 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

Jun 07 Thursday Senate Finance 532
 -- Rescheduled to 6/8/01 --
 = HB 260 COMMER.PASSENGER VESSEL REGULATION & FEES
 Uniform Rule 23 Waived

Jun 08 Friday Senate Finance 532 10:00 AM
 -- Rescheduled from 6/7/01 --
 + HB 260 COMMER.PASSENGER VESSEL REGULATION & FEES
 Uniform Rule 23 Waived

JUDICIARY

Jun 07 Thursday Butrovich 205 1:30 PM
 Recessed to a Call of the Chair
 Current Status of Katie John Appeal

RESOURCES

Jun 07 Thursday Butrovich 205 3:30 PM
 + HB 260 COMMER.PASSENGER VESSEL REGULATION & FEES

TRANSPORTATION

Jun 07 Thursday Butrovich 205 2:00 PM
 -- Time Change --
 += HB 260 COMMER.PASSENGER VESSEL REGULATION & FEES

JOINT COMMITTEES

LEGISLATIVE BUDGET & AUDIT

Jun 07 Thursday House Finance 519 3:30 PM
 -- Rescheduled from 6/8/01 --
 Budget Request
 Uniform Rule 23 Waived

LEGISLATIVE COUNCIL

Jun 08 Friday House Finance 519 9:00 AM
 -- Meeting Canceled --
 -- Agenda to be Announced --

NATURAL GAS PIPELINES

Jun 07 Thursday Beltz 211 2:00 PM
 Organizational Meeting
 (Pending Appointment of Committee)

OTHER MEETINGS

FISCAL POLICY CAUCUS

Jun 08 Friday House Finance 519 2:00 PM
 Work Session

MAJORITY CAUCUS

Jun 07	Thursday	Capitol 107	10:45 AM
Jun 08	Friday	Capitol 107	9:00 AM

MINORITY CAUCUS

Jun 07	Thursday	Beltz 211	10:45 AM
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