

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Friday

January 25, 2002

Twelfth Day

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

The roll showed fifteen members present. Senators Cowdery, Leman, Lincoln, Taylor, Therriault were excused from a call of the Senate.

The prayer was offered by the Chaplain, Pastor Sam Dalin of the River of Glory Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Let us pray: Dear Father God, great are You this day.
You are here in this state. You are here in this city.
You are seated among us. Today the kings and
queens assemble, we have heard, we have seen and
we are asking for divine guidance. We are thankful
that You do guide. We thank You for Your loving
kindness today. God bless Alaska. In the Name of
God the Father, God the Son, God the Holy Spirit.

Amen.

Senator Stevens led the Senate in the Pledge of Allegiance.

Certification

Senator Phillips, Acting Majority Leader, moved and asked unanimous consent that the journals for the tenth and eleventh legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Recess

Senator Phillips, Acting Majority Leader, moved and asked unanimous consent that the Senate stand in recess for the purpose of a majority caucus. Without objection, the Senate recessed at 11:21 a.m.

After Recess

The Senate reconvened at 12:08 p.m.

Messages from the House

Message dated January 23 was read, stating the House passed and transmitted for consideration:

**First Reading and Reference of
House Resolutions****HCR 22**

HOUSE CONCURRENT RESOLUTION NO. 22 BY THE HOUSE RULES COMMITTEE,

Authorizing a recess by the Senate and the House of Representatives for a period of more than three days.

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

First Reading and Reference of House Bills**HB 68**

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 68(JUD)(efd am) BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to accidents involving the vehicle of a person under the influence of an alcoholic beverage; and providing for an effective date."

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

HB 285

HOUSE BILL NO. 285 BY REPRESENTATIVES MORGAN, Porter, Foster, Williams, Hudson, Harris, Coghill, Meyer, Dyson, Whitaker, Halcro, Lancaster, James, Kerttula, Berkowitz, Wilson, Murkowski, Guess, Davies, Croft, Green, Kookesh, Kapsner, Stevens, Chenault, Hayes, Crawford, Joule, Mulder, Cissna; SENATORS Halford, Leman, Ellis, entitled:

"An Act adding a second verse to the official Alaska state song."

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

Communications

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

Investment Earnings Report for certain Alaska Marine Highway Funds from Wilson Condon, Commissioner, Department of Revenue in accordance with AS 37.05.550(c) and AS 19.65.070(c)

Alaska Public Employees' Retirement System, Comprehensive Annual Financial Report, Fiscal Year Ended June 30, 2001 from Anselm Staack, Chief Financial Officer, Division of Retirement and Benefits, Department of Administration in accordance with AS 39.35.020

Alaska Teachers' Retirement System, Comprehensive Annual Financial Report, Fiscal Year Ended June 30, 2001 from Anselm Staack, Chief Financial Officer, Division of Retirement and Benefits, Department of Administration in accordance with AS 14.25.030(4)

Local Boundary Commission Report and Recommendation were received January 23, 2002
from Kevin Waring, Chair
in accordance with AS 44.33.812 and Article X, section 12 of the Alaska Constitution

The Local Boundary Commission report and recommendation will be published in Senate and House Joint Journal Supplement No. 10

President Halford referred the report and recommendation to the Community and Regional Affairs Committee.

Standing Committee Reports

Judiciary Committee Reports dated January 16 were received, stating:

In accordance with AS 24.60.130, the Senate Judiciary Committee reviewed the qualifications of the following, and recommends the appointments be forwarded for consideration:

Select Committee on Legislative Ethics

H. Conner Thomas - Nome

Bonnie L. Mehner - Anchorage

There were no stated objections to the named individuals. However, this does not reflect an intent by any of the members to vote for or against the appointments during any further sessions. The reports were signed by Senator Taylor, Chair, Senators Donley, Cowdery, Ellis.

Senator Phillips moved that of H. Conner Thomas be confirmed as a public member to the Select Committee on Legislative Ethics.

The question being: "Shall H. Conner Thomas be confirmed as a public member to the Select Committee on Legislative Ethics?" The roll was taken with the following result:

Confirm H. Conner Thomas as a public member to the Select Committee on Legislative Ethics?

YEAS: 15 NAYS: 0 EXCUSED: 5 ABSENT: 0

Yeas: Austerman, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Olson, Phillips, Stevens, Torgerson, Ward, Wilken

Excused: Cowdery, Leman, Lincoln, Taylor, Therriault

and so, H. Conner Thomas was confirmed by the Senate.

Senator Phillips moved that Bonnie L. Mehner be confirmed as a public member to the Select Committee on Legislative Ethics.

The question being: "Shall Bonnie L. Mehner be confirmed as a public member to the Select Committee on Legislative Ethics?" The roll was taken with the following result:

Confirm Bonnie L. Mehner as a public member to the Select Committee on Legislative Ethics?

YEAS: 15 NAYS: 0 EXCUSED: 5 ABSENT: 0

Yeas: Austerman, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Olson, Phillips, Stevens, Torgerson, Ward, Wilken

Excused: Cowdery, Leman, Lincoln, Taylor, Therriault

and so, Bonnie L. Mehner was confirmed by the Senate.

HB 334

The Finance Committee considered CS FOR HOUSE BILL NO. 334(FIN) "An Act making appropriations for a grant to Arctic Power to promote the opening of the Arctic National Wildlife Refuge for oil and gas exploration and development; and providing for an effective date." Signing do pass: Senator Donley, Cochair, Senators Green, Hoffman, Olson, Wilken, Leman, Ward. Signing do not pass: Senator Austerman.

The bill was referred to the Rules Committee.

**Introduction and Reference of
Senate Resolutions**

SCR 22

SENATE CONCURRENT RESOLUTION NO. 22 BY SENATORS
WARD, Ellis, entitled:

Relating to declaring March 2002 as Sobriety
Awareness Month.

was read the first time and referred to the State Affairs Committee.

Introduction and Reference of Senate Bills

SB 223

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 223 BY
SENATOR DONLEY, entitled:

"An Act referencing the award of good time and
restricting release on mandatory parole for prisoners
serving certain sentences who fail to attain certain
minimum educational standards; and providing for an
effective date."

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

SB 257

SENATE BILL NO. 257 BY THE SENATE LABOR AND
COMMERCE COMMITTEE, entitled:

"An Act extending the termination date of the Board
of Professional Counselors."

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

Consideration of the Calendar**Citations**

Honoring – Michelle Kennedy
Senator(s) Taylor, Wilken, Leman, Hoffman, Elton, Davis, Lincoln,
Austerman, Kelly, Green, Halford
Representative(s) Wilson

Honoring – John M. Brower
Representative(s) Meyer
Senator(s) Donley, Wilken, Leman, Hoffman, Elton, Davis, Lincoln,
Austerman, Taylor, Kelly, Green, Halford

Honoring – Larry Erickson
Representative(s) Lancaster
Senator(s) Torgerson, Ward, Wilken, Leman, Hoffman, Elton,
Stevens, Davis, Lincoln, Austerman, Taylor, Kelly, Green, Donley,
Halford

Honoring – Jacob Adams
Representative(s) Joule
Senator(s) Olson, Wilken, Leman, Ellis, Hoffman, Elton, Stevens,
Davis, Lincoln, Austerman, Taylor, Kelly, Green, Halford

Honoring – William Elliott
Representative(s) Masek
Senator(s) Green, Wilken, Leman, Hoffman, Elton, Stevens, Davis,
Lincoln, Austerman, Taylor, Kelly, Halford

Honoring – Stephany Thompson
Representative(s) Masek
Senator(s) Green, Wilken, Leman, Hoffman, Elton, Davis, Lincoln,
Austerman, Taylor, Kelly, Halford

In Memoriam – Michael K. McDonald
Senator(s) Phillips, Wilken, Leman, Donley, Ellis, Hoffman, Elton,
Davis, Lincoln, Austerman, Taylor, Kelly, Green, Halford, Stevens

In Memoriam – Tommy Reed Corr III

Representative(s) Lancaster

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

In Memoriam – Milton "Turk" Turkington, Jr.

Representative(s) Scalzi, Lancaster

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

In Memoriam – Kevin Christopher, Katinniq Atoruk

Representative(s) Joule

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

Senator Phillips, 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.

Unfinished Business

Senator Olson moved and asked unanimous consent to be excused from a call of the Senate on January 28 and 29. Without objection, Senator Olson was excused.

Senator Ward moved and asked unanimous consent to be excused from a call of the Senate on February 5. Without objection, Senator Ward was excused.

Senator Wilken moved and asked unanimous consent to be excused from a call of the Senate on January 29. Without objection, Senator Wilken was excused.

Senator Phillips, Rules Committee Chair, introduced the following Chamber Staff:

Sergeant at Arms

Christopher S. Miller

Assistant Sergeant at Arms
Angela Robinson

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Phillips, Acting Majority Leader, moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., January 28, 2002. Without objection, the Senate adjourned at 12:27 p.m.

Heidi Vogel
Secretary of the Senate

January 2002

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

Jan 25	Friday No Meeting Scheduled	Fahrenkamp 203	1:30 PM
Jan 28	Monday No Meeting Scheduled	Fahrenkamp 203	1:30 PM
Jan 30	Wednesday No Meeting Scheduled	Fahrenkamp 203	1:30 PM
Feb 01	Friday No Meeting Scheduled	Fahrenkamp 203	1:30 PM

FINANCE

Jan 25	Friday	Senate Finance 532	9:30 AM
= HB 334	APPROP: GRANT TO ARCTIC POWER FOR ANWR		
Jan 25	Friday	House Finance 519	1:30 PM
	Joint w/(H)Finance		
	<Uniform Rule 23 Waived>		
	Denali Commission Report		
Jan 31	Thursday	Senate Finance 532	9:30 AM
= SB 181	SMALL COMMUNITY HOUSING LOANS		
= SB 153	UNDERGROUND STORAGE TANK LOAN FUND		
= SB 115	EXTEND BD. OF STORAGE TANK ASSISTANCE		
	Bills Previously Heard/Scheduled		

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HEALTH, EDUCATION & SOCIAL SERVICES

Jan 28 Monday Butrovich 205 1:30 PM
 + HB 162 ABSENCES UNDER LONGEVITY BONUS PROGRAM

Jan 30 Wednesday Butrovich 205 1:30 PM
 + SB 250 SCHOOL PERFORMANCE REPORTS

JUDICIARY

Jan 25 Friday Beltz 211 1:30 PM
 No Meeting Scheduled

Jan 28 Monday Beltz 211 1:30 PM
 + SB 248 EXTENDING COUNCIL ON DOMESTIC VIOLENCE

Jan 30 Wednesday Beltz 211 1:30 PM
 No Meeting Scheduled

Feb 01 Friday Beltz 211 1:30 PM
 + SB 242 CONCEALED HANDGUN PERMITTEES

LABOR & COMMERCE

Jan 29 Tuesday Beltz 211 1:30 PM
 + HB 157 TRUST COMPANIES & FIDUCIARIES
 + SB 175 MUNICIPAL PROTESTS OF GAMING PERMITS

Jan 31 Thursday Beltz 211 1:30 PM
 + SB 243 CHIROPRACTORS: SUNSET/LICENSING
 + SB 244 OPTOMETRISTS: SUNSET AND MISCELLANEOUS

RESOURCES

Jan 25 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

Jan 28 Monday Butrovich 205 3:30 PM
 No Meeting Scheduled

Jan 30 Wednesday Butrovich 205 3:30 PM
 No Meeting Scheduled

RESOURCES (continued)

Feb 01 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

RULES

Jan 25 Friday Fahrenkamp 203 12:30 PM
 HCR 4 AFRICAN-AMERICAN CITIZEN RECOGNIT'N MONTH

Jan 29 Tuesday Fahrenkamp 203 10:00 AM
 HB 334 APPROP: GRANT TO ARCTIC POWER FOR ANWR
 HCR 22 RECESS FOR MORE THAN 3 DAYS IN MARCH

STATE AFFAIRS

Jan 29 Tuesday Beltz 211 3:30 PM
 No Meeting Scheduled

Jan 31 Thursday Beltz 211 3:30 PM
 SB 236 HOMELAND SECURITY APPROPRIATIONS
 = SB 235 EMERGENCY MANAGEMENT ASSISTANCE COMPACT
 = SB 237 TERRORISM, CIVIL DEFENSE, AND DISASTERS
 = SB 238 SECURITY OF FACILITIES AND SYSTEMS
 = SB 239 STATE EMPLOYEES CALLED TO MILITARY DUTY
 = SB 240 TERRORISTIC THREATENING/PIPELINE DAMAGE

TRANSPORTATION

Jan 29 Tuesday Butrovich 205 1:30 PM
 No Meeting Scheduled

Jan 31 Thursday Butrovich 205 1:30 PM
 HB 241 RAIL AND UTILITY CORRIDOR TO CANADA
 SB 209 LEGISLATIVE APPROVAL OF RAILROAD LEASES

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FINANCE SUBCOMMITTEES

EDUCATION & EARLY DEVELOPMENT

Jan 31	Thursday	Terry Miller 104	8:00 AM
	Dept Overview: FY03 Budget Request		
	Committee Schedule and Future Topics		

JOINT COMMITTEES

ADMINISTRATIVE REGULATION REVIEW

Jan 30	Wednesday	Capitol 102	8:30 AM
+	Overview of Committee Activities		
+	DCED Interpretation of Uniform Mechanical Code		

ARMED SERVICES COMMITTEE

Feb 05	Tuesday	Senate Finance 532	1:30 PM
	-- Location Change --		
	Lt. General Norton Schwartz,		
	Maj. Gen. Willie B. Nance: Briefing		

LEGISLATIVE COUNCIL

Jan 28	Monday	Senate Finance 532	12:00 PM
	Revisor's Bill		
	Don Mitchell Contract Amendment		
	Expanding Gas Pipeline Study Contract		
	Hiring FERC Attorney		
	Late Travel Reimbursement Requests		
	4th Avenue Lease Discussion		
	Capitol Security Measures		

OTHER MEETINGS

FISH CAUCUS

Jan 31	Thursday	Butrovich 205	12:00 PM
	2002 Fisheries Bills		