

# **SENATE JOURNAL**

## **ALASKA STATE LEGISLATURE**

### **TWENTY-SECOND LEGISLATURE -- SECOND SESSION**

**Juneau, Alaska**

**Wednesday**

**February 6, 2002**

#### **Twenty-fourth Day**

Pursuant to adjournment the Senate was called to order by President Halford at 11:08 a.m.

The roll showed eighteen members present. Senators Green, Torgerson were excused from a call of the Senate.

The prayer was offered by the Chaplain, Dr. Paul Beran, Pastor of Resurrection Lutheran Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Gracious Father, You have made us and not we ourselves. You formed us in the womb of our mothers. You provided those special people as gifts who helped to form, shape and encourage us. You have made us unique, special and diverse. Daily You renew us with the gift of life. Thank You for that gift today.

We offer to You the broad diversity among us: different backgrounds, different experiences, different perspectives, differing political views and differing lifestyles. Use our differences, not as wedges to divide or degrade, but as gifts to broaden and enrich. Make our diversity like bonding glue uniting us to effectively lead this great state amidst the challenges and opportunities. Give us that unquestionable integrity of heart and mind.

This I pray in the Name of Jesus, Who came not to be served, but to serve. Amen.

Senator Leman led the Senate in the Pledge of Allegiance.

### **Certification**

Senator Leman moved and asked unanimous consent that the journals for the twenty-second and twenty-third legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

### **Messages from the Governor**

A Declaration of Disaster Emergency dated February 1, 2002 with an accompanying letter was received and is on file in the Senate Secretary's Office. The Declaration and letter had been copied to the Finance Committee.

### **Messages from the House**

Message dated February 4 was read, stating the House passed and transmitted for consideration:

#### **First Reading and Reference of House Bills**

##### **HB 359**

HOUSE BILL NO. 359 BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act making a supplemental appropriation for tourism marketing efforts; and providing for an effective date."

with a House Letter of Intent (House Journal page 2149), was read the first time and referred to the Finance Committee.

**Communications**

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

Department of Natural Resources 2002 Annual Report to the Legislature  
from Pat Pourchot, Commissioner  
in accordance with AS 19.30.400(b); AS 27.05.060; AS 38.04.022(b); AS 46.15.020(b)(5); AS 41.21.020(a)(14)

Alaska Housing Finance Corporation 2001 Annual Report  
from Jewel Jones, Board Chair, and Daniel Fauske, CEO/Executive Director  
in accordance with AS 18.56.089

Alaska Court System, 2001 Annual Report  
from Stephanie Cole, Administrative Director

Department of Community and Economic Development, National Petroleum Reserve-Alaska Impact Mitigation Program, Report to the Second Session of the Twenty-Second Legislature, Fiscal Year 2002  
from Patrick Poland, Director, Division of Community and Business Development  
in accordance with Chapter 53, SLA 1986

**Standing Committee Reports****SB 115**

The Finance Committee considered SENATE BILL NO. 115 "An Act extending the termination date of the Board of Storage Tank Assistance." Signing do pass: Senators Donley, Kelly, Cochairs; Senators Austerman, Hoffman, Olson, Wilken, Leman, Ward.

The following fiscal information was published today:  
Fiscal Note No. 2, Department of Environmental Conservation

The bill was referred to the Rules Committee.

**SB 153**

The Finance Committee considered SENATE BILL NO. 153 "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" and recommended it be replaced with

CS FOR SENATE BILL NO. 153(FIN)

Signing do pass: Senators Kelly, Donley, Cochairs; Senators Austerman, Hoffman, Olson, Wilken, Leman, Ward.

The following fiscal information was published today:

Fiscal Note No. 2, zero, Department of Environmental Conservation

The bill was referred to the Rules Committee.

**SCR 21**

The Health, Education and Social Services Committee considered SENATE CONCURRENT RESOLUTION NO. 21 Supporting the development of adequate in-state treatment capacity for severely disturbed children, and recommended it be replaced with

CS FOR SENATE CONCURRENT RESOLUTION  
NO. 21(HES)

Signing do pass: Senator Green, Chair, Senators Leman, Wilken, Ward, Davis.

The following fiscal information was published today:

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

The resolution was referred to the Rules Committee.

**Introduction and Reference of Senate Bills****SB 279**

SENATE BILL NO. 279 BY SENATORS WILKEN, Kelly, Therriault, Taylor, entitled:

"An Act authorizing the commissioner of fish and game to issue complimentary sport fishing licenses and tags to September 11 emergency responders and their spouses; and providing for an effective date."

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

**SB 280**

SENATE BILL NO. 280 BY SENATOR THERRIAULT, entitled:

"An Act permitting grants to certain regulated public utilities for water quality enhancement projects and water, wastewater, and solid waste systems."

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

**SB 281**

SENATE BILL NO. 281 BY SENATOR LEMAN, entitled:

"An Act prohibiting employment by nursing facilities and assisted living homes of persons with certain criminal backgrounds."

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

**SB 282**

SENATE BILL NO. 282 BY SENATOR STEVENS, entitled:

"An Act relating to the membership of the board of directors of the Alaska Seafood Marketing Institute; extending the termination dates of certain activities

and salmon marketing programs of the Alaska Seafood Marketing Institute and of the salmon marketing tax; and providing for an effective date."

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

**SB 283**

SENATE BILL NO. 283 BY SENATOR WILKEN, entitled:

"An Act relating to temporary permits and licenses by endorsement issued by the Board of Nursing; and relating to the delegation of nursing duties."

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

**Consideration of the Calendar****Citations**

In Memoriam - Carolyn F. Peter  
Senator(s) Leman, Donley, Halford, Wilken, Green, Elton, Kelly,  
Davis, Taylor, Lincoln, Austerman

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 Wilken moved and asked unanimous consent to be excused from the Senate, not subject to a call, from afternoon plane time, February 15 through evening plane time, February 18. Without objection, Senator Wilken was excused.

**SB 263**

Senator Hoffman moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 263 "An Act relating to the subsequent acquisition of title to, or an interest in, real property by a person to whom the property has purportedly been granted in fee or fee simple; and providing for an effective date." Without objection, it was so ordered.

Senator Donley moved and asked unanimous consent to be excused from a call of the Senate on February 15. Without objection, Senator Donley was excused.

Senator Donley moved and asked unanimous consent that the following statement be adopted as the Sense of the Senate and that the statement be published in the journal: "The prayers offered in the Senate are with the deepest respect for the religious beliefs of each person here, every Alaskan, every American, and of the First Amendment to the Constitution of the United States of America." Senator Lincoln objected.

The question being, "Shall the Sense of the Senate offered by Senators Donley, Ward be adopted?" The roll was taken with the following result:

Adopt Sense of the Senate?

**YEAS: 14 NAYS: 4 EXCUSED: 2 ABSENT: 0**

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Halford, Kelly, Phillips, Stevens, Taylor, Therriault, Ward, Wilken

Nays: Hoffman, Leman, Lincoln, Olson

Excused: Green, Torgerson

and so, the Sense of the Senate was adopted, and is published below:

**Sense of the Senate**

The prayers offered in the Senate are with the deepest respect for the religious beliefs of each person here, every Alaskan, every American, and of the First Amendment to the Constitution of the United States of America.

**Announcements**

Announcements are at the end of the journal.

**Adjournment**

Senator Leman moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., January 8, 2002. Without objection, the Senate adjourned at 12:09 p.m.

Heidi Vogel  
Secretary of the Senate

February 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**

**Feb 07      Thursday      Senate Finance 532      8:00 AM**

+ -- Time and Location Change --  
Joint w/(H)  
Local Boundary Commission:  
Annual Report, Homer Annexation  
City of Homer Presentation  
<Testimony by Invitation Only>

**Feb 09      Saturday      Senate Finance 532      9:00 AM**

+ -- Time and Location Change --  
Joint w/(H)  
Citizens Concerned About Annexation  
Public Testimony on Homer Annexation  
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**FINANCE**

**Feb 06      Wednesday      Senate Finance 532      9:30 AM**

SB 272 SUPPLEMENTAL APPROP TOURISM MARKETING  
<Above Item Removed from Agenda>  
= 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**

<b>Feb 06</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>Feb 07</b>	<b>Thursday</b>	<b>Butrovich 205</b>	<b>4:00 PM</b>
	-- Time Change --		
	Proposed Meeting Canceled		
	Joint w/(H)		
	Overview: Substance Abuse Directors		
	Association of Alaska		

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**JUDICIARY**

<b>Feb 06</b>	<b>Wednesday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
+ HB 111	CIVIL LIABILITY AND LIVESTOCK		
<b>Feb 07</b>	<b>Thursday</b>	<b>To Be Announced</b>	<b>2:00 PM</b>
	-- Time Change --		
+	Joint w/(H)		
	Alaska Trust Law		
<b>Feb 08</b>	<b>Friday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>Feb 11</b>	<b>Monday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
+ SB 242	CONCEALED HANDGUN PERMITTEES		
+ SB 223	PRISONERS:PAROLE/GOOD TIME		
<b>Feb 13</b>	<b>Wednesday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>Feb 15</b>	<b>Friday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

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**LABOR & COMMERCE**

<b>Feb 07</b>	<b>Thursday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
+ HCR 12	FOREIGN SHIPS AND U.S. LONGSHOREMEN		
+ SB 257	EXTEND BOARD OF PROFESSIONAL COUNSELORS		
+ SB 244	OPTOMETRISTS: SUNSET AND MISCELLANEOUS		

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RESOURCES

**Feb 06      Wednesday      Butrovich 205      3:30 PM**  
No Meeting Scheduled

**Feb 08      Friday      Butrovich 205      3:30 PM**  
+ SB 140 SMALL WATER-POWER DEVELOPMENT PROJECTS  
+ SB 255 LAND EXCHANGES: GOLD CORD DEVELOPMENT

**Feb 13      Wednesday      Senate Finance 532      3:30 PM**  
-- Location Change --  
+ Joint w/Joint Committee on Natural Gas Pipelines  
Overviews:  
Dept of Revenue- Financial Participation  
in AK Natural Gas Pipeline  
Dept of Natural Resources- Gas Supply and  
Demand; Natural Gas and NGL Value  
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RULES

**Feb 11      Monday      Fahrenkamp 203      10:30 AM**  
SB 115 EXTEND BD. OF STORAGE TANK ASSISTANCE  
SB 153 UNDERGROUND STORAGE TANK LOAN FUND  
SCR 21 TREATMENT FOR DISTURBED CHILDREN  
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STATE AFFAIRS

**Feb 07      Thursday      Beltz 211      3:30 PM**  
SB 258 AUTHORIZING ELECTRONIC BALLOTS  
SCR 22 SOBRIETY AWARENESS MONTH  
SJR 31 TAX EXEMPT BONDS TO FUND VETERANS LOANS  
Bills Previously Heard/Scheduled  
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JOINT COMMITTEES

NATURAL GAS PIPELINES

**Feb 13      Wednesday      Senate Finance 532      3:30 PM**  
+ Joint w/Senate Resources Committee  
Overviews:  
Dept of Revenue- Financial Participation  
in AK Natural Gas Pipeline  
Dept of Natural Resources- Gas Supply  
and Demand; Natural Gas and NGL Value

**OTHER MEETINGS****CHILDREN'S CAUCUS**

<b>Feb 12</b> +	<b>Tuesday</b> Alaska Women's Resource Center: Stepping Stones Program	<b>Fahrenkamp 203</b>	<b>12:00 PM</b>
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**FISH CAUCUS**

<b>Feb 07</b>	<b>Thursday</b> Legislative Delegation Trip to Chile	<b>Butrovich 205</b>	<b>12:00 PM</b>
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**JOINT SESSION**

<b>Feb 19</b>	<b>Tuesday</b> US Senator Frank Murkowski	<b>House Chamber</b>	<b>11:00 AM</b>
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<b>Feb 20</b>	<b>Wednesday</b> Chief Justice Dana Fabe	<b>House Chamber</b>	<b>11:00 AM</b>
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