

# SENATE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Monday

February 25, 2002

#### Forty-third 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 Ellis, Kelly, Therriault were excused from a call of the Senate. Senators Donley, Phillips were absent.

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.

Lord, make us instruments of Your peace. Where there is hatred, let us sow love; where there is injury, pardon; where there is discord, union; where there is doubt, faith; where there is despair, hope; where there is darkness, light; where there is sadness, joy.

Grant that we may not so much seek to be consoled as to console; to be understood as to understand; to be loved as to love. For it is in giving that we receive; it is in pardoning that we are pardoned; and it is in dying that we are born to eternal life. Amen.

Senator Cowdery led the Senate in the Pledge of Allegiance.

#### Certification

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

**Messages from the House**

Message dated February 22 was read, stating the House passed and transmitted for consideration:

**First Reading and Reference of  
House Resolutions****HCR 20**

CS FOR HOUSE CONCURRENT RESOLUTION NO. 20(MLV) BY THE HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS,

Relating to declaring September 11, 2002, as a Day of Remembrance.

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

**Communications**

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

Alaska Seafood Marketing Institute Fiscal Year 2001 Annual Report from Barbara Belknap, Executive Director in accordance with AS 16.51.100

Department of Education and Early Development Annual Report regarding the progress of each school and school district toward high academic performance by all students from Shirley J. Holloway, Ph.D., Commissioner in accordance with AS 14.03.078

**Standing Committee Reports****SB 242**

The Rules Committee considered SENATE BILL NO. 242 "An Act relating to concealed handgun permittees." Signing to calendar: Senator Phillips, Chair, Senators Halford, Therriault.

The bill is on today's calendar.

**SJR 31**

The Rules Committee considered SENATE JOINT RESOLUTION NO. 31 Urging the United States Congress to permit the use of tax exempt bonds to fund loans for veterans who served after 1976. Signing to calendar: Senator Phillips, Chair, Senators Halford, Therriault.

The resolution is on today's calendar.

**SCR 22**

The Rules Committee considered SENATE CONCURRENT RESOLUTION NO. 22 Relating to declaring March 2002 as Sobriety Awareness Month. Signing to calendar: Senator Phillips, Chair, Senators Halford, Therriault.

The resolution is on today's calendar.

**SCR 23**

The Rules Committee considered SENATE CONCURRENT RESOLUTION NO. 23 Relating to declaring April 6, 2002, as Alaska Tartan Day. Signing to calendar: Senator Phillips, Chair, Senators Halford, Therriault.

The resolution is on today's calendar.

**SCR 27**

The Rules Committee considered SENATE CONCURRENT RESOLUTION NO. 27 Authorizing a recess by the Senate for a period of more than three days. Signing to calendar: Senator Phillips, Chair, Senators Halford, Therriault.

The resolution is on today's calendar.

**HCR 12**

The Rules Committee considered HOUSE CONCURRENT RESOLUTION NO. 12 Relating to the preservation of employment opportunities for United States longshoremen with respect to unloading and loading of foreign vessels. Signing to calendar: Senator Phillips, Chair, Senators Therriault, Ellis.

The resolution is on today's calendar.

**Introduction and Reference of Senate Bills****SB 342**

SENATE BILL NO. 342 BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE, entitled:

"An Act relating to the long term care ombudsman."

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

**Consideration of the Calendar****SB 242**

Senator Leman moved and asked unanimous consent that SENATE BILL NO. 242 "An Act relating to concealed handgun permittees" be held to the February 27 calendar. Without objection, it was so ordered.

**SJR 31**

Senator Leman moved and asked unanimous consent that SENATE JOINT RESOLUTION NO. 31 Urging the United States Congress to permit the use of tax exempt bonds to fund loans for veterans who served after 1976, be held to the February 27 calendar. Without objection, it was so ordered.

**SCR 23**

Senator Leman moved and asked unanimous consent that SENATE CONCURRENT RESOLUTION NO. 23 Relating to declaring April 6, 2002, as Alaska Tartan Day, be held to the February 27 calendar. Without objection, it was so ordered.

**SCR 27**

Senator Leman moved and asked unanimous consent that SENATE CONCURRENT RESOLUTION NO. 27 Authorizing a recess by the Senate for a period of more than three days, be held to the February 27 calendar. Without objection, it was so ordered.

**HCR 12**

Senator Leman moved and asked unanimous consent that HOUSE CONCURRENT RESOLUTION NO. 12 Relating to the preservation of employment opportunities for United States longshoremen with respect to unloading and loading of foreign vessels, be held to the February 27 calendar. Without objection, it was so ordered.

**Second Reading of Senate Resolutions****SCR 22**

SENATE CONCURRENT RESOLUTION NO. 22 Relating to declaring March 2002 as Sobriety Awareness Month, was read the second time and was before the Senate on final passage.

Senators Lincoln, Taylor, Leman, Elton, Cowdery, Davis, Olson, Stevens, Austerman, Halford, Hoffman moved and asked unanimous consent to be shown as cosponsors on the resolution. Without objection, it was so ordered.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 22 Relating to declaring March 2002 as Sobriety Awareness Month, pass the Senate?" The roll was taken with the following result:

SCR 22

Second Reading - Final Passage

**YEAS: 15 NAYS: 0 EXCUSED: 3 ABSENT: 2**

Yeas: Austerman, Cowdery, Davis, Elton, Green, Halford, Hoffman, Leman, Lincoln, Olson, Stevens, Taylor, Torgerson, Ward, Wilken

Excused: Ellis, Kelly, Therriault

Absent: Donley, Phillips

and so, SENATE CONCURRENT RESOLUTION NO. 22 passed the Senate and was referred to the Secretary for engrossment.

### Citations

Honoring – Sterling Senior Citizens

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

Honoring – Bart LeBon

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

Honoring – Bill Bobrick

Senator(s) Ellis, Hoffman, Stevens, Phillips, Lincoln, Halford, Wilken, Leman, Elton, Davis, Austerman, Taylor, Kelly

Honoring – The Palmer High Hockey Team

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

Honoring – George M. Taft, Jr.

Representative(s) Murkowski

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

Honoring – Tammy Streeter

Representative(s) James

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

Honoring – Valdez Volleyball Head Coach Rhonda Wegner and the Lady Buccaneers, 2001 Class 3A State Volleyball Champions  
Representative(s) Harris  
Senator(s) Lincoln, Hoffman, Stevens, Halford, Wilken, Leman, Elton, Davis, Austerman, Taylor, Kelly, Green

Honoring – Dan Sage  
Representative(s) Bunde  
Senator(s) Cowdery, Hoffman, Donley, Stevens, Lincoln, Halford, Wilken, Leman, Elton, Davis, Austerman, Taylor, Kelly, Green

In Memoriam – Robert James Hamann, Sr.  
Senator(s) Phillips, Hoffman, Donley, Stevens, Lincoln, Halford, Wilken, Leman, Elton, Davis, Austerman, Taylor, Kelly, Green

In Memoriam – Frank Capra  
Representative(s) Rokeberg  
Senator(s) Stevens, Hoffman, Donley, Lincoln, Halford, Wilken, Leman, Elton, Davis, Austerman, Taylor, Kelly, Green, Olson

In Memoriam – Robert Willard  
Representative(s) Kerttula, Hudson  
Senator(s) Elton, Ward, Hoffman, Stevens, Lincoln, Halford, Wilken, Leman, Davis, Austerman, Taylor, Kelly, Olson

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 318**

Senator Olson moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 318 "An Act relating to assignments of permanent fund dividends; and providing for an effective date." Without objection, it was so ordered.

**Announcements**

Announcements are at the end of the journal.

**Engrossment****SCR 22**

SENATE CONCURRENT RESOLUTION NO. 22 Relating to declaring March 2002 as Sobriety Awareness Month, 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., February 27, 2002. Without objection, the Senate adjourned at 11:35 a.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**

<b>Feb 25</b>	<b>Monday</b>	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>Feb 27</b>	<b>Wednesday</b>	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
+ SB 264	MUNICIPAL BOND REIMBURSEMENT		
+ SB 278	TAKING PROPERTY BY EMINENT DOMAIN		
+ SB 323	MANDATORY INCORPORATION OF BOROUGHES		
	<Above Bill-Testimony by Invitation Only>		
<b>Mar 01</b>	<b>Friday</b>	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
	No Meeting Scheduled		

-----

**FINANCE**

<b>Feb 26</b>	<b>Tuesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
SCR 29	HIRING FREEZE		
SB 223	PRISONERS:PAROLE/GOOD TIME		
SB 97	PROBATION AND PAROLE FEES		
	Bills Previously Heard/Scheduled		
<b>Feb 27</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>9:00 AM</b>
= SB 247	REAPPROPRIATIONS & CAPITAL APPROPRIATIONS		
	Capital Budget Overview		
	Bills Previously Heard/Scheduled		

**FINANCE (continued)**

- Feb 28 Thursday Senate Finance 532 9:00 AM**  
 SB 337 ELIGIBILITY FOR MUNICIPAL TAX EXEMPTION  
 SB 338 INELIGIBILITY FOR PFD/ CRIME VICTIMS COMP  
 HB 106 FINANCIAL INSTITUTIONS  
 Bills Previously Heard/Scheduled
- Mar 01 Friday Senate Finance 532 9:00 AM**  
 SB 182 PRO RATA REDUCTIONS IN BENEFIT PROGRAMS  
 SB 222 REQUIRE SLOW DRIVERS TO PULL OVER  
 SB 266 FISHERY ENHANCEMENT LOANS  
 <Pending Referral>  
 Bills Previously Heard/Scheduled
- 

**HEALTH, EDUCATION & SOCIAL SERVICES**

- Feb 25 Monday Butrovich 205 1:30 PM**  
 = SB 293 ALASKA TEMPORARY ASSISTANCE PROGRAM  
 Bills Previously Heard/Scheduled
- Feb 27 Wednesday Butrovich 205 1:30 PM**  
 Susan Sciafani,  
 Counselor to US Secretary of Education:  
 No Child Left Behind Act (ESEA)  
 SB 283 REGULATION OF NURSING  
 SB 325 CIVIL LIABILITY FOR DEFIBRILLATOR USE  
 Bills Previously Heard/Scheduled
- Mar 01 Friday Butrovich 205 1:30 PM**  
 Bills Previously Heard/Scheduled
- 

**JUDICIARY**

- Feb 25 Monday Beltz 211 1:30 PM**  
 -- Meeting Canceled --  
 = SB 248 EXTENDING COUNCIL ON DOMESTIC VIOLENCE  
 <Above Item Removed from Agenda>  
 <Bill Rescheduled from 2/22/02>  
 = HB 111 CIVIL LIABILITY AND LIVESTOCK  
 <Above Item Removed from Agenda>  
 + SB 263 REAL PROPERTY CONVEYANCES  
 Bills Previously Heard/Scheduled

**JUDICIARY (continued)**

**Feb 27      Wednesday                                      Beltz 211              1:30 PM**  
 -- Meeting Canceled --  
 HB 196 RIGHT OF ACTION FOR LEGAL SEPARATION

**Mar 01      Friday    Beltz 211              1:30 PM**  
 -- Meeting Canceled --  
 = SB 204 WILDFIRES AND NATURAL DISASTERS

-----

**LABOR & COMMERCE**

**Feb 26      Tuesday    Beltz 211              1:30 PM**  
 + SB 299 WORKERS' COMPENSATION BOARD PANELS  
 + SB 282 ALASKA SEAFOOD MARKETING INSTITUTE/TAX  
 Bills Previously Heard/Scheduled

**Feb 28      Thursday    Beltz 211              1:30 PM**  
 += SB 274 PHYSICIANS' LOCUM TENENS PERMITS  
 + SB 31 PENALTIES: OSHA VIOLATIONS CAUSING DEATH  
 Bills Previously Heard/Scheduled

-----

**RESOURCES**

**Feb 25      Monday    Butrovich 205              3:30 PM**  
 += SB 141 AQUATIC FARMS FOR SHELLFISH  
 += SB 266 FISHERY ENHANCEMENT LOANS  
 += SB 277 DEFINITIONS OF FISHERIES BUSINESSES  
 + Bills Previously Heard/Scheduled

**Feb 26      Tuesday    Senate Finance 532              12:00 PM**  
 -- Time and Location Change --  
 + Joint w/(H) Resources Committee  
 Mining Industry Overview

**Feb 27      Wednesday    Butrovich 205              3:30 PM**  
 + HB 241 RAIL AND UTILITY CORRIDOR TO CANADA  
 + SB 319 SHALLOW NATURAL GAS LEASING  
 + SCR 28 JOINT LEGIS SALMON INDUSTRY TASK FORCE  
 + Bills Previously Heard/Scheduled

**RESOURCES (continued)**

**Mar 01      Friday                                  Butrovich 205                  3:30 PM**  
 No Meeting Scheduled  
 -----

**RULES**

**Feb 25      Monday                                  Fahrenkamp 203                  10:30 AM**  
 -- Meeting Postponed to 2/26/02--  
 -- Time Change --  
 HB 320 AUTHORIZING ELECTRONIC BALLOTS

**Feb 26      Tuesday                                  Beltz 211                  11:00 AM**  
 -- Location Change --  
 -- Rescheduled from 2/25/02 --  
 = HB 320 AUTHORIZING ELECTRONIC BALLOTS  
 -----

**STATE AFFAIRS**

**Feb 26      Tuesday                                  Beltz 211                  3:30 PM**  
 SB 313 NO LEGIS APPROVAL OF AEROSPACE PROJECT  
 SJR 37 CONST AM: HIRING FREEZE  
 SJR 38 CONST AM: PRIORITY OF EXPENDITURES

**Feb 28      Thursday                                  Beltz 211                  3:30 PM**  
 SB 297 MENTAL HEALTH TRUST LAND UNIT EMPLOYEES  
 SCR 26 AVALANCHE AWARENESS MONTH  
 Bills Previously Heard/Scheduled  
 -----

**TRANSPORTATION**

**Feb 26      Tuesday                                  Butrovich 205                  1:30 PM**  
 SB 269 NAMING BONDSTEEL BRIDGE OF HONOR  
 SB 271 MARINE AND RAIL TRANSPORTATION AUTHORITY  
 SJR 32 CONST. AM:MARINE/RAIL TRANSPORTATION FUND

**Feb 28      Thursday                                  Butrovich 205                  1:30 PM**  
 SB 320 MOTOR VEHICLE INSURANCE & REPAIRS  
 -----

**FINANCE SUBCOMMITTEES****EDUCATION & EARLY DEVELOPMENT**

**Feb 26**    **Tuesday**                      **Terry Miller 104**            **8:00 AM**  
 +            Discussion on Child Care Issues  
              Yvonne Chase, Deputy Commissioner, DEED

**Feb 28**    **Thursday**                      **Terry Miller 104**            **8:00 AM**  
              Discussion on Child Care Issues  
              Yvonne Chase, Deputy Commissioner, DEED

-----

**JOINT COMMITTEES****ADMINISTRATIVE REGULATION REVIEW**

**Mar 01**    **Friday**                              **Capitol 102**                **8:30 AM**  
              Proposed Regulations for Special Schools

-----

**OTHER MEETINGS****ANCHORAGE CAUCUS**

**Feb 25**    **Monday**                              **Senate Finance 532**        **12:00 PM**  
              Presentation by Anchorage School District

-----

**FISCAL POLICY CAUCUS**

**Feb 26**    **Tuesday**                              **House Finance 519**        **1:00 PM**

-----

**FISH CAUCUS**

**Feb 28**    **Thursday**                              **Butrovich 205**                **12:00 PM**  
 +            Overview of State Salmon Hatcheries