

ALASKA STATE LEGISLATURE

SENATE RULES COMMITTEE

May 7, 2001

1:22 p.m.

DRAFT

MEMBERS PRESENT

Senator Drue Pearce, Chair
Senator John Cowdery, Vice Chair
Senator Randy Phillips
Senator Gene Therriault
Senator Johnny Ellis

MEMBERS ABSENT

All Members Present

COMMITTEE CALENDAR

SENATE BILL NO. 186

"An Act establishing a limit on the general obligation debt that may be authorized and issued by home rule and general law municipalities; and providing for an effective date."

APPROVED FOR CALENDARING

CS FOR HOUSE BILL NO. 49(FIN)

"An Act extending the termination date of the Board of Parole; and providing for an effective date."

APPROVED FOR CALENDARING

CS FOR HOUSE BILL NO. 71(FIN) am

"An Act relating to the education of children with disabilities and of gifted children; relating to the Governor's Council on Disabilities and Special Education; and providing for an effective date."

APPROVED FOR CALENDARING

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 76(FIN)

"An Act providing for and relating to the issuance of certificates of participation to finance construction of a new facility to be known as the Alaska Psychiatric Institute; giving notice of and approving the entry into and the issuance of certificates of participation in a lease-purchase agreement for construction of a new facility to be known as the Alaska Psychiatric Institute; giving notice of the intent and approval to retain investment income from pertinent appropriations to be applied to the cost of construction of a new facility to be known as the Alaska

Psychiatric Institute; relating to the construction of a facility to be known as the Alaska Psychiatric Institute; and providing for an effective date."

APPROVED FOR CALENDARING

CS FOR HOUSE BILL NO. 90(FIN)

"An Act relating to reimbursement of municipal bonds for school construction; and providing for an effective date."

APPROVED FOR CALENDARING

CS FOR HOUSE BILL NO. 102(JUD)

"An Act relating to the theft of propelled vehicles."

APPROVED FOR CALENDARING

HOUSE BILL NO. 108

"An Act relating to the accounting for and appropriation of fees for recording and related services by the Department of Natural Resources; and providing for an effective date."

APPROVED FOR CALENDARING

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."

APPROVED FOR CALENDARING

CS FOR HOUSE BILL NO. 167(STA)

"An Act relating to license plates for Alaska National Guard personnel and for antique motor vehicles; and providing for an effective date."

APPROVED FOR CALENDARING

CS FOR HOUSE BILL NO. 179(FIN)

"An Act relating to underage drinking and drug offenses; and providing for an effective date."

APPROVED FOR CALENDARING

CS FOR HOUSE BILL NO. 181(JUD)

"An Act relating to the obligations of spouses, to insurance policies of spouses, to the nonprobate transfer of property on death to a community property trust, to the division of the community property of spouses at death, and to the Alaska Community Property Act; amending Rule 301, Alaska Rules of Evidence; and providing for an effective date."

APPROVED FOR CALENDARING

CS FOR HOUSE BILL NO. 228(FIN)

"An Act relating to the accounting of fees from business license endorsements for tobacco products, to the disclosure of certain confidential cigarette and tobacco product information, to notification regarding a cigarette manufacturer's noncompliance with the tobacco product Master Settlement Agreement, to business license endorsements for sale of tobacco products, to citations and penalties for illegal sales of tobacco products; and providing for an effective date."

APPROVED FOR CALENDARING

HOUSE BILL NO. 230

"An Act relating to wage and hour protections for employees of the Alaska Railroad Corporation; and providing for an effective date."

APPROVED FOR CALENDARING

CS FOR HOUSE BILL NO. 234(FIN) am

"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."

APPROVED FOR CALENDARING

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."

APPROVED FOR CALENDARING

CS FOR HOUSE BILL NO. 185(FIN)

"An Act relating to fees for certain uses of state water, other than fees for traveling upon state water, and to the accounting and appropriation of those fees; relating to authorizations for the temporary use of state water; making other amendments to the Alaska

Water Use Act; and providing for an effective date."
APPROVED FOR CALENDARING

PREVIOUS COMMITTEE ACTION

SB 186 - See Finance minutes dated 5/3/01, 5/4/01 and 5/6/01.

HB 49 - See Judiciary minutes dated 5/4/01.

HB 71 - See Finance Report dated 5/5/01.

HB 76 - See HESS minutes dated 4/28/01 and Finance minutes dated 5/2/01 and 5/3/01.

HB 90 - See Finance Report dated 3/15/01.

HB 102 - See Judiciary minutes dated 5/2/01.

HB 108 - See Resources minutes dated 5/3/01 and Finance Report dated 5/6/01.

HB 115 - See HESS minutes dated 4/28/01 and 5/5/01 and Judiciary minutes dated 5/6/01.

HB 167 - See State Affairs minutes dated 5/5/01.

HB 181 - See Labor and Commerce minutes dated 5/2/01 and Judiciary minutes dated 5/5/01.

HB 228 - See State Affairs minutes dated 5/3/01 and Finance Report dated 5/6/01.

HB 230 - See Judiciary minutes dated 4/30/01.

HB 234 - See HESS minutes dated 5/03/01 and Finance Report dated 5/6/01.

HB 250 - See Finance minutes dated 5/1/01 and 5/6/01.

WITNESS REGISTER

Ms. Carol Carroll
Department of Natural Resources
400 Willoughby Ave.
Juneau, AK 99801-1724

POSITION STATEMENT: Answered questions regarding HB 185.

ACTION NARRATIVE

TAPE 01-11, SIDE A

Number 001

CHAIRWOMAN DRUE PEARCE called the Senate Rules Committee meeting to order at 1:22 p.m. Present were Senators Cowdery, Phillips, Ellis and Pearce. Chairwoman Pearce announced that the committee will hear the bills that are in its possession at this time.

#SB 186

CHAIRWOMAN PEARCE announced the Senate Finance Committee adopted a committee substitute for SB 186 and that the bill has a revenue generating fiscal note.

SENATOR PHILLIPS moved to calendar **SB 186-LIMIT MUNICIPAL G.O.BOND DEBT.**

SENATOR ELLIS objected.

The motion to calendar SB 186 carried with Senators Cowdery, Phillips and Pearce voting "yea," and Senator Ellis voting "nay."
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#HB 49

SENATOR PHILLIPS moved to calendar **CASHB 49(FIN)-EXTEND TERMINATION DATE FOR BD OF PAROLE.** There being no objection, the motion carried.

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#HB 71

SENATOR PHILLIPS moved to calendar **CASHB 71(FIN)-EDUC. OF DISABLED OR GIFTED CHILDREN.** There being no objection, the motion carried.

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#HB 76

CHAIRWOMAN PEARCE announced the Senate Finance Committee adopted a committee substitute for **SSH B 76-NEW FACILITIES FOR API.**

SENATOR COWDERY moved to calendar SSHB 76. There being no objection, the motion carried.

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#HB 90

SENATOR PHILLIPS moved to calendar **HB 90-MUNICIPAL SCHOOL BOND REIMBURSEMENT.** There being no objection, the motion carried.

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#HB 102

SENATOR PHILLIPS moved to calendar **CASHB 102(JUD)-THEFT OF PROPELLED**

VEHICLES. There being no objection, the motion carried.

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#HB 108

SENATOR PHILLIPS moved to calendar HB 108-DEPT NATURAL RESOURCES RECORDING FEES. There being no objection, the motion carried.

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#HB 115

CHAIRWOMAN PEARCE announced that the Senate HESS Committee adopted a committee substitute for CSHB 115(HES)-EMERGENCY COMMITMENT ORDERS AND TREATMENT.

SENATOR PHILLIPS moved to calendar CSHB 115(HES). There being no objection, the motion carried.

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#HB 167

SENATOR PHILLIPS moved to calendar HB 167-MOTOR VEH.LIC.PLATES: NATL GUARD/ANTIQUE. There being no objection, the motion carried.

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CHAIRWOMAN PEARCE announced the committee did not have HB 132, HB 172 or HB 185 in its possession at this time.

#HB 179

SENATOR COWDERY moved to calendar HB 179-UNDERAGE DRINKING & DRUG OFFENSES. There being no objection, the motion carried.

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CHAIRWOMAN PEARCE announced that Senator Therriault joined the committee.

#HB 181

SENATOR PHILLIPS moved to calendar HB 181-COMMUNITY PROPERTY/OBLIGATIONS OF SPOUSES. There being no objection, the motion carried.

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#HB 228

SENATOR PHILLIPS moved to calendar HB 228-SALE OF TOBACCO PRODUCTS. There being no objection, the motion carried.

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#HB 230

SENATOR COWDERY moved to calendar HB 230-RAILROAD EMPLOYEE SALARIES AND WAGES. There being no objection, the motion carried.

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#HB 234

CHAIRWOMAN PEARCE announced the Senate Finance Committee adopted a committee substitute for HB 234-TOBACCO SETTLEM'T:BONDS & SMOKING PROGRAM and a new fiscal note.

SENATOR COWDERY moved to calendar CSHB 234(FIN)am.

SENATOR ELLIS objected and commented that he believes the Senate Finance Committee should have included the 20 percent for tobacco cessation efforts, as the House did. In addition, he does not believe the bill contains an adequate commitment to rural school construction and rural and urban maintenance projects.

SENATOR THERRIAULT said that although he shares Senator Ellis's concern about the cessation program, Section 2 sets up the cessation fund.

The motion to calendar CSHB 234(FIN)am carried with Senators Cowdery, Therriault and Pearce voting "yea," and Senators Ellis and Phillips voting "nay."

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#HB 250

CHAIRWOMAN PEARCE announced the Senate Finance Committee adopted a committee substitute for HB 250-OPERATING BUDGET MISSIONS AND MEASURES.

SENATOR PHILLIPS moved to calendar HB 250. There being no objection, the motion carried.

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#HB 185

CHAIRWOMAN PEARCE noted the House Finance Committee substitute for HB 185-ALASKA WATER USE ACT & FEES is before the committee. The House Finance Committee put in a repeal date of July 1, 2002 so the water use issues will have to be reviewed by the legislature next year. This version allows the Department of Natural Resources to do the temporary use of state water authorizations for this coming year. The Senate version was sitting in Senate Rules; the House bill came to the Senate and was waived to the Senate Rules Committee, therefore public testimony will be taken.

MS. CAROL CARROLL, legislative liaison from the Department of Natural Resources, said she was available to answer questions.

SENATOR THERRIAULT asked for a synopsis of lines 9-12 on page 3.

MS. CARROLL explained the language on lines 9-12 confirms that the temporary water permits, which have already been issued, are still valid.

There being no further testimony or questions, SENATOR COWDERY moved to calendar CSHB 185(FIN). There being no objection, the motion carried.

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There being no further business to come before the committee, CHAIRWOMAN PEARCE recessed the meeting to a call of the Chair at 1:37 p.m.