

ALASKA STATE LEGISLATURE
SENATE RULES COMMITTEE
April 29, 2002
11:03 a.m.

MEMBERS PRESENT

Senator Randy Phillips, Chair
Senator John Cowdery, Vice Chair
Senator Gene Therriault
Senator Rick Halford

MEMBERS ABSENT

Senator Johnny Ellis

COMMITTEE CALENDAR

HOUSE BILL NO. 262

"An Act relating to accounting for and appropriations of receipts from fees collected by the Department of Labor and Workforce Development for certain inspections and for certain plumbing and electrical worker certificates of fitness; establishing a building safety account; and providing for an effective date."

HEARD AND HELD

CS FOR HOUSE BILL NO. 306(L&C)

"An Act authorizing the Department of Community and Economic Development to issue permits to certain agencies to purchase, possess, and use certain drugs for euthanizing domestic animals."

APPROVED FOR CALENDARING

CS FOR HOUSE BILL NO. 358(CRA)

"An Act relating to an optional exemption from municipal property taxes for certain land from which timber is harvested and for certain improvements used in or necessary to the harvest of timber; and providing for an effective date."

APPROVED FOR CALENDARING

HOUSE BILL NO. 375 am

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

APPROVED FOR CALENDARING

SENATE CONCURRENT RESOLUTION NO. 34

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 439,

relating to removing provisions providing an opportunity to petition for review of proposed or final consistency determinations under the Alaska coastal zone management program; and limiting the authority of the Alaska Coastal Policy Council to order a coastal resource district or a state agency to take action with respect to a proposed or final consistency determination.

APPROVED FOR CALENDARING

CS FOR HOUSE BILL NO. 439(RES)(title am)

"An Act removing provisions providing an opportunity to petition for review of proposed or final consistency determinations under the Alaska coastal zone management program; and limiting the authority of the Alaska Coastal Policy Council to order a coastal resource district or a state agency to take action with respect to a proposed or final consistency determination."

APPROVED FOR CALENDARING

HOUSE BILL NO. 444

"An Act relating to buildings covered under the Alaska public building fund; and providing for an effective date."

APPROVED FOR CALENDARING

HOUSE JOINT RESOLUTION NO. 45

Relating to the labeling of salmon food products.

APPROVED FOR CALENDARING

CS FOR HOUSE JOINT RESOLUTION NO. 46(RES)

Relating to the moratorium on fish farming in British Columbia.

APPROVED FOR CALENDARING

HOUSE CONCURRENT RESOLUTION NO. 27 am

Relating to urging the Local Boundary Commission to adopt standards and procedures to enable the commission to return a petition for a local boundary change to the petitioner when the commission determines the petition is substantively deficient, in need of substantial amendment or supplementation, or the procedure used in preparing the petition was deficient.

APPROVED FOR CALENDARING

PREVIOUS COMMITTEE ACTION

HB 306 - See Labor and Commerce minutes dated 4/2/02.

HB 358 - See CRA minutes dated 4/8/02 and Resources minutes dated 4/19/02.

HB 444 - No previous action to record.

HB 439 - See Finance Report dated 4/24

SCR 34 - See Rules minutes dated 4/29/02.

HJR 45 - See Resources minutes dated 4/24/0

HJR 46 - See Resources minutes dated 4/24/02

HCR 27 - See CRA minutes dated 4/24/02

HB 262 - See Labor and Commerce minutes dated 3/21/02, State Affairs minutes dated 4/2/02, and Finance Report dated 4/18/02

WITNESS REGISTER

Ms. Linda Hay

Staff to Representative Ogan

Alaska State Capitol

Juneau, AK 99801-1182

POSITION STATEMENT: Testified for the sponsor of HB 439

Representative Peggy Wilson

Alaska State Capitol

Juneau, AK 99801-1182

POSITION STATEMENT: Sponsor of HJR 46

Ms. Judy Jordan

Staff to Representative Scalzi

Alaska State Capitol

Juneau, AK 99801-1182

POSITION STATEMENT: Testified for the sponsor of HCR 27

Ms. Pam Finley

Revisor of Statutes

Legislative Affairs Agency

Legislative Legal and Research

Services

State Capitol

Juneau, AK 99801-1182

POSITION STATEMENT: Answered questions about HB 375

Ms. Amy Erickson

Staff to Representative Murkowski

Alaska State Capitol

Juneau, AK 99801-1182

POSITION STATEMENT: Testified for the sponsor of HB 262

Ms. Annette Kreitzer

Staff to Senator Leman

Alaska State Capitol
Juneau, AK 99801-1182

POSITION STATEMENT: Answered questions about proposed committee substitutes to HB 262

ACTION NARRATIVE

TAPE 02-10, SIDE A

Number 001

CHAIRMAN RANDY PHILLIPS called the Senate Rules Committee meeting to order at 11:03 a.m. Members present were Senators Cowdery, Therriault, Halford and Phillips. Chairman Phillips announced the committee would hear the bills in the following order: HB 306, HB 358, HB 444, HB 439, SCR 34, HJR 45, HJR 46, HCR 27, HB 375 and HB 262.

#HB 306

SENATOR COWDERY moved to calendar at the Chairman's discretion **CSHB 306(L&C) - EUTHANASIA FOR DOMESTIC ANIMALS** with any accompanying fiscal notes.

There being no objection, CHAIRMAN PHILLIPS announced the motion carried.

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#HB 358

SENATOR COWDERY moved to calendar at the Chairman's discretion **CSHB 358-EXEMPTION FROM PROPERTY TAX: TIMBER (CRA)** with its accompanying fiscal notes.

There being no objection, CHAIRMAN PHILLIPS announced the motion carried.

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#HB 444

SENATOR COWDERY moved to calendar at the Chairman's discretion **HB 444-ALASKA PUBLIC BUILDING FUND.**

There being no objection, CHAIRMAN PHILLIPS announced the motion carried.

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#HB 439

SENATOR COWDERY moved to calendar at the Chairman's discretion **HB 439-COASTAL ZONE MANAGEMNT PROGRAMS&PETITIONS** with its accompanying fiscal notes.

There being no objection, CHAIRMAN PHILLIPS announced the motion carried.

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#SCR 34

SENATOR COWDERY moved to calendar at the Chairman's discretion **SCR 34-SUSPEND UNIFORM RULES FOR HB 439.**

There being no objection, CHAIRMAN PHILLIPS announced the motion carried.

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#HJR 45

SENATOR COWDERY moved to calendar at the Chairman's discretion **HJR 45-SALMON LABELING** with any accompanying fiscal notes.

There being no objection, CHAIRMAN PHILLIPS announced the motion carried.

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#HJR 46

SENATOR COWDERY moved to calendar at the Chairman's discretion **CSHJR 46(RES)-BC MORATORIUM ON FISH FARMING.**

CHAIRMAN PHILLIPS proposed the following amendment: on page 2, line 17, replace the word "request" with "respectfully urges" and on line 21 replace "respectfully urges" with "request." He explained that from a Canadian point of view, "request" means demand. He found that out several years ago when legislators from British Columbia were visiting. They like suggestions but they don't like demands.

REPRESENTATIVE PEGGY WILSON, sponsor of HJR 46, said that change was acceptable to her.

There being no objection, CHAIRMAN PHILLIPS announced the motion carried.

SENATOR COWDERY repeated his motion to calendar SCSHJR 46 (RLS) at the Chairman's discretion.

There being no objection, CHAIRMAN PHILLIPS announced the motion carried.

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#HCR 27

SENATOR COWDERY moved to calendar at the Chairman's discretion

HCR 27am - LOCAL BOUNDARY COMMISSION PROCEDURES with its accompanying fiscal notes.

SENATOR THERRIAULT asked for a run-down of the resolution.

MS. JUDY JORDAN, staff to Representative Scalzi, explained that the Representative introduced this legislation to clarify that the Local Boundary Commission has the right to return a petition very early in the process if it finds the procedures used were inadequate.

There being no objection, CHAIRMAN PHILLIPS announced the motion carried.

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#HB 375

MS. PAMELA FINLEY, revisor of statutes, explained that HB 375-REVISOR'S BILL is the standard statute clean-up bill. The Senate Judiciary Committee removed the most problematic section; she is happy with that result. A section of interest is Section 1, which puts in statute a practice used by the revisor's office for at least 18 years concerning effective dates.

CHAIRMAN PHILLIPS asked if that is a substantive change.

MS. FINLEY said it isn't substantive in that it does not change what the revisor's office has been doing. She said the legislative branch writes the effective date.

SENATOR THERRIAULT pointed out that it is the status quo so that if the legislature adds an immediate or specific effective date to a bill, it does not want the Administration to be able to hold or veto that bill past that date.

CHAIRMAN PHILLIPS asked if the bill contains any substantive changes because, in the past, legislators often added substantive legislation to it.

MS. FINLEY said it does not.

SENATOR COWDERY moved to calendar HB 375 at the Chairman's discretion with its zero fiscal note.

SENATOR THERRIAULT asked Ms. Finley to describe the change made by the House.

MS. FINLEY said a change was made on the floor at her request. The phrase "subject to state control" was added to Sections 11

and 12 on pages 5 and 6. She explained that she sent the draft bill to the Executive Branch for review, but it wasn't until the House Judiciary Committee held a hearing that the Older Alaskans Commission notified her that it had several federal programs that the state could not administer. Therefore, to avoid reporting on something the state could not take control over, that phrase was added.

CHAIRMAN PHILLIPS announced that with no objection to calendaring HB 375, the motion carried.

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#HB 262

CHAIRMAN PHILLIPS announced that the committee has two proposed Senate Rules Committee substitutes (Versions P and O) to **HB 262-BUILDING SAFETY ACCOUNT**.

MS. AMY ERICKSON, staff to Representative Murkowski, sponsor of HB 262, asked to hear an explanation of the committee substitutes.

CHAIRMAN PHILLIPS informed members that Version P is more encompassing than Version O. He asked Ms. Kreitzer to explain the differences between the two versions.

MS. ANNETTE KREITZER, staff to Senator Leman, said she is testifying on behalf of the Senate Finance Committee. She told members the Senate Finance Committee plans to use receipt-supported services to fully fund state parks, the food safety program, and some portions of the budgets of the Departments of Revenue and Public Safety. Version O contains a list of those receipts. Beginning on page 2, Section 4, Department of Community and Economic Development business license fees are targeted and put in the same category as occupational license fees, which are already used for receipt-supported services. Section 5 contains the list of receipts from the House version, as well as receipts from the Department of Environmental Conservation for food safety, the Department of Natural Resources for the Division of Parks, and receipts for private security guards and the concealed carry program. As Senate Finance subcommittees closed out their budgets, the full Senate Finance Committee, which anticipated using receipt-supported services, began to compile this list.

MS. KREITZER explained that Version P is much shorter, however Section 4 would still be necessary to differentiate between business and occupational licenses. Section 5, instead of containing a laundry list of activities, contains the following description of general fund program receipts:

Fees, charges, income earned and assets and other state money received by a state agency in connection with the performance of its functions if the fees, charges, income or other money is accounted for separately by the state agency.

She noted that Version P encompasses about \$7.8 million more than Version O and is more inclusive. She anticipates this bill will go to a conference committee and, even with the broad language in the bill, the conference committee can break it down into a list if it would rather take that approach.

CHAIRMAN PHILLIPS pointed out that a title change will be necessary for either committee substitute. He asked for a response from Representative Murkowski's staff.

MS. AMY ERICKSON said she has not had the opportunity to discuss either version with Representative Murkowski so is not able to state a position at this time.

SENATOR HALFORD arrived.

CHAIRMAN PHILLIPS announced that HB 262, along with the title change, will be held until the next hearing to hear from Representative Murkowski.

There being no further business to come before the committee, CHAIRMAN PHILLIPS adjourned the meeting at 11:22 a.m.