

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Monday

March 10, 2003

Forty-ninth Day

Pursuant to adjournment the Senate was called to order by President Therriault at 11:19 a.m.

The roll showed sixteen members present. Senators Bunde, French, Seekins, Wilken were excused from a call of the Senate.

The prayer was offered by the Chaplain, Pastor Greg Lindsay of the Northern Light United Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

In deepest respect of the different religious traditions present, never assuming that we all come from the same faith tradition, I invite you to spend a few moments with me in prayer and reflection. Let us pray:

God of all people, help us to be honest today, but temper our honesty with compassion. May we always speak the truth in love. Preserve us from false talk, cheap words and insincere conversation as we seek to serve all the people.

Inspired by those who have gone before us, give us the courage to lay aside our personal agendas, our anger or even our despair, and instead may we find the hope and healing that comes from the work You give us to do.

Gracious God, guide the work of our hands this week to give the most attention to those who are most in need. May we never serve with arrogance or speak words that would harm another. May the result of our work be a state worthy of its many and varied people. Amen.

Senator Davis led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House

Message dated March 7 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Resolutions

HCR 8

HOUSE CONCURRENT RESOLUTION NO. 8 BY REPRESENTATIVES KAPSNER, Meyer, Cissna, Heinze, Kerttula, Gatto, Wilson, Seaton, Samuels, Lynn, Harris,

Requesting the Governor to declare March 16 - 22, 2003, to be Inhalants and Poisons Awareness Week.

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

First Reading and Reference of House Bills

HB 100

CS FOR HOUSE BILL NO. 100(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act making supplemental and other appropriations; amending appropriations; making appropriations to capitalize funds; and providing for an effective date."

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

Standing Committee Reports

Reports dated March 6 were read, stating:

In accordance with AS 39.05.080, the Senate State Affairs Committee reviewed the following with regard to confirmation of the Governor's appointments and recommends the appointments be forwarded to a Joint Session for consideration:

State Commission for Human Rights

Lester Lunceford
Grace Merkes
Robert B. Sawyer, Jr.

There were no stated objections to the confirmation of any of the named individuals by committee members. This does not reflect an intent by any of the members to vote for or against the individuals during any further sessions.

Signing the reports: Senator Gary Stevens, Chair; Senators Cowdery, Dyson.

Report dated March 6 was read, stating:

In accordance with AS 39.05.080, the Senate State Affairs Committee reviewed the following with regard to confirmation of the Governor's appointment and recommends the appointment be forwarded to a Joint Session for consideration:

Alaska Public Offices Commission

Larry D. Wood

There were no stated objections to the confirmation of the named individual by committee members. This does not reflect an intent by any of the members to vote for or against the individual during any further sessions.

Signing the report: Senator Gary Stevens, Chair; Senators Cowdery, Dyson.

SB 72

The Labor and Commerce Committee considered SENATE BILL NO. 72 "An Act extending the termination date of the Regulatory Commission of Alaska; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 72(L&C)

Signing do pass: Senator Bunde, Chair; Senators Davis, French, Seekins, Gary Stevens.

The following fiscal information was published today:

Fiscal Note No. 2, Department of Community and Economic Development

The bill was referred to the Finance Committee.

SB 77

The State Affairs Committee considered SENATE BILL NO. 77 "An Act naming the William Ransom Wood Centennial Bridge in Fairbanks." Signing do pass: Senator Gary Stevens, Chair; Senators Cowdery, Dyson.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Transportation and Public Facilities

The bill was referred to the Rules Committee.

SCR 4

The State Affairs Committee considered SENATE CONCURRENT RESOLUTION NO. 4 Relating to Avalanche Awareness Month, and recommended it be replaced with

CS FOR SENATE CONCURRENT RESOLUTION
NO. 4(STA)

Signing do pass: Senator Gary Stevens, Chair; Senators Cowdery, Dyson.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Senate State Affairs Committee

The resolution was referred to the Rules Committee.

**Introduction and Reference of
Senate Resolutions**

SSCR 1

SENATE SPECIAL CONCURRENT RESOLUTION NO. 1 BY
SENATORS ELTON, Davis, Lincoln,

Disapproving Executive Order No. 107, relating to
the transfer of certain functions of the Department of
Fish and Game to the Department of Natural
Resources and to the transfer of certain functions
within the Department of Natural Resources.

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

SJR 10

SENATE JOINT RESOLUTION NO. 10 BY SENATORS GREEN,
Bunde, Cowdery, Dyson, Ogan, Seekins, Ben Stevens, Gary Stevens,
Taylor, Therriault, Wagoner, Wilken, Davis, Ellis, Elton, French,
Lincoln, Olson, Guess,

Relating to the Pledge of Allegiance.

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

SJR 11

SENATE JOINT RESOLUTION NO. 11 BY SENATORS ELLIS,
Elton, Davis, Lincoln, French, Guess,

Relating to urging that the 2006 National Veterans
Wheelchair Games be held in Anchorage, Alaska.

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

Introduction and Reference of Senate Bills**SB 128**

SENATE BILL NO. 128 BY SENATOR COWDERY, entitled:

"An Act relating to licensing common carriers to dispense alcoholic beverages; and providing for an effective date."

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

SB 129

SENATE BILL NO. 129 BY SENATOR TAYLOR BY REQUEST, entitled:

"An Act relating to provider responsibility for ocular postoperative care; and providing for an effective date."

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

SB 130

SENATE BILL NO. 130 BY SENATOR HOFFMAN, entitled:

"An Act transferring the assets, liabilities, and responsibilities of the Alaska Municipal Bond Bank Authority and of the Alaska Student Loan Corporation to the Alaska Housing Finance Corporation; and relating to the Alaska Housing Finance Corporation."

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

SB 131

SENATE BILL NO. 131 BY SENATOR LINCOLN, entitled:

"An Act relating to public school construction funding; and providing for an effective date."

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

SB 132

SENATE BILL NO. 132 BY SENATOR LINCOLN, entitled:

"An Act removing the Old Minto townsite from the Minto Flats State Game Refuge; and authorizing the Department of Natural Resources to convey certain land at the historic Old Minto site to the Minto Village Council."

was read the first time and referred to the Community and Regional Affairs and Resources Committees.

SB 133

SENATE BILL NO. 133 BY SENATORS ELLIS, Davis, Lincoln, French, Guess, entitled:

"An Act relating to a state veterans' home; directing the Department of Administration to apply for federal grants available for construction of a state veterans' home; and providing for an effective date."

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

SB 134

SENATE BILL NO. 134 BY SENATORS ELLIS, Davis, Lincoln, Guess, French, entitled:

"An Act appropriating money for the construction of a state veterans' home; and providing for an effective date."

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

SB 135

SENATE BILL NO. 135 BY SENATORS ELLIS, Elton, Davis, Lincoln, French, Guess, entitled:

"An Act designating November 11 as Alaska Veterans Appreciation Day."

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

SB 136

SENATE BILL NO. 136 BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE, entitled:

"An Act increasing an optional exclusion or exemption from municipal taxation for residential property."

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

Consideration of the Calendar**Third Reading of Senate Bills****SB 74**

CS FOR SENATE BILL NO. 74(RES) "An Act extending the renewal period for oil discharge prevention and contingency plans; and providing for an effective date" was read the third time.

Senator Lincoln moved and asked unanimous consent that the bill be returned to second reading for the purpose of a specific amendment, that being Amendment No. 1. Without objection, the bill was returned to second reading.

Senators Lincoln, Ogan offered Amendment No. 1:

Page 1, following line 3:

Insert a new bill section to read:

***Section 1.** The uncodified law of the State of Alaska is amended by adding a new section to read:

LEGISLATIVE FINDING. The legislature finds that focusing on the actual testing of oil spill prevention and response preparedness through in-the-field inspections, drills, and exercises is our most effective means of ensuring spill prevention and response readiness and protection of the environment."

ReNUMBER the following bill sections accordingly.

Senator Lincoln moved and asked unanimous consent for the adoption of Amendment No. 1. Without objection, Amendment No. 1 was adopted.

CS FOR SENATE BILL NO. 74(RES) am was automatically in third reading.

The question being: "Shall CS FOR SENATE BILL NO. 74(RES) am "An Act extending the renewal period for oil discharge prevention and contingency plans; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 74(RES) am
Third Reading - Final Passage
Effective Date

YEAS: 16 NAYS: 0 EXCUSED: 4 ABSENT: 0

Yeas: Cowdery, Davis, Dyson, Ellis, Elton, Green, Guess, Hoffman, Lincoln, Ogan, Olson, Stevens B, Stevens G, Taylor, Therriault, Wagoner

Excused: Bunde, French, Seekins, Wilken

and so, CS FOR SENATE BILL NO. 74(RES) am passed the Senate.

Senator Ben Stevens moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

Unfinished Business

Senator Lincoln moved and asked unanimous consent to be excused from a call of the Senate on March 13. Without objection, Senator Lincoln was excused.

Senator Hoffman moved and asked unanimous consent to be excused from a call of the Senate on March 19 and 20. Without objection, Senator Hoffman was excused.

Announcements

Announcements are at the end of the journal.

Engrossment

SB 74

CS FOR SENATE BILL NO. 74(RES) am "An Act extending the renewal period for oil discharge prevention and contingency plans; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Ben Stevens moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., March 12, 2003. Without objection, the Senate adjourned at 11:41 a.m.

Kirsten Waid
Secretary of the Senate

March 2003

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

Mar 10	Monday	Fahrenkamp 203	1:30 PM
		No Meeting Scheduled	
Mar 12	Wednesday	Fahrenkamp 203	1:30 PM
		No Meeting Scheduled	
Mar 14	Friday	Fahrenkamp 203	1:30 PM
		No Meeting Scheduled	

FINANCE

Mar 10	Monday	Senate Finance 532	9:00 AM
		No Meeting Scheduled	
Mar 11	Tuesday	Senate Finance 532	9:00 AM
		SB 71 TRANSPORTATION ENHANCEMENT PROJECTS	
		= SB 25 AHFC LOANS TO EDUCATORS	
		= HB 101 APPROP: GRANT TO ARCTIC POWER FOR ANWR	
		HB 100 SUPPLEMENTAL APPROPRIATIONS: FAST TRACK	
		Bills Previously Heard/Scheduled	

FINANCE (continued)

Mar 12 Wednesday Senate Finance 532 9:00 AM
 AK Travel Industry Assoc. Presentation
 = HB 101 APPROP: GRANT TO ARCTIC POWER FOR ANWR
 = HB 100 SUPPLEMENTAL APPROPRIATIONS: FAST TRACK
 Bills Previously Heard/Scheduled

Mar 13 Thursday Senate Finance 532 9:00 AM
 SB 79 EXTEND ALASKA MINERALS COMMISSION
 Bills Previously Heard/Scheduled

Mar 14 Friday Senate Finance 532 9:00 AM
 Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

Mar 10 Monday Butrovich 205 1:30 PM
 + HCR 8 INHALANTS AND POISONS AWARENESS WEEK
 + SB 124 ALCOHOLISM AND DRUG ABUSE GRANTS
 + SB 123 ELIMINATE REVIEW OF ADOPTION SUBSIDIES
 Bills Previously Heard/Scheduled
 += SB 55 TAMPERING WITH PUBLIC RECORDS
 += SB 8 TAMPERING WITH PUBLIC RECORDS

Mar 12 Wednesday Butrovich 205 1:30 PM
 + Overview: Reorganization and Improvements
 Dept of Health and Social Services
 Bills Previously Heard/Scheduled
 += SB 41 MEDICAID COSTS AND CRIMES

JUDICIARY

Mar 10 Monday Beltz 211 1:30 PM
 No Meeting Scheduled

JUDICIARY (continued)

Mar 12 Wednesday Beltz 211 1:30 PM
 + Bills Previously Heard/Scheduled
 + SB 45 LB&A CRIMES AND COOPERATION
 + SJR 5 DESTROY BRADY BILL RECORDS
 + SJR 8 DIVISION OF 9TH CIRCUIT CT OF APPEALS
 + HB 12 HARASSMENT BY ELECTRONIC
 COMMUNICATION

Mar 14 Friday Beltz 211 1:30 PM
 No Meeting Scheduled

LABOR & COMMERCE

Mar 11 Tuesday Beltz 211 1:30 PM
 + SB 93 ADVERSE POSSESSION
 HB 58 REINSTATEMENT OF NATIVE CORPS

Mar 13 Thursday Beltz 211 1:30 PM
 + SB 82 ALCOHOLIC BEVERAGE TAX FOR WINE &
 OTHERS
 + HB 82 COMMERCIAL ELECTRONIC MAIL
 + SB 102 CHARITABLE GAMING REVENUE
 Bills Previously Heard/Scheduled

RESOURCES

Mar 10 Monday Butrovich 205 3:30 PM
 + EO 107: Transferring Fish Habitat
 Functions from DFG to DNR
 + EO 106: Transferring AK Coastal Policy
 Council and Office of Coastal Mgmt to DNR
 + Bills Previously Heard/Scheduled

RESOURCES (continued)

Mar 11 Tuesday Butrovich 205 2:30 PM
 Subcommittee Meeting
 = HB 69 REGULATION OF SHALLOW NATURAL GAS

Mar 12 Wednesday Butrovich 205 3:30 PM
 + SB 116 EMISSION CONTROL PERMIT PROGRAM
 + SB 44 OIL SPILL RESPONSE COST RECOVERY
 + Bills Previously Heard/Scheduled

Mar 14 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

STATE AFFAIRS

Mar 11 Tuesday Beltz 211 3:30 PM
 + SJR 7 VANCOUVER'S BID FOR 2010 WINTER GAMES
 + SJR 9 SUPPORTING MEMBERS OF MILITARY
 += SB 65 CORRECTIONAL FACILITY EXPANSION
 + SB 99 CORRECTIONAL FACILITIES

Mar 13 Thursday Beltz 211 3:30 PM
 SB 83 SVEN HAAKANSON AIRPORT AT OLD HARBOR
 += SB 65 CORRECTIONAL FACILITY EXPANSION
 += SB 99 CORRECTIONAL FACILITIES

TRANSPORTATION

Mar 11 Tuesday Terry Miller 104 1:30 PM
 -- Location Change --
 = SB 31 RAILROAD UTILITY CORRIDOR TO & IN CANADA
 <Bill Hearing Postponed to 3/18/03>
 + 1:30 - 2:00: Joint w/(H) Transportation
 Port of Bellingham 2:00 - 3:00:
 HCR 2 EXTEND ALASKA RAILROAD TO FT. GREELY
 SB 103 MOTOR VEHICLE REGISTRATION FEES
 SB 106 FEE FOR STUDDERED TIRES
 SB 112 INCREASE MOTOR FUEL TAX

TRANSPORTATION (continued)

- Mar 13 Thursday Terry Miller 104 1:15 PM**
 -- Time and Location Change --
 + Joint w/(H) Transportation
 Airport Bond Issues
- Mar 18 Tuesday Butrovich 205 1:30 PM**
 -- Rescheduled from 3/11/03 --
 += SB 31 RAILROAD UTILITY CORRIDOR TO & IN CANADA
- Mar 25 Tuesday Butrovich 205 1:30 PM**
 += SB 40 CONSTRUCTION OF HIGHWAYS BY DOTPF

FINANCE SUBCOMMITTEES

ADMINISTRATION

- Mar 13 Thursday Beltz 211 8:00 AM**
 Dept of Administration Budget Overview
-

COMMUNITY AND ECONOMIC DEVELOPMENT

- Mar 11 Tuesday Terry Miller 104 11:00 AM**
 -- Rescheduled to 3/14/03 --
 Initial Budget Discussions
- Mar 14 Friday Terry Miller 104 8:00 AM**
 -- Rescheduled from 3/11/03 --
 Initial Budget Discussions
-

EDUCATION & EARLY DEVELOPMENT

- Mar 10 Monday Senate Finance 532 12:00 PM**
 -- Rescheduled to 3/11/03 --
 Initial Departmental Budget Overview

FINANCE SUBCOMMITTEES (continued)**EDUCATION & EARLY DEVELOPMENT (continued)**

Mar 11 Tuesday Senate Finance 532 5:00 PM
 -- Rescheduled from 3/10/03 --
 Initial Departmental Budget Overview

FISH & GAME

Mar 13 Thursday Senate Finance 532 3:30 PM

Mar 25 Tuesday Senate Finance 532 3:30 PM

Apr 03 Thursday Senate Finance 532 3:30 PM

LAW

Mar 18 Tuesday Fahrenkamp 203 4:00 PM
 Dept of Law Budget Overview

PUBLIC SAFETY

Mar 18 Tuesday Senate Finance 532 4:00 PM

Apr 01 Tuesday Fahrenkamp 203 4:00 PM

Apr 08 Tuesday Fahrenkamp 203 4:00 PM

TRANSPORTATION & PUBLIC FACILITIES

Mar 12 Wednesday Terry Miller 104 8:00 AM
 Dept of Transportation/Public Facilities
 FY04 Operating Budget Overview

SPECIAL COMMITTEES**WORLD TRADE AND STATE/FEDERAL RELATIONS**

Mar 10 Monday Fahrenkamp 203 4:00 PM
 Briefings:
 Northern Forum,
 Circumpolar Infrastructure Task Force

JOINT COMMITTEES**ARMED SERVICES COMMITTEE**

Mar 11 Tuesday Senate Finance 532 1:00 PM
 -- Teleconference <Listen Only> --
 Military Legislative Address:
 Lt General Carrol H. "Howie" Chandler,
 USAF Commander, Alaska Command
 Brigadier General Craig Campbell,
 Adjutant General, Alaska National Guard

LEGISLATIVE BUDGET & AUDIT

Mar 27 Thursday House Finance 519 4:00 PM
 Audits and Other Committee Business
 Including an Executive Session

LEGISLATIVE COUNCIL

Mar 12 Wednesday Senate Finance 532 12:00 PM

OTHER MEETINGS**JOINT SESSION**

Mar 31 Monday House Chamber 11:00 AM
 Address by U.S. Senator Ted Stevens