

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Sunday

May 4, 2003

One Hundred Fourth Day

Pursuant to adjournment the Senate was called to order by President Therriault at 10:11 a.m.

The roll showed fourteen members present. Senators Davis, Ellis, French, Guess, Lincoln, were excused from a call of the Senate. Senator Hoffman was absent.

The prayer was offered by the Chaplain, Senator Fred Dyson. Senator Olson moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Let us Pray.

Father, we thank You for the beauty of Your creation, particularly here in Alaska, and the delightful people You have placed here and given us a chance to work with.

Thank You for Your mercy, Your love, Your righteousness and Your truth. We commit ourselves to serving the people of Alaska with honor and integrity and to building bridges instead of walls.

We ask for Your wisdom. We ask that You would superintend our actions and glorify Yourself through us. We ask this in Christ's name. Amen.

Senator Gary Stevens led the Senate in the Pledge of Allegiance.

Certification

Senator Ben Stevens moved and asked unanimous consent that the journal for the one hundred third legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

Standing Committee Reports**HB 212**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 212(JUD) "An Act relating to trusts, including trust protectors, trustee advisors, transfers of property in trust, and transfers of trust interests, and to creditors' claims against property subject to a power of appointment." Signing do pass: Senator Seekins, Chair; Senators Therriault, Ogan.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Law

The bill was referred to the Rules Committee.

Consideration of the Calendar**Second Reading of Senate Bills****SB 63**

SENATE BILL NO. 63 "An Act relating to municipal property taxation in annexed and detached areas; and providing for an effective date" was read the second time.

Senator Gary Stevens, Chair, moved and asked unanimous consent for the adoption of the State Affairs Committee Substitute offered on page 1071. Senator Elton objected, then withdrew his objection. There being no further objections, CS FOR SENATE BILL NO. 63(STA) "An Act relating to transition provisions related to municipal mergers, consolidations, dissolutions, reclassifications, annexations, detachments, and incorporations; and relating to municipal property taxation in annexed, detached, and newly incorporated areas" was adopted.

CS FOR SENATE BILL NO. 63(STA) will be on the May 5 calendar.

Second Reading of House Bills

HB 127

CS FOR HOUSE BILL NO. 127(STA) "An Act relating to roadside memorials within the right-of-way of a state highway" was read the second time.

Senator Gary Stevens, Chair, moved and asked unanimous consent for the adoption of the State Affairs Senate Committee Substitute offered on page 1101. Senator Elton objected, then withdrew his objection. There being no further objections, SENATE CS FOR CS FOR HOUSE BILL NO. 127(STA) was adopted.

President Therriault stated SENATE CS FOR CS FOR HOUSE BILL NO. 127(STA) will be on the May 5 calendar.

HB 146

CS FOR HOUSE BILL NO. 146(HES) "An Act repealing the termination date of certain provisions that require the reporting of social security numbers and automated data matching with financial institutions for child support enforcement purposes; relating to social security numbers on applications for commercial fishing licenses; and providing for an effective date" was read the second time.

President Therriault stated CS FOR HOUSE BILL NO. 146(HES) will be on the May 5 calendar.

Third Reading of Senate Bills

SB 88

SENATE BILL NO. 88 was read the third time.

The question being: "Shall SENATE BILL NO. 88 "An Act relating to standards for forest resources and practices; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SB 88

Third Reading - Final Passage

Effective Dates

YEAS: 14 NAYS: 0 EXCUSED: 5 ABSENT: 1

Yeas: Bunde, Cowdery, Dyson, Elton, Green, Ogan, Olson, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

Excused: Davis, Ellis, French, Guess, Lincoln

Absent: Hoffman

and so, SENATE BILL NO. 88 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 clauses. Without objection, it was so ordered.

Senators Elton, Cowdery, Ben Stevens, Therriault, moved and asked unanimous consent to be shown as cosponsors on the bill. Without objection, it was so ordered.

Senator Elton gave notice of reconsideration.

SB 148

SENATE BILL NO. 148 was read the third time.

The question being: "Shall SENATE BILL NO. 148 "An Act relating to allowable absences for certain members of the armed forces and their spouses and dependents for purposes of eligibility for permanent fund dividends; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SB 148

Third Reading - Final Passage

Effective Date

YEAS: 14 NAYS: 0 EXCUSED: 5 ABSENT: 1

Yeas: Bunde, Cowdery, Dyson, Elton, Green, Ogan, Olson, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

Excused: Davis, Ellis, French, Guess, Lincoln

Absent: Hoffman

and so, SENATE BILL NO. 148 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.

Senator Elton gave notice of reconsideration.

SB 173

SENATE BILL NO. 173 was read the third time.

The question being: "Shall SENATE BILL NO. 173 "An Act repealing statutes pertaining to the Alaska Science and Technology Foundation and transferring money in the foundation's endowment; repealing statutes relating to the BIDCO assistance program; repealing statutes pertaining to the international trade and business endowment and transferring money in the international trade and business endowment; transferring oversight administration of outstanding Alaska Science and Technology Foundation loans and grants to the Alaska Industrial Development and Export Authority; establishing an Alaska BIDCO assistance program to be administered by the Department of Community and Economic Development; making conforming amendments; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SB 173

Third Reading - Final Passage

YEAS: 12 NAYS: 2 EXCUSED: 5 ABSENT: 1

Yeas: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

Nays: Elton, Olson

Excused: Davis, Ellis, French, Guess, Lincoln

Absent: Hoffman

and so, SENATE BILL NO. 173 passed the Senate.

Senator Ben Stevens moved for the adoption of the effective date clause.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

SB 173

Effective Date Clause

YEAS: 12 NAYS: 2 EXCUSED: 5 ABSENT: 1

Yeas: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

Nays: Elton, Olson

Excused: Davis, Ellis, French, Guess, Lincoln

Absent: Hoffman

and so the effective date clause failed to be adopted.

Senator Ben Stevens gave notice of reconsideration on SENATE BILL 173(efd fld) "An Act repealing statutes pertaining to the Alaska Science and Technology Foundation and transferring money in the foundation's endowment; repealing statutes relating to the BIDCO assistance program; repealing statutes pertaining to the international trade and business endowment and transferring money in the international trade and business endowment; transferring oversight administration of outstanding Alaska Science and Technology Foundation loans and grants to the Alaska Industrial Development and Export Authority; establishing an Alaska BIDCO assistance program to be administered by the Department of Community and Economic Development; making conforming amendments."

Citations

In Memoriam – Faye Connolly

Senator(s) French, Therriault, Bunde, Cowdery, Davis, Dyson, Elton, Green, Guess, Hoffman, Lincoln, Ogan, Seekins, Ben Stevens, Gary Stevens, Taylor, Wagoner, Wilken

Representative(s) Berkowitz

In Memoriam – Mildred Kagoona Sage
Representative(s) Joule
Senator(s) Olson, Therriault, Bunde, Cowdery, Davis, Dyson, Elton,
Green, Guess, Hoffman, Lincoln, Ogan, Seekins, Ben Stevens, Gary
Stevens, Taylor, Wagoner, Wilken

Senator Ben Stevens 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 89

The reconsideration on CS FOR SENATE BILL NO. 89(JUD) am "An Act amending the Regulation of Lobbying Act and the definition of 'lobbyist' as it applies in the act setting standards of conduct for legislators and legislative employees; and amending the Regulation of Lobbying Act and the legislative standards of conduct to allow a lobbyist to give and a person covered by legislative standards of conduct to accept tickets to a charity event during a legislative session" was not taken up this legislative day and the bill was referred to the Secretary for engrossment.

SB 155

The reconsideration on CS FOR SENATE BILL NO. 155(RES) "An Act relating to predator control programs; and providing for an effective date" was not taken up this legislative day and the bill was referred to the Secretary for engrossment.

HCR 7

The reconsideration on CS FOR HOUSE CONCURRENT RESOLUTION NO. 7(RLS) Proposing an amendment to the Uniform Rules of the Alaska State Legislature relating to executive sessions of legislative bodies; and providing for an effective date for the amendment, was not taken up this legislative day and the resolution was signed by the President and Secretary and returned to the House.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 89**

CS FOR SENATE BILL NO. 89(JUD) am "An Act amending the Regulation of Lobbying Act and the definition of 'lobbyist' as it applies in the act setting standards of conduct for legislators and legislative employees; and amending the Regulation of Lobbying Act and the legislative standards of conduct to allow a lobbyist to give and a person covered by legislative standards of conduct to accept tickets to a charity event during a legislative session" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 155

CS FOR SENATE BILL NO. 155(RES) "An Act relating to predator control programs; 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., May 5, 2003. Without objection, the Senate adjourned at 10:50 a.m.

Kirsten Waid
Secretary of the Senate

June 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

May 05 Monday Fahrenkamp 203 1:30 PM
 + HB 194 REGIONAL DEVELOPMENT ORG TAX CREDIT

May 07 Wednesday Fahrenkamp 203 1:30 PM
 + SCR 12 BOROUGH INCORPORATION: UNORG AREAS
 <Testimony by Invitation Only>

FINANCE

May 05 Monday Senate Finance 532 9:00 AM
 += HB 9 HOME INSPECTORS/CONTRACTORS
 + SB 168 CIGARETTE SALE/DISTRIBUTION
 + SB 114 INCREASE BUSINESS LICENSE FEE
 + SB 177 PERS/TRS COLA FOR ACTIVE DUTY MILITARY
 + HB 90 TAX CREDIT:SALMON DEVELOPMENT/UTILIZATION
 + Bills Previously Heard/Scheduled
 <Committee may recess until 5 pm>

May 06 Tuesday Senate Finance 532 9:00 AM
 + HB 57 ROYALTY GAS CONTRACTS
 + HB 170 MOTOR VEHICLE REGISTRATION FEES
 + HB 203 AIDEA DIVIDENDS TO STATE
 + HB 79 AK REGIONAL ECONOMIC ASSISTANCE PROGRAM
 + Bills Previously Heard/Scheduled
 <Committee may recess until 5 pm>

FINANCE (continued)

May 07 Wednesday Senate Finance 532 9:00 AM
 + HB 256 DIVIDEND PAYMENT TO STATE BY AHFC
 + SB 31 RAILROAD UTILITY CORRIDOR TO & IN CANADA
 + Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

May 05 Monday Butrovich 205 1:30 PM
 + SB 202 EDUCATION FUNDING & PUPIL TRANSPORTATION
 + SB 145 REEMPLOYMENT OF RETIRED TEACHERS
 Bills Previously Heard/Scheduled

May 07 Wednesday Butrovich 205 1:30 PM
 Medicaid Funding and Program Issues:
 Federal Center for Medicare and Medicaid
 Services
 Bills Previously Heard/Scheduled

May 09 Friday Butrovich 205 1:30 PM
 Bills Previously Heard/Scheduled

JUDICIARY

May 05 Monday Beltz 211 1:00 PM
 += SB 175 LIABILITY: RECREATIONAL ACTIVITY/BOATS/AIR
 += SB 176 CIVIL LIABILITY FOR LIVESTOCK ACTIVITIES
 += HB 114 ISSUANCE OF SEARCH WARRANTS
 += HB 177 CONCEALED HANDGUNS
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

May 06 Tuesday Beltz 211 1:30 PM
 + SB 192 DOL TEACHERS AND TRAINING PROGRAMS
 + SB 210 WAGE AND HOUR OVERTIME COMPUTATION
 + SB 154 NURSE EDUC LOAN REPAYMENT PROGRAM
 + HB 51 LABELING OF PRESCRIBED DRUGS
 + SB 32 INSURANCE FOR MOTOR VEHICLE REPAIRS
 Bills Previously Heard/Scheduled
 += SB 102 CHARITABLE GAMING REVENUE
 <Listen Only Teleconference>

May 08 Thursday Beltz 211 1:30 PM
 + HB 151 DWELLING DESIGN/CONSTRUCTION CLAIMS
 + SB 181 EXAM FOR CPA'S
 + HB 120 SERVICE CONTRACT SALES ARE NOT INSURANCE
 + HB 135 MARITAL & FAMILY THERAPISTS
 + HB 194 REGIONAL DEVELOPMENT ORG TAX CREDIT
 <Pending Referral>
 Bills Previously Heard/Scheduled

RESOURCES

May 05 Monday Butrovich 205 3:30 PM
 += SB 149 REPEAL CERTAIN TIMBER SALE REQUIREMENTS
 + SB 185 ROYALTY REDUCTION ON CERTAIN OIL
 + Confirmation Hearings:
 Board of Fisheries
 + Bills Previously Heard/Scheduled

STATE AFFAIRS

May 06 Tuesday Beltz 211 3:30 PM
 SB 203 OFFICE OF ADMINISTRATIVE HEARINGS
 + HB 81 MOTOR VEHICLE EMISSIONS INSPECTION
 = HB 14 PERMANENT FUND ALLOWABLE ABSENCES
 = SJR 18 CONST. AM: PF APPROPS/INFLATION-PROOFING
 Bills Previously Heard/Scheduled

STATE AFFAIRS (continued)

May 08 Thursday Beltz 211 3:30 PM
 HB 248 SALARY OF CHIEF PROCUREMENT OFFICER
 = SJR 6 CONST AM: 90 DAY LEGISLATIVE SESSION
 + SB 198 DAMAGES RECOVERED BY POLICE/FIREFIGHTER
 SB 211 REGULATIONS: NOTICE AND DISTRIBUTION
 HB 266 ELECTIONS
 Bills Previously Heard/Scheduled

TRANSPORTATION

May 06 Tuesday Butrovich 205 1:30 PM
 + HB 97 LONG-TERM LEASES OF ALASKA RR LAND
 Bills Previously Heard/Scheduled

JOINT COMMITTEES**CONFERENCE COMMITTEE ON HB 75 & HB 76**

May 06 Tuesday Senate Finance 532 4:00 PM
 HB 75 APPROP: OPERATING BUDGET/LOANS/FUNDS
 HB 76 APPROP: MENTAL HEALTH BUDGET
 Organization, Request for Limited Powers