

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Friday

January 30, 2004

Nineteenth Day

Pursuant to adjournment the Senate was called to order by President Therriault at 10:22 a.m.

The roll showed seventeen members present. Senators Cowdery, Davis, Wagoner were excused from a call of the Senate.

The prayer was offered by the Chaplain, Father Thomas Weise of St. Paul's Catholic Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

With the deepest respect for the religious beliefs and convictions of all Alaskans, I offer the following prayer:

Father in Heaven, send Your Holy Spirit upon all who work in state government to be their helper and guide. Give them the spirit of wisdom and understanding, the spirit of right judgment and courage, the spirit of knowledge and reverence. Fill them with the spirit of wonder and awe in Your presence.

Gracious God, You created us and placed us within families to learn how to love and be loved. We praise You for Your goodness, we thank You for the gifts You have given us. Bless our state with Your love. Raise up in Alaska good and holy families, loving husbands and wives, devoted parents and children. Raise up from our families and friends dedicated and generous leaders who will serve as model Alaskans in our communities. Amen.

Senator Ogan led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the House

Message dated January 28 was read, stating:

The House of Representatives respectfully invites the Senate to a Joint Session of the Twenty-third Alaska Legislature at 11:00 a.m. on Tuesday, March 16, for the purpose of hearing U.S. Senator Lisa Murkowski present her annual message to the Legislature.

Senator Ben Stevens moved and asked unanimous consent that the Senate accept the House invitation to meet in Joint Session. Without objection, it was so ordered.

The Secretary was requested to notify the House.

Message dated January 28 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Resolutions

HJR 30

CS FOR HOUSE JOINT RESOLUTION NO. 30(STA) am BY THE HOUSE STATE AFFAIRS COMMITTEE,

Relating to supporting the repeal of the Government Pension Offset and the Windfall Elimination Provisions from the Social Security Act.

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

Standing Committee Reports

Reports dated January 28 were read, stating:

In accordance with AS 24.60.130, the Senate Judiciary Committee reviewed the following and recommended the appointments be forwarded for consideration:

Select Committee on Legislative Ethics

H. Conner Thomas

Ann Rabinowitz

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 Seekins, Chair; Senators Ogan, French.

Senator Ben Stevens moved that H. Conner Thomas be confirmed as a Public Member to the Select Committee on Legislative Ethics.

Senator Ogan moved and asked unanimous consent to abstain from voting due to a conflict of interest. Objections were heard and Senator Ogan was required to vote.

The question being: "Shall H. Conner Thomas be confirmed as a Public Member to the Select Committee on Legislative Ethics?" The roll was taken with the following result:

Confirm H. Conner Thomas as a public member to the Select Committee on Legislative Ethics?

YEAS: 17 NAYS: 0 EXCUSED: 3 ABSENT: 0

Yeas: Bunde, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Lincoln, Ogan, Olson, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wilken

Excused: Cowdery, Davis, Wagoner

and so, H. Conner Thomas was confirmed by the Senate.

Senator Ben Stevens moved that Ann Rabinowitz be confirmed as a Public Member to the Select Committee on Legislative Ethics.

Senator Ogan moved and asked unanimous consent to abstain from voting due to a conflict of interest. Objections were heard and Senator Ogan was required to vote.

The question being: "Shall Ann Rabinowitz be confirmed as a Public Member to the Select Committee on Legislative Ethics?" The roll was taken with the following result:

Confirm Ann Rabinowitz as a public member to the Select Committee on Legislative Ethics?

YEAS: 17 NAYS: 0 EXCUSED: 3 ABSENT: 0

Yeas: Bunde, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Lincoln, Ogan, Olson, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wilken

Excused: Cowdery, Davis, Wagoner

and so, Ann Rabinowitz was confirmed by the Senate.

SB 217

The Health, Education and Social Services Committee considered SENATE BILL NO. 217 "An Act relating to genetic privacy; and amending Rule 82, Alaska Rules of Civil Procedure, and Rule 508, Alaska Rules of Appellate Procedure" and recommended it be replaced with

CS FOR SENATE BILL NO. 217(HES) "An Act relating to genetic privacy."

Signing do pass: Senator Dyson, Chair. Signing no recommendation: Senator Guess. Signing amend: Senators Green, Wilken.

The following fiscal information was published today:

Fiscal Note No. 1, indeterminate, Department of Law
Fiscal Note No. 2, zero, Department of Public Safety
Fiscal Note No. 3, zero, Alaska Court System

The bill was referred to the Judiciary Committee.

SB 241

The Resources Committee considered SENATE BILL NO. 241 "An Act making an appropriation to the Alaska Natural Gas Development Authority; and providing for an effective date." Signing no recommendation: Senator Ogan, Chair; Senators Ben Stevens, Dyson. Signing do pass: Senators Seekins, Elton.

The bill was referred to the Finance Committee.

SB 264

The Resources Committee considered SENATE BILL NO. 264 "An Act repealing the time limitation on the authority of the Department of Natural Resources to enter into agreements with a person or persons desiring to own an oil or natural gas pipeline proposed to be located on state land for the purposes of providing for payment of the reasonable costs incurred in preparing for activities before receipt of an application under the Alaska Right-of-Way Leasing Act; and providing for an effective date." Signing do pass: Senator Ogan, Chair; Senators Ben Stevens, Seekins, Dyson. Signing no recommendation: Senator Elton.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Natural Resources

The bill was referred to the Rules Committee.

HB 260

The Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 260(JUD) "An Act relating to immunity for free health care services provided by certain health care providers; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.
260(HES)

Signing do pass: Senator Dyson, Chair; Senator Wilken. Signing amend: Senators Green, Guess.

The following fiscal information was published today:

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

The bill was referred to the Judiciary Committee.

Introduction and Reference of Senate Bills

SB 286

SENATE BILL NO. 286 BY SENATORS STEDMAN BY REQUEST OF THE JOINT LEGISLATIVE SALMON INDUSTRY TASK FORCE, Ben Stevens, Elton, entitled:

"An Act relating to direct marketing fisheries businesses, to the fisheries business tax, and to liability for payment of taxes and assessments on the sale or transfer of fishery resources; and providing for an effective date."

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

SB 287

SENATE BILL NO. 287 BY SENATOR THERRIAULT, entitled:

"An Act relating to review of regulations under the Administrative Procedure Act by the Legislative Affairs Agency; and providing for an effective date."

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

Consideration of the Calendar

Citations

Honoring – L. James “Smiley” Shields
Representative(s) McGuire
Senator(s) Ben Stevens, Therriault, Bunde, Cowdery, Davis, Dyson, Elton, French, Green, Guess, Hoffman, Lincoln, Seekins, Stedman, Gary Stevens, Wagoner, Wilken

Senator Ben Stevens moved and asked unanimous consent that the citation be adopted. Without objection, the citation was adopted and referred to the Secretary for transmittal.

Unfinished Business

Senator Seekins moved and asked unanimous consent to be excused from a call of the Senate from evening plane time, February 9 to morning plane time, February 15. Without objection, Senator Seekins was excused.

Announcements

Announcements are at the end of the journal.

Adjournment

Senator Ben Stevens moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 2, 2004. Without objection, the Senate adjourned at 10:44 a.m.

Kirsten Waid
Secretary of the Senate

January 2004

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

Jan 30	Friday	Fahrenkamp 203	1:30 PM
		No Meeting Scheduled	
Feb 02	Monday	Fahrenkamp 203	1:30 PM
+ SB 266	BRISTOL BAY OIL & GAS LEASE SALE CLOSURE		
Feb 04	Wednesday	Fahrenkamp 203	1:30 PM
+ SB 250	NATURAL GAS LEASES ON THE KENAI PENINSULA		
	** Teleconference <Listen Only> **		
	** No Public Testimony Will Be Heard**		
Feb 06	Friday	Fahrenkamp 203	1:30 PM
+ SB 260	METROPOLITAN PLANNING ORGANIZATIONS		

FINANCE

Jan 30	Friday	Senate Finance 532	9:00 AM
		No Meeting Scheduled	
Feb 02	Monday	Senate Finance 532	10:00 AM
	-- Time Change --		
SB 283	APPROP: REVERSE 2003 CBR SWEEP		
	Bills Previously Heard/Scheduled		

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FINANCE (continued)

Feb 03	Tuesday	Senate Finance 532	9:00 AM
	No Meeting Scheduled		
Feb 04	Wednesday	Senate Finance 532	9:00 AM
	No Meeting Scheduled		
Feb 05	Thursday	Senate Finance 532	9:00 AM
	Alaska Mental Health Trust Authority Presentation by Mr. Jeff Jessee Executive Director Veteran's Home Project Update Presentation by Governor Murkowski's Administration HB 374 SENIORCARE <Pending Referral> Bills Previously Heard/Scheduled		
Feb 06	Friday	Senate Finance 532	9:00 AM
	No Meeting Scheduled		

HEALTH, EDUCATION & SOCIAL SERVICES

Feb 02	Monday	Butrovich 205	1:30 PM
	No Meeting Scheduled		
Feb 04	Wednesday	Butrovich 205	1:30 PM
+ SB 201	HOME & RESPITE CARE: CRIMINAL RECORDS		
+ SB 277	STUDENT LOAN PROGRAMS		
+ SB 239	LENGTH OF SCHOOL TERM		
+	Bills Previously Heard/Scheduled		

JUDICIARY

Jan 30	Friday	Butrovich 205	8:00 AM
+ SB 244	INCREASE FINE FOR SCHOOL ZONE VIOLATIONS		
+ SB 203	OFFICE OF ADMINISTRATIVE HEARINGS		
Feb 02	Monday	Butrovich 205	8:00 AM
	No Meeting Scheduled		

JUDICIARY (continued)

Feb 04 Wednesday Butrovich 205 8:00 AM
 No Meeting Scheduled

Feb 06 Friday Butrovich 205 8:00 AM
 + SB 217 GENETIC PRIVACY
 += SB 203 OFFICE OF ADMINISTRATIVE HEARINGS

LABOR & COMMERCE

Feb 03 Tuesday Beltz 211 1:30 PM
 + SB 273 ASMI BOARD/ SEAFOOD TAXES & ASSESSMENTS
 += HB 305 UNEMPLOYMENT COMPENSATION BENEFITS
 + SB 276 ALASKA INSURANCE GUARANTY ASSOCIATION

Feb 05 Thursday Beltz 211 1:30 PM
 Committee Work Session on Pull-tab
 Regulations
 <Teleconference and Testimony
 by Invitation Only>

RESOURCES

Jan 30 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

Feb 02 Monday Butrovich 205 3:30 PM
 + HB 98 SPORT FISHING SEASONS FOR YOUTH
 + HB 196 CARBON SEQUESTRATION
 += HCR 10 RESTORATION OF RIPARIAN HABITAT
 + Bills Previously Heard/Scheduled

Feb 04 Wednesday Butrovich 205 3:30 PM
 + SB 265 OIL&GAS LEASE SALE SCHEDULE/NOTIFICATION
 + SB 266 BRISTOL BAY OIL & GAS LEASE SALE CLOSURE
 <Pending Referral>
 + Bills Previously Heard/Scheduled

Feb 06 Friday Butrovich 205 3:30 PM
 No Meeting Scheduled

STATE AFFAIRS

Feb 03 Tuesday Beltz 211 3:30 PM
 + SB 279 AHFC WATER & SEWER BONDS
 HB 288 CHANGING NAME OF DEPT OF COMM & ECON DEV.
 + SB 270 AVALANCHE AWARENESS MONTH

Feb 05 Thursday Beltz 211 3:30 PM
 + Bills Previously Heard/Scheduled

TRANSPORTATION

Feb 03 Tuesday Butrovich 205 1:30 PM
 No Meeting Scheduled

Feb 05 Thursday Butrovich 205 1:30 PM
 No Meeting Scheduled

JOINT COMMITTEES

ARMED SERVICES COMMITTEE

Feb 25 Wednesday Senate Finance 532 3:00 PM
 Alaskan Command's Annual Address by
 Lt.General Carrol H."Howie" Chandler
 Testimony by Invitation Only

LEGISLATIVE BUDGET & AUDIT

Feb 19 Thursday House Finance 519 12:00 PM
 Audits and Other Committee Business

LEGISLATIVE COUNCIL

Feb 05 Thursday Senate Finance 532 4:00 PM
 Agenda to be Announced

OTHER MEETINGS**CHILDREN'S CAUCUS**

Feb 03 **Tuesday** **Fahrenkamp 203** **12:00 PM**
+ Children's Justice Act Task Force:
This is a federally funded group that is
tasked with recommending improvements
to the system of addressing child sexual
abuse and exploitation.

JOINT SESSION

Feb 25 **Wednesday** **House Chamber** **11:00 AM**
State of the Judiciary
Chief Justice Alexander O. Bryner

Mar 16 **Tuesday** **House Chamber** **11:00 AM**
Address by U.S. Senator Lisa Murkowski