

# SENATE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Friday

February 14, 2003

#### Twenty-fifth Day

Pursuant to adjournment the Senate was called to order by President Therriault at 10:13 a.m.

The roll showed eleven members present. Senators Cowdery, Ellis, Elton, Ogan, Taylor, Wilken were excused from a call of the Senate. Senators Hoffman, Wagoner were absent. The seat from District R was vacant.

The prayer was offered by the Chaplain, Pastor Robert Sherwood of the Church of the Nazarene. Senator Stevens moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

The love of God for us and for our neighbor is not intoxication but act. As found in 1 Corinthians 13:

"If I speak with the eloquence of men and of angels, but have no love, I become no more than blaring brass or crashing cymbal. If I have the gift of foretelling the future and hold in my mind not only all human knowledge but the very secrets of God, and if I also have that absolute faith which can move mountains, but have no love, I amount to nothing at all. If I dispose of all that I possess, yes, even if I give my own body to be burned, but have no love, I achieve precisely nothing.

This love of which I speak is slow to lose patience -- it looks for a way of being constructive. It is not possessive; it is neither anxious to impress nor does it cherish inflated ideas of its own importance.

Love has good manners and does not pursue selfish advantage. It is not touchy. It does not keep account of evil or gloat over the wickedness of other people. On the contrary, it shares the joy of those who live by the truth.

Love knows no limit to its endurance, no end to its trust, no fading of its hope; it can outlast anything. Love never fails." - J.B. Phillips

The love of God for you is not impulse but will, as found in the 43rd Sonnet of Sonnets from the Portuguese:

How do I love thee? Let me count the ways.  
 I love thee to the depth and breadth and height  
 My soul can reach, when feeling out of sight  
 For the ends of Being and ideal Grace.  
 I love thee to the level of everyday's  
 Most quiet need, by sun and candle-light.  
 I love thee freely, as men strive for Right;  
 I love thee purely, as they turn from Praise.  
 I love thee with the passion put to use  
 In my old griefs, and with my childhood's faith.  
 I love thee with a love I seemed to lose  
 With my lost saints, -- I love thee with the breath,  
 Smiles, tears, of all my life! -- and, if God  
     choose,  
 I shall but love thee better after death.

Love these people in the midst of their busyness and put in them a heart of love, Father, through the sacrifice of Your Son. Be with our sons and our neighbors who are deploying at this time, and be with our prodigal children in far places. Amen.

Senator Olson led the Senate in the Pledge of Allegiance.

**Certification**

Senator Stevens moved and asked unanimous consent that the journal for the twenty-third legislative day be approved as certified by the Secretary with the following correction:

Page 172, under Senator Wagoner's excusal motion, change "February 14" to read "February 12."

Without objection, it was so ordered.

Senator Stevens moved and asked unanimous consent that the journal for the twenty-fourth legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

**Messages from the House**

Message dated February 12 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. Monday, March 31, 2003 for the purpose of hearing U.S. Senator Ted Stevens present his annual message to the Legislature.

Senator 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 February 12 was read, stating the House passed and transmitted for consideration:

**First Reading and Reference of House Bills****HB 58**

HOUSE BILL NO. 58 BY REPRESENTATIVES FOSTER, Hawker, Anderson, Morgan, Seaton, Stevens, McGuire, Moses, Rokeberg, Weyrauch, entitled:

"An Act relating to the reinstatement of Native corporations; and providing for an effective date."

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

**HB 68**

CS FOR HOUSE BILL NO. 68(JUD) BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to the jurisdiction of the office of victims' rights."

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

**HB 69**

HOUSE BILL NO. 69 BY REPRESENTATIVES KOHRING, Masek, Chenault, Harris, Gatto, Stoltze, Heinze, Morgan, Rokeberg, Anderson, Wilson, Hawker, Foster, Croft, Dahlstrom, entitled:

"An Act relating to regulation of shallow natural gas leasing and closely related energy projects; and providing for an effective date."

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

**Communications**

Disclosure letters received in accordance with AS 24.60 will be published in Senate Journal Supplement No. 1 and Senate and House Joint Journal Supplement No. 3.

**Standing Committee Reports**

Report dated February 12 was read, stating:

In accordance with AS 39.05.080, the Senate Health, Education and Social Services Committee reviewed the following and recommends the appointment be forwarded to a joint session for consideration:

**Commissioner - Department of Health & Social Services**

Joel Gilbertson

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

Signing the report: Senator Dyson, Chair; Senators Green, Wilken, Davis, Guess.

Report dated February 12 was read, stating:

In accordance with AS 39.05.080, the Resources Committee reviewed the following and recommends the appointment be forwarded to a joint session for consideration:

**Commissioner - Department of Natural Resources**

Thomas E. Irwin

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 Ogan, Chair; Senators Wagoner, Dyson, Seekins, Stevens, Lincoln, Elton.

**SB 20**

The Labor and Commerce Committee considered SENATE BILL NO. 20 "An Act extending the termination date of the Board of Marine Pilots; and providing for an effective date." Signing do pass: Senator Bunde, Chair; Senators Davis, French, Seekins.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Community and Economic Development

The bill was referred to the Finance Committee.

**SB 51**

The Community and Regional Affairs Committee considered SENATE BILL NO. 51 "An Act relating to revenue bonds issued by the Alaska Municipal Bond Bank Authority and the total amount of bonds and notes outstanding of that authority; and providing for an effective date." Signing do pass: Senator Wagoner, Chair; Senators Elton, Lincoln.

The following fiscal information was published today:

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

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Revenue

The bill was referred to the Finance Committee.

**SCR 1**

Forthcoming State Affairs Committee Substitute (page 169) for SENATE CONCURRENT RESOLUTION NO. 1 Relating to economic development generated by new road construction and to the design and construction of the Hot Springs Loop Road to connect Chena Hot Springs and Circle Hot Springs, was received today:

CS FOR SENATE CONCURRENT RESOLUTION NO. 1(STA) Relating to economic development generated by new road construction and to the design and construction of the Hot Springs Loop Road to connect Chena Hot Springs and Circle Hot Springs, of a highway along the Bradfield/Iskut Rivers transportation corridor, of the Knik Arm Crossing, and of a road from Iliamna Bay to Pile Bay.

**Introduction and Reference of Senate Bills****SB 67**

SENATE BILL NO. 67 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE JOINT LEGISLATIVE SALMON INDUSTRY TASK FORCE, entitled:

"An Act relating to payment of the fisheries business tax and to security for collection of the fisheries business tax."

was read the first time and referred to the Resources and Finance Committees.

**SB 68**

SENATE BILL NO. 68 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE JOINT LEGISLATIVE SALMON INDUSTRY TASK FORCE, entitled:

"An Act relating to a salmon product development tax credit under the Alaska fisheries business tax and the Alaska fisheries resource landing tax; and providing for an effective date."

was read the first time and referred to the Resources and Finance Committees.

**SB 69**

SENATE BILL NO. 69 BY SENATOR WAGONER, entitled:

"An Act relating to participation in matters before the Board of Fisheries by members of the board; and providing for an effective date."

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

**SB 70**

SENATE BILL NO. 70 BY SENATOR WAGONER, entitled:

"An Act relating to the emergency order authority of the commissioner of fish and game and to meetings of the Board of Fisheries."

was read the first time and referred to the Resources and Judiciary Committees.

The presence of Senator Hoffman was noted.

### **Consideration of the Calendar**

#### **Citations**

Honoring – Bartlett High School Golden Bears Football Team  
Senator(s) Davis, Cowdery, Elton, Green, Hoffman, Lincoln, Stevens,  
Taylor, Therriault, Wilken, Guess, Bunde, Ogan, Dyson, Seekins

Honoring – Sharon Richards  
Senator(s) Davis, Cowdery, Elton, Hoffman, Lincoln, Stevens, Taylor,  
Therriault, Wilken, Guess, Ogan, Dyson, Seekins

Honoring - Women in History Month  
Senator(s) Davis, Cowdery, Elton, Green, Hoffman, Lincoln, Stevens,  
Taylor, Therriault, Wilken, Guess, Bunde, Ogan, Olson, Dyson,  
Seekins

Honoring – Mano Frey, Executive President of the Alaska AFL-CIO  
Representative(s) Harris  
Senator(s) Therriault, Cowdery, Davis, Elton, Green, Hoffman,  
Lincoln, Stevens, Taylor, Wilken, Guess, Bunde, Ogan, Olson,  
Dyson, Seekins

Honoring – Great Land Trust, Fish Creek Land Acquisition  
Representative(s) Berkowitz  
Senator(s) French, Cowdery, Davis, Elton, Hoffman, Lincoln, Stevens,  
Taylor, Therriault, Wilken, Guess, Ogan, Dyson, Seekins

In Memoriam – Bill H. Chenault  
Senator(s) Wagoner, Cowdery, Davis, Elton, Green, Hoffman,  
Lincoln, Stevens, Taylor, Therriault, Wilken, Guess, Olson, Bunde,  
Dyson, Seekins

In Memoriam – Alice E. Gross  
Senator(s) Taylor, Cowdery, Davis, Elton, Green, Hoffman, Lincoln,  
Stevens, Therriault, Wilken, Guess, Dyson, Seekins  
Representative(s) Wilson



In Memoriam – Emitt L. Soldin  
Representative(s) Rokeberg  
Senator(s) Stevens, Cowdery, Davis, Elton, Green, Hoffman, Lincoln,  
Taylor, Therriault, Wilken, Guess, Bunde, Dyson, Seekins

Senator 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**

President Therriault made the following appointments to the Energy Council:

Senator Dyson	Executive Committee
Senator Ogan	Executive Committee
Senator Wagoner	Member-at-Large and CLEER Committee
Senator Davis	Member-at-Large
Senator Therriault	Member-at-Large

### **Announcements**

Announcements are at the end of the journal.

### **Adjournment**

Senator Stevens moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., February 18, 2003. Without objection, the Senate adjourned at 10:35 a.m.

Kirsten Waid  
Secretary of the Senate

February 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**

<b>Feb 14</b>	<b>Friday</b> No Meeting Scheduled	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
<b>Feb 17</b>	<b>Monday</b> No Meeting Scheduled	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
<b>Feb 19</b>	<b>Wednesday</b> No Meeting Scheduled	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>
<b>Feb 21</b>	<b>Friday</b> No Meeting Scheduled	<b>Fahrenkamp 203</b>	<b>1:30 PM</b>

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**FINANCE**

<b>Feb 19</b>	<b>Wednesday</b> Fiscal Problems Facing Many States: Corina Eckl, Group Director National Conference State Legislators	<b>Senate Finance 532</b>	<b>9:00 AM</b>
<b>Feb 20</b>	<b>Thursday</b> SB 20 EXTEND BOARD OF MARINE PILOTS	<b>Senate Finance 532</b>	<b>9:00 AM</b>

**FINANCE (continued)**

**Feb 21      Friday                      Senate Finance 532      9:00 AM**  
 Senate Bill:  
 SUPPLEMENTAL APPROPRIATIONS: FAST TRACK  
 <Pending Introduction and Referral>  
 Senate Bill:  
 SUPPLEMENTAL APPROPRIATIONS  
 <Pending Introduction and Referral>

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**HEALTH, EDUCATION & SOCIAL SERVICES**

**Feb 17      Monday                              Butrovich 205      1:30 PM**  
 No Meeting Scheduled

**Feb 19      Wednesday                          Butrovich 205      1:30 PM**  
 +            Joint w/(H) Health, Education and Social  
 Services and (H) Special Committee on  
 Education  
 Alaska School District Cost Study  
 Jay Chambers,  
 American Institute for Research

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**JUDICIARY**

**Feb 14      Friday                                      Beltz 211      1:30 PM**  
 No Meeting Scheduled

**Feb 17      Monday                                      Beltz 211      1:30 PM**  
 No Meeting Scheduled

**Feb 19      Wednesday                                  Beltz 211      1:30 PM**  
 +    SB 58    PFD INELIGIBILITY/MOTOR VEHICLE INSURANCE  
 +    SB 59    PERMANENT FUND INELIGIBILITY FOR DUI

**Feb 21      Friday                                      Beltz 211      1:30 PM**  
 No Meeting Scheduled

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**LABOR & COMMERCE**

<b>Feb 18</b>	<b>Tuesday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
	No Meeting Scheduled		
<b>Feb 20</b>	<b>Thursday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
+ SB 64	CREDIT INFORMATION Bills Previously Heard/Scheduled		
<b>Feb 25</b>	<b>Tuesday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
SB 47	EXTEND BOARD OF NURSING		
SB 48	EXTEND BOARD OF MIDWIVES		
	Bills Previously Heard/Scheduled		
<b>Feb 26</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>3:15 PM</b>
	-- Time and Location Change -- Joint w/(H) Labor and Commerce Confirmation Hearings: Regulatory Commission of Alaska- Dave Harbour Mark Johnson		
<b>Feb 27</b>	<b>Thursday</b>	<b>Beltz 211</b>	<b>1:30 PM</b>
SB 43	EXTEND STATE MEDICAL BOARD Bills Previously Heard/Scheduled		

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**RESOURCES**

<b>Feb 14</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
	No Meeting Scheduled		
<b>Feb 17</b>	<b>Monday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
	No Meeting Scheduled		
<b>Feb 19</b>	<b>Wednesday</b>	<b>Senate Finance 532</b>	<b>1:00 PM</b>
	-- Time and Location Change -- Joint w/(H) Resources Mining Industry Overview		
<b>Feb 21</b>	<b>Friday</b>	<b>Butrovich 205</b>	<b>3:30 PM</b>
	No Meeting Scheduled		

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**STATE AFFAIRS**

**Feb 18 Tuesday Beltz 211 3:30 PM**  
 SB 26 STATE EMPLOYEES CALLED TO MILITARY DUTY  
 SB 39 FISH & GAME IN NAVIGABLE WATERS

**Feb 20 Thursday Beltz 211 3:30 PM**  
 SB 49 2003 REVISOR'S BILL  
 SB 65 CORRECTIONAL FACILITY EXPANSION

**TRANSPORTATION**

**Feb 18 Tuesday Butrovich 205 1:30 PM**  
 SCR 1 SUPPORT ROADS/HOT SPRINGS LOOP ROAD  
 SB 54 OVERTIME PAY FOR AIRLINE EMPLOYEES  
 + SB 40 CONSTRUCTION OF HIGHWAYS BY DOTPF  
 + SB 53 REVOKE DRIVER'S LIC. FOR FATAL ACCIDENT  
 Bills Previously Heard/Scheduled

**Feb 20 Thursday Butrovich 205 1:30 PM**  
 No Meeting Scheduled

**Feb 25 Tuesday Butrovich 205 1:30 PM**  
 += SB 31 RAILROAD UTILITY CORRIDOR TO & IN CANADA

**Feb 27 Thursday Butrovich 205 1:30 PM**  
 No Meeting Scheduled

**FINANCE SUBCOMMITTEES**

**NATURAL RESOURCES**

**Feb 20 Thursday Beltz 211 8:00 AM**  
 -- Rescheduled from 2/12/03 --  
 + Budget Overview:  
 Dept of Natural Resources

**FINANCE SUBCOMMITTEES (continued)****PUBLIC SAFETY**

**Feb 18      Tuesday                      Senate Finance 532              4:00 PM**  
 Joint w/(H) Public Safety Budget Subcmte  
 Budget Overview: Dept of Public Safety

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**REVENUE**

**Feb 19      Wednesday                      Senate Finance 532              4:00 PM**  
 -- Rescheduled from 2/10/03 --  
 Budget Overview: Dept of Revenue

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**JOINT COMMITTEES****ADMINISTRATIVE REGULATION REVIEW**

**Feb 19      Wednesday                      Fahrenkamp 203              8:30 AM**  
 Discussion of Central Panels to create  
 independent hearing office functions  
 Committee administrative function re:  
 continuous service

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**LEGISLATIVE BUDGET & AUDIT**

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

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**LEGISLATIVE COUNCIL**

**Feb 20      Thursday                      Senate Finance 532              11:30 AM**

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**OTHER MEETINGS**

**FISH CAUCUS**

<b>Feb 19</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
	Impacts of the Seafood Industry on Alaska's Economy Patrick Burden, Northern Economics		

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**JOINT SESSION**

<b>Mar 05</b>	<b>Wednesday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
	State of the Judiciary Chief Justice Dana Fabe		
<b>Mar 31</b>	<b>Monday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
	Address by U.S. Senator Ted Stevens		