

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Wednesday

February 26, 2003

Thirty-seventh Day

Pursuant to adjournment the Senate was called to order by President Therriault at 11:08 a.m.

The roll showed nineteen members present. Senator Olson was excused from a call of the Senate.

The prayer was offered by the Chaplain, Major Larry Fankhauser of The Salvation Army. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear Lord, I want to acknowledge that this is the day the Lord has made. I will rejoice and be glad in it.

I pray for each senator here gathered, as well as all those who assist them. May they be granted wisdom as they lead all of us into the days ahead. Difficult decisions need to be made, and only by seeking Your guidance can we feel certain of the decisions made.

Lord, I would pause for a moment and remember the families and others in Wrangell who are dealing with their terrible, tragic loss. May those around be a source of support and love.

Thank you, Lord, for Your love and strength.

These things I pray in Jesus' name. Amen.

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

Certification

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

Messages from the Governor

Letter dated and received February 24 was read, stating in accordance with AS 39.05.080, I submit the following names for legislative confirmation of appointment to the board set out below:

Board of Education and Early Development

Shirley Holloway - Anchorage

Appointed: 03/03/03 Term Expires: 01/31/05

Richard I. Mauer - Delta Junction

Appointed: 02/20/03 Term Expires: 01/31/08

Sylvia Reynolds - Soldotna

Appointed: 02/20/03 Term Expires: 01/31/04

Rex A. Rock - Point Hope

Appointed: 02/20/03 Term Expires: 01/31/04

Tim R. Scott - Anchorage

Appointed: 02/20/03 Reappointed: 03/01/03

Term Expires: 03/01/08

The appointments were referred to the Health, Education and Social Services Committee.

The resumes for these appointments have been submitted to the Offices of the Senate Secretary and the Chief Clerk.

Messages from the House**SCR 5**

Message dated February 24 was read, stating the House passed and returned:

SENATE CONCURRENT RESOLUTION NO. 5
Relating to declaring March 2003 as Sobriety
Awareness Month.

The resolution was referred to the Secretary for enrollment.

Message dated February 24 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills**HB 71**

HOUSE BILL NO. 71 "An Act extending the
termination date of the Board of Certified Direct-
Entry Midwives."

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

Standing Committee Reports

Report dated February 25 was read, stating:

In accordance with AS 39.05.080, the Senate Transportation Committee reviewed the qualifications of the following and recommends the appointment be forwarded to joint session for consideration:

Commissioner - Department of Transportation and Public Facilities

Mike Barton

Signing the report: Senator Cowdery, Chair; Senators Therriault, Wagoner, Lincoln.

SB 2

The Health, Education and Social Services Committee considered SENATE BILL NO. 2 "An Act relating to recovery of civil damages from the parents or legal guardian of a minor; and providing for an effective date." Signing do pass: Senator Dyson, Chair; Senators Davis, Green. Signing no recommendation: Senator Wilken. Signing amend: Senator Guess.

The following fiscal information was published today:

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

The bill was referred to the Judiciary Committee.

SB 25

The Health, Education and Social Services Committee considered SENATE BILL NO. 25 "An Act relating to the teachers' housing loan program in the Alaska Housing Finance Corporation; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 25(HES)

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

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Revenue

The bill was referred to the Finance Committee.

SB 47

The Labor and Commerce Committee considered SENATE BILL NO. 47 "An Act extending the termination date of the Board of Nursing." Signing do pass: Senator Bunde, Chair; Senators Seekins, Davis, French, Gary Stevens.

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 48

The Labor and Commerce Committee considered SENATE BILL NO. 48 "An Act extending the termination date of the Board of Certified Direct-Entry Midwives." Signing do pass: Senator Bunde, Chair; Senators Seekins, Davis, French, Gary Stevens.

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.

HCR 6

The Resources Committee considered CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(FSH) Relating to the continuation of the Joint Legislative Salmon Industry Task Force until 2004. Signing do pass: Senator Ogan, Chair; Senators Seekins, Ben Stevens, Wagoner, Elton, Dyson, Lincoln.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Legislative Agency

The resolution is on today's calendar

Introduction and Reference of Senate Bills**SB 41**

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 41 BY SENATORS GREEN, Taylor, Dyson, Ben Stevens, Ogan, Cowdery, Seekins, Wagoner, entitled:

"An Act relating to medical care and crimes relating to medical care, including medical care and crimes relating to the medical assistance program."

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

SB 82

SENATE BILL NO. 82 BY SENATOR GARY STEVENS, entitled:

"An Act relating to the state alcoholic beverage tax for certain wine and other beverages."

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

SB 83

SENATE BILL NO. 83 BY SENATOR GARY STEVENS, entitled:

"An Act naming the Sven Haakanson, Sr. Airport at Old Harbor."

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

SB 84

SENATE BILL NO. 84 BY SENATOR GARY STEVENS, entitled:

"An Act relating to the Alaska teacher recruitment loan repayment program; and providing for an effective date."

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

SB 85

SENATE BILL NO. 85 BY SENATORS FRENCH, Ben Stevens, Dyson, Bunde, Guess, Ellis, Elton, Lincoln, Davis entitled:

"An Act relating to sentencing and to the earning of good time deductions for certain sexual offenses."

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

Consideration of the Calendar**Second Reading of House Resolutions****HCR 6**

CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(FSH) Relating to the continuation of the Joint Legislative Salmon Industry Task Force until 2004, was read the second time and was before the Senate on final passage.

Senators Gary Stevens, Taylor, Cowdery, Hoffman, Ogan, Elton, Seekins, Lincoln moved and asked unanimous consent to be shown as cross sponsors on the resolution. Without objection, it was so ordered.

The question being: "Shall CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(FSH) Relating to the continuation of the Joint Legislative Salmon Industry Task Force until 2004, pass the Senate?" The roll was taken with the following result:

CSHCR 6(FSH)

Second Reading - Final Passage

YEAS: 19 NAYS: 0 EXCUSED: 1 ABSENT: 0

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Lincoln, Ogan, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

Excused: Olson

and so, CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(FSH) passed the Senate, was signed by the President and Secretary and returned to the House.

Unfinished Business

President Therriault made the following appointments:

Legislative Council

Senator Ben Stevens replaces Senator Austerman (resigned February 10)

Armed Services Committee

Senator Gary Stevens replaces Senator Austerman (resigned February 10)

Under AS 44.29.300, President Therriault made the following appointments to the Statewide Suicide Prevention Council:

Senator Ben Stevens
Senator Lincoln

SB 79

Senator French moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 79 "An Act extending the termination date of the Alaska Minerals Commission." Without objection, it was so ordered.

Senator Ben Stevens moved and asked unanimous consent to return to Consideration of the Daily Calendar. Senator Ellis objected, then withdrew his objection. There being no further objections, the Senate returned to:

Consideration of the Calendar**Citations**

Honoring – Juneau-Douglas High School Crimson Bears, 2002 Men's State Swimming and Diving Champions
Senator(s) Elton, Therriault, Dyson, Ogan, Gary Stevens, Cowdery, Davis, Green, Guess, Hoffman, Lincoln, Ben Stevens, Taylor, Wilken

Honoring – Prudential Spirit of Community Awards, Lotoya Barrett
Senator(s) French, Therriault, Dyson, Ogan, Gary Stevens, Cowdery, Davis, Elton, Guess, Hoffman, Lincoln, Ben Stevens, Taylor, Wilken
Representative(s) Croft

In Memoriam – Virginia B. Gross
Senator(s) Davis, Therriault, Dyson, Ogan, Gary Stevens, Cowdery, Elton, Guess, Hoffman, Lincoln, Ben Stevens, Taylor, Wilken

In Memoriam – David Chatfield Kepler
Senator(s) Ogan, Green, Therriault, Dyson, Gary Stevens, Cowdery,
Davis, Elton, Guess, Hoffman, Lincoln, Ben Stevens, Taylor, Wilken
Representative(s) Gatto

In Memoriam – Jeannie Ratchner
Representative(s) Rokeberg
Senator(s) Ben Stevens, Therriault, Dyson, Ogan, Gary Stevens,
Cowdery, Davis, Elton, Green, Guess, Hoffman, Lincoln, Taylor,
Wilken

In Memoriam – Norman Richard Bucy
Representative(s) Rokeberg
Senator(s) Ben Stevens, Therriault, Dyson, Ogan, Gary Stevens,
Cowdery, Davis, Elton, Green, Guess, Hoffman, Lincoln, Taylor,
Wilken

In Memoriam – Dorothy Mary Volkheimer "Doe-Doe"
Representative(s) Joule
Senator(s) Olson, Therriault, Dyson, Ogan, Gary Stevens, Cowdery,
Davis, Elton, Green, Guess, Hoffman, Lincoln, Ben Stevens, Taylor,
Wilken

In Memoriam – Devon' Earl Alexander
Representative(s) Foster
Senator(s) Olson, Therriault, Dyson, Ogan, Gary Stevens, Cowdery,
Davis, Elton, Green, Guess, Hoffman, Lincoln, Ben Stevens, Taylor,
Wilken

In Memoriam – Charles Madison Binkley, "Captain Jim"
Representative(s) Holm, Fate
Senator(s) Wilken, Seekins, Therriault, Dyson, Ellis, Gary Stevens,
Cowdery, Davis, Elton, Green, Guess, Hoffman, Lincoln, Ben
Stevens, Taylor

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

Senator Ogan moved and asked unanimous consent to be excused from a call of the Senate on March 17, 19, and 20. Without objection, Senator Ogan was excused.

Senator Dyson moved and asked unanimous consent to be excused from a call of the Senate from March 7, 1:00 p.m., through March 10, morning plane time, and from March 14, 1:00 p.m., through March 17, morning plane time. Without objection, Senator Dyson 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 10:00 a.m., February 28, 2003. Without objection, the Senate adjourned at 11:40 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

Feb 26 Wednesday Fahrenkamp 203 1:30 PM
 + SB 38 ADOPTION OF SAFETY CODES
 + SB 62 AK REGIONAL ECONOMIC ASSISTANCE PROGRAM
 + SB 63 MUNICIPAL ANNEXATIONS AND DETACHMENTS
 + HCR 2 EXTEND ALASKA RAILROAD TO FT. GREELY
 + HB 58 REINSTATEMENT OF NATIVE CORPS
 + HB 68 OFFICE OF VICTIMS' RIGHTS: INCLUDE MUNIS

Feb 28 Friday Fahrenkamp 203 1:30 PM
 No Meeting Scheduled

FINANCE

Feb 26 Wednesday Senate Finance 532 8:00 AM
 -- Time Change --
 Key Campaign Presentation

Feb 27 Thursday Senate Finance 532 9:00 AM
 + SB 51 BONDS OF BOND BANK AUTHORITY
 + SCR 1 SUPPORT ROADS/HOT SPRINGS LOOP ROAD
 + Adoption Longevity Pay Increment Policy

Mar 04 Tuesday Senate Finance 532 9:00 AM
 Joint w/(H) Finance
 State of Our University Address
 President Mark Hamilton

HEALTH, EDUCATION & SOCIAL SERVICES

Feb 26 Wednesday Butrovich 205 1:30 PM
 + SB 41 MEDICAID COSTS AND CRIMES
 + SB 78 MEDICAID FOR BREAST & CERVICAL CANCER
 + Overview: AK Statewide Suicide Prevention Council
 + Bills Previously Heard/Scheduled

JUDICIARY

Feb 26 Wednesday Capitol 122 1:00 PM
 + -- Time and Location Change --
 + Joint w/(H) Judiciary
 Confirmation Hearings:
 Judicial Council - Bill Gordon
 Violent Crimes Compensation Board -
 LeRoy Barker, Gerad G. Godfrey
 + Overview: Partners for Progress,
 Therapeutic/Wellness Courts, Electronic
 Monitoring for Alcohol Related Offenders

Feb 28 Friday Beltz 211 1:30 PM
 No Meeting Scheduled

LABOR & COMMERCE

Feb 26 Wednesday Senate Finance 532 3:15 PM
 -- Time and Location Change --
 Joint w/(H) Labor and Commerce
 Confirmation Hearings:
 Regulatory Commission of Alaska-
 Dave Harbour, Mark Johnson

Feb 27 Thursday Beltz 211 1:30 PM
 + SB 73 AIDEA AUTHORITY TO ISSUE BONDS
 SB 43 EXTEND STATE MEDICAL BOARD
 + SB 54 OVERTIME PAY FOR AIRLINE EMPLOYEES
 Bills Previously Heard/Scheduled

RESOURCES

Feb 26	Wednesday	Butrovich 205	3:30 PM
	Confirmation Hearing: AK Oil and Gas Conservation Commission - Sarah H. Palin, Randy Ruedrich		
Feb 28	Friday	Butrovich 205	3:30 PM
	No Meeting Scheduled		

STATE AFFAIRS

Feb 27	Thursday	Beltz 211	3:30 PM
+	Confirmation Hearings: Commissioner, Dept of Administration - Mike Miller Commissioner, Dept of Public Safety - Bill Tandeske State Commission on Human Rights - Merkes, Lunceford, Sawyer <Above Hearing Rescheduled to 3/6/03> AK Public Offices Commission - Larry D. Wood <Above Hearing Rescheduled to 3/6/03>		

Mar 06	Thursday	Beltz 211	3:30 PM
+	<Rescheduled from 2/27/03> Confirmation Hearings: State Commission on Human Rights - Grace Merkes Lester Lunceford Robert B. Sawyer, Jr AK Public Offices Commission - Larry D. Wood		

TRANSPORTATION

Feb 27	Thursday	Butrovich 205	1:30 PM
SB 71	TRANSPORTATION ENHANCEMENT PROJECTS		

TRANSPORTATION (continued)

Mar 04	Tuesday	Butrovich 205	1:30 PM
	No Meeting Scheduled		
Mar 06	Thursday	Butrovich 205	1:30 PM
	No Meeting Scheduled		
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>		
+	Joint w/(H) Transportation		
	Port of Bellingham		
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		

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**
 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

OTHER MEETINGS**FISH CAUCUS**

Feb 26 **Wednesday** **Butrovich 205** **12:00 PM**
 +
 Alaska Seafood Around the World:
 Alaska Seafood Marketing Institute

JOINT SESSION

Mar 05 **Wednesday** **House Chamber** **11:00 AM**
 State of the Judiciary
 Chief Justice Dana Fabe

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