

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Sunday

May 11, 2003

One Hundred Eleventh Day

Pursuant to adjournment the Senate was called to order by President Therriault at 9:28 a.m.

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

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

This is a traditional tribal prayer:
Grandfather, Great Spirit,
You have always been, and before You nothing has
been.
There is no one to pray to but You.
The star nations all over the heaven are Yours,
and Yours are the grasses of the earth.
You are older than all need, older than all pain and
prayer.
Grandfather, Great Spirit, fill us with light.
Give us strength to understand and eyes to see.
Teach us to walk the soft earth as relatives to all that
live,
And to lead with fearlessness and hope.
Help us, for without You we are nothing.

Dear Lord, please forgive us for meeting on
Mother's Day. Remember all the mothers of Your
children that may not be remembered on this
Mother's Day. Let us remember those as we bow
our heads and close our eyes and see the beauty

twinkle in our mothers and grandmothers' eyes.
Help us to be better mothers and grandmothers to
all children. Watch over mothers whose partners
and sons are away from them serving our nation
and the mothers who are serving. Amen.

Senator Dyson led the Senate in the Pledge of Allegiance.

Certification

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

The presence of Senator Olson was noted.

Messages from the House

SJR 17

Message dated May 10 was read, stating the House passed and returned:

SENATE JOINT RESOLUTION NO. 17 Relating to the Alaska-Yukon Intergovernmental Relations Accord, to annual legislative exchanges, and to continuing intergovernmental work on matters of joint concern and mutual interest.

The resolution was referred to the Secretary for enrollment.

Message dated May 10 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Resolutions

HCR 21

CS FOR HOUSE CONCURRENT RESOLUTION NO. 21(FIN) BY THE HOUSE FINANCE COMMITTEE,

Relating to establishing the Alaska Energy Policy Task Force.

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

HJR 14

CS FOR HOUSE JOINT RESOLUTION NO. 14(STA) BY THE HOUSE STATE AFFAIRS COMMITTEE,

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.

First Reading and Reference of House Bills

HB 154

CS FOR HOUSE BILL NO. 154(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to advancement in public schools of children under school age; and providing for an effective date for the Act of July 1, 2004."

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

HB 232

HOUSE BILL NO. 232 BY REPRESENTATIVES SEATON, Lynn, entitled:

"An Act relating to mercury classics; and providing for an effective date."

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

Introduction and Reference of Senate Bills**SB 219**

SENATE BILL NO. 219 BY SENATOR DYSON, entitled:

"An Act relating to offenses against unborn children."

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

Consideration of the Calendar**Second Reading of Senate Bills****SB 149**

SENATE BILL NO. 149 "An Act relating to timber and to the sale of timber by the state" was read the second time.

Senator Ogan, Chair, moved and asked unanimous consent for the adoption of the Resources Committee Substitute offered on page 1178. Senator Ellis objected, then withdrew his objection. There being no further objections, CS FOR SENATE BILL NO. 149(RES) "An Act relating to timber, to the sale of timber by the state, and to the management of state forests" was adopted.

Senator Ben Stevens moved and asked unanimous consent that the bill be considered engrossed, advanced to third reading and placed on final passage. Senator Ellis objected.

President Therriault stated CS FOR SENATE BILL NO. 149(RES) will be on the May 12 calendar.

Second Reading of House Bills**HB 11**

HOUSE BILL NO. 11 "An Act relating to deposits to the Alaska permanent fund from mineral lease rentals, royalties, royalty sale proceeds, net profit shares under AS 38.05.180(f) and (g), federal mineral revenue sharing payments received by the state from mineral leases, and bonuses received by the state from mineral leases, and limiting deposits from those sources to the 25 percent required under art. IX, sec. 15, Constitution of the State of Alaska; and providing for an effective date" was read the second time.

Senator Ben Stevens moved and asked unanimous consent that the bill be advanced to third reading and placed on final passage. Senator Ellis objected.

President Therriault stated HOUSE BILL NO. 11 will be on the May 12 calendar.

HB 105

CS FOR HOUSE BILL NO. 105(FIN) "An Act relating to loans to satisfy past due federal tax obligations of commercial fishermen and to the commercial fishing loan program" was read the second time.

Senator Ben Stevens moved and asked unanimous consent that the bill be advanced to third reading and placed on final passage. Senator Ellis objected.

President Therriault stated CS FOR HOUSE BILL NO. 105(FIN) will be on the May 12 calendar.

HB 184

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 184(L&C) am "An Act relating to individual deferred annuities; and providing for an effective date" was read the second time.

Senator Bunde, Chair, moved and asked unanimous consent for the adoption of the Labor and Commerce Senate Committee Substitute offered on page 1128. Senator Ellis objected, then withdrew his objection. There being no further objections, SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 184(L&C) was adopted.

Senator Ben Stevens moved and asked unanimous consent that the bill be considered engrossed, advanced to third reading and placed on final passage. Senator Ellis objected.

President Therriault stated SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 184(L&C) will be on the May 12 calendar.

HB 203

HOUSE BILL NO. 203 "An Act relating to the definitions of 'net income' and 'unrestricted net income' for purposes of calculating the dividends to be paid to the state by the Alaska Industrial Development and Export Authority; and providing for an effective date" was read the second time.

Senator Ben Stevens moved and asked unanimous consent that the bill be advanced to third reading and placed on final passage. Senator Ellis objected.

President Therriault stated HOUSE BILL NO. 203 will be on the May 12 calendar.

Third Reading of Senate Bills**SB 56**

CS FOR SENATE BILL NO. 56(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 56(FIN) "An Act relating to sport fishing license fees and anadromous king salmon tag fees for residents of Yukon, Canada; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

May 11, 2003

1323

CSSB 56(FIN)
Third Reading - Final Passage
Effective Date

YEAS: 17 NAYS: 2 EXCUSED: 1 ABSENT: 0

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

Nays: Bunde, Green

Excused: French

and so, CS FOR SENATE BILL NO. 56(FIN) 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.

SB 106

CS FOR SENATE BILL NO. 106(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 106(FIN) "An Act relating to tires; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 106(FIN)
Third Reading - Final Passage

YEAS: 12 NAYS: 7 EXCUSED: 1 ABSENT: 0

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

Nays: Davis, Ellis, Elton, Guess, Hoffman, Lincoln, Olson

Excused: French

and so, CS FOR SENATE BILL NO. 106(FIN) 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:

CSSB 106(FIN)
Effective Date Clause

YEAS: 12 NAYS: 7 EXCUSED: 1 ABSENT: 0

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

Nays: Davis, Ellis, Elton, Guess, Hoffman, Lincoln, Olson

Excused: French

and so, the effective date clause failed.

Senator Ellis gave notice of reconsideration on CS FOR SENATE BILL NO. 106(FIN)(efd fld) "An Act relating to tires."

Third Reading of House Bills

HB 81

CS FOR HOUSE BILL NO. 81(STA) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 81(STA) "An Act relating to motor vehicle emissions and to inspection decals and fines relating to motor vehicle emissions; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 81(STA)
Third Reading - Final Passage
Effective Date

YEAS: 16 NAYS: 3 EXCUSED: 1 ABSENT: 0

Yeas: Bunde, Cowdery, Davis, Ellis, Elton, Green, Guess, Lincoln, Ogan, Olson, Seekins, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Dyson, Hoffman, Taylor

Excused: French

and so, CS FOR HOUSE BILL NO. 81(STA) 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 Hoffman gave notice of reconsideration.

Citations

Honoring – Hydaburg Boys' Alaska State Basketball Title
Representative(s) Kookesh
Senator(s) Lincoln, Therriault, Bunde, Cowdery, Davis, Dyson, Elton, Green, Guess, Hoffman, Olson, Seekins, Ben Stevens, Gary Stevens, Taylor, 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

HB 105

Senators Gary Stevens, Dyson, Taylor, Elton, Ben Stevens, moved and asked unanimous consent to be shown as cross sponsors on CS FOR HOUSE BILL NO. 105(FIN) "An Act relating to loans to satisfy past due federal tax obligations of commercial fishermen and to the commercial fishing loan program." Without objection, it was so ordered.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 56**

CS FOR SENATE BILL NO. 56(FIN) "An Act relating to sport fishing license fees and anadromous king salmon tag fees for residents of Yukon, Canada; 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 12, 2003. Without objection, the Senate adjourned at 10:05 a.m.

Kirsten Waid
Secretary of the Senate

May 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

FINANCE**May 12 Monday Senate Finance 532 9:00 AM**

- + SB 30 ABORTION: INFORMED CONSENT; INFORMATION
<Public Testimony on Fiscal Impact Only>
- + HB 61 OIL & GAS TAX CREDIT FOR EXPLORATION/DEV
- + HB 90 TAX CREDIT: SALMON DEVELOPMENT/UTILIZATION
- + SB 216 INTERNATIONAL AIRPORTS REVENUE BONDS
- + HB 243 EVALUATION OF AGENCY PROGRAMS
- + Bills Previously Heard/Scheduled
<Committee may recess until 5:30 pm>

May 12 Monday Senate Finance 532 5:30 PM

- + SB 213 KNIK ARM BRIDGE AND TOLL AUTHORITY
- + Bills Previously Heard/Scheduled

May 13 Tuesday Senate Finance 532 9:00 AM

- + Joint w/(H) Finance
Fisheries Disaster Assistance: Senator Alan Austerman
Upon completion of presentation, the following bills will be heard:
- + SB 102 CHARITABLE GAMING REVENUE
- + HB 165 COMMUNITY SCHOOLS
- + HB 171 REPEAL CHARTER SCHOOL GRANTS
- + HB 174 CORRESPONDENCE STUDY
- + SB 179 TEACHER CERTIFICATION : FINGERPRINTS
- + SB 202 EDUCATION FUNDING & PUPIL TRANSPORTATION
- + HB 154 UNDER SCHOOL AGE STUDENTS
- + Bills Previously Heard/Scheduled

FINANCE (continued)

May 13 Tuesday Senate Finance 532 5:00 PM
 += SB 185 ROYALTY REDUCTION ON CERTAIN OIL
 += SB 117 ELIMINATING LONGEVITY BONUS PROGRAM
 + Bills Previously Heard/Scheduled

May 14 Wednesday Senate Finance 532 9:00 AM
 + HB 225 MONOPOLY AND RESTRAINT OF TRADE ACTIONS
 += HB 229 PAROLE FOR MEDICAL/COGNITIVE DISABILITY
 + HB 266 ELECTIONS
 += SB 26 STATE EMPLOYEES CALLED TO MILITARY DUTY
 += SB 102 CHARITABLE GAMING REVENUE
 + Bills Previously Heard/Scheduled
 <Committee may recess until 5:30 pm>

HEALTH, EDUCATION & SOCIAL SERVICES

May 12 Monday Butrovich 205 1:30 PM
 Bills Previously Heard/Scheduled

May 14 Wednesday Butrovich 205 1:30 PM
 Bills Previously Heard/Scheduled

May 16 Friday Butrovich 205 1:30 PM
 + HB 25 HEALTH CARE SERVICES DIRECTIVES
 Bills Previously Heard/Scheduled

JUDICIARY

May 12 Monday Beltz 211 1:00 PM
 + HB 102 CONCEALED DEADLY WEAPONS LEGAL
 + SB 198 DAMAGES RECOVERED BY POLICE/FIREFIGHTER
 += SB 13 INSURANCE DISCRIMINATION BY CREDIT RATING
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

May 13 Tuesday Beltz 211 1:30 PM
 Bills Previously Heard/Scheduled
 = HB 135 MARITAL & FAMILY THERAPISTS
 Confirmation Hearings:
 Alaska Labor Relations - Colleen Scanlon
 Board of Barbers and Hairdressers -
 Charlene Lushin, Joylene A. Marrs
 Board of Chiropractic Examiners -
 Dr. David Mulholland
 Real Estate Commission -
 Brad J. Fluetsch, Barbara Parker-Ramsey,
 David B. Somers, Z. Kent Sullivan, Esq.
 Board of Veterinary Examiners -
 Steven Torrence
 Workers Compensation Board -
 John Abshire, Richard Behrends,
 Andrew Piekarski, Marc Stemp
 + SB 218 STATE PROCUREMENT PILOT PROGRAM
 + SB 194 LIQUOR DELIVERED TO HOTELS/CRUISE SHIPS
 + HB 83 REVISED UNIFORM ARBITRATION ACT
 + HB 234 BREWPUBS; ABC BOARD

RESOURCES

May 12 Monday Butrovich 205 3:30 PM
 + Confirmation Hearing:
 Board of Fisheries - John E. Jensen
 + HB 226 ORGANIC FOOD
 + Bills Previously Heard/Scheduled

STATE AFFAIRS

May 13 Tuesday Beltz 211 3:30 PM
 += SB 211 REGULATIONS: NOTICE AND DISTRIBUTION
 + SB 215 SEAFOOD AND FOOD SAFETY LABORATORY
 + SJR 15 PATRIOT ACT AND DEFENDING CIVIL LIBERTIES
 + SJR 19 CONST. AM: PERMANENT FUND INCOME
 Bills Previously Heard/Scheduled

STATE AFFAIRS (continued)

May 15 Thursday Beltz 211 3:30 PM
+ HB 209 MUNI.TAX: PROPERTY AFFECTED BY DISASTER
+ HB 10 GROUP HEALTH INSURANCE FOR PRIVATE GROUPS
+ HB 24 AGREEMENTS ON MANAGEMENT OF FISH AND GAME
+ SCR 13 CANNED SALMON FOR PRISONERS
+ SB 201 HOME & RESPITE CARE: CRIMINAL RECORDS
Bills Previously Heard/Scheduled

TRANSPORTATION

May 13 Tuesday Butrovich 205 1:30 PM
HB 280 COMMERCIAL MOTOR VEHICLES:REGULATIONS
+ HB 250 STATE CONTRACTS

JOINT COMMITTEES

CONFERENCE COMMITTEE ON HB 75 & HB 76

May 12 Monday Senate Finance 532 4:00 PM
= HB 75 APPROP: OPERATING BUDGET/LOANS/FUNDS
= HB 76 APPROP:MENTAL HEALTH BUDGET
Departments to be announced