

# SENATE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Wednesday

March 24, 2004

#### Seventy-third Day

Pursuant to adjournment the Senate was called to order by President Therriault at 11:14 a.m.

The roll showed nineteen members present. Senator Ogan was absent.

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

Henry Emerson Fosdick writes, "The difficulty in our expansive modern life lies here: ever achieving new powers, enlarging our opportunities, widening our liberties and everywhere complicating our lives, we forget that, unless we correspondingly strengthen our moral and spiritual foundations, the whole overextended superstructure will come down about our ears, as did the old Philistine banquet hall when Samson broke the pillars" (Twelve Tests of Character, Association Press, 1923; p. 21)

We prepare for God's promises through fear and hope. The fear of God is the beginning of wisdom. There is no true wisdom without fearing God. Churches that lose their fear of God become irrelevant, foolish and sinful, so too with entire societies and cultures. Fear focuses on God and so does hope. Hope in God is the push of confidence and the pull of the possible. Hope is the spark of unshakeable trust in the soul of each of us.

"So I pray that God, who gives you hope, will keep you happy and full of peace as you believe in Him. May you overflow with hope through the power of the Holy Spirit." (Romans 15:13)  
Amen.

Senator Cowdery led the Senate in the Pledge of Allegiance.

### **Certification**

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

The presence of Senator Ogan was noted.

### **Messages from the Governor**

#### **SB 270**

Message dated March 22 was read, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE BILL NO. 270 am H "An Act establishing November as Avalanche Awareness Month."

Chapter 10, SLA 2004  
Effective Date: 06/20/2004

Letter dated March 22 and received March 24 was read, stating in accordance with AS 39.05.080, I submit the following names for legislative confirmation of appointments to the boards and commissions set out below:

#### **Board of Agriculture and Conservation**

Pete A. Alexion - North Pole

Appointed: 3/10/2004

Term Expires: 9/1/2006

Allan Baldwin - Palmer

Appointed: 9/1/2000 Reappointed: 10/1/2001

Term Expires: 9/1/2004

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Rhonda P. Boyles - Fairbanks

Appointed: 3/10/2004

Term Expires: 9/1/2006

Donald J. Brainard - Palmer

Appointed: 9/1/2000 Reappointed: 3/10/2004

Term Expires: 9/1/2006

Peter T. Fellman - Delta Junction

Appointed: 7/30/2003

Term Expires: 9/1/2005

Sam F. Lightwood - Copper Center

Appointed: 9/1/2000 Reappointed: 8/14/2002

Term Expires: 9/1/2005

Ron E. Long - Seward

Appointed: 3/10/2004 Reappointed: 9/1/2004

Term Expires: 9/1/2007

The appointments were referred to the Resources Committee.

**Occupational Safety and Health Review Board**

Thor R. Christianson - Sitka

Appointed: 3/5/2004

Term Expires: 3/1/2008

The appointment was referred to the Health, Education and Social Services Committee.

**Personnel Board**

Laura Plenert - Ketchikan

Appointed: 3/10/2004

Term Expires: 3/1/2010

The appointment was referred to the Labor and Commerce Committee.

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

**Messages from the House**

Message dated March 22 was read, stating the House passed and transmitted for consideration:

**First Reading and Reference of  
House Resolutions****HCR 25**

CS FOR HOUSE CONCURRENT RESOLUTION NO. 25(RES) BY  
THE HOUSE RESOURCES COMMITTEE,

Relating to Alaska Wild Salmon Week, June 28 -  
July 4, 2004.

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

**HCR 29**

HOUSE CONCURRENT RESOLUTION NO. 29 am BY  
REPRESENTATIVES HEINZE, McGuire, Gruenberg, Rokeberg,  
Seaton, Lynn,

Relating to support for therapeutic courts for repeat  
driving while under the influence offenders.

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

Message dated March 22 was read, stating the House passed and  
transmitted for consideration:

**First Reading and Reference of House Bills****HB 451**

HOUSE BILL NO. 451 BY THE HOUSE RULES COMMITTEE BY  
REQUEST, entitled:

"An Act relating to therapeutic courts; and providing  
for an effective date."

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

**HB 478**

HOUSE BILL NO. 478 BY REPRESENTATIVE WILSON, entitled:

"An Act relating to the issuance of commercial fishing interim-use permits; and providing for an effective date."

was read the first time and referred to the Labor and Commerce Committee.

**Standing Committee Reports****SB 246**

The State Affairs Committee considered SENATE BILL NO. 246 "An Act relating to the commission of an offense or a juvenile delinquency act involving the victim's race, sex, color, creed, physical or mental disability, sexual orientation, ancestry, or national origin; relating to sentencing, informal adjustment, and adjudication for those offenses and acts; relating to a diversity tolerance program for certain juvenile delinquency acts; relating to a civil cause of action for certain acts involving discriminatory harassment; and providing for an effective date." Signing do pass: Senator Gary Stevens, Chair; Senators Hoffman, Stedman, Guess.

The following fiscal information was published today:

Fiscal Note No. 1, indeterminate, Department of Administration  
Fiscal Note No. 2, zero, Department of Public Safety  
Fiscal Note No. 3, zero, Department of Law  
Fiscal Note No. 4, indeterminate, Alaska Court System

President Therriault added a Finance Committee referral to the bill.

The bill was referred to the Judiciary, then Finance Committees.

**SB 271**

The Finance Committee considered SENATE BILL NO. 271 "An Act amending the purpose of the Alaska Natural Gas Development Authority to include planning, developing, constructing, managing, or operating an economically viable gas pipeline project from the North Slope of Alaska by a route that parallels the Trans Alaska Pipeline System or the Alaska Highway; authorizing evaluation of opportunities for private sector involvement in the project; amending requirements related to the Authority's preparation of a development plan; and providing for an effective date." Signing do pass: Senators Green, Wilken, Cochairs; Senator Dyson. Signing no recommendation: Senators Hoffman, Olson, Bunde, Ben Stevens.

The following previously published fiscal information applies:

Fiscal Note No. 1, indeterminate, Department of Revenue

The bill was referred to the Rules Committee.

**SB 273**

Forthcoming fiscal note (page 2597) for the Finance Committee Substitute for SENATE BILL NO. 273 "An Act relating to the Alaska Seafood Marketing Institute, the seafood marketing assessment, the seafood marketing tax, and the seafood product tax; and providing for an effective date" was published today:

Fiscal Note No. 4, zero, Office of the Governor

The bill is on today's calendar.

**SB 286**

The Finance Committee considered SENATE BILL NO. 286 "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" and recommended it be replaced with

CS FOR SENATE BILL NO. 286(FIN)

Signing do pass: Senators Wilken, Green, Cochairs; Senators Dyson, Hoffman, Olson, Bunde, Ben Stevens.

The following previously published fiscal information applies:  
Fiscal Note No. 1, Department of Revenue  
Fiscal Note No. 2, zero, Department of Fish and Game

The bill was referred to the Rules Committee.

**SB 300**

The Finance Committee considered SENATE BILL NO. 300 "An Act relating to an attorney's lien, to court actions, and to other proceedings where attorneys are employed" and recommended it be replaced with

CS FOR SENATE BILL NO. 300(FIN) "An Act relating to an attorney's lien, to court actions, and to other proceedings where attorneys are employed; and providing for an effective date."

Signing do pass: Senators Wilken, Green, Cochairs; Senators Dyson, Hoffman, Bunde, Ben Stevens. Signing no recommendation: Senator Olson.

The following previously published fiscal information applies:  
Fiscal Note No. 1, zero, Department of Natural Resources  
Fiscal Note No. 2, zero, Alaska Court System  
Fiscal Note No. 3, zero, Department of Law

The bill was referred to the Rules Committee.

**SB 338**

The Judiciary Committee considered SENATE BILL NO. 338 "An Act relating to actionable claims against state employees; relating to the state's defense and indemnification of its employees and former employees with respect to claims arising out of conduct that is within the scope of employment; amending the Public Employment Relations Act regarding claims against the state or state employees; and providing for an effective date" and recommended the adoption of the State Affairs Committee Substitute offered on page 2562.

Signing do pass: Senator Seekins, Chair; Senators Therriault, Ellis. Signing no recommendation: Senators French, Ogan.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Law

The bill was referred to the Rules Committee.

**SB 357**

The Labor and Commerce Committee considered SENATE BILL NO. 357 "An Act relating to the regulation of insurance, insurance licenses, qualifications of insurance producers, surplus lines, fraud investigations, electronic transactions, and compliance with federal law and national standards; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 357(L&C)

Signing no recommendation: Senator Bunde, Chair; Senators French, Gary Stevens. Signing do pass: Senators Seekins, Davis.

The following fiscal information was published today:

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

The bill was referred to the Finance Committee .

**SB 373**

The Health, Education and Social Services Committee considered SENATE BILL NO. 373 "An Act relating to residency and internship permits issued by the State Medical Board; and providing for an effective date." Signing do pass: Senator Dyson, Chair; Senators Green, Wilken, Davis. Signing no recommendation: 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 Rules Committee.



**HB 340**

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 340(JUD) am "An Act relating to damages in an action for a defect in the design, construction, and remodeling of certain dwellings; and providing for an effective date." Signing do pass: Senator Bunde, Chair; Senator Seekins. Signing no recommendation: Senators Davis, French, Gary Stevens.

The following previously published fiscal information applies:

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

The bill was referred to the Judiciary Committee.

**HJR 34**

The Labor and Commerce Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 34(FSH) Requesting the United States Department of Agriculture and the United States Department of Labor to extend Trade Adjustment Assistance benefits to Alaska salmon fishermen; requesting the United States Congress and the United States Department of Agriculture to extend additional disaster and price support benefits to Alaska salmon fishermen; and requesting the United States Department of Commerce to establish a Trade Adjustment Assistance program specific to commercial fishermen. Signing do pass: Senator Bunde, Chair; Senators Seekins, Davis, Gary Stevens. Signing no recommendation: Senator French.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Legislative Agency

The resolution was referred to the Resources Committee.

**Introduction and Reference of Senate Bills****SB 375**

SENATE BILL NO. 375 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to consideration by the legislature of the executive budget and other bills affecting appropriations; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, indeterminate, Office of the Governor

Governor's transmittal letter dated March 22:

Dear President Therriault:

Under the authority of article III, section 18, of the Alaska Constitution, I am transmitting a bill relating to consideration by the Legislature of the executive budget and other bills affecting appropriations.

This bill was modeled on the "pay-as-you-go" provisions of the Congressional Budget and Impoundment Act, 2 U.S.C. 633(g). The pay-as-you-go principle is now commonly referred to as the "Gramm-Rudman" process. The purpose of the bill is to formalize the pay-as-you-go concept within the state's Executive Budget Act, AS 37.07. On occasion, it has been the practice of the Legislature to require that budget amendments be offset with cuts elsewhere in the budget or that there be a corresponding measure to increase revenue.

I strongly support the pay-as-you-go principle. The reality of our budget situation makes fiscal restraint a necessity. Under this bill, a budget amendment that would result in an increased appropriation would not be in order before the Legislature unless there were other measures available to offset the increased spending caused by the amendment. The concept is simple and workable if the Legislature embraces it.

The bill also proposes changes in the fiscal note process to require the proponent of a bill that would cause the increase of an appropriation to also propose a cost savings or revenue enhancement measure to offset the increase.

I urge your prompt and favorable action on this measure.

Sincerely yours,

/s/

Frank H. Murkowski

Governor

**SB 376**

SENATE BILL NO. 376 BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE, entitled:

"An Act relating to public assistance and subpoena powers."

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

**Consideration of the Calendar**

**Second Reading of Senate Bills**

**SB 227**

SENATE BILL NO. 227 "An Act relating to municipal initiative and referendum elections" 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 2343. Without objection, CS FOR SENATE BILL NO. 227(STA) was adopted.

Senator Gary Stevens offered Amendment No. 1:

Page 1, line 11:

Delete "within 75 days, but not sooner than 45 days after certification"

Insert "[WITHIN 75 DAYS, BUT NOT SOONER THAN 45 DAYS AFTER CERTIFICATION]"

Page 2, lines 7 - 8:

Delete "within 75 days, but not sooner than 45 days after certification"

Insert "[WITHIN 75 DAYS, BUT NOT SOONER THAN 45 DAYS AFTER CERTIFICATION]"

Senator Gary Stevens moved for the adoption of Amendment No. 1. Senator Guess objected, then withdrew her objection. There being no further objection, Amendment No. 1 was adopted.

Senator Ben Stevens offered Amendment No. 2:

Page 1, line 1, following "**municipal**":

Insert "**runoff elections and to municipal**"

Page 1, following line 2:

Insert new bill sections to read:

**\* Section 1.** AS 29.10.200 is amended by adding a new paragraph to read:

(64) AS 29.26.060(e) (runoff election for mayor).

**\* Sec. 2.** AS 29.26.060(a) is amended to read:

(a) Unless otherwise provided by ordinance, a runoff election shall be held if no candidate receives over 40 percent of the votes cast for the office of

[(1) MAYOR; OR

(2)] member of the governing body or school board if candidates run for a designated seat.

**\* Sec. 3.** AS 29.26.060 is amended by adding new subsections to read:

(d) Unless otherwise provided by ordinance, a runoff election shall be held in a municipality with less than 100,000 residents if no candidate receives over 40 percent of the votes cast for the office of mayor.

(e) A runoff election shall be held in a municipality with at least 100,000 residents if no candidate receives over 50 percent of the votes cast for the office of mayor.

(f) Subsection (e) of this section applies to certain home rule and general law municipalities."

Page 1, line 3:

Delete "**Section 1**"

Insert "**Sec. 4**"

Renumber the following bill sections accordingly.

Senator Ben Stevens moved for the adoption of Amendment No. 2.  
Senator Ellis objected.

Senator Guess moved for the adoption of the following amendment to  
Amendment No. 2:

In Sec. 3(d):

Delete "with less than 100,000 residents"

In Sec. 3(e):

Delete "with at least 100,000 residents"

Senator Ben Stevens objected.

The question being: "Shall the amendment to Amendment No. 2 be  
adopted?" The roll was taken with the following result:

CSSB 227(STA) am

Second Reading

Amendment to Amendment No. 2

**YEAS: 9 NAYS: 11 EXCUSED: 0 ABSENT: 0**

Yeas: Davis, Ellis, Elton, French, Guess, Hoffman, Lincoln, Ogan,  
Olson

Nays: Bunde, Cowdery, Dyson, Green, Seekins, Stedman, Stevens B,  
Stevens G, Therriault, Wagoner, Wilken

and so, the amendment to Amendment No. 2 was not adopted.

Senator French moved for the adoption of the following second  
amendment to Amendment No. 2:

In Sec. 3, following "(e)":

Insert "Unless otherwise provided by ordinance"

Senator Ben Stevens objected.

The question being: "Shall the second amendment to Amendment No. 2 be adopted?" The roll was taken with the following result:

CSSB 227(STA) am  
Second Reading  
2nd Amendment to Amendment No. 2

**YEAS: 9 NAYS: 10 EXCUSED: 0 ABSENT: 1**

Yeas: Davis, Dyson, Ellis, Elton, French, Guess, Hoffman, Lincoln, Olson

Nays: Cowdery, Green, Ogan, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Absent: Bunde

and so, the second amendment to Amendment No. 2 was not adopted.

Senator Ellis called the Senate. The call was satisfied.

Amendment No. 2 was before the Senate.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

CSSB 227(STA) am  
Second Reading  
Amendment No. 2

**YEAS: 11 NAYS: 9 EXCUSED: 0 ABSENT: 0**

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

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

and so, Amendment No. 2 was adopted.

Senator Ben Stevens moved and asked unanimous consent that CS FOR SENATE BILL NO. 227(STA) am "An Act relating to municipal runoff elections and to municipal initiative and referendum elections" be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 227 (STA) am was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 227(STA) am "An Act relating to municipal runoff elections and to municipal initiative and referendum elections" pass the Senate?" The roll was taken with the following result:

CSSB 227(STA) am  
Third Reading - Final Passage

**YEAS: 11 NAYS: 9 EXCUSED: 0 ABSENT: 0**

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

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

and so, CS FOR SENATE BILL NO. 227(STA) am passed the Senate.

Senator Ellis gave notice of reconsideration.

**SB 273**

SENATE BILL NO. 273 "An Act relating to the Alaska Seafood Marketing Institute, the seafood marketing assessment, the seafood marketing tax, and the seafood product tax; and providing for an effective date" was read the second time.

Senator Wilken, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 2596. Senator Ellis objected.

The question being: "Shall the Finance Committee Substitute be adopted?" The roll was taken with the following result:

SB 273

Second Reading

Adopt Finance Committee Substitute?

**YEAS: 14 NAYS: 6 EXCUSED: 0 ABSENT: 0**

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

Nays: Davis, Ellis, Elton, French, Guess, Lincoln

and so, CS FOR SENATE BILL NO. 273(FIN) "An Act amending the size, membership, and powers of the board of directors of the Alaska Seafood Marketing Institute and making a corresponding change in the quorum requirement; authorizing the establishment of the seafood marketing assessment at a rate of 0.5 percent or 0.6 percent of the value of seafood products produced; providing for an election to retain, terminate, or increase the seafood marketing assessment; providing for the repeal of the salmon marketing tax and provisions related to the salmon marketing tax; and providing for an effective date" 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. Objections were heard.

President Therriault stated CS FOR SENATE BILL NO. 273(FIN) will be on the March 26 calendar.

**SB 277**

SENATE BILL NO. 277 "An Act relating to the Alaska Commission on Postsecondary Education; relating to the Alaska Student Loan Corporation; relating to bonds of the corporation; relating to loan and grant programs of the commission; relating to an exemption from the State Procurement Code regarding certain contracts of the commission or corporation; making conforming changes; and providing for an effective date" was read the second time.

Senator Wilken, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 2598. Senator Ellis objected, then withdrew his objection. There being no further objection, CS FOR SENATE BILL NO. 277(FIN) was adopted.



Senator Guess offered Amendment No. 1:

Page 4, line 3, following "280,000,000.":

Insert "Subject to appropriation, the proceeds of bonds to finance projects under (a)(3) of this section may be distributed as follows:

- (1) five percent to the department for public school major maintenance projects;
- (2) 10 percent to the University of Alaska for construction and major maintenance projects; and
- (3) 35 percent for public school construction projects."

Senator Guess moved for the adoption of Amendment No. 1. Senator Wilken objected.

President Therriault invoked Mason's Manual Rule 121(5).

Senator Ben Stevens rose to a point of order. President Therriault cautioned members to proceed in order.

Senator Elton called the Senate. The call was satisfied.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

CSSB 277(FIN)  
Second Reading  
Amendment No. 1

**YEAS: 8 NAYS: 12 EXCUSED: 0 ABSENT: 0**

Yeas: Davis, Ellis, Elton, French, Guess, Hoffman, Lincoln, Olson

Nays: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

and so, Amendment No. 1 was not adopted.

Senator Ben Stevens moved and asked unanimous consent that the bill be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 277(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 277(FIN) "An Act relating to the Alaska Commission on Postsecondary Education; relating to the Alaska Student Loan Corporation; relating to bonds of the corporation; relating to loan and grant programs of the commission; relating to an exemption from the State Procurement Code regarding certain contracts of the commission or corporation; making conforming changes; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 277(FIN)

Third Reading - Final Passage

Effective Dates

**YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0**

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

and so, CS FOR SENATE BILL NO. 277(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 clauses. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

### **Third Reading of Senate Bills**

#### **SB 344**

SENATE BILL NO. 344 was read the third time.

Senator Therriault declared a conflict of interest.

The question being: "Shall SENATE BILL NO. 344 "An Act relating to the Uniform Probate Code and trusts, including pleadings, orders, nonprobate assets, estates of decedents, minors, protected persons, incapacitated persons, guardians, conservators, trustees, foreign trusts, principal and income, and transfer restrictions; relating to corporate voting trusts; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SB 344

Third Reading - Final Passage

Effective Date

**YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0**

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

and so, SENATE BILL NO. 344 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 Ellis gave notice of reconsideration.

### **Citations**

Honoring – Linda Boisseau

Representative(s) Fate, Stepovich, Holm

Senator(s) Seekins, Therriault, Bunde, Cowdery, Davis, Dyson, Elton, Green, Guess, Hoffman, Lincoln, Olson, Stedman, Ben Stevens, 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**

#### **SB 91**

Senator Ellis moved and asked unanimous consent to be shown as a cosponsor on SPONSOR SUBSTITUTE FOR SENATE BILL NO. 91 "An Act relating to the base student allocation used in the formula for state funding of public education; and providing for an effective date." Without objection, it was so ordered.

**SB 286**

Senator Dyson moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 286 "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." Without objection, it was so ordered.

**SB 345**

Senator Dyson moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 345 "An Act relating to civil liability associated with aircraft runways, airfields, and landing areas." Without objection, it was so ordered.

Senator Hoffman moved and asked unanimous consent to be excused from a call of the Senate on March 26. Without objection, Senator Hoffman was excused.

Senator Guess moved and asked unanimous consent to be excused from a call of the Senate on March 26. Without objection, Senator Guess was excused.

Senator Lincoln moved and asked unanimous consent to be excused from a call of the Senate on March 29. Without objection, Senator Lincoln was excused.

Senator French moved and asked unanimous consent to be excused from the Senate, not subject to a call, from March 29 to morning plane time, March 30. Without objection, Senator French was excused.

Senator Olson moved and asked unanimous consent to be excused from a call of the Senate from plane time, March 26 to plane time, March 29. Without objection, Senator Olson was excused.

**Announcements**

Announcements are at the end of the journal.

**Engrossment****SB 277**

CS FOR SENATE BILL NO. 277(FIN) "An Act relating to the Alaska Commission on Postsecondary Education; relating to the Alaska Student Loan Corporation; relating to bonds of the corporation; relating to loan and grant programs of the commission; relating to an exemption from the State Procurement Code regarding certain contracts of the commission or corporation; making conforming changes; 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 10:00 a.m., March 26, 2004. Without objection, the Senate adjourned at 1:32 p.m.

Kirsten Waid  
Secretary of the Senate

March 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**

**Mar 24      Wednesday                      Fahrenkamp 203              2:00 PM**  
 -- Time Change --  
 + SB 267 SENIOR WIDOW(ER) PROPERTY TAX EXEMPTION  
 Bills Previously Heard/Scheduled

**Mar 26      Friday                                      Fahrenkamp 203              1:30 PM**  
 No Meeting Scheduled

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**FINANCE**

**Mar 24      Wednesday                      Senate Finance 532              9:00 AM**  
 += SB 328 NATIONAL FOREST INCOME PROGRAM/DCED REGS  
 + SB 286 DIRECT MARKETING FISHERIES BUSINESS  
 + SB 366 STATE SALES TAX  
 + Bills Previously Heard/Scheduled  
 += SJR 3 CONST AM: APPROPRIATION/SPENDING LIMIT

**Mar 25      Thursday                              Senate Finance 532              9:00 AM**  
 += SB 306 NATUROPATHIC MEDICINE  
 + SB 298 OFF-ROAD VEHICLE USE ON DALTON HIGHWAY  
 + Bills Previously Heard/Scheduled  
 += SB 35 APPROPRIATIONS: K-12, UNIVERSITY  
 <Teleconference - Listen Only>  
 += SB 366 STATE SALES TAX  
 <Teleconference - Listen Only>

**FINANCE (continued)**

**Mar 26 Friday Senate Finance 532 9:00 AM**  
 + SB 301 PIONEERS' HOMES/VETERANS' HOMES  
 + SB 256 APPROP: OPERATING BUDGET/LOANS/FUNDS  
 + SB 258 APPROP:MENTAL HEALTH BUDGET  
 + Bills Previously Heard/Scheduled

**HEALTH, EDUCATION & SOCIAL SERVICES**

**Mar 24 Wednesday Butrovich 205 1:30 PM**  
 += HB 25 HEALTH CARE SERVICES DIRECTIVES  
 Bills Previously Heard/Scheduled

**Mar 26 Friday Butrovich 205 1:30 PM**  
 + CONFIRMATION HEARINGS  
 Bills Previously Heard/Scheduled

**JUDICIARY**

**Mar 24 Wednesday Butrovich 205 8:00 AM**  
 + HB 414 U.S.SENATE VACANCY/DEF OF POLITICAL PARTY  
 + SB 338 CLAIMS AGAINST STATE EMPLOYEES  
 += SB 170 CRIMINAL LAW/SENTENCING/ PROBATION/PAROLE  
 + Bills Previously Heard/Scheduled

**Mar 26 Friday Butrovich 205 8:00 AM**  
 + SB 311 INSURANCE & WORKERS' COMPENSATION SYSTEM  
 + HB 230 POLITICAL SIGNS ON PRIVATE PROPERTY  
 + SB 308 DOMESTIC VIOLENCE PROTECTIVE ORDERS  
 += SB 345 LIABILITY FOR AIRPORTS AND AIRSTRIPS  
 + Bills Previously Heard/Scheduled

**LABOR & COMMERCE**

**Mar 25 Thursday Beltz 211 1:30 PM**  
 + SB 368 TOBACCO TAX; LICENSING; PENALTIES  
 + HB 285 ELECTRONIC TRANSACTIONS & SIGNATURES  
 + HB 15 SOLICITATIONS/CONSUMER PROTECTION  
 Bills Previously Heard/Scheduled  
 Including but Not Limited to:  
 += SB 337 ENERGY PROGRAMS & FUNDS

**RESOURCES**

**Mar 24**    **Wednesday**                            **Butrovich 205**            **3:30 PM**  
 + SB 329 NUISANCE MOOSE  
 + HB 344 MINING FEES/LABOR/ROYALTIES/ABANDONMENT  
 + Bills Previously Heard/Scheduled

**Mar 26**    **Friday**    **Butrovich 205**            **3:30 PM**  
 + Bills Previously Heard/Scheduled

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**STATE AFFAIRS**

**Mar 25**    **Thursday**                                        **Beltz 211**                **3:30 PM**  
 += SCR 12 BOROUGH INCORPORATION: UNORG AREAS  
 + HB 213 PROVISIONAL DRIVER'S LICENSE  
 + HB 337 ANATOMICAL GIFTS REGISTRY  
 + HB 350 CRIME VICTIMS' COMPENSATION FOR ARSON  
 Bills Previously Heard/Scheduled

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**TRANSPORTATION**

**Mar 25**    **Thursday**                                        **Butrovich 205**            **1:30 PM**  
 + HB 93 BOATING SAFETY,REGISTRATION, NUMBERING

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**FINANCE SUBCOMMITTEES****ADMINISTRATION**

**Mar 26**    **Friday**    **Fahrenkamp 203**            **8:00 AM**  
 FY 05 Budget Close-out

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**COMMUNITY AND ECONOMIC DEVELOPMENT**

**Mar 25**    **Thursday**                                        **Senate Finance 532**            **1:30 PM**  
 -- Time Change --  
 Close-out

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**FINANCE SUBCOMMITTEES (continued)****CORRECTIONS**

**Mar 24**      **Wednesday**                      **Senate Finance 532**                      **5:00 PM**  
 FY 05 Budget Close-out

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**COURT SYSTEM**

**Mar 25**      **Thursday**                              **Senate Finance 532**                      **1:00 PM**  
 FY 05 Budget Request

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**EDUCATION & EARLY DEVELOPMENT**

**Mar 25**      **Thursday**                              **Senate Finance 532**                      **5:00 PM**  
 FY 05 Operating Budget Close-out

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**FISH & GAME**

**Mar 25**      **Thursday**                              **Fahrenkamp 203**                              **4:00 PM**  
 Fish & Game Budget Subcommittee

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**GOVERNOR**

**Mar 25**      **Thursday**                              **Senate Finance 532**                      **8:15 AM**  
 FY 05 Budget Request

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**NATURAL RESOURCES**

**Mar 24**      **Wednesday**                              **Fahrenkamp 203**                              **8:00 AM**  
 FY 05 Budget Close-out

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**JOINT COMMITTEES (continued)****SALMON INDUSTRY TASK FORCE**

<b>Mar 28</b>	<b>Sunday</b>	<b>House Finance 519</b>	<b>11:00 AM</b>
	Final Task Force Discussion, Work-group Recommendations		

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**OTHER MEETINGS****ENERGY POLICY TASK FORCE**

<b>Mar 30</b>	<b>Tuesday</b>	<b>Anchorage</b>	<b>1:00 PM</b>
	AIDEA/AEA Board Room 813 W. Northern Lights Blvd., Third Floor 1:00 PM - 5:00 PM		

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**FISH CAUCUS**

<b>Mar 24</b>	<b>Wednesday</b>	<b>Butrovich 205</b>	<b>12:00 PM</b>
	Offshore Fish Farming in Federal Waters		

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**JOINT SESSION**

<b>Apr 02</b>	<b>Friday</b>	<b>House Chamber</b>	<b>11:00 AM</b>
	Address by US Senator Lisa Murkowski		