

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Tuesday

May 1, 2001

#### One Hundred Fourteenth Day

Pursuant to adjournment the House was called to order by Speaker Porter at 10:21 a.m.

Roll call showed 34 members present. Representative Masek was excused from a call of the House today due to illness. Representatives Kott, Mulder, Murkowski, Scalzi, and Wilson were absent and their presence was noted later.

The invocation was offered by Pastor Gary Waterhouse of the Juneau and Sitka Seventh-day Adventist Churches. Representative Croft moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

Almighty God, this May day brings to us a day filled with opportunities and possibilities. We trust You to lead us and use us as capable instruments of Your everlasting will. And at the end of this day may we be able to look back and say, we showed compassion to the less fortunate, we were sympathetic to those who suffer, and we loved our neighbor as ourselves.

As You have blessed our leadership, may You bless also our great land. In Your name we pray, Amen.

The Pledge of Allegiance was led by Representative Kerttula.

**CERTIFICATION OF THE JOURNAL**

Representative James moved and asked unanimous consent that the journal for the 113th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

\* \* \* \* \*

Representative Dyson introduced Elena Ruddy, Guest Page, from Juneau.

**MESSAGES FROM THE SENATE****HJR 28**

A message dated April 30, 2001, was read stating the Senate has passed:

## HOUSE JOINT RESOLUTION NO. 28

Supporting the application of Alaska Airlines to provide air service to Ronald Reagan Washington National Airport.

HJR 28 was referred to the Chief Clerk for enrollment.

**HB 186**

A message dated April 30, 2001, was read stating the Senate has passed:

## CS FOR HOUSE BILL NO. 186(L&amp;C)

"An Act relating to a municipal enhanced 911 surcharge on wireless telephones."

CSHB 186(L&C) was referred to the Chief Clerk for enrollment.

A message dated April 30, 2001, was read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE RESOLUTIONS****SJR 27**

SENATE JOINT RESOLUTION NO. 27 by Senators Elton and Halford:

Relating to an Alaska National Guard Armory in Juneau.

was read the first time and referred to the House Special Committee on Military & Veterans' Affairs.

**SJR 30**

SENATE JOINT RESOLUTION NO. 30 by the Senate Transportation Committee:

Urging the United States Forest Service to acknowledge all of the rights of the state to rights-of-way to state highways that pass through federal land.

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

**FIRST READING AND REFERENCE  
OF SENATE BILLS****SB 193**

CS FOR SENATE BILL NO. 193(FIN) by the Senate Finance Committee, entitled:

"An Act making a special appropriation to the Alaska Legislative Council for a study of the economic and social effects of the permanent fund dividend on the state; and providing for an effective date."

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

**SB 198**

CS FOR SENATE BILL NO. 198(HES) by the Senate Health, Education & Social Services Committee, entitled:

"An Act establishing the Statewide Suicide Prevention Council; and providing for an effective date."

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

\*\*The presence of Representative Murkowski was noted.

**REPORTS OF STANDING COMMITTEES****HCR 10**

The Finance Committee has considered:

**HOUSE CONCURRENT RESOLUTION NO. 10**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 19, relating to certain federal child support enforcement requirements, so that the phrase "relating to child support payments" may be added to the bill's title.

The report was signed by Representatives Mulder and Williams, Co-chairs, with the following individual recommendations:

Do pass (8): Whitaker, Harris, Croft, Davies, Lancaster, Hudson, Mulder, Williams

HCR 10 was referred to the Rules Committee for placement on the calendar.

**HB 198**

The Rules Committee has considered:

**HOUSE BILL NO. 198**

"An Act relating to a post-retirement pension adjustment and cost-of-living allowance for persons receiving benefits under the Elected Public Officers Retirement System; and increasing the compensation of the governor."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 198(RLS)

"An Act relating to a post-retirement pension adjustment for certain persons receiving benefits under the Elected Public Officers Retirement System, and establishing and relating to a Compensation Commission for State Officials."

The report was signed by Representative Kott, Chair, with the following individual recommendations:

Do pass (5): McGuire, Joule, Morgan, Porter, Kott

No recommendation (2): Kohring, Berkowitz

The following fiscal note(s) apply to CSHB 198(RLS):

1. Fiscal, Dept. of Administration
2. Zero, Office of the Governor
3. Indeterminate, House Rules Committee/Dept. of Administration

HB 198 is on today's calendar.

**SB 19**

The Finance Committee has considered:

CS FOR SENATE BILL NO. 19(HES)

"An Act relating to federal child support enforcement requirements regarding social security number information, employer reports about employees, and certain kinds of automated data matching with financial institutions; repealing the termination date of changes made by ch. 87, SLA 1997, and ch. 132, SLA 1998, regarding child support enforcement and related programs; repealing the nonseverability provision of ch. 132, SLA 1998; repealing uncodified laws relating to ch. 87, SLA 1997, and ch. 132, SLA 1998; and providing for an effective date."

and recommends it be replaced with:

## HOUSE CS FOR CS FOR SENATE BILL NO. 19(HES)

"An Act relating to federal child support enforcement requirements regarding social security number information, employer reports about employees, and certain kinds of automated data matching with financial institutions; relating to child support payments; repealing the termination date of changes made by ch. 87, SLA 1997, and ch. 132, SLA 1998, regarding child support enforcement and related programs; repealing the nonseverability provision of ch. 132, SLA 1998; repealing uncodified laws relating to ch. 87, SLA 1997, and ch. 132, SLA 1998; and providing for an effective date."

(HCR 10 - title change resolution)

The report was signed by Representatives Mulder and Williams, Co-chairs, with the following individual recommendations:

Do pass (8): Whitaker, Harris, Croft, Davies, Lancaster, Hudson, Mulder, Williams

The following fiscal note(s) apply to HCS CSSB 19(HES):

2. Zero, Dept. of Revenue

CSSB 19(HES) was referred to the Rules Committee for placement on the calendar.

**SB 88**

The Community & Regional Affairs has considered:

## SENATE BILL NO. 88

"An Act relating to metropolitan planning organizations and to establishment of a metropolitan planning organization for the Anchorage metropolitan area; and providing for an effective date."

The report was signed by Representatives Meyer and Morgan, Co-chairs, with the following individual recommendations:

No recommendation (6): Guess, Scalzi, Halcro, Murkowski, Meyer, Morgan

The following fiscal note(s) apply:

1. Zero, Dept. of Transportation & Public Facilities

SB 88 was referred to the Rules Committee for placement on the calendar.

**SB 135**

The Rules Committee has considered:

CS FOR SENATE BILL NO. 135(JUD)

"An Act relating to mental health records, communications, and information; and providing for an effective date."

The report was signed by Representative Kott, Chair, with the following individual recommendations:

Do pass (4): Joule, Morgan, Porter, Kott

No recommendation (2): McGuire, Berkowitz

The following fiscal note(s) apply:

1. Zero, Dept. of Health & Social Services

CSSB 135(JUD) is on today's calendar.

**SB 143**

The Finance Committee has considered:

SENATE BILL NO. 143

"An Act authorizing 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 for activities relating to the processing of an application under that Act; and providing for an effective date."

The report was signed by Representatives Mulder and Williams, Co-chairs, with the following individual recommendations:

Do pass (8): Whitaker, Bunde, Harris, Croft, Lancaster, Hudson, Mulder, Williams

No recommendation (1): Davies

The following fiscal note(s) apply:

2. Indeterminate, Dept. of Natural Resources

SB 143 was referred to the Rules Committee for placement on the calendar.

### INTRODUCTION OF CITATIONS

The following citations were introduced and referred to the Rules Committee for placement on the calendar:

Honoring - Midnight Sun Learning Center  
By Representative Kohring

Honoring - Principal Dave Combs Upon His Retirement  
By Representative Mulder

Honoring - Mike Dingman  
By Representative Meyer

Honoring - Carl Rose, Executive Director, Association of Alaska School Boards  
By Senator Davis

Commemorating - Juneteenth 2001  
By Senator Davis

In Memoriam - George Ahgupuk  
By Representatives Croft, Joule



In Memoriam - Jeff Childs  
By Representative Mulder

In Memoriam - Jay Dee Williams  
By Senator Halford

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF HOUSE RESOLUTIONS**

**HR 6**

HOUSE RESOLUTION NO. 6 by Representative Chenault:

Supporting the Cook Inlet Aquaculture Association's plan for enhancement and rehabilitation of Cook Inlet fisheries.

was read the first time and referred to the House Special Committee on Fisheries.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF HOUSE BILLS**

**HB 264**

HOUSE BILL NO. 264 by Representative Chenault, entitled:

"An Act relating to commercial fisheries test fishing operations of the Department of Fish and Game."

was read the first time and referred to the House Special Committee on Fisheries and the Resources and Finance Committees.

**HB 265**

HOUSE BILL NO. 265 by Representative Lancaster, entitled:

"An Act relating to issuance of one motor vehicle registration plate."

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

\*\*The presence of Representative Mulder was noted.

### **CONSIDERATION OF THE DAILY CALENDAR**

#### **SECOND READING OF HOUSE BILLS**

#### **HB 40**

The following was read the second time:

##### HOUSE BILL NO. 40

"An Act providing for the revocation of driving privileges by a court for a driver convicted of a violation of traffic laws in connection with a fatal motor vehicle or commercial motor vehicle accident; amending Rules 43 and 43.1, Alaska Rules of Administration; and providing for an effective date."

with the:

Journal Page

JUD RPT CS(JUD) 1DP 4NR	822
FN1: (ADM); FN2: ZERO(ADM)	823
FN3: ZERO(LAW)	823
FIN RPT CS(FIN) 11DP	1109
FN1: (ADM); FN2: ZERO(ADM)	1109
FN3: ZERO(LAW)	1109

\*\*The presence of Representative Scalzi was noted.

Representative James moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 40(FIN)  
(same title)

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 40(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 40(FIN) was read the third time.

\*\*The presence of Representatives Wilson and Kott was noted.

The question being: "Shall CSHB 40(FIN) pass the House?" The roll was taken with the following result:

CSHB 40(FIN)

Third Reading

Final Passage

**YEAS: 34 NAYS: 0 EXCUSED: 1 ABSENT: 5**

Yeas: Berkowitz, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kohring, Kookesh, Kott, Lancaster, McGuire, Meyer, Morgan, Moses, Murkowski, Ogan, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Masek

Absent: Bunde, Chenault, Kapsner, Kerttula, Mulder

And so, CSHB 40(FIN) passed the House.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the court rule change. There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSHB 40(FIN) was referred to the Chief Clerk for engrossment.

### **HB 184**

The following was read the second time:

## HOUSE BILL NO. 184

"An Act relating to the business of insurance, including changes to the insurance code to implement federal financial services reforms for the business of insurance and to authorize the director of insurance to review criminal backgrounds for individuals applying to engage in the business of insurance; amending Rule 402, Alaska Rules of Evidence; and providing for an effective date."

with the:	Journal Page
L&C RPT FORTHCOMING CS(L&C) 2DP 4NR 1AM	1232
FN1: ZERO(CED)	1233
RECEIVED CS(L&C) NT	1286
JUD RPT CS(JUD) NT 2DP 3NR 1AM	1355
FN1: ZERO(CED)	1356

Representative James moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

## CS FOR HOUSE BILL NO. 184(JUD)

"An Act relating to insurance; amending Rule 402, Alaska Rules of Evidence; and providing for an effective date."

There being no objection, it was so ordered.

Amendment No. 1 was not offered.

Amendment No. 2 was offered by Representative Croft:

Page 44, line 28, following "**information.**":

Insert "(a)"

Page 45, following line 4:

Insert a new subsection to read:

"(b) A financial institution, insurance company or any other person who violates this section is liable to a depositor or customer for damages caused by the disclosure of the confidential records or information of the financial institution pertaining to the depositor or customer."

Representative Croft moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Rokeberg objected.

Representative Berkowitz placed a call of the House and lifted the call.

\*\*Representative Ogan was excused from a call of the House today due to illness.

Representative Berkowitz placed a call of the House and lifted the call.

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

CSHB 184(JUD)  
Second Reading  
Amendment No. 2

**YEAS: 15 NAYS: 22 EXCUSED: 2 ABSENT: 1**

Yeas: Berkowitz, Bunde, Cissna, Crawford, Croft, Davies, Dyson, Fate, Joule, Kapsner, Kookesh, McGuire, Moses, Scalzi, Whitaker

Nays: Chenault, Coghill, Foster, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Kohring, Kott, Lancaster, Meyer, Morgan, Mulder, Murkowski, Porter, Rokeberg, Stevens, Williams, Wilson

Excused: Masek, Ogan

Absent: Kerttula

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representative Croft:

Page 45, lines 1 - 4, following "under the":  
Delete all material.

Insert "National Association of Insurance Commissioners, model regulations on privacy."

Representative Croft moved and asked unanimous consent that Amendment No. 3 be adopted.

Representative Rokeberg objected.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

CSHB 184(JUD)  
Second Reading  
Amendment No. 3

**YEAS: 17 NAYS: 20 EXCUSED: 2 ABSENT: 1**

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Fate, Green, Guess, Halcro, Hudson, Joule, Kapsner, Kerttula, Kookesh, McGuire, Moses, Murkowski

Nays: Bunde, Chenault, Coghill, Foster, Harris, Hayes, James, Kohring, Kott, Lancaster, Meyer, Morgan, Mulder, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Masek, Ogan

Absent: Dyson

And so, Amendment No. 3 was not adopted.

Amendment No. 4 was not offered.

Representative James moved and asked unanimous consent that CSHB 184(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 184(JUD) was read the third time.

Representative Hayes moved and asked unanimous consent that he be allowed to abstain from voting due to a conflict of interest. Objection was heard, and Representative Hayes was required to vote.

The question being: "Shall CSHB 184(JUD) pass the House?" The roll was taken with the following result:

CSHB 184(JUD)  
 Third Reading  
 Final Passage

**YEAS: 33 NAYS: 5 EXCUSED: 2 ABSENT: 0**

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Dyson, Fate, Foster, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kohring, Kookesh, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Nays: Crawford, Croft, Davies, Kerttula, Moses

Excused: Masek, Ogan

And so, CSHB 184(JUD) passed the House.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the court rule change. There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

Representative Davies gave notice of reconsideration of his vote on CSHB 184(JUD) and it was taken up later.

**HB 198**

The following was read the second time:

HOUSE BILL NO. 198

"An Act relating to a post-retirement pension adjustment and cost-of-living allowance for persons receiving benefits under the Elected Public Officers Retirement System; and increasing the compensation of the governor."

with the:

Journal Page

STA RPT CS(STA) NT 6DP 1AM

1233

FN1: (ADM)

1233

FN2: ZERO(GOV)	1233
FIN RPT CS(FIN) NT 4DP 1DNP 5NR	1304
FN1: (ADM); FN2: ZERO(GOV)	1305
RLS RPT CS(RLS) NT 5DP 2NR	1424
FN1: (ADM); FN2: ZERO(GOV)	1425
FN3: INDETERMINATE(H.RLS/ADM)	1425

Representative James moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 198(RLS)

"An Act relating to a post-retirement pension adjustment for certain persons receiving benefits under the Elected Public Officers Retirement System, and establishing and relating to a Compensation Commission for State Officials."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 198(RLS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

Representative Berkowitz objected.

The Speaker stated that CSHB 198(RLS) will advance to third reading on the May 2, 2001, calendar.

The Speaker stated the House would recess to a call of the Chair; and so, the House recessed at 11:33 a.m.

#### AFTER RECESS

The Speaker called the House back to order at 6:59 p.m.



**SECOND READING OF HOUSE BILLS**  
(continued)**HB 260**

The Speaker stated that, without objection, the following, which was on the April 30, 2001, calendar and not taken up (page 1415), would be moved to the bottom of the calendar:

## HOUSE BILL NO. 260

"An Act requiring the owners or operators of certain passenger vessels operating in the marine waters of the state to register the vessels; establishing information-gathering, record keeping, and reporting requirements relating to the vessels' graywater and sewage; prohibiting the discharge of untreated sewage from the vessels unless exempted; placing limits on discharges of treated sewage and graywater from the vessels unless exempted; establishing a commercial passenger vessel coastal protection fund; establishing a fee on commercial passenger vessels, that are not exempt from the fee, for each voyage during which the vessels operate in the marine waters of the state based on the overnight accommodation capacity of the vessels determined with reference to the number of lower berths; establishing penalties for failure to comply with certain laws relating to the vessels; authorizing the Department of Environmental Conservation to encourage and recognize superior environmental protection efforts related to commercial passenger vessels; authorizing exemptions from some laws relating to discharges from the vessels and from the fee requirements related to the vessels; requiring a report from the Department of Environmental Conservation concerning matters relating to the vessels; and providing for an effective date."

**SECOND READING OF SENATE BILLS****SB 9**

The following was read the second time:

## CS FOR SENATE BILL NO. 9(L&amp;C)

"An Act extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors;

relating to the temporary member of that board; and providing for an effective date."

with the:	Journal Page
FIN RPT 7DP 1NR	405
LETTER OF INTENT WITH FIN REPORT	406
FN2: (H.FIN/CED)	407

Representative James moved and asked unanimous consent that CSSB 9(L&C) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 9(L&C) was read the third time.

The question being: "Shall CSSB 9(L&C) pass the House?" The roll was taken with the following result:

CSSB 9(L&C)  
Third Reading  
Final Passage

**YEAS: 33 NAYS: 0 EXCUSED: 2 ABSENT: 5**

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Masek, Ogan

Absent: Kapsner, Kerttula, Kookesh, Moses, Mulder

And so, CSSB 9(L&C) passed the House.

Representative James moved and asked unanimous consent that the House Finance Committee letter of intent be adopted. There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSSB 9(L&C) was signed by the Speaker and Chief Clerk and returned to the Senate with a House letter of intent.

**SB 135**

The following was read the second time:

CS FOR SENATE BILL NO. 135(JUD)

"An Act relating to mental health records, communications, and information; and providing for an effective date."

with the:	Journal Page
RLS RPT 4DP 2NR	1427
FN1: ZERO(HSS)	1427

Representative James moved and asked unanimous consent that CSSB 135(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 135(JUD) was read the third time.

The question being: "Shall CSSB 135(JUD) pass the House?" The roll was taken with the following result:

CSSB 135(JUD)

Third Reading

Final Passage

**YEAS: 35 NAYS: 0 EXCUSED: 2 ABSENT: 3**

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Moses, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Masek, Ogan

Absent: Kerttula, Kookesh, Mulder

And so, CSSB 135(JUD) passed the House.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSSB 135(JUD) was signed by the Speaker and Chief Clerk and returned to the Senate.

### RECONSIDERATION

#### HB 184

Representative Davies moved and asked unanimous consent that reconsideration of the vote on CSHB 184(JUD) (page 1435) be taken up on the same day. There being no objection, it was so ordered.

The following was again before the House in third reading:

CS FOR HOUSE BILL NO. 184(JUD)

"An Act relating to insurance; amending Rule 402, Alaska Rules of Evidence; and providing for an effective date."

Representative Davies moved and asked unanimous consent that CSHB 184(JUD) be returned to second reading for the specific purpose of considering Amendment No. 5. There being no objection, it was so ordered.

Amendment No. 5 was offered by Representatives Davies, Murkowski, and Rokeberg:

Page 51, line 4:

Delete all material.

Page 52, line 4:

Delete all material.

Re-number the bill sections accordingly.

Representative Davies moved and asked unanimous consent that Amendment No. 5 be adopted.

Representative Coghill objected and withdrew the objection. There being no further objection, Amendment No. 5 was adopted.

The question to be reconsidered: "Shall CSHB 184(JUD) am pass the House?" The roll was taken with the following result:

CSHB 184(JUD) am--RECONSIDERATION

Third Reading

Final Passage

**YEAS: 35 NAYS: 0 EXCUSED: 2 ABSENT: 3**

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Moses, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Masek, Ogan

Absent: Kerttula, Kookesh, Mulder

And so, CSHB 184(JUD) am passed the House on reconsideration.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the court rule change. There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSHB 184(JUD) am was referred to the Chief Clerk for engrossment.

## **SECOND READING OF SENATE BILLS**

(continued)

### **SB 187**

The following was read the second time:

CS FOR SENATE BILL NO. 187(FIN)

"An Act relating to absentee and special needs voting."

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with the:

Journal Page

STA RPT 3DP 2NR 1AM  
FN1: ZERO(GOV)

1308  
1308

Representative James moved and asked unanimous consent that CSSB 187(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 187(FIN) was read the third time.

The question being: "Shall CSSB 187(FIN) pass the House?" The roll was taken with the following result:

CSSB 187(FIN)  
Third Reading  
Final Passage

**YEAS: 36 NAYS: 0 EXCUSED: 2 ABSENT: 2**

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Masek, Ogan

Absent: Kerttula, Kookesh

And so, CSSB 187(FIN) passed the House.

Representative Berkowitz gave notice of reconsideration of his vote on CSSB 187(FIN).

**THIRD READING OF HOUSE BILLS**

**HB 157**

The following, which was advanced to third reading from the April 30, 2001, calendar (page 1412), was read the third time:

CS FOR HOUSE BILL NO. 157(JUD) am

"An Act relating to trust companies and providers of fiduciary services; amending Rules 6 and 12, Alaska Rules of Civil Procedure, Rule 40, Alaska Rules of Criminal Procedure, Rules 204, 403, 502, 602, and 611, Alaska Rules of Appellate Procedure, and Rules 7.2 and 7.3, Alaska Rules of Professional Conduct; and providing for an effective date."

The question being: "Shall CSHB 157(JUD) am pass the House?"  
The roll was taken with the following result:

CSHB 157(JUD) am

Third Reading

Final Passage

**YEAS: 36 NAYS: 0 EXCUSED: 2 ABSENT: 2**

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Masek, Ogan

Absent: Kerttula, Kookesh

And so, CSHB 157(JUD) am passed the House.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the court rule change. There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSHB 157(JUD) am was referred to the Chief Clerk for engrossment.

**SECOND READING OF HOUSE RESOLUTIONS****HJR 23**

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 23

Advocating the retention of the electoral college system in its present form.

with the:	Journal Page
STA RPT CS(STA) 6DP 1DNP	1189
FN1: ZERO(H.STA)	1189

Representative James moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original resolution:

CS FOR HOUSE JOINT RESOLUTION NO. 23(STA)  
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Berkowitz:

Page 2, line 4, following "advocates" through line 6:

Delete all material.

Insert "that the electoral college system be continued."

Representative Berkowitz moved and asked unanimous consent that Amendment No. 1 be adopted.

Representative Coghill objected.

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



CSHJR 23(STA)  
Second Reading  
Amendment No. 1

**YEAS: 10 NAYS: 26 EXCUSED: 2 ABSENT: 2**

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Hayes, Joule, Kapsner, Kerttula, Moses

Nays: Bunde, Chenault, Coghill, Dyson, Fate, Foster, Green, Guess, Halcro, Hudson, James, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Masek, Ogan

Absent: Harris, Kookesh

And so, Amendment No.1 was not adopted.

Amendment No. 2 was offered by Representative Davies:

Page 1, lines 11 - 12:  
Delete all material.

Representative Davies moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative James objected.

Representative Davies moved and asked unanimous consent to withdraw Amendment No. 2. There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHJR 23(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 23(STA) was read the third time.

The question being: "Shall CSHJR 23(STA) pass the House?" The roll was taken with the following result:

CSHJR 23(STA)  
Third Reading  
Final Passage

**YEAS: 30 NAYS: 6 EXCUSED: 2 ABSENT: 2**

Yeas: Berkowitz, Bunde, Chenault, Coghill, Crawford, Dyson, Fate, Foster, Green, Guess, Halcro, Hudson, James, Joule, Kapsner, Kott, Lancaster, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Nays: Cissna, Croft, Davies, Hayes, Kerttula, Kohring

Excused: Masek, Ogan

Absent: Harris, Kookesh

And so, CSHJR 23(STA) passed the House and was referred to the Chief Clerk for engrossment.

## **SECOND READING OF HOUSE BILLS**

(continued)

### **HB 260**

The Speaker stated that, without objection, the following which was moved to the bottom of the calendar (page 1437), would be moved to the bottom of the daily order of business:

#### **HOUSE BILL NO. 260**

"An Act requiring the owners or operators of certain passenger vessels operating in the marine waters of the state to register the vessels; establishing information-gathering, record keeping, and reporting requirements relating to the vessels' graywater and sewage; prohibiting the discharge of untreated sewage from the vessels unless exempted; placing limits on discharges of treated sewage and graywater from the vessels unless exempted; establishing a commercial passenger vessel coastal protection fund; establishing a fee on commercial passenger vessels, that are not exempt from the fee, for each voyage during which the vessels

operate in the marine waters of the state based on the overnight accommodation capacity of the vessels determined with reference to the number of lower berths; establishing penalties for failure to comply with certain laws relating to the vessels; authorizing the Department of Environmental Conservation to encourage and recognize superior environmental protection efforts related to commercial passenger vessels; authorizing exemptions from some laws relating to discharges from the vessels and from the fee requirements related to the vessels; requiring a report from the Department of Environmental Conservation concerning matters relating to the vessels; and providing for an effective date."

### LEGISLATIVE CITATIONS

Representative James moved and asked unanimous consent that the House approve the citations on the calendar. There being no objection, the following citations were approved and sent to enrolling:

Honoring - Sarah Maas, Special Olympian

By Representatives McGuire, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lancaster, Meyer, Morgan, Mulder, Murkowski, Ogan, Rokeberg, Scalzi, Stevens, Williams, Wilson

Honoring - Justin Roberts, Special Olympian

By Representatives Hudson, Kerttula, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Green, Guess, Halcro, Harris, Hayes, James, Joule, Kapsner, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Ogan, Rokeberg, Scalzi, Stevens, Williams, Wilson; Senator Elton

Honoring - Sara Muehlberg, Special Olympian

By Representatives Hudson, Kerttula, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Green, Guess, Halcro, Harris, Hayes, James, Joule, Kapsner, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Ogan, Rokeberg, Scalzi, Stevens, Williams, Wilson; Senator Elton

Honoring - Evvanne Menefee, Special Olympian

By Representatives Hudson, Kerttula, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Green, Guess, Halcro, Harris, Hayes, James, Joule, Kapsner, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Ogan, Rokeberg, Scalzi, Stevens, Williams, Wilson; Senator Elton

Honoring - Dimond Lynx Hockey, 4A State Champions

By Representatives Rokeberg, Porter, Berkowitz, Bunde, Chenault, Cissna, Crawford, Croft, Davies, Dyson, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Ogan, Stevens, Whitaker, Williams, Wilson; Senator Pearce

Honoring - Chugiak High School Science Olympiad Team, 2001 State Champions

By Senator Halford; Representatives Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Ogan, Rokeberg, Stevens, Whitaker, Williams, Wilson

Honoring - Gruening Middle School Science Olympiad Team, 2001 State Champions

By Senator Halford; Representatives Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Ogan, Rokeberg, Stevens, Whitaker, Williams, Wilson

#### **CONCUR IN SENATE AMENDMENTS**

##### **HB 127**

Representative James moved and asked unanimous consent that the House consider the Senate message (page 1352) on the following at this time:

CS FOR HOUSE BILL NO. 127(RLS)

"An Act relating to aviation and to emergency equipment to be carried on aircraft."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 127(TRA) am S  
(same title)

There being no objection, it was so ordered.

Representative Whitaker placed a call of the House.

The call was lifted.

The Speaker stated that, without objection, CSHB 127(RLS) would not be taken up.

CSHB 127(RLS) was returned to Unfinished Business.

**HB 72**

Representative James moved and asked unanimous consent that the House consider the Senate message (page 1295) on the following at this time:

HOUSE BILL NO. 72 am

"An Act relating to an assistant adjutant general for space and missile defense in the Department of Military and Veterans' Affairs."

and

SENATE CS FOR HOUSE BILL NO. 72(RLS)

"An Act relating to an assistant adjutant general for space and missile defense in the Department of Military and Veterans' Affairs; and providing for an effective date."

(technical title change)

There being no objection, it was so ordered.

Representative James moved that the House concur in the Senate amendment to HB 72 am, thus adopting SCS HB 72(RLS), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to HB 72 am?" The roll was taken with the following result:

SCS HB 72(RLS)

Concur

**YEAS: 35 NAYS: 2 EXCUSED: 2 ABSENT: 1**

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Davies, Dyson, Fate, Foster, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Nays: Croft, Kerttula

Excused: Masek, Ogan

Absent: Kookesh

And so, the House concurred in the Senate amendment, thus adopting SCS HB 72(RLS).

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

The Chief Clerk was instructed to so notify the Senate.

SCS HB 72(RLS) was referred to the Chief Clerk for enrollment.

The Speaker stated that, without objection, the House would stand at ease; and so, the House stood at ease at 8:00 p.m.

The Speaker called the House back to order at 8:40 p.m.

**CONSIDERATION OF THE DAILY CALENDAR**  
(continued)

**SECOND READING OF HOUSE BILLS**

**HB 260**

The following, which was on today's calendar and moved to the bottom of the daily order of business (page 1446), was read the second time:

## HOUSE BILL NO. 260

"An Act requiring the owners or operators of certain passenger vessels operating in the marine waters of the state to register the vessels; establishing information-gathering, record keeping, and reporting requirements relating to the vessels' graywater and sewage; prohibiting the discharge of untreated sewage from the vessels unless exempted; placing limits on discharges of treated sewage and graywater from the vessels unless exempted; establishing a commercial passenger vessel coastal protection fund; establishing a fee on commercial passenger vessels, that are not exempt from the fee, for each voyage during which the vessels operate in the marine waters of the state based on the overnight accommodation capacity of the vessels determined with reference to the number of lower berths; establishing penalties for failure to comply with certain laws relating to the vessels; authorizing the Department of Environmental Conservation to encourage and recognize superior environmental protection efforts related to commercial passenger vessels; authorizing exemptions from some laws relating to discharges from the vessels and from the fee requirements related to the vessels; requiring a report from the Department of Environmental Conservation concerning matters relating to the vessels; and providing for an effective date."

with the:

Journal Page

FIN RPT CS(FIN) NT 5DP 2NR  
FN1: (DEC)

1356  
1358

Representative James moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

## CS FOR HOUSE BILL NO. 260(FIN)

"An Act requiring the owners or operators of certain passenger vessels operating in the marine waters of the state to register the vessels; establishing information-gathering, record keeping, and reporting requirements relating to the vessels' graywater, hazardous substances, hazardous wastes, and sewage; prohibiting the discharge of untreated sewage from the vessels unless exempted; placing limits on discharges of treated sewage and graywater from the vessels unless exempted; providing that there is no audit report privilege for complying with a requirement that the owner or operator of a commercial passenger vessel must report discharges of sewage or graywater that violate laws; establishing a commercial passenger vessel coastal protection fund; establishing a fee on commercial passenger vessels, that are not exempt from the fee, for each voyage during which the vessels operate in the marine waters of the state based on the overnight accommodation capacity of the vessels determined with reference to the number of lower berths; establishing penalties for failure to comply with certain laws relating to the vessels; authorizing the Department of Environmental Conservation to encourage and recognize superior environmental protection efforts related to commercial passenger vessels; authorizing exemptions from some laws relating to discharges from the vessels and from the fee requirements related to the vessels; authorizing the Department of Environmental Conservation to adopt regulations to implement laws relating to commercial passenger vessels and directing the department to use negotiated regulation procedures, when appropriate, to develop the regulations; requiring a report from the Department of Environmental Conservation concerning matters relating to the vessels; and providing for an effective date."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Mulder and Kerttula:

Page 1, line 1, through page 2, line 10:

Delete all material and insert:



**""An Act requiring the owners or operators of certain commercial passenger vessels operating in the marine waters of the state to register with the Department of Environmental Conservation; establishing information-gathering, record keeping, and reporting requirements relating to the vessels' graywater, sewage, hazardous substances, hazardous wastes, solid wastes, and other pollutants; establishing certain sampling, testing, reporting, and record-keeping requirements as terms and conditions of permitting discharges from the vessels; authorizing the Department of Environmental Conservation to provide for independent verification of compliance by the vessels, and to monitor and supervise discharges from the vessels; prohibiting the discharge of untreated sewage from the vessels; placing limits on discharges of treated sewage and graywater from the vessels; providing that there is no audit report privilege for complying with a requirement that the owner or operator of a commercial passenger vessel must report discharges of sewage or graywater that violate laws; establishing a fee, ranging from \$.70 - \$1.75 per berth, with a maximum of \$3,750 per voyage, on commercial passenger vessels that are not operated by the state for each voyage during which the vessels operate in the marine waters of the state based on the overnight accommodation capacity of the vessels determined with reference to the number of lower berths; providing for a fee for vessels operated by the state to be determined by an agreement between the commissioner of environmental conservation and the commissioner of transportation and public facilities; authorizing the Department of Environmental Conservation to research, monitor, and study discharges and releases from commercial passenger vessels, including the opacity of air emissions from the vessels; establishing penalties for failure to comply with certain laws relating to the vessels; authorizing the Department of Environmental Conservation to encourage and recognize superior environmental protection efforts related to commercial passenger vessels; authorizing the Department of Environmental Conservation to adopt regulations to implement laws relating to commercial passenger vessels and directing the department to use negotiated regulation procedures, when appropriate, to develop the regulations; establishing a commercial passenger vessel coastal protection fund; requiring a report from the Department of**

**Environmental Conservation concerning matters relating to the vessels; and providing for an effective date."**

Page 2, line 12, through page 17, line 6:

Delete all material and insert:

**\*\* Section 1.** The uncodified law of the State of Alaska is amended by adding a new section to read:

FINDINGS. The legislature finds that

(1) federal and international laws pertaining to regulation of commercial passenger vessels have been deficient and inadequately enforced in the past;

(2) although federal law regulating commercial passenger vessels was recently enhanced, it still does not require reporting to the state or provide for direct enforcement by the state;

(3) although the state should work collaboratively with the federal government and industry, it should not be dependent on the federal government for information regarding commercial passenger vessels operating in waters of this state or for enforcement for environmental violations by commercial passenger vessels;

(4) in order to properly manage its resources and provide for sustainable use of the resources, the state must know the quantity, composition, location, and frequency of discharges of graywater and sewage from commercial passenger vessels into the state's water;

(5) it is necessary to monitor the discharges of graywater and sewage from commercial passenger vessels traveling in state waters, and commercial passenger vessels should bear the requisite costs of the monitoring.

\* **Sec. 2.** AS 46.03 is amended by adding new sections to read:

**Article 6A. Alaska Commercial Passenger Vessel Coastal Protection Program.**

**Sec. 46.03.460. Program established.** (a) To protect the coastal areas of this state, there is established the Alaska commercial passenger vessel coastal protection program providing for

- (1) terms and conditions of permitting discharges;
- (2) independent verification of compliance; and
- (3) allowing the department to monitor and supervise discharges from commercial passenger vessels through a registration system.

(b) The department may adopt regulations to carry out the purposes of AS 46.03.460 - 46.03.490. The department shall use negotiated regulation making under AS 44.62.710 - 44.62.800, when appropriate, to develop those regulations.

**Sec. 46.03.461. Registration requirements.** (a) Except as provided in AS 46.03.487, each calendar year in which the owner or operator of a commercial passenger vessel intends to operate, or cause or allow to be operated, the vessel in the marine waters of the state, the owner or operator of the vessel shall register with the department. The registration shall be completed before the time any commercial passenger vessel of the owner or operator enters the marine waters of the state in that calendar year. The registration must include the following information:

(1) the vessel owner's business name and, if different, the vessel operator's business name for each commercial passenger vessel of the owner or operator that is scheduled to be in the marine waters of the state during the calendar year;

(2) the postal address, electronic mail address, telephone number, and facsimile number for the principal place of each business identified under (1) of this subsection;

(3) the name and address of an agent for service of process for each business identified under (1) of this subsection; the owner and operator shall continuously maintain a designated agent for service of process whenever a commercial passenger vessel of the owner or operator is in the marine waters of the state, and the agent must be an individual resident of this state, a domestic corporation, or a foreign corporation having a place of business in and authorized to do business in this state;

(4) the name or call sign of and Port of Registry for each of the owner's or operator's vessels that is scheduled either to call upon a port in this state or otherwise to be in the marine waters of the state during the calendar year and after the date of registration; and

(5) an agreement to comply with the terms and conditions of permitting discharges specified under AS 46.03.462.

(b) Registration under (a) of this section shall be executed under oath by the owner or operator.

(c) Upon request of the department, the registrant shall submit registration information required under this section electronically.

**Sec. 46.03.462. Terms and Conditions of Permitting Discharges.** (a) An owner or operator required to register under AS 46.03.461 shall comply with either the standard terms and conditions of permitting discharges specified in (b) of this section or the alternative terms and conditions of permitting discharges specified in (c) of this section.

(b) The standard terms and conditions of permitting discharges are that the owner or operator

(1) may not discharge untreated sewage, treated sewage, or graywater except as permitted under AS 46.03.463;

(2) shall maintain records and provide the reports required under AS 46.03.465(a);

(3) shall collect and test samples as required under AS 46.03.465(b) and (d) and provide the reports with respect to those samples required by AS 46.03.475(c);

(4) shall report discharges in accordance with AS 46.03.475(a);

(5) shall allow the department access to the vessel at the time samples are taken under AS 46.03.465 for purposes of taking the samples or for purposes of verifying the integrity of the sampling process; and

(6) shall submit records, notices, and reports to the department in accordance with AS 46.03.475(b), (d), and (e).

(c) The department may establish alternative terms and conditions of permitting discharges applicable to an owner or operator of a vessel who cannot practicably comply with the standard terms and conditions of permitting discharges under (b) of this section, or who wishes to use or test alternative environmental protection equipment or procedures. Except as specified in alternative terms and conditions set by the department under this subsection, the alternative terms and conditions of permitting discharges must require compliance with the standard terms and conditions of permitting discharges under (b) of this section. The department, on a case-by-case basis, may set alternative terms and conditions of permitting discharges if

(1) the vessel owner or operator demonstrates to the department's reasonable satisfaction that equivalent environmental protection can be attained through other terms or conditions appropriate for the specific configuration or operation of the vessel;

(2) the vessel owner or operator agrees to make necessary changes to the vessel to allow it to comply with the standard terms and conditions of permitting discharges under (b) of this section but demonstrates to the department's reasonable satisfaction that additional time is needed to make the necessary changes; or

(3) an experimental technology or method for pollution control of a discharge is being used or is proposed as one of the alternative terms and conditions of permitting discharges and the department determines that the experimental technology or method has a reasonable likelihood of success in providing increased protection for the environment.

(d) Alternative terms and conditions of permitting discharges approved by the department under (c) of this section may, if determined appropriate by the department, include a waiver by the department of portions of the requirements of AS 46.03.463 and 46.03.465, for the time period that the department determines to be appropriate.

**Sec. 46.03.463. Prohibited discharges; limitations on discharges.** (a) Except as provided in (g) of this section, a person may not discharge untreated sewage from a commercial passenger vessel into the marine waters of the state.

(b) Except as provided in (g) of this section or under AS 46.03.462(c) - (d), a person may not discharge treated sewage from a commercial passenger vessel into the marine waters of the state that has a fecal coliform bacterial count greater than 200 colonies per 100 milliliters or suspended solids greater than 150 milligrams per liter.

(c) Except as provided in (g) of this section or under AS 46.03.462(c) - (d), a person may not discharge graywater from a commercial passenger vessel into the marine waters of the state that has a fecal coliform bacterial count greater than 200 colonies per 100 milliliters or suspended solids greater than 150 milligrams per liter. Upon submission by a vessel owner or operator of a plan for interim protective measures, the department shall extend the time for compliance with this subsection for a period of time that ends not later than January 1, 2003.

(d) The department may by regulation establish numeric or narrative standards for other parameters for treated sewage and graywater. In developing regulations under this subsection, the

department shall consider the best available scientific information on the environmental effects of the regulated discharges, vessel movement effects, and the availability of new technologies for wastewater.

(e) Except as provided in (f) and (g) of this section or under AS 46.03.462(c) - (d), a person may not discharge any treated sewage or graywater from a commercial passenger vessel into the marine waters of the state unless

(1) the vessel is underway and proceeding at a speed of not less than six knots;

(2) the vessel is at least one nautical mile from the nearest shore, except in areas designated by the department;

(3) the discharge complies with all applicable vessel effluent standards established under the federal cruise ship legislation and any other applicable law; the standards under the federal cruise ship legislation and other applicable law may be adopted by regulation by the department; and

(4) the vessel is not in an area where the discharge of treated sewage or graywater is prohibited.

(f) The provisions of (e)(1) and (e)(2) of this section do not apply to a discharge permitted under sec. 1404(b) or (c) of the federal cruise ship legislation.

(g) The provisions of (a) - (e) of this section do not apply to discharges made for the purpose of securing the safety of the commercial passenger vessel or saving life at sea if all reasonable precautions have been taken for the purpose of preventing or minimizing the discharge.

**Sec. 46.03.465. Information-gathering requirements.**

(a) Except as provided under AS 46.03.462(c) - (d), the owner or operator of a commercial passenger vessel shall maintain records and, upon request of the department, provide to the department a report, with copies of the records related to the period of operation in the marine waters of the state, detailing the dates, times, and locations, and the volumes or flow-rates of any discharge of sewage or graywater into the marine waters of the state.

(b) Except as provided under AS 46.03.462(c) - (d), while a commercial passenger vessel is present in the marine waters of the state, the owner or operator of the vessel shall collect routine samples of the vessel's treated sewage and graywater that is being discharged into the marine waters of the state

(1) with a sampling technique approved by the department before the sample is collected; the number of routine samples for each vessel to be collected under this subsection shall be the greater of two per calendar year or the number of samples required to be collected under federal statutes and regulations for treated sewage or graywater discharge;

(2) no less frequently than samples are required to be collected under federal statutes and regulations for treated sewage or graywater discharges.

(c) Except as provided under AS 46.03.462(c) - (d), while a commercial passenger vessel is present in the marine waters of the state, the department, or an independent contractor retained by the department, may collect additional samples of the vessel's treated sewage and graywater that is being discharged into the marine waters of the state.

(d) Except as provided under AS 46.03.462(c) - (d), the owner or operator of a vessel required to collect samples under (b) of this section shall have the samples tested to measure fecal coliform, ammonia, residual chlorine, pH (degree of acidity or alkalinity), chemical oxygen demand (COD), biochemical oxygen demand (BOD), total suspended solids, and other pollutants as required by the department in the samples with an analytical testing method that was approved by the department before the testing is conducted. A laboratory used for testing under this subsection shall agree not to disclose the testing results to any person other than to the department, the United States Coast Guard, or the owner or operator of the vessel.

(e) The owner or operator of a commercial passenger vessel shall pay for all routine sampling under (b) of this section and the testing of routine samples. The department shall pay for all additional sampling under (c) of this section and the testing of the additional samples.

(f) If the owner or operator of a commercial passenger vessel has, when complying with another state or federal law that requires substantially equivalent information gathering, gathered the type of information required under (b) or (d) of this section, the owner or operator shall be considered to be in compliance with that subsection so long as the information is also provided to the department.

**Sec. 46.03.470. Record keeping requirements.** An owner or operator subject to AS 46.03.465 shall record the information required to be gathered under that section and shall maintain the records for three years after the date the information was gathered.

**Sec. 46.03.475. Reporting requirements.** (a) An owner or operator of a commercial passenger vessel who becomes aware of a discharge in violation of AS 46.03.463 shall immediately report that discharge to the department. There is no audit report privilege under AS 09.25.450 for this information.

(b) If the owner or operator of a commercial passenger vessel operating in the marine waters of the state is required by the Administrator of the Environmental Protection Agency or the secretary of the federal department in which the United States Coast Guard is operating to collect samples and test sewage or graywater and keep records of the sampling and testing, the owner or operator shall, within 21 days after the sewage or graywater is tested, submit to the department a copy of the records.

(c) Within 21 days after the testing required under AS 46.03.465(d), the owner or operator shall submit a written report to the department that contains the measurements required under AS 46.03.465(d) and describes the sampling technique and analytical testing methods used. The information in the report required under this subsection may be provided by referring to, and including copies of, other reports that are required by substantially equivalent state or federal reporting requirements.

(d) If the owner or operator of a commercial passenger vessel operating in the marine waters of the state is required by the laws of the United States or by the laws of Canada or of a province or territory of Canada to file a report or provide notice of a discharge or offloading of a hazardous waste, as defined in AS 46.03.900, or of a hazardous substance, as defined in AS 46.03.826, that was generated, discharged, or offloaded while the vessel was operating in the marine waters of the state, the owner or operator shall submit to the department a copy of the report or notice within 21 days after having provided the report or notice to an agency of the government of the United States or to an agency of the government of Canada or of a province or territory of Canada.

(e) Before the operation of a commercial passenger vessel in the marine waters of the state, the owner or operator of the vessel



shall provide to the department a plan that describes the vessel's policies and procedures for

(1) offloading in this state of nonhazardous solid waste; and

(2) disposal or offloading of hazardous waste or a hazardous substance from the vessel while it is operating in the marine waters of the state to the extent that the disposal or offloading is not covered by (d) of this section.

(f) Upon request of the department, the information required under this section shall be submitted electronically.

(g) This section does not relieve the owner or operator of a commercial passenger vessel from other applicable reporting requirements of state or federal law.

**Sec. 46.03.480. Fees.** (a) There is imposed a coastal protection fee on each commercial passenger vessel operating in the marine waters of the state.

(b) The fee imposed by (a) of this section for all commercial passenger vessels, other than vessels operated by the state, is a separate fee for each voyage during which the commercial passenger vessel operates in the marine waters of the state. The fee shall range from \$.70 to \$1.75 per berth, based on the overnight accommodation capacity of the vessel, determined with reference to the number of lower berths, according to the following categories:

(1) \$75 for a commercial passenger vessel with overnight accommodations for at least 50 but not more than 99 passengers for hire;

(2) \$175 for a commercial passenger vessel with overnight accommodations for at least 100 but not more than 249 passengers for hire;

(3) \$375 for a commercial passenger vessel with overnight accommodations for at least 250 but not more than 499 passengers for hire;

(4) \$750 for a commercial passenger vessel with overnight accommodations for at least 500 but not more than 999 passengers for hire;

(5) \$1,250 for a commercial passenger vessel with overnight accommodations for at least 1,000 but not more than 1,499 passengers for hire;

(6) \$1,750 for a commercial passenger vessel with overnight accommodations for at least 1,500 but not more than 1,999 passengers for hire;

(7) \$2,250 for a commercial passenger vessel with overnight accommodations for at least 2,000 but not more than 2,499 passengers for hire;

(8) \$2,750 for a commercial passenger vessel with overnight accommodations for at least 2,500 but not more than 2,999 passengers for hire;

(9) \$3,250 for a commercial passenger vessel with overnight accommodations for at least 3,000 but not more than 3,499 passengers for hire;

(10) \$3,750 for each commercial passenger vessel with overnight accommodations for 3,500 or more passengers for hire.

(c) The fee imposed by (a) of this section for a commercial passenger vessel that is operated by this state shall be determined by agreement between the commissioner of environmental conservation and the commissioner of transportation and public facilities.

(d) A commercial passenger vessel operating in the marine waters of the state is liable for the fee imposed by this section. The fee is due and payable to the department in the manner and at the times required by the department by regulation.

**Sec. 46.03.482. Alaska commercial passenger vessel coastal protection fund.** (a) The Alaska commercial passenger vessel coastal protection fund is created in the general fund.

(b) The fund consists of the following, all of which shall be deposited in the fund upon receipt:

(1) money received by the department in payment of fees under AS 46.03.480;

(2) money received under AS 46.03.760(e) as a result of a violation related to AS 46.03.460 - 46.03.490 unless the money would otherwise be deposited in the oil and hazardous substance release prevention and response fund established by AS 46.08.010;

(3) money appropriated to the fund by the legislature;

(4) earnings on the fund.

(c) The legislature may make appropriations from the fund to the department to pay for the department's operational and administrative costs necessary to prepare a report that assesses the

information received by the department for the cruise ship seasons of 2001, 2002, and 2003 and the information received by the department for the cruise ship season of 2000 and for the department's operational and administrative costs necessary to carry out activities under AS 46.03.460 - 46.03.490 relating to commercial passenger vessels.

(d) The unexpended and unobligated balance of an appropriation made from the fund to the department for the purposes described in (c) of this section does not lapse at the end of the fiscal year for which the appropriation was made and remains available for expenditure in successive fiscal years.

(e) Nothing in this section creates a dedicated fund.

**Sec. 46.03.485. Recognition program.** The department may engage in efforts to encourage and recognize superior environmental protection efforts made by the owners or operators of commercial passenger vessels that exceed the requirements established by law.

**Sec. 46.03.487. Exemption for vessels in innocent passage.** AS 46.03.460 - 46.03.490 do not apply to a commercial passenger vessel that operates in the marine waters of the state solely in innocent passage. For purposes of this section, a vessel is engaged in innocent passage if its operation in marine waters of the state, regardless of whether the vessel is a United States or foreign-flag vessel, would constitute innocent passage under the

(1) Convention on the Territorial Sea and the Contiguous Zone, April 29, 1958, 15 U.S.T. 1606; or

(2) United Nations Convention on the Law of the Sea 1982, December 10, 1982, United Nations Publication No. E.83.V.5., 21 I.L.M. 1261 (1982), were the vessel a foreign-flag vessel.

**Sec. 46.03.488. Activities of the department.** The department may engage in the following activities relating to commercial passenger vessels operating in the marine waters of the state:

(1) direct in-water monitoring of discharges or releases of sewage and graywater and direct monitoring of the opacity of air emissions from those vessels;

(2) monitoring and studying of direct or indirect environmental effects of those vessels; and

(3) researching ways to reduce effects of the vessels on marine waters and other coastal resources.

**Sec. 46.03.490. Definitions.** In AS 46.03.460 - 46.03.490,

(1) "agent for service of process" means an agent upon whom process, notice, or demand required or permitted by law to be served upon the owner or operator may be served;

(2) "commercial passenger vessel" means a vessel that carries passengers for hire except that "commercial passenger vessel" does not include a vessel

(A) authorized to carry fewer than 50 passengers;

(B) that does not provide overnight accommodations for at least 50 passengers for hire, determined with reference to the number of lower berths; or

(C) operated by the United States or a foreign government;

(3) "discharge" means any release, however caused, from a commercial passenger vessel, and includes any escape, disposal, spilling, leaking, pumping, emitting, or emptying;

(4) "federal cruise ship legislation" means secs. 1401 - 1414 of H.R. 5666, as incorporated by reference into P.L. 106 - 554;

(5) "fund" means the Alaska commercial passenger vessel coastal protection fund established under AS 46.03.482;

(6) "graywater" means galley, dishwasher, bath, and laundry waste water;

(7) "marine waters of the state" means all waters within the boundaries of the state together with all of the waters of the Alexander Archipelago even if not within the boundaries of the state;

(8) "offloading" means the removal of a hazardous substance, hazardous waste, or nonhazardous solid waste from a commercial passenger vessel onto or into a controlled storage, processing, or disposal facility or treatment works;

(9) "passengers for hire" means vessel passengers for whom consideration is contributed as a condition of carriage on the vessel, whether directly or indirectly flowing to the owner, charterer, operator, agent, or any other person having an interest in the vessel;

(10) "sewage" means human body wastes and the wastes from toilets and other receptacles intended to receive or retain human body waste;

(11) "treated sewage" means sewage that meets all applicable effluent limitation standards and processing requirements of 33 U. S. C. 1251 - 1376 (Federal Water Pollution Control Act), as amended, the federal cruise ship legislation, and regulations adopted under 33 U.S.C. 1251 - 1376 or under the federal cruise ship legislation;

(12) "untreated sewage" means sewage that is not treated sewage;

(13) "vessel" means any form or manner of watercraft, other than a seaplane on the water, whether or not capable of self-propulsion;

(14) "voyage" means a vessel trip to or from one or more ports of call in the state with the majority of the passengers for hire completing the entire vessel trip; a vessel trip involving stops at more than one port of call is considered a single voyage so long as the majority of passengers for hire complete the entire trip;

(15) "waters of the Alexander Archipelago" means all waters under the sovereignty of the United States within or near Southeast Alaska, beginning at a point 58 degrees 11 minutes 41 seconds North, 136 degrees 39 minutes 25 seconds West (near Cape Spencer Light), thence southeasterly along a line three nautical miles seaward of the baseline from which the breadth of the territorial sea is measured in the Pacific Ocean and the Dixon Entrance, except where this line intersects geodesics connecting the following five pairs of points: (A) 58 degrees 05 minutes 17 seconds North, 136 degrees 33 minutes 49 seconds West and 58 degrees 11 minutes 41 seconds North, 136 degrees 39 minutes 25 seconds West (Cross Sound); (B) 56 degrees 09 minutes 40 seconds North, 134 degrees 40 minutes 00 seconds West and 55 degrees 49 minutes 15 seconds North, 134 degrees 17 minutes 40 seconds West (Chatham Strait); (C) 55 degrees 49 minutes 15 seconds North, 134 degrees 17 minutes 40 seconds West and 55 degrees 50 minutes 30 seconds North, 133 degrees 54 minutes 15 seconds West (Sumner Strait); (D) 54 degrees 41 minutes 30 seconds North, 132 degrees 01 minutes 00 seconds West and 54 degrees 51 minutes 30 seconds North, 131 degrees 20 minutes 45 seconds West (Clarence Strait); (E) 54 degrees 51 minutes 30

seconds North, 131 degrees 20 minutes 45 seconds West and 54 degrees 46 minutes 15 seconds North, 130 degrees 52 minutes 00 seconds West (Revillagigedo Channel); the portion of each such geodesic situated beyond three nautical miles from the baseline from which the breadth of the territorial sea is measured forms the outer limit of the waters of the Alexander Archipelago in those five locations.

\* **Sec. 3.** AS 37.05.146(b)(4) is amended by adding a new subparagraph to read:

(XX) receipts described in AS 46.03.482(b)(1) and (2) received under the Alaska commercial passenger vessel coastal protection program;

\* **Sec. 4.** AS 46.03.760(e) is amended to read:

(e) A person who violates or causes or permits to be violated a provision of **AS 46.03.250 - 46.03.313, 46.03.460 - 46.03.475** [AS 46.03.250 - 46.03.314], AS 46.14, or a regulation, a lawful order of the department, or a permit, approval, or acceptance, or term or condition of a permit, approval, or acceptance issued under **AS 46.03.250 - 46.03.313, 46.03.460 - 46.03.475,** [AS 46.03.250 - 46.03.314] or AS 46.14 is liable, in a civil action, to the state for a sum to be assessed by the court of not less than \$500 nor more than \$100,000 for the initial violation, nor more than \$10,000 for each day after that on which the violation continues, and that shall reflect, when applicable,

(1) reasonable compensation in the nature of liquidated damages for any adverse environmental effects caused by the violation, that shall be determined by the court according to the toxicity, degradability and dispersal characteristics of the substance discharged, the sensitivity of the receiving environment, and the degree to which the discharge degrades existing environmental quality; for a violation relating to AS 46.14, the court, in making its determination under this paragraph, shall also consider the degree to which the discharge causes harm to persons or property; **for a violation of AS 46.03.463, the court, in making its determination under this paragraph, shall also consider the volume of the graywater or sewage discharged;** this paragraph may not be construed to limit the right of parties other than the state to recover for personal injuries or damage to their property;

(2) reasonable costs incurred by the state in detection, investigation, and attempted correction of the violation;

(3) the economic savings realized by the person in not complying with the requirement for which a violation is charged; and

(4) the need for an enhanced civil penalty to deter future noncompliance.

\* **Sec. 5.** AS 46.03.790(a) is amended to read:

(a) Except as provided in (d) of this section, a person is guilty of a class A misdemeanor if the person with criminal negligence

(1) violates a provision of this chapter, AS 46.04, AS 46.09, or AS 46.14, a regulation or order of the department, or a permit, approval, or acceptance, or a term or condition of a permit, approval, or acceptance issued under this chapter, AS 46.04, AS 46.09, or AS 46.14;

(2) fails to provide information or provides false information required by AS 46.03.465, 46.03.475, 46.03.755, AS 46.04, or AS 46.09, or by a regulation adopted by the department under AS 46.03.460, 46.03.755 [AS 46.03.755], AS 46.04, or AS 46.09;

(3) makes a false statement or representation in an application, label, manifest, record, report, permit, or other document filed, maintained, or used for purposes of compliance with AS 46.03.250 - 46.03.313 [AS 46.03.250 - 46.03.314] applicable to hazardous wastes or a regulation adopted by the department under AS 46.03.250 - 46.03.313 [AS 46.03.250 - 46.03.314];

(4) makes a false statement, representation, or certification in an application, notice, record, report, permit, or other document filed, maintained, or used for purposes of compliance with AS 46.03.460 - 46.03.475, AS 46.14, or a regulation adopted under AS 46.03.460 or AS 46.14; or

(5) renders inaccurate a monitoring device or method required to be maintained under AS 46.14, a regulation adopted under AS 46.14, or a permit issued by the department or a local air quality control program under AS 46.14.

\* **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to read:

**APPLICABILITY OF REPORTING REQUIREMENTS.** (a) Notwithstanding AS 46.03.461(a), enacted by sec. 2 of this Act, the

first registration required under AS 46.03.461(a) for the owner or operator of a commercial passenger vessel that is in the marine waters of the state on July 1, 2001, is 11:59 p.m., Alaska Daylight Time, on July 3, 2001, regardless of whether the vessel has called upon or will call upon a port in the state on or after July 1, 2001.

(b) The information-gathering and record keeping requirements of AS 46.03.465 and 46.03.470, enacted by sec. 2 of this Act, apply on and after July 1, 2001. The first report that is due under AS 46.03.475(b) - (f), enacted by sec. 2 of this Act, is due August 21, 2001.

\* **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: INITIAL IMPLEMENTATION OF FEES. (a) For a commercial passenger vessel voyage occurring on or after July 1, 2001, and before the effective date of regulations adopted by the department under AS 46.03.480, enacted by sec. 2 of this Act, providing for payment of the coastal protection fee, the coastal protection fee required by AS 46.03.480, enacted by sec. 2 of this Act, for each voyage during which the commercial passenger vessel is scheduled to operate in waters of this state, is due and payable to the department on or before July 31 of the calendar year in which the voyage is scheduled to occur. An additional amount owed under this subsection because of an unscheduled voyage, or a refund request under this subsection because of a cancelled voyage, shall be submitted to the department within 30 days after the vessel's last voyage in waters of the state in that calendar year.

(b) In this section, "commercial passenger vessel," "department," "voyage," and "waters" have the meaning given in AS 46.03.490, enacted by sec. 2 of this Act.

\* **Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to read:

DELAYED APPLICABILITY TO SMALLER VESSELS. (a) Notwithstanding sec. 12 of this Act, AS 46.03.461 - 46.03.490, enacted by sec. 2 of this Act, do not apply until January 1, 2004, in the case of commercial passenger vessels with an overnight accommodation capacity of 249 or fewer, determined by the number of lower berths available for passengers for hire.

(b) In this section, "commercial passenger vessel" and "passengers for hire" have the meanings given in AS 46.03.490, enacted by sec. 2 of this Act.



\* **Sec. 9.** The uncodified law of the State of Alaska is amended by adding a new section to read:

ASSESSMENT REPORT. (a) By January 15, 2004, the Department of Environmental Conservation shall submit to the governor a report that assesses the information received by the department for the cruise ship seasons of 2001, 2002, and 2003 and information received by the department for the cruise ship season of 2000. The report must include

(1) a characterization, to the extent possible, of the risks to the marine and human environments posed by the discharge of sewage and graywater from commercial passenger vessels;

(2) evaluation of the sewage and graywater treatment systems and technologies on the vessels; and

(3) recommendations for future action by the state in relation to the matters discussed in the report.

(b) While producing the assessment required under this section, the department shall consult appropriate federal agencies, owners and operators of passenger vessels, and other interested parties.

(c) The department shall notify the legislature when the report required under this section has been submitted to the governor.

(d) In this section, "department" means the Department of Environmental Conservation.

\* **Sec. 10.** The uncodified law of the state of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. Notwithstanding sec. 12 of this Act, the Department of Environmental Conservation may immediately proceed to adopt regulations necessary to implement this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act) but not before the effective date of the statutory provision.

\* **Sec. 11.** Section 10 of this Act takes effect immediately under AS 01.10.070(c).

\* **Sec. 12.** Except as provided in sec. 11 of this Act, this Act takes effect July 1, 2001."

Representative Mulder moved and asked unanimous consent that Amendment No. 1 be adopted. There being no objection, it was so ordered and the new title appears below:

## CS FOR HOUSE BILL NO. 260(FIN) am

An Act requiring the owners or operators of certain commercial passenger vessels operating in the marine waters of the state to register with the Department of Environmental Conservation; establishing information-gathering, record keeping, and reporting requirements relating to the vessels' graywater, sewage, hazardous substances, hazardous wastes, solid wastes, and other pollutants; establishing certain sampling, testing, reporting, and record-keeping requirements as terms and conditions of permitting discharges from the vessels; authorizing the Department of Environmental Conservation to provide for independent verification of compliance by the vessels, and to monitor and supervise discharges from the vessels; prohibiting the discharge of untreated sewage from the vessels; placing limits on discharges of treated sewage and graywater from the vessels; providing that there is no audit report privilege for complying with a requirement that the owner or operator of a commercial passenger vessel must report discharges of sewage or graywater that violate laws; establishing a fee, ranging from \$.70 - \$1.75 per berth, with a maximum of \$3,750 per voyage, on commercial passenger vessels that are not operated by the state for each voyage during which the vessels operate in the marine waters of the state based on the overnight accommodation capacity of the vessels determined with reference to the number of lower berths; providing for a fee for vessels operated by the state to be determined by an agreement between the commissioner of environmental conservation and the commissioner of transportation and public facilities; authorizing the Department of Environmental Conservation to research, monitor, and study discharges and releases from commercial passenger vessels, including the opacity of air emissions from the vessels; establishing penalties for failure to comply with certain laws relating to the vessels; authorizing the Department of Environmental Conservation to encourage and recognize superior environmental protection efforts related to commercial passenger vessels; authorizing the Department of Environmental Conservation to adopt regulations to implement laws relating to commercial passenger vessels and directing the department to use negotiated regulation procedures, when appropriate, to develop the regulations; establishing a commercial passenger vessel coastal protection fund; requiring a report from the Department of

Environmental Conservation concerning matters relating to the vessels; and providing for an effective date.

Representative James moved and asked unanimous consent that CSHB 260(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 260(FIN) am was read the third time.

The question being: "Shall CSHB 260(FIN) am pass the House?" The roll was taken with the following result:

CSHB 260(FIN) am  
Third Reading  
Final Passage

**YEAS: 35 NAYS: 3 EXCUSED: 2 ABSENT: 0**

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kookesh, Kott, Lancaster, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams

Nays: Foster, Kohring, Wilson

Excused: Masek, Ogan

And so, CSHB 260(FIN) am passed the House.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSHB 260(FIN) am was referred to the Chief Clerk for engrossment.

#### **UNFINISHED BUSINESS**

##### **SJR 27**

Representative Hudson added his name as cross sponsor to:

SENATE JOINT RESOLUTION NO. 27  
Relating to an Alaska National Guard Armory in Juneau.

**SB 9**

Representative Dyson added his name as cross sponsor to:

CS FOR SENATE BILL NO. 9(L&C)

"An Act extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors; relating to the temporary member of that board; and providing for an effective date."

**SB 198**

Representatives Porter and Stevens added their names as cross sponsors to:

CS FOR SENATE BILL NO. 198(HES)

"An Act establishing the Statewide Suicide Prevention Council; and providing for an effective date."

**ENGROSSMENT****HJR 23**

CSHJR 23(STA) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 40**

CSHB 40(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 157**

CSHB 157(JUD) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 184**

CSHB 184(JUD) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 260**

CSHB 260(FIN) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**ENGROSSMENT AND ENROLLMENT****HB 13**

The following was engrossed and enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 1:05 p.m., May 1, 2001:

## CONFERENCE CS FOR SS FOR HOUSE BILL NO. 13

"An Act relating to municipal service areas and providing for voter approval of the formation, alteration, or abolishment of certain service areas."

**ENROLLMENT****HJR 19**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 1:05 p.m., May 1, 2001:

## HOUSE JOINT RESOLUTION NO. 19

Urging the United States Congress to pass legislation to fund the acquisition of high-resolution digital orthoimagery and digital elevation data for the entire state of Alaska.

**HB 81**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 1:05 p.m., May 1, 2001:

## SENATE CS FOR CS FOR HOUSE BILL NO. 81(FIN)

"An Act extending the termination date of the Board of Dental Examiners; relating to the Board of Dental Examiners and regulation of the practice of dentistry; and relating to dental hygienists and dental assistants."

**HB 137**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 1:05 p.m., May 1, 2001:

HOUSE BILL NO. 137

"An Act relating to records of veterans of the armed forces; and providing for an effective date."

**ANNOUNCEMENTS**

House committee schedules are published daily under separate cover.

Majority Caucus	Speaker's Chamber	9:00 a.m., 5/2
Minority Caucus		9:30 a.m., 5/2

**ADJOURNMENT**

Representative James moved and asked unanimous consent that the House adjourn until 10:00 a.m., May 2, 2001. There being no objection, the House adjourned at 9:02 p.m.

Suzi Lowell  
Chief Clerk