

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Monday

April 29, 2002

One Hundred Sixth Day

Pursuant to adjournment the House was called to order by Speaker Porter at 11:04 a.m.

Roll call showed 31 members present. Representative Ogan had been previously excused from a call of the House today. Representatives Berkowitz, Croft, Kohring, Kott, Moses, Mulder, Scalzi, and Williams were absent and their presence was noted later.

The invocation was offered by Major Nila Fankhauser of The Salvation Army. Representative Green moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Shall we pray,

Lord, today I lift up to You those of this body who represent the citizens of the great state of Alaska. I pray that You will bless their efforts this day. I pray that You will keep them safe and healthy. I pray that You bless and take care of their families so that they may be free from worry to care for the needs of others. I pray that You will give them guidance, wisdom, and strength for the task at hand. As each have their own concerns, help them to listen and consider the concerns of the other. Help them to stay focused on what is most important. I pray that each Representative will realize You as the source of all that is good, holy, and profitable for our state. I also pray that each will find joy in their service.

In all that transpires in these Chambers today, may Your will be done. Amen.

The Pledge of Allegiance was led by Representative Green.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 103rd, 104th, and 105th legislative days be approved as certified by the Assistant Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

HB 403

A message dated April 26, 2002, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 403(FIN) am(brf sup maj fld)(efd fld)

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 403(FIN) am S(brf sup maj fld S)

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; and providing for an effective date."

(technical title change)

The message was received at 1:21 p.m., April 27, 2002.

CSHB 403(FIN) am(brf sup maj fld)(efd fld) is under Unfinished Business.

**The presence of Representative Moses was noted.

HB 404

A message dated April 26, 2002, was read stating the Senate has passed CSHB 404(FIN) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 404(FIN)

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

The message was received at 1:21 p.m., April 27, 2002.

CSHB 404(FIN) is under Unfinished Business.

CONCUR IN SENATE AMENDMENTS**HB 403**

Representative James moved and asked unanimous consent that the House consider the Senate message (page 3204) on the following at this time:

CS FOR HOUSE BILL NO. 403(FIN) am(brf sup maj fld)(efd fld)

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 403(FIN) am S(brf sup maj fld S)

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; and providing for an effective date."

(technical title change)

There being no objection, it was so ordered.

**The presence of Representatives Kohring and Berkowitz was noted.

Representative James moved that the House concur in the Senate amendment to CSHB 403(FIN) am(brf sup maj fld)(efd fld), thus adopting SCS CSHB 403(FIN) am S(brf sup maj fld S), and recommended that the members vote no.

**The presence of Representative Croft was noted.

The question being: "Shall the House concur in the Senate amendment to CSHB 403(FIN) am(brf sup maj fld)(efd fld)?" The roll was taken with the following result:

SCS CSHB 403(FIN) am S(brf sup maj fld S)

Concur

YEAS: 0 NAYS: 35 EXCUSED: 1 ABSENT: 4

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

Excused: Ogan

Absent: Kott, Mulder, Scalzi, Williams

And so, the House failed to concur in the Senate amendment, thus failing to adopt SCS CSHB 403(FIN) am S(brf sup maj fld S).

The Chief Clerk was instructed to so notify the Senate and respectfully request it to recede.

**The presence of Representatives Williams and Kott was noted.

In the event the Senate fails to recede from its amendment and pursuant to Uniform Rule 42(a), the Speaker appointed the following members to a Conference Committee to meet with the like committee from the Senate to consider the above bills:

Representative Mulder, Chair

Representative Williams

Representative Davies

The Speaker stated that Uniform Rule 23(d) will be in effect with the appointment of a Conference Committee to consider the operating budget.

HB 404

Representative James moved and asked unanimous consent that the House consider the Senate message (page 3205) on the following at this time:

CS FOR HOUSE BILL NO. 404(FIN)

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 404(FIN)
(same title)

There being no objection, it was so ordered.

Representative James moved that the House concur in the Senate amendment to CSHB 404(FIN), thus adopting SCS CSHB 404(FIN), and recommended that the members vote no.

The question being: "Shall the House concur in the Senate amendment to CSHB 404(FIN)?" The roll was taken with the following result:

SCS CSHB 404(FIN)

Concur

YEAS: 0 NAYS: 37 EXCUSED: 1 ABSENT: 2

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

Excused: Ogan

Absent: Mulder, Scalzi

And so, the House failed to concur in the Senate amendment, thus failing to adopt SCS CSHB 404(FIN).

The Chief Clerk was instructed to so notify the Senate and respectfully request it to recede.

In the event the Senate fails to recede from its amendment and pursuant to Uniform Rule 42(a), the Speaker appointed the following members to a Conference Committee to meet with the like committee from the Senate to consider the above bills:

Representative Mulder, Chair
Representative Williams
Representative Davies

**The presence of Representative Mulder was noted.

* * * * *

Representative Hudson introduced Chelsea Lara, Guest Page, from Juneau.

MESSAGES FROM THE SENATE

A message dated April 26, 2002, was read stating the Senate has passed the following and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE RESOLUTIONS

SJR 43

CS FOR SENATE JOINT RESOLUTION NO. 43(STA)(title am) by the Senate State Affairs Committee:

Requesting the United States Congress to grant a two-year moratorium on state maintenance of effort requirements for federally funded programs.

was read the first time and referred to the State Affairs Committee.

FIRST READING AND REFERENCE OF SENATE BILLS

SB 219

CS FOR SENATE BILL NO. 219(FIN) by the Senate Finance Committee, entitled:

"An Act establishing and relating to the Navigable Waters Commission for Alaska."

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

REPORTS OF STANDING COMMITTEES

HB 497

The State Affairs Committee has considered:

HOUSE BILL NO. 497

"An Act giving notice of and approving the entry into, and the issuance of, certificates of participation for the upgrade, expansion, and replacement of certain correctional facilities and jails; giving notice of and approving the entry into, lease-financing agreements for certain of those projects; and providing for an effective date."

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

Do pass (4): Wilson, Crawford, Stevens, Hayes

No recommendation (3): James, Fate, Coghill

The following fiscal note(s) apply:

1. Fiscal, Dept. of Revenue
2. Fiscal, Dept. of Corrections

HB 497 was referred to the Finance Committee.

HB 526

The Rules Committee has considered:

HOUSE BILL NO. 526

"An Act relating to the deadline for filing financial disclosure statements for public members and public member nominees of the Select Committee on Legislative Ethics."

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

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

No recommendation (1): Berkowitz

The following fiscal note(s) apply:

1. Zero, House Rules Committee/All Depts.

HB 526 was returned to the Rules Committee for placement on the calendar.

SB 140

The Resources Committee has considered:

CS FOR SENATE BILL NO. 140(FIN)

"An Act relating to regulation and licensing of certain water-power development projects; and providing for an effective date."

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

Do pass (5): Stevens, Green, Chenault, Masek, Scalzi

No recommendation (2): Kerttula, Kapsner

The following fiscal note(s) apply:

1. Fiscal, Dept. of Community & Economic Development
2. Fiscal, Dept. of Natural Resources
3. Fiscal, Dept. of Fish & Game

CSSB 140(FIN) was referred to the Finance Committee.

**The presence of Representative Scalzi was noted.

SB 302

The Health, Education & Social Services Committee has considered:

CS FOR SENATE BILL NO. 302(JUD)

"An Act defining the term 'mental health professional' for the purpose of statutes relating to the evaluation of prisoners who may need psychological or psychiatric treatment, for the purpose of statutes relating to the evaluation of children in need of aid and delinquent minors who may need to be confined in a secure residential psychiatric treatment center or who should be released from such a center, for the purpose of statutes requiring certain professionals to report the possibility that a vulnerable adult has been abused or neglected, and for the purpose of statutes relating to mental health civil commitments."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 302(HES)
(same title)

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

Do pass (6): Coghill, Wilson, Cissna, Joule, Stevens, Dyson

The following fiscal note(s) apply to HCS CSSB 302(HES):

1. Zero, Dept. of Health & Social Services

CSSB 302(JUD) was referred to the Rules Committee for placement on the calendar.

SB 354

The Labor & Commerce Committee has considered:

SENATE BILL NO. 354

"An Act relating to the prices paid by milk processing plants to suppliers of fluid milk."

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

Do pass (1): Meyer

No recommendation (4): Rokeberg, Hayes, Crawford, Murkowski

The following fiscal note(s) apply:

1. Zero, Dept. of Natural Resources

SB 354 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 - Rear Admiral Thomas J. Barrett
By Representatives Hudson, Kerttula; Senator Elton

Honoring - Murlin "Mike" & Selina Everson, Fortieth Wedding Anniversary, May 12, 2002
By Representatives Kerttula, Hudson; Senator Elton

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

HCR 30

HOUSE CONCURRENT RESOLUTION NO. 30 by the House Rules Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 11, relating to required school attendance.

was read the first time and taken up later under Unfinished Business.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 180

The following was read the second time:

HOUSE BILL NO. 180

"An Act requiring child services providers to obtain criminal background checks for child services workers."

with the:

Journal Page

HES RPT CS(HES) NT 4DP 3NR	3059
FN1: ZERO(HSS)	3059
JUD RPT CS(JUD) NT 1DP 5NR	3124
FN1: ZERO(HSS)	3124

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. 180(JUD)

"An Act relating to persons who provide services related to children; establishing a legislative task force on child services; and providing for an effective date."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 180(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 180(JUD) was read the third time.

The question being: "Shall CSHB 180(JUD) pass the House?" The roll was taken with the following result:

CSHB 180(JUD)

Third Reading

Final Passage

YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0

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

Excused: Ogan

And so, CSHB 180(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.

CSHB 180(JUD) was referred to the Chief Clerk for engrossment.

HB 271

The following was read the second time:

HOUSE BILL NO. 271

"An Act relating to recovery of punitive damages resulting from an aviation accident; and providing for an effective date."

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with the:	Journal Page
L&C RPT CS(L&C) 2DP 2NR 3AM	2881
FN1: ZERO(ADM)	2881
FN2: ZERO(CED)	2881
JUD RPT CS(JUD) 1DP 4NR 1AM	3125
FN1: ZERO(ADM)	3126
FN2: ZERO(CED)	3126

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. 271(JUD)
(same title)

There being no objection, it was so ordered.

The Speaker stated that, without objection, CSHB 271(JUD) would be moved to the bottom of the calendar.

HB 517

The following was read the second time:

HOUSE BILL NO. 517
"An Act relating to the disposition of surplus and obsolete state property."

with the:	Journal Page
STA RPT CS(STA) NT 3DP 4NR	3107
FN1: ZERO(ADM)	3108

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. 517(STA)
"An Act relating to the disposition of obsolete or surplus state property."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 517(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 517(STA) was read the third time.

The question being: "Shall CSHB 517(STA) pass the House?" The roll was taken with the following result:

CSHB 517(STA)
Third Reading
Final Passage

YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0

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

Excused: Ogan

And so, CSHB 517(STA) passed the House and was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE BILLS

SB 266

The following was read the second time:

CS FOR SENATE BILL NO. 266(RES)

"An Act authorizing the commissioner of community and economic development to refinance and extend the term of a fishery enhancement loan."

with the:

Journal Page

FIN RPT 9DP
FN1: (CED)

3167
3168

Representative James moved and asked unanimous consent that CSSB 266(RES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 266(RES) was read the third time.

The question being: "Shall CSSB 266(RES) pass the House?" The roll was taken with the following result:

CSSB 266(RES)
Third Reading
Final Passage

YEAS: 38 NAYS: 0 EXCUSED: 1 ABSENT: 1

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

Excused: Ogan

Absent: Halcro

And so, CSSB 266(RES) passed the House, was signed by the Speaker and Acting Chief Clerk and returned to the Senate.

SB 297

The following was read the second time:

SENATE BILL NO. 297

"An Act moving employees of the Alaska mental health trust land unit of the Department of Natural Resources from the partially exempt service to the exempt service."

with the:

Journal Page

STA RPT 5DP 1NR
FN1: ZERO(DNR)

2641
2642

Representative James moved and asked unanimous consent that SB 297 be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that SB 297 will be in third reading on tomorrow's calendar.

THIRD READING OF HOUSE BILLS

HB 299

The following, which was advanced to third reading from the April 26, 2002, calendar (page 3188), was read the third time:

CS FOR HOUSE BILL NO. 299(RES)

"An Act providing for the naming and renaming of Alaska geographic features."

The question being: "Shall CSHB 299(RES) pass the House?" The roll was taken with the following result:

CSHB 299(RES)

Third Reading

Final Passage

YEAS: 38 NAYS: 0 EXCUSED: 1 ABSENT: 1

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

Excused: Ogan

Absent: Rokeberg

And so, CSHB 299(RES) passed the House and was referred to the Chief Clerk for engrossment.

HB 498

The following, which was advanced to third reading from the April 26, 2002, calendar (page 3177), was read the third time:

CS FOR HOUSE BILL NO. 498(FIN) am

"An Act expressing legislative intent regarding privately operated correctional facility space and services; relating to the development and financing of privately operated correctional facility space and services; authorizing the Department of Corrections to enter into an agreement for the confinement and care of prisoners in privately operated correctional facility space in the City of Whittier; giving notice of and approving the entry into and the issuance of certificates of participation for the upgrade, expansion, and replacement of a certain correctional facility in the City of Bethel; giving notice of and approving the entry into lease-financing agreements for that project; and providing for an effective date."

Amendment No. 6 (title amendment) was offered by Representatives Berkowitz and Halcro:

Page 1, line 8, following "**project**";:

Insert "**authorizing the Department of Corrections to enter into agreements with municipalities relating to correctional facilities**;"

Representative Berkowitz moved and asked unanimous consent that Amendment No. 6 be adopted.

Representative Harris objected.

The question being: "Shall Amendment No. 6 be adopted?" The roll was taken with the following result:

CASHB 498(FIN) am

Third Reading

Amendment No. 6 - title amendment

YEAS: 12 NAYS: 25 EXCUSED: 1 ABSENT: 2

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Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Green, Guess, Halcro, Hayes, Kapsner, Kerttula, Kookesh

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

Excused: Ogan

Absent: Masek, Moses

And so, Amendment No. 6 was not adopted.

The question being: "Shall CSHB 498(FIN) am pass the House?" The roll was taken with the following result:

CSHB 498(FIN) am

Third Reading

Final Passage

YEAS: 24 NAYS: 14 EXCUSED: 1 ABSENT: 1

Yeas: Bunde, Chenault, Coghill, Dyson, Fate, Foster, Harris, Hudson, James, Joule, Kapsner, Kohring, Kookesh, Kott, Masek, Meyer, Morgan, Mulder, Porter, Rokeberg, Stevens, Whitaker, Williams, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Davies, Green, Guess, Halcro, Hayes, Kerttula, Lancaster, McGuire, Murkowski, Scalzi

Excused: Ogan

Absent: Moses

And so, CSHB 498(FIN) am passed the House.

Representative James moved the effective date clause.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

CSHB 498(FIN) am

Third Reading

Effective Date

YEAS: 34 NAYS: 4 EXCUSED: 1 ABSENT: 1

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

Nays: Berkowitz, Cissna, Crawford, Hayes

Excused: Ogan

Absent: Moses

And so, the effective date clause was adopted.

Representative Halcro gave notice of reconsideration of the vote on CSHB 498(FIN) am.

THIRD READING OF SENATE BILLS

SB 308

The following, which was advanced to third reading from the April 26, 2002, calendar (page 3180), was read the third time:

CS FOR SENATE BILL NO. 308(FIN)

"An Act relating to the Alaska coastal management program and the responsibilities of the Alaska Coastal Policy Council; and providing for an effective date."

The question being: "Shall CSSB 308(FIN) pass the House?" The roll was taken with the following result:

CSSB 308(FIN)

Third Reading

Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 1 ABSENT: 2

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

Excused: Ogan

Absent: Berkowitz, Moses

And so, CSSB 308(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 effective date clause. There being no objection, it was so ordered.

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 - University of Alaska Fairbanks Ski Team, Outstanding Performance in 2001-2002 Season

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

Honoring - Wainwright Wolverines Basketball State Champions, Women's Class 1A State Championship

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

Honoring - Harriet "Peggy" McBride on the Occasion of Her 90th Birthday

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

SECOND READING OF HOUSE BILLS
(continued)

HB 271

The following, which had been moved to the bottom of the calendar (page 3215), was again before the House:

CS FOR HOUSE BILL NO. 271(JUD)

"An Act relating to recovery of punitive damages resulting from an aviation accident; and providing for an effective date."

Amendment No. 1 was not offered.

Representative James moved and asked unanimous consent that CSHB 271(JUD) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that CSHB 271(JUD) will be in third reading on tomorrow's calendar.

RECONSIDERATION

SB 11

Representative Kapsner moved and asked unanimous consent that the reconsideration (page 3187) of the following be held until May 1, 2002:

CS FOR SENATE BILL NO. 11(FIN) am H

"An Act relating to required school attendance and relating to a curriculum for Alaska history; and providing for an effective date."

There being no objection, it was so ordered.

UNFINISHED BUSINESS

HCR 30

Representative James moved and asked unanimous consent that the House take up HCR 30. There being no objection, the following was before the House in final passage:

HOUSE CONCURRENT RESOLUTION NO. 30

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 11, relating to required school attendance.

The question being: "Shall HCR 30 pass the House?" The roll was taken with the following result:

HCR 30

Second Reading

Final Passage

YEAS: 33 NAYS: 3 EXCUSED: 1 ABSENT: 3

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

Nays: Coghill, Kohring, Masek

Excused: Ogan

Absent: Foster, Moses, Whitaker

And so, HCR 30 passed the House.

Representative James moved and asked unanimous consent that the following member be excused from a call of the House. There being no objection, the member was excused as noted:

Representative Kohring - from 7:06 a.m. to 9:47 p.m., plane time, May 4, 2002

HB 6

Representative Foster added his name as cosponsor to:

HOUSE BILL NO. 6

"An Act relating to optional exemptions from municipal property taxes on residential property."

HB 180

Representatives Hayes, Chenault, Crawford, Meyer, and Cissna added their names as cosponsors to:

CS FOR HOUSE BILL NO. 180(JUD)

"An Act relating to persons who provide services related to children; establishing a legislative task force on child services; and providing for an effective date."

SB 266

Representatives Kerttula and James added their names as cross sponsors to:

CS FOR SENATE BILL NO. 266(RES)

"An Act authorizing the commissioner of community and economic development to refinance and extend the term of a fishery enhancement loan."

ENGROSSMENT**HB 180**

CSHB 180(JUD) was engrossed, signed by the Speaker and Acting Chief Clerk and transmitted to the Senate for consideration.

HB 299

CSHB 299(RES) was engrossed, signed by the Speaker and Acting Chief Clerk and transmitted to the Senate for consideration.

HB 499

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Acting Chief Clerk and transmitted to the Senate for consideration:

CS FOR HOUSE BILL NO. 499(JUD)

"An Act declaring legislative intent to reject the continuity of enterprise exception to the doctrine of successor liability adopted in *Savage Arms, Inc. v. Western Auto Supply*, 18 P.3d 49 (Alaska 2001) as it relates to products liability; providing that a successor corporation or other business entity that acquires assets of a

predecessor corporation or other business entity is subject to liability for harm to persons or property caused by a defective product sold or otherwise distributed commercially by the predecessor only if the acquisition is accompanied by an agreement for the successor to assume the liability, results from a fraudulent conveyance to escape liability for the debts or liabilities of the predecessor, constitutes a consolidation or merger with the predecessor, or results in the successor's becoming a continuation of the predecessor; defining 'business entity' that acquires assets to include a sole proprietorship; and applying this Act to the sale, lease, exchange, or other disposition of assets by a corporation, a limited liability company, a partnership, a limited liability partnership, a limited partnership, a sole proprietorship, or other business entity that occurs before, on, or after the effective date of this Act."

HB 517

CSHB 517(STA) was engrossed, signed by the Speaker and Acting Chief Clerk and transmitted to the Senate for consideration.

ENROLLMENT**HCR 26**

The following was enrolled, signed by the Speaker and Acting Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 5:10 p.m., April 26, 2002:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 26(STA)
Supporting increased use of the house arrest program/electronic monitoring with sobriety monitoring as a means of preventing crime and reducing the high costs of imprisonment in Alaska.

HB 411

The following was enrolled, signed by the Speaker and Acting Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 5:10 p.m., April 26, 2002:

