

# SENATE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Sunday

May 6, 2001

#### One Hundred Nineteenth Day

Pursuant to adjournment the Senate was called to order by President Halford at 2:27 p.m.

The roll showed eighteen members present. Senators Olson, Torgerson were absent.

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

Lord, make us instruments of Your peace. Where there is hatred, let us sow love; where there is injury, pardon; where there is discord, union; where there is doubt, faith; where there is despair, hope; where there is darkness, light; where there is sadness, joy. Grant that we may not so much seek to be consoled as to console; to be understood as to understand; to be loved as to love. For it is in giving that we receive; it is in pardoning that we are pardoned; and it is in dying that we are born to eternal life. Amen.  
(St. Francis of Assisi)

Senator Leman led the Senate in the Pledge of Allegiance.

**Certification**

Senator Leman moved and asked unanimous consent that the journal for the one hundred eighteenth legislative day be approved as certified by the Secretary with the following correction:

**HB 172**

On page 1533, the previously published fiscal information for CS FOR HOUSE BILL NO. 172(FIN) am "An Act relating to therapeutic courts for offenders and to the authorized number of superior court judges" should be corrected as follows:

Fiscal Note No. 7, replace "Senate Finance Committee" with "House Finance Committee"

Fiscal Note No. 8, replace "Senate Finance Committee" with "House Finance Committee"

Without objection, it was so ordered.

The presence of Senator Torgerson was noted.

Senator Leman moved and asked unanimous consent that the Senate proceed temporarily to third reading of Senate Bills. Without objection, the Senate proceeded to:

**Third Reading of Senate Bills****SB 169**

CS FOR SENATE BILL NO. 169(FIN) "An Act providing that the delinquency laws are inapplicable to minors who are at least 16 years of age and are accused of felony crimes against persons directed at victims because of the victims' race, sex, color, creed, physical or mental disability, ancestry, or national origin" was read the third time.

The presence of Senator Olson was noted.

**SB 169**

Senator Lincoln moved that the bill be returned to second reading for the purpose of a specific amendment, that being Amendment No. 1. Senator Taylor objected, then withdrew his objection. There being no further objections, the bill was returned to second reading.

Senator Lincoln offered Amendment No. 1:

Page 1, line 3, following "**ancestry**,"  
Insert "**sexual orientation**,"

Page 2, line 20, following "**ancestry**,"  
Insert "**sexual orientation**,"

Senator Lincoln moved for the adoption of Amendment No. 1. Senator Taylor objected.

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

CSSB 169(FIN)  
Second Reading  
Amendment No. 1

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

Yeas: Davis, Ellis, Elton, Hoffman, Lincoln, Phillips, Therriault

Nays: Austerman, Cowdery, Donley, Green, Halford, Kelly, Leman, Pearce, Taylor, Torgerson, Ward, Wilken

Absent: Olson

and so, Amendment No. 1 failed.

CS FOR SENATE BILL NO. 169(FIN) was automatically in third reading.

Senator Ward rose to a point of order. President Halford ruled the point out of order.

The question being: "Shall CS FOR SENATE BILL NO. 169(FIN) "An Act providing that the delinquency laws are inapplicable to minors who are at least 16 years of age and are accused of felony crimes against persons directed at victims because of the victims' race, sex, color, creed, physical or mental disability, ancestry, or national origin" pass the Senate?" The roll was taken with the following result:

CSSB 169(FIN)

Third Reading - Final Passage

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

Yeas: Austerman, Cowdery, Donley, Halford, Hoffman, Leman, Olson, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Green, Kelly, Lincoln

and so, CS FOR SENATE BILL NO. 169(FIN) passed the Senate.

### **Reconsideration of Senate Bills**

#### **SB 169**

Senator Leman gave notice of reconsideration on CS FOR SENATE BILL NO. 169 (FIN) and moved and asked unanimous consent that it be taken up at this time. Without objection, it was so ordered and the bill was before the Senate on reconsideration.

Senator Donley called the Senate. Senator Donley lifted the call.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 169(FIN) "An Act providing that the delinquency laws are inapplicable to minors who are at least 16 years of age and are accused of felony crimes against persons directed at victims because of the victims' race, sex, color, creed, physical or mental disability, ancestry, or national origin" pass the Senate?" The roll was taken with the following result:

CSSB 169(FIN)

Third Reading - On Reconsideration

**YEAS: 13 NAYS: 6 EXCUSED: 0 ABSENT: 1**

Yeas: Austerman, Cowdery, Donley, Halford, Hoffman, Leman, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Green, Kelly, Lincoln

Absent: Olson

and so, CS FOR SENATE BILL NO. 169 (FIN) passed the Senate on reconsideration and was referred to the Secretary for engrossment.

### **Reconsideration of House Bills**

#### **HB 65**

Senator Ellis requested that the reconsideration on SENATE CS FOR CS FOR HOUSE BILL NO. 65(HES) am S "An Act relating to a new optional group of persons eligible for medical assistance who require treatment for breast or cervical cancer; and providing for an effective date" be taken up. The bill was before the Senate on reconsideration.

Senator Green moved that the bill be returned to second reading for the purpose of a specific amendment, that being Amendment No. 4. Without objection, the bill was returned to second reading.

Senator Green offered Amendment No. 4:

Page 2, following line 21:

Insert a new bill section to read:

"\* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to read:

EMERGENCY REGULATIONS AUTHORIZED. In order to ensure that persons described in sec. 1(a) of this Act receive essential, life-saving medical care, the Department of Health and Social Services may adopt emergency regulations under AS 44.62.250 to implement sec. 1(a) of this Act."

Renumber the following bill sections accordingly.

Senator Green moved for the adoption of Amendment No. 4. Without objection, Amendment No. 4 was adopted.

SENATE CS FOR CS FOR HOUSE BILL NO. 65(HES) am S was automatically in third reading on reconsideration.

The question to be reconsidered: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 65(HES) am S "An Act relating to a new optional group of persons eligible for medical assistance who require treatment for breast or cervical cancer; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 65(HES) am S  
Third Reading - On Reconsideration  
Effective Date

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

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 65(HES) am S passed the Senate on reconsideration.

Senator Leman moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

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

#### **SB 210**

CS FOR SENATE BILL NO. 210(JUD) "An Act relating to the constitutional right to privacy" was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 210(JUD) "An Act relating to the constitutional right to privacy" pass the Senate?" The roll was taken with the following result:

CSSB 210(JUD)

Third Reading - Final Passage

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

Yeas: Cowdery, Donley, Green, Halford, Kelly, Leman, Olson, Phillips, Taylor, Therriault, Torgerson, Ward

Nays: Austerman, Davis, Ellis, Elton, Hoffman, Lincoln, Pearce, Wilken

and so, CS FOR SENATE BILL NO. 210 (JUD) passed the Senate.

### **Reconsideration of Senate Bills**

#### **SB 210**

Senator Leman gave notice of reconsideration on CS FOR SENATE BILL NO. 210(JUD) and moved and asked unanimous consent that it be taken up at this time. Without objection, it was so ordered and the bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 210(JUD) "An Act relating to the constitutional right to privacy" pass the Senate?" The roll was taken with the following result:

CSSB 210(JUD)

Third Reading - On Reconsideration

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

Yeas: Cowdery, Donley, Green, Halford, Kelly, Leman, Olson, Phillips, Taylor, Therriault, Torgerson, Ward

Nays: Austerman, Davis, Ellis, Elton, Hoffman, Lincoln, Pearce, Wilken

and so, CS FOR SENATE BILL NO. 210(JUD) passed the Senate on reconsideration and was referred to the Secretary for engrossment.

**Third Reading of Senate Bills****SB 218**

CS FOR SENATE BILL NO. 218(TRA) am was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 218(TRA) am "An Act relating to international airports revenue bonds and requiring that the spending plan for the International Airports Construction Fund include information about the amounts spent during the previous fiscal year for cost overruns on certain projects and the identification of time delays on certain projects; relating to customer facility charges to fund facilities in airports to be constructed without using international airport revenue bonds; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 218(TRA) am  
Third Reading - Final Passage  
Effective Date

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

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Leman, Lincoln, Olson, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Absent: Kelly

and so, CS FOR SENATE BILL NO. 218(TRA) am passed the Senate.

Senator Leman moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered.

**Reconsideration of Senate Bills****SB 218**

Senator Leman gave notice of reconsideration on CS FOR SENATE BILL NO. 218 (TRA) am and moved and asked unanimous consent that it be taken up at this time. Without objection, it was so ordered and the bill was before the Senate on reconsideration.



The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 218(TRA) am "An Act relating to international airports revenue bonds and requiring that the spending plan for the International Airports Construction Fund include information about the amounts spent during the previous fiscal year for cost overruns on certain projects and the identification of time delays on certain projects; relating to customer facility charges to fund facilities in airports to be constructed without using international airport revenue bonds; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 218(TRA) am  
 Third Reading - On Reconsideration  
 Effective Date

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

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

and so, CS FOR SENATE BILL NO. 218(TRA) am passed the Senate on reconsideration.

Senator Leman moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

### **Standing Committee Reports**

#### **SB 177**

The Judiciary Committee considered SENATE BILL NO. 177 "An Act relating to driving while intoxicated and to presumptions arising from the amount of alcohol in a person's breath or blood; and providing for an effective date." Signing no recommendation: Senator Taylor, Chair, Senator Therriault. Signing do pass: Senator Cowdery.

The following fiscal information was published today:  
 Fiscal Note No. 1, Alaska Court System

The bill was referred to the Finance Committee.

**SB 186**

The Finance Committee considered SENATE BILL NO. 186 "An Act establishing a limit on the general obligation debt that may be authorized and issued by home rule and general law municipalities; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 186(FIN) "An Act relating to municipal taxes on oil and gas production and pipeline property; establishing a limit on the general obligation debt that may be authorized and issued by home rule and general law municipalities; and providing for an effective date."

Signing do pass: Senator Donley, Cochair, Senators Green, Wilken, Leman. Signing do not pass: Senator Hoffman. Signing do not pass, paint ball legislation: Senator Olson. Signing no recommendation: Senator Austerman.

The following fiscal information was published today:

Fiscal Note No. 1, Senate Finance Committee

The bill was referred to the Rules Committee.

**SB 191**

The Judiciary Committee considered SENATE BILL NO. 191 "An Act relating to insurance pooling by members of an airline employers association" and recommended it be replaced with

CS FOR SENATE BILL NO. 191(JUD) "An Act relating to insurance pooling by air carriers."

Signing do pass: Senator Taylor, Chair, Senator Cowdery. Signing no recommendation: Senators Ellis, Therriault, Donley.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

**HB 4**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 4(FIN) am "An Act relating to motor vehicles and to operating a motor vehicle, aircraft, or watercraft; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.  
4(JUD)

Signing no recommendation: Senator Taylor, Chair. Signing do pass: Senators Ellis, Cowdery, Donley. Signing no recommendation and review fiscal note: Senator Therriault.

The following previously published fiscal information applies:

Fiscal Note No. 5, Department of Health and Social Services

Fiscal Note No. 6, Department of Health and Social Services

Fiscal Note No. 11, zero, Department of Health and Social  
Services

Fiscal Note No. 12, zero, Department of Health and Social  
Services

Fiscal Note No. 16, Alaska Court System

Fiscal Note No. 19, Department of Administration

Fiscal Note No. 20, Department of Administration

Fiscal Note No. 21, Department of Corrections

Fiscal Note No. 22, Department of Law

Fiscal Note No. 23, Department of Public Safety

The bill was referred to the Finance Committee.

**HB 58**

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 58(L&C) "An Act relating to the calculation and payment of unemployment compensation benefits; and providing for an effective date." Signing no recommendation: Senator Phillips, Chair, Senators Austerman, Leman, Torgerson. Signing do pass: Senator Davis.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Labor and Work Force  
Development

Fiscal Note No. 3, Department of Administration

Fiscal Note No. 4, University of Alaska

The bill was referred to the State Affairs Committee.

**HB 90**

The Finance Committee considered CS FOR HOUSE BILL NO. 90(FIN) "An Act relating to reimbursement of municipal bonds for school construction; and providing for an effective date." Signing do pass: Senators Kelly, Donley, Cochairs, Senators Wilken, Leman. Signing no recommendation: Senators Green, Austerman, Hoffman, Olson.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Education and Early  
Development

The bill was referred to the Rules Committee.

**HB 106**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 106(L&C) am "An Act relating to the authorizations for certain state financial institutions of certain powers and limitations; relating to confidential records of depositors and customers of certain financial institutions; relating to the examination of certain institutions subject to AS 06; relating to the Alaska Banking Code, Mutual Savings Bank Act, Alaska Small Loans Act, and Alaska Credit Union Act; amending Rule 45, Alaska Rules of Civil Procedure, Rules 17 and 37, Alaska Rules of Criminal Procedure, and Rule 24, Alaska Bar Rules; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.  
106(JUD)  
(forthcoming) (Title change authorized by SCR 16)

Signing no recommendation: Senator Taylor, Chair, Senators Therriault, Ellis. Signing do pass: Senator Cowdery.

The following previously published fiscal information applies:

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

The bill was referred to the Finance Committee.

**HB 108**

The Finance Committee considered HOUSE BILL NO. 108 "An Act relating to the accounting for and appropriation of fees for recording and related services by the Department of Natural Resources; and providing for an effective date." Signing do pass: Senator Kelly, Cochair, Senators Green, Austerman, Hoffman, Leman. Signing no recommendation: Senator Donley, Cochair, Senator Olson.

The following fiscal information was published today:

Fiscal Note No. 2, Department of Natural Resources

The bill was referred to the Rules Committee.

**HB 115**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 115(HES) "An Act relating to the definition of 'mental health professional' for certain mental health proceedings and treatments; relating to the services of certain medical professionals in civil proceedings for the commitment of certain intoxicated persons; allowing a physician assistant or advanced nurse practitioner to certify the need for emergency treatment as a result of intoxication; and providing for an effective date." Signing do pass: Senator Taylor, Chair, Senator Cowdery. Signing no recommendation: Senators Ellis, Therriault.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Health and Social Services

The bill was referred to the Rules Committee.

**HB 132**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 132(2d RLS)(efd am) "An Act relating to the possession, distribution, importation, and transportation of alcohol in a local option area; requiring liquor license applicants to submit fingerprints for the purpose of conducting a criminal history background check, and relating to the use of criminal justice information by the Alcoholic Beverage Control Board; relating to the offenses of operating a motor vehicle, aircraft, or watercraft while intoxicated and refusal to take a breath test; relating to implied consent to take a chemical test; relating to presumptions arising from the amount of alcohol in a person's breath or blood; and providing for an effective date." Signing do pass: Senator Taylor, Chair, Senators Ellis, Cowdery. Signing no recommendation: Senator Therriault.

The following previously published fiscal information applies:

- Fiscal Note No. 1, zero, Department of Revenue
- Fiscal Note No. 6, Department of Corrections
- Fiscal Note No. 7, Department of Law
- Fiscal Note No. 8, Department of Health and Social Services
- Fiscal Note No. 9, Department of Health and Social Services
- Fiscal Note No. 10, Alaska Court System
- Fiscal Note No. 11, Department of Administration
- Fiscal Note No. 12, Department of Administration

The bill was referred to the Finance Committee.

**HB 167**

The State Affairs Committee considered CS FOR HOUSE BILL NO. 167(STA) "An Act relating to license plates for Alaska National Guard personnel and for antique motor vehicles; and providing for an effective date." Signing no recommendation: Senator Therriault, Chair. Signing do pass: Senators Phillips, Davis.

The following previously published fiscal information applies:

- Fiscal Note No. 1, zero, House State Affairs Committee

The bill was referred to the Finance Committee.

**HB 179**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 179(FIN) "An Act relating to underage drinking and drug offenses; and providing for an effective date." Signing do pass: Senator Taylor, Chair, Senators Ellis, Cowdery, Therriault, Donley.

The following previously published fiscal information applies:

- Fiscal Note No. 2, indeterminate, Department of Corrections
- Fiscal Note No. 5, Department of Health and Social Services
- Fiscal Note No. 6, Department of Health and Social Services
- Fiscal Note No. 8, Department of Administration
- Fiscal Note No. 9, Alaska Court System
- Fiscal Note No. 10, Department of Health and Social Services
- Fiscal Note No. 11, Department of Law

The bill was referred to the Finance Committee.

**HB 181**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 181(JUD) "An Act relating to the obligations of spouses, to insurance policies of spouses, to the nonprobate transfer of property on death to a community property trust, to the division of the community property of spouses at death, and to the Alaska Community Property Act; amending Rule 301, Alaska Rules of Evidence; and providing for an effective date." Signing do pass: Senator Taylor, Chair, Senators Cowdery, Therriault, Donley. Signing no recommendation: Senator Ellis.

The following previously published fiscal information applies:

- Fiscal Note No. 1, zero, Department of Law

The bill was referred to the Rules Committee.

**HB 228**

The Finance Committee considered CS FOR HOUSE BILL NO. 228(FIN) "An Act relating to the accounting of fees from business license endorsements for tobacco products, to the disclosure of certain confidential cigarette and tobacco product information, to notification regarding a cigarette manufacturer's noncompliance with the tobacco product Master Settlement Agreement, to business license

endorsements for sale of tobacco products, to citations and penalties for illegal sales of tobacco products; and providing for an effective date." Signing no recommendation: Senators Donley, Kelly, Cochairs, Senators Green, Olson, Wilken, Leman. Signing do pass: Senators Austerman, Hoffman.

The following fiscal information was published today:

Fiscal Note No. 6, Department of Law

Fiscal Note No. 7, Department of Community and Economic  
Development

Fiscal Note No. 8, Department of Health and Social Services

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Revenue

The bill was referred to the Rules Committee.

**HB 250**

The Finance Committee considered CS FOR HOUSE BILL NO. 250(FIN) "An Act relating to missions and measures to be applied to certain expenditures by the executive branch of state government and the University of Alaska from the state operating budget for the fiscal year ending June 30, 2002; and providing for an effective date" and recommended it be replaced with

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

Signing do pass: Senators Donley, Kelly, Cochairs, Senator Ward.  
Signing no recommendation: Senators Green, Austerman, Hoffman,  
Olson.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, House Finance Committee

The bill was referred to the Rules Committee.



**Recess**

Senator Leman moved and asked unanimous consent that the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 4:30 p.m.

**After Recess**

The Senate reconvened at 7:54 p.m.

**Standing Committee Reports (continued)****HB 8**

The Finance Committee considered CS FOR HOUSE BILL NO. 8(FIN) am "An Act establishing the Legislative Pioneer Road Development Task Force; and providing for an effective date" and recommended the adoption of the Transportation Senate Committee Substitute offered on page 1068. Signing do pass: Senators Kelly, Donley, Cochairs, Senators Green, Austerman, Wilken, Ward, Leman. Signing no recommendation: Senators Hoffman, Olson.

The following fiscal information was published today:

Fiscal Note No. 4, Department of Community and Economic  
Development

The following previously published fiscal information applies:

Fiscal Note No. 1, Legislative Affairs Agency  
Fiscal Note No. 2, Department of Transportation and Public  
Facilities

The bill was referred to the Rules Committee.

**HB 71**

The Finance Committee considered CS FOR HOUSE BILL NO. 71(FIN) am "An Act relating to the education of children with disabilities and of gifted children; relating to the Governor's Council on Disabilities and Special Education; and providing for an effective date." Signing do pass: Senators Donley, Kelly, Cochairs, Senators Leman, Green, Wilken, Austerman, Hoffman, Olson, Ward.

The following previously published fiscal information applies:  
Fiscal Note No. 1, zero, Department of Education and Early  
Development

The bill was referred to the Rules Committee.

**HB 76**

The Finance Committee considered CS FOR SPONSOR  
SUBSTITUTE FOR HOUSE BILL NO. 76(FIN) "An Act providing  
for and relating to the issuance of certificates of participation to  
finance construction of a new facility to be known as the Alaska  
Psychiatric Institute; giving notice of and approving the entry into and  
the issuance of certificates of participation in a lease-purchase  
agreement for construction of a new facility to be known as the Alaska  
Psychiatric Institute; giving notice of the intent and approval to retain  
investment income from pertinent appropriations to be applied to the  
cost of construction of a new facility to be known as the Alaska  
Psychiatric Institute; relating to the construction of a facility to be  
known as the Alaska Psychiatric Institute; and providing for an  
effective date" and recommended it be replaced with

SENATE CS FOR CS FOR SPONSOR  
SUBSTITUTE FOR HOUSE BILL NO. 76(FIN)

Signing do pass: Senator Kelly, Cochair. Signing no recommendation:  
Senator Donley, Cochair, Senators Green, Austerman, Hoffman,  
Olson, Wilken, Ward, Leman.

The following previously published fiscal information applies:  
Fiscal Note No. 1, zero, House Health, Education and Social  
Services Committee  
Fiscal Note No. 2, Department of Transportation and Public  
Facilities  
Fiscal Note No. 3, Department of Revenue

The bill was referred to the Rules Committee.

**HB 234**

The Finance Committee considered CS FOR HOUSE BILL NO. 234(FIN) am "An Act relating to the tobacco use education and cessation fund and to smoking education and cessation programs; relating to funding the tobacco use education and cessation fund; relating to financing of construction and major maintenance of public school facilities, facilities for the University of Alaska, and facilities for ports and harbors; authorizing the commissioner of revenue to sell the right to receive a portion of the anticipated revenue from a tobacco litigation settlement to the Northern Tobacco Securitization Corporation; relating to the deposit of certain anticipated revenue from a tobacco litigation settlement; authorizing the issuance of bonds by the Northern Tobacco Securitization Corporation with proceeds to finance public school construction and major maintenance, facilities for the University of Alaska, and facilities for ports and harbors; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.  
234(FIN)  
(forthcoming)

Signing do pass: Senators Donley, Kelly, Cochairs, Senators Green, Wilken. Signing no recommendation: Senators Leman, Austerman. Signing amend: Senators Hoffman, Olson. Signing do not pass: Senator Ward.

Fiscal information forthcoming.

The following previously published fiscal information applies:  
Fiscal Note No. 1, Department of Revenue

The bill was referred to the Rules Committee.

**HB 113**

The Rules Committee considered CS FOR HOUSE BILL NO. 113(HES) am "An Act relating to health care insurance payments for hospital or medical services; and providing for an effective date." Signing to calendar: Senator Pearce, Chair, Senators Cowdery, Ellis, Therriault.

The bill is on today's calendar.

**HB 120**

The Rules Committee considered SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 120 am "An Act adopting the National Crime Prevention and Privacy Compact; making criminal justice information available to interested persons and criminal history record information available to the public; making certain conforming amendments; and providing for an effective date." Signing to calendar: Senator Pearce, Chair, Senators Cowdery, Phillips, Ellis, Therriault.

The bill is on today's calendar.

**HB 121**

The Rules Committee considered CS FOR HOUSE BILL NO. 121(L&C) "An Act relating to the issuance of qualified charitable gift annuities." Signing to calendar: Senator Pearce, Chair, Senators Cowdery, Phillips, Therriault. Signing under other recommendations: Senator Ellis.

The bill is on today's calendar.

**HB 154**

The Rules Committee considered CS FOR HOUSE BILL NO. 154(FSH) "An Act relating to security for the payment of fishery business taxes and to payment of the fisheries resource landing tax." Signing to calendar: Senator Pearce, Chair, Senators Cowdery, Phillips. Signing under other recommendations: Senator Ellis. Signing no recommendation: Senator Therriault.

The bill is on today's calendar.

**HB 164**

The Rules Committee considered CS FOR HOUSE BILL NO. 164(JUD) "An Act prescribing the rights of grandparents related to child-in-need-of-aid hearings; and amending Rules 3, 7, 10, 15, 17, and 19, Alaska Child in Need of Aid Rules of Procedure." Signing to calendar: Senator Pearce, Chair, Senators Cowdery, Phillips, Ellis, Therriault.

The bill is on today's calendar.

**HB 187**

The Rules Committee considered CS FOR HOUSE BILL NO. 187(JUD) "An Act relating to the destruction, desecration, and vandalism of cemeteries and graves." Signing to calendar: Senator Pearce, Chair, Senators Cowdery, Phillips, Ellis, Therriault.

The bill is on today's calendar.

**HB 189**

The Rules Committee considered HOUSE BILL NO. 189 "An Act repealing statutory provisions relating to term limits and term limit pledges." Signing no recommendation: Senator Pearce, Chair, Senators Phillips, Ellis. Signing to calendar and do pass: Senator Cowdery. Signing under other recommendations: Senator Therriault.

The bill is on today's calendar.

**HB 204**

The Rules Committee considered HOUSE BILL NO. 204 "An Act relating to the Alaska Commission on Postsecondary Education and the Alaska Student Loan Corporation; relating to student financial aid programs and the financing of those programs; establishing the Alaska Advantage Loan Program and the Alaska Supplemental Education Loan Program; increasing the bonding authorization of the Alaska Student Loan Corporation; providing for liens resulting from a default under AS 14.43 or AS 14.44; relating to the duties of the recorder regarding those liens; relating to defaults under the Western Regional Higher Education Compact; relating to the prohibition on discrimination regarding programs under AS 14.43; relating to fees for the review of certain postsecondary institutions; making conforming amendments; and providing for an effective date." Signing to calendar: Senator Pearce, Chair, Senators Cowdery, Phillips, Ellis, Therriault.

The following fiscal information was published today:

Fiscal Note No. 3, Department of Education and Early  
Development

The bill is on today's calendar.

**HB 210**

The Rules Committee considered CS FOR HOUSE BILL NO. 210(JUD) am "An Act relating to sexual assault and sexual abuse of a minor." Signing to calendar: Senator Pearce, Chair, Senators Cowdery, Phillips, Ellis, Therriault.

The bill is on today's calendar.

**HB 244**

The Rules Committee considered CS FOR HOUSE BILL NO. 244(FIN) "An Act relating to a grant of state land to the Denali Borough for a railroad and utility corridor and a railroad development project; repealing provisions relating to a grant of a right-of-way of land for a railroad and utility corridor to the Alaska Industrial Development and Export Authority; and providing for an effective date." Signing no recommendation: Senator Pearce, Chair. Signing to calendar: Senators Cowdery, Phillips. Signing under other recommendations: Senator Ellis.

The bill is on today's calendar.

**HCR 17**

The Rules Committee considered CS FOR HOUSE CONCURRENT RESOLUTION NO. 17(RES) Expressing the legislature's support for sale of a portion of Alaska's North Slope natural gas for electrical generation to power data centers within the North Slope Borough. Signing to calendar: Senator Pearce, Chair, Senators Cowdery, Phillips, Ellis, Therriault.

The resolution is on today's calendar.

**Special Committee Reports****SB 103**

Message dated May 5 was read, stating:

The Conference Committee considering CS FOR SENATE BILL NO. 103(FIN) "An Act relating to election campaigns and legislative ethics" and HOUSE CS FOR CS FOR SENATE BILL NO. 103(2d RLS) am H has met and has not reached agreement. The Committee requests limited powers of free conference for the specific point listed:

Page 9, lines 26 through 31.

Contingent upon the granting of limited powers of free conference we agree to the following amendment:

Page 9, lines 26 through 31, delete all material.

Signing the report: Senator Therriault, Chair, Senators Cowdery, Ellis; Representative Kott, Chair, Representatives Coghill, Croft

President Halford granted the Senate members limited powers of free conference as requested.

The Secretary was requested to notify the House.

The following report was received at 7:45 p.m. May 5, 2001

May 5, 2001

Mr. President:

Mr. Speaker:

The CONFERENCE COMMITTEE with limited powers of free conference considered CS FOR SENATE BILL NO. 103(FIN) and HOUSE CS FOR CS FOR SENATE BILL NO. 103(2d RLS) am H and recommends

CONFERENCE CS FOR SENATE BILL NO. 103  
"An Act relating to election campaigns and  
legislative ethics."

be adopted.

Signing the report: Senator Therriault, Chair, Senators Ellis, Cowdery;  
Representative Kott, Chair, Representatives Coghill, Croft.

The following previously published fiscal information applies:  
Fiscal Note No. 2, Department of Administration

Senator Leman moved that the Senate adopt the Conference  
Committee Report on CONFERENCE CS FOR SENATE BILL NO.  
103.

The question being: "Shall the Senate adopt the Conference  
Committee Report on CONFERENCE CS FOR SENATE BILL NO.  
103 "An Act relating to election campaigns and legislative ethics"?"  
The roll was taken with the following result:

CCS SB 103

Adopt Conference Committee Report?

**YEAS: 17 NAYS: 0 EXCUSED: 0 ABSENT: 3**

Yeas: Austerman, Cowdery, Davis, Ellis, Elton, Green, Halford,  
Leman, Lincoln, Olson, Pearce, Phillips, Taylor, Therriault,  
Torgerson, Ward, Wilken

Absent: Donley, Hoffman, Kelly

and so, the report was adopted.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for engrossment and enrollment.



**Consideration of the Calendar****Second Reading of House Bills****HB 113**

CS FOR HOUSE BILL NO. 113(HES) am "An Act relating to health care insurance payments for hospital or medical services; and providing for an effective date" was read the second time.

Senator Green, Chair, moved and asked unanimous consent for the adoption of the Health, Education and Social Services Senate Committee Substitute offered on page 1528. Senator Ellis objected, then withdrew his objection. There being no further objections, SENATE CS FOR CS FOR HOUSE BILL NO. 113 (HES) was adopted and read the second time.

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

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

SCS CSHB 113(HES)

Advance from Second to Third Reading?

**YEAS: 12 NAYS: 5 EXCUSED: 0 ABSENT: 3**

Yeas: Austerman, Cowdery, Green, Halford, Leman, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Lincoln, Olson

Absent: Donley, Hoffman, Kelly

and so, the bill failed to advance to third reading.

SENATE CS FOR CS FOR HOUSE BILL NO. 113 (HES) will be on the May 7 calendar.

**HB 120**

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 120 am "An Act adopting the National Crime Prevention and Privacy Compact; making criminal justice information available to interested persons and criminal history record information available to the public; making certain conforming amendments; and providing for an effective date" was read the second time.

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

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

SSHB 120 am

Advance from Second to Third Reading?

**YEAS: 12 NAYS: 5 EXCUSED: 0 ABSENT: 3**

Yeas: Austerman, Cowdery, Green, Halford, Leman, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Lincoln, Olson

Absent: Donley, Hoffman, Kelly

and so, the bill failed to advance to third reading.

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 120 am will be on the May 7 calendar.

**HB 121**

CS FOR HOUSE BILL NO. 121(L&C) "An Act relating to the issuance of qualified charitable gift annuities" was read the second time.

Senator Taylor, Chair, moved and asked unanimous consent for the adoption of the Judiciary Senate Committee Substitute offered on page 1529. Senator Ellis objected, then withdrew his objection. There being no further objections, SENATE CS FOR CS FOR HOUSE BILL NO. 121(JUD) was adopted and read the second time.

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

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

SCS CSHB 121(JUD)

Advance from Second to Third Reading?

**YEAS: 12 NAYS: 5 EXCUSED: 0 ABSENT: 3**

Yeas: Austerman, Cowdery, Green, Halford, Leman, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Lincoln, Olson

Absent: Donley, Hoffman, Kelly

and so, the bill failed to advance to third reading.

SENATE CS FOR CS FOR HOUSE BILL NO. 121 (JUD) will be on the May 7 calendar.

**HB 154**

CS FOR HOUSE BILL NO. 154(FSH) "An Act relating to security for the payment of fishery business taxes and to payment of the fisheries resource landing tax" was read the second time.

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

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

CSHB 154(FSH)

Advance from Second to Third Reading?

**YEAS: 11 NAYS: 5 EXCUSED: 0 ABSENT: 4**

Yeas: Austerman, Cowdery, Green, Halford, Leman, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Lincoln, Olson

Absent: Donley, Hoffman, Kelly, Pearce

and so, the bill failed to advance to third reading.

CS FOR HOUSE BILL NO. 154(FSH) will be on the May 7 calendar.

**HB 164**

CS FOR HOUSE BILL NO. 164(JUD) "An Act prescribing the rights of grandparents related to child-in-need-of-aid hearings; and amending Rules 3, 7, 10, 15, 17, and 19, Alaska Child in Need of Aid Rules of Procedure" was read the second time.

Senators Olson, Halford, Taylor, Ward, Pearce, Green, Cowdery, Davis moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

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

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

CSHB 164(JUD)

Advance from Second to Third Reading?

**YEAS: 12 NAYS: 5 EXCUSED: 0 ABSENT: 3**

Yeas: Austerman, Cowdery, Green, Halford, Leman, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Lincoln, Olson

Absent: Donley, Hoffman, Kelly

and so, the bill failed to advance to third reading.

CS FOR HOUSE BILL NO. 164(JUD) will be on the May 7 calendar.

**HB 187**

CS FOR HOUSE BILL NO. 187(JUD) "An Act relating to the destruction, desecration, and vandalism of cemeteries and graves" was read the second time.

Senators Lincoln, Ellis, Taylor, Olson moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

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

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

CSHB 187(JUD)

Advance from Second to Third Reading?

**YEAS: 12 NAYS: 5 EXCUSED: 0 ABSENT: 3**

Yeas: Austerman, Cowdery, Green, Halford, Leman, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Lincoln, Olson

Absent: Donley, Hoffman, Kelly

and so, the bill failed to advance to third reading.

CS FOR HOUSE BILL NO. 187(JUD) will be on the May 7 calendar.

**HB 189**

HOUSE BILL NO. 189 "An Act repealing statutory provisions relating to term limits and term limit pledges" was read the second time.

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

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

HB 189

Advance from Second to Third Reading?

**YEAS: 12 NAYS: 5 EXCUSED: 0 ABSENT: 3**

Yeas: Austerman, Cowdery, Green, Halford, Leman, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Lincoln, Olson

Absent: Donley, Hoffman, Kelly

and so, the bill failed to advance to third reading.

HOUSE BILL NO. 189 will be on the May 7 calendar.

**HB 204**

HOUSE BILL NO. 204 "An Act relating to the Alaska Commission on Postsecondary Education and the Alaska Student Loan Corporation; relating to student financial aid programs and the financing of those programs; establishing the Alaska Advantage Loan Program and the Alaska Supplemental Education Loan Program; increasing the bonding authorization of the Alaska Student Loan Corporation; providing for liens resulting from a default under AS 14.43 or AS 14.44; relating to the duties of the recorder regarding those liens; relating to defaults under the Western Regional Higher Education Compact; relating to the prohibition on discrimination regarding programs under AS 14.43; relating to fees for the review of certain postsecondary institutions; making conforming amendments; and providing for an effective date" was read the second time.

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

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

HB 204

Advance from Second to Third Reading?

**YEAS: 12 NAYS: 5 EXCUSED: 0 ABSENT: 3**

Yeas: Austerman, Cowdery, Green, Halford, Leman, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Lincoln, Olson

Absent: Donley, Hoffman, Kelly

and so, the bill failed to advance to third reading.

HOUSE BILL NO. 204 will be on the May 7 calendar.

**HB 210**

CS FOR HOUSE BILL NO. 210(JUD) am "An Act relating to sexual assault and sexual abuse of a minor" was read the second time.

Senators Pearce, Halford, Taylor, Leman moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

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

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

CSHB 210(JUD) am

Advance from Second to Third Reading?

**YEAS: 12 NAYS: 4 EXCUSED: 0 ABSENT: 4**

Yeas: Austerman, Cowdery, Green, Halford, Leman, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Lincoln, Olson

Absent: Donley, Elton, Hoffman, Kelly

and so, the bill failed to advance to third reading.

CS FOR HOUSE BILL NO. 210 (JUD) am will be on the May 7 calendar.

**HB 234**

Senator Leman moved and asked unanimous consent that the consideration of CS FOR HOUSE BILL NO. 234(FIN) am "An Act relating to the tobacco use education and cessation fund and to smoking education and cessation programs; relating to funding the tobacco use education and cessation fund; relating to financing of construction and major maintenance of public school facilities, facilities for the University of Alaska, and facilities for ports and harbors; authorizing the commissioner of revenue to sell the right to receive a portion of the anticipated revenue from a tobacco litigation settlement to the Northern Tobacco Securitization Corporation; relating to the deposit of certain anticipated revenue from a tobacco litigation settlement; authorizing the issuance of bonds by the Northern Tobacco Securitization Corporation with proceeds to finance public school construction and major maintenance, facilities for the University of Alaska, and facilities for ports and harbors; and providing for an effective date" be held to the bottom of the calendar. Without objection, it was so ordered.

**HB 244**

CS FOR HOUSE BILL NO. 244(FIN) "An Act relating to a grant of state land to the Denali Borough for a railroad and utility corridor and a railroad development project; repealing provisions relating to a grant of a right-of-way of land for a railroad and utility corridor to the Alaska Industrial Development and Export Authority; and providing for an effective date" was read the second time.

Senator Torgerson, Chair, moved and asked unanimous consent for the adoption of the Resources Senate Committee Substitute offered on page 1491. Senator Ellis objected, then withdrew his objection. There being no further objections, SENATE CS FOR CS FOR HOUSE BILL NO. 244(RES) was adopted and read the second time.

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



The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

SCS CSHB 244(RES)

Advance from Second to Third Reading?

**YEAS: 11 NAYS: 5 EXCUSED: 0 ABSENT: 4**

Yeas: Austerman, Cowdery, Green, Halford, Leman, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Lincoln, Olson

Absent: Donley, Hoffman, Kelly, Pearce

and so, the bill failed to advance to third reading.

SENATE CS FOR CS FOR HOUSE BILL NO. 244(RES) will be on the May 7 calendar.

### **Third Reading of House Bills**

#### **HB 101**

SENATE CS FOR CS FOR HOUSE BILL NO. 101 (HES) was read the third time.

Senator Ellis called the Senate. The call was satisfied.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 101(HES) "An Act relating to charter schools; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 101(HES)

Third Reading - Final Passage

Effective Date

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

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 101(HES) passed the Senate.

Senator Lemman moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered.

Senator Ellis gave notice of reconsideration.

**HB 142**

CS FOR HOUSE BILL NO. 142(HES) "An Act relating to the Alaska temporary assistance program; and providing for an effective date" was read the third time.

Senator Green moved that the bill be returned to second reading for the purpose of a specific amendment, that being Amendment No. 2. Without objection, the bill was returned to second reading.

Senator Green offered Amendment No. 2:

Page 1, line 14, following "disability":

Insert "**that requires 24-hour care, as certified by a physician or other licensed medical professional**"

Senator Green moved for the adoption of Amendment No. 2. Without objection, Amendment No. 2 was adopted.

CS FOR HOUSE BILL NO. 142(HES) am S was automatically in third reading.

The question being: "Shall CS FOR HOUSE BILL NO. 142(HES) am S "An Act relating to the Alaska temporary assistance program; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 142(HES) am S  
Third Reading - Final Passage  
Effective Dates

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

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

and so, CS FOR HOUSE BILL NO. 142(HES) am S passed the Senate.

Senator Leman moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clauses. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

**HB 193**

SENATE CS FOR CS FOR HOUSE BILL NO. 193 (FIN) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 193(FIN) "An Act relating to the primary election and to the nomination of candidates for the general election; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 193(FIN)  
Third Reading - Final Passage  
Effective Date

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

Yeas: Austerman, Cowdery, Donley, Green, Halford, Kelly, Leman, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

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

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 193(FIN) passed the Senate.

Senator Leman moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered.

Senator Ellis gave notice of reconsideration.

**HB 214**

CS FOR HOUSE BILL NO. 214(L&C) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 214(L&C) "An Act relating to a civil action against a person under 21 years of age who enters premises where alcohol is sold or consumed" pass the Senate?" The roll was taken with the following result:

CSHB 214(L&C)

Third Reading - Final Passage

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

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

and so, CS FOR HOUSE BILL NO. 214(L&C) passed the Senate.

Senator Ellis gave notice of reconsideration.

**HB 242**

SENATE CS FOR CS FOR HOUSE BILL NO. 242(FIN) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 242(FIN) "An Act relating to reemployment of and medical benefits for retired members of the teachers' retirement system and public employees' retirement system; relating to the inclusion of cost-of-living differentials on compensation and benefits under the public employees' retirement system; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 242(FIN)  
Third Reading - Final Passage  
Effective Dates

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

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 242(FIN) passed the Senate.

Senator Leman moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clauses. Without objection, it was so ordered.

Senator Ellis gave notice of reconsideration.

### **Second Reading of House Resolutions**

#### **HJR 23**

CS FOR HOUSE JOINT RESOLUTION NO. 23(STA) Advocating the retention of the electoral college system in its present form, which had been held to the May 6 calendar (page 1555) was read the second time.

Senator Therriault, Chair, moved and asked unanimous consent for the adoption of the State Affairs Senate Committee Substitute offered on page 1491. Senator Ellis objected, then withdrew his objection. There being no further objections, SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 23(STA) was adopted and read the second time.

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

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 23(STA) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 23(STA) Advocating the retention of the electoral college system in its present form, pass the Senate?" The roll was taken with the following result:

SCS CSHJR 23(STA)

Third Reading - Final Passage

**YEAS: 16 NAYS: 4 EXCUSED: 0 ABSENT: 0**

Yeas: Austerman, Cowdery, Donley, Green, Halford, Hoffman, Kelly, Leman, Olson, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Lincoln

and so, SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 23 (STA) passed the Senate.

Senator Ellis gave notice of reconsideration.

**HCR 17**

CS FOR HOUSE CONCURRENT RESOLUTION NO. 17(RES) Expressing the legislature's support for sale of a portion of Alaska's North Slope natural gas for electrical generation to power data centers within the North Slope Borough, was read the second time.

Senator Taylor, Chair, moved and asked unanimous consent for the adoption of the Judiciary Senate Committee Substitute offered on page 1532. Senator Ellis objected.

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

CSHCR 17(RES)  
Second Reading - Final Passage  
Adopt Judiciary Committee Substitute?

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

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Pearce, Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

and so, SENATE CS FOR CS FOR HOUSE CONCURRENT RESOLUTION NO. 17(JUD) was adopted, read the second time and was before the Senate on final passage.

The question being: "Shall SENATE CS FOR CS FOR HOUSE CONCURRENT RESOLUTION NO. 17(JUD) Expressing the legislature's support for sale of a portion of Alaska's North Slope natural gas for electrical generation to power data centers within the North Slope Borough, pass the Senate?" The roll was taken with the following result:

SCS CSHCR 17(JUD)  
Second Reading - Final Passage

**YEAS: 17 NAYS: 3 EXCUSED: 0 ABSENT: 0**

Yeas: Austerman, Cowdery, Donley, Ellis, Elton, Green, Hoffman, Kelly, Leman, Lincoln, Olson, Pearce, Phillips, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Halford, Taylor

and so, SENATE CS FOR CS FOR HOUSE CONCURRENT RESOLUTION NO. 17 (JUD) passed the Senate.

Senator Ellis gave notice of reconsideration.

**Citations**

Honoring – Harold H. Samuelsen, Sr.  
Senator(s) Hoffman, Halford, Ward, Wilken, Leman, Pearce,  
Austerman, Lincoln, Green, Elton, Kelly, Taylor, Davis, Cowdery,  
Olson

Honoring – The YMCA  
Senator(s) Donley, Halford, Ward, Wilken, Hoffman, Phillips, Leman,  
Pearce, Austerman, Lincoln, Green, Elton, Kelly, Taylor, Davis, Ellis,  
Cowdery, Therriault

Honoring – Eliza Jones  
Representative(s) Morgan  
Senator(s) Lincoln, Halford, Ward, Wilken, Hoffman, Leman, Pearce,  
Austerman, Green, Elton, Kelly, Taylor, Davis, Cowdery, Therriault

Honoring – Georgia Strunk  
Representative(s) Morgan  
Senator(s) Lincoln, Halford, Ward, Wilken, Hoffman, Leman, Pearce,  
Austerman, Green, Elton, Kelly, Taylor, Davis, Cowdery

Honoring – Reverend Arthur E. Curtis, A Decade of Service  
Representative(s) Cissna  
Senator(s) Davis, Halford, Ward, Wilken, Hoffman, Pearce,  
Austerman, Lincoln, Green, Elton, Kelly, Taylor, Ellis, Cowdery,  
Therriault, Olson

Honoring – United Way of the Tanana Valley  
Representative(s) Hayes  
Senator(s) Wilken, Halford, Ward, Hoffman, Pearce, Austerman,  
Lincoln, Green, Elton, Kelly, Taylor, Davis, Ellis, Cowdery, Therriault

Honoring – Martin Foster  
Representative(s) Hayes, Davies  
Senator(s) Wilken, Halford, Ward, Hoffman, Pearce, Austerman,  
Lincoln, Green, Elton, Kelly, Taylor, Davis, Cowdery

Honoring – Captain Ed Page  
Representative(s) Kerttula, Hudson  
Senator(s) Pearce, Elton, Halford, Ward, Wilken, Hoffman, Leman,  
Austerman, Lincoln, Green, Kelly, Taylor, Davis, Cowdery



Honoring – Renee Henderson  
Representative(s) Chenault  
Senator(s) Ward, Halford, Wilken, Hoffman, Leman, Pearce,  
Austerman, Lincoln, Green, Elton, Kelly, Taylor, Davis, Cowdery

In Memoriam – Reverend Paul Tritt, Sr.  
Senator(s) Lincoln, Halford, Ward, Wilken, Hoffman, Phillips, Leman,  
Pearce, Austerman, Green, Elton, Kelly, Taylor, Davis, Cowdery,  
Olson

In Memoriam – Marissa Stevens, October 26, 1989 – May 3, 2001  
Representative(s) Ogan  
Senator(s) Green, Halford, Ward, Wilken, Hoffman, Leman, Pearce,  
Austerman, Lincoln, Elton, Kelly, Taylor, Davis, Cowdery

In Memoriam – Willow M. Burand  
Representative(s) Foster  
Senator(s) Olson, Halford, Ward, Wilken, Hoffman, Leman, Pearce,  
Austerman, Lincoln, Green, Elton, Kelly, Taylor, Davis, Ellis,  
Cowdery

Senator Leman moved and asked unanimous consent that the citations  
be adopted. Without objection, the citations were adopted and referred  
to the Secretary for transmittal.

Senator Leman moved and asked unanimous consent that the Senate  
return to Messages from the House. Senator Ellis objected, then  
withdrew his objection. There being no further objections, the Senate  
returned to:

### **Messages from the House**

#### **SB 103**

Mr. President:

The speaker has granted limited powers of free conference to the  
Conference Committee considering:

HOUSE CS FOR CS FOR SENATE BILL NO. 103(2d RLS) am H

and

CS FOR SENATE BILL NO. 103(FIN) "An Act relating to election campaigns and legislative ethics."

on the following specific point:

Page 9, lines 26 - 31

President Halford granted the Senate conferees limited powers of free conference on May 6 (page 1587).

Message dated May 6 was read, stating the House has adopted the report of the Conference Committee with limited powers of free conference considering HOUSE CS FOR CS FOR SENATE BILL NO. 103(2d RLS) am H and CS FOR SENATE BILL NO. 103 (FIN), thus adopting:

CONFERENCE CS FOR SENATE BILL NO. 103  
"An Act relating to election campaigns and  
legislative ethics."

The Senate adopted CONFERENCE CS FOR SENATE BILL NO. 103 on May 6 (page 1588).

The bill was referred to the Secretary for engrossment and enrollment.

**SB 50**

Message dated May 6 was read, stating the House passed and returned:

SENATE BILL NO. 50 "An Act extending the  
termination date of the Board of Veterinary  
Examiners."

The bill was referred to the Secretary for enrollment.

Message dated May 6 was read, stating the House passed and transmitted for consideration:

### **First Reading and Reference of House Bills**

#### **HB 185**

CS FOR HOUSE BILL NO. 185(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to fees for certain uses of state water, other than fees for traveling upon state water, and to the accounting and appropriation of those fees; relating to authorizations for the temporary use of state water; making other amendments to the Alaska Water Use Act; and providing for an effective date."

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

### **Unfinished Business**

#### **HB 49**

Senator Kelly, Cochair, moved and asked unanimous consent that the Finance Committee referral be waived on CS FOR HOUSE BILL NO. 49(FIN) "An Act extending the termination date of the Board of Parole; and providing for an effective date." Without objection, the bill was referred to the Rules Committee.

#### **HB 167**

Senator Kelly, Cochair, moved and asked unanimous consent that the Finance Committee referral be waived on CS FOR HOUSE BILL NO. 167(STA) "An Act relating to license plates for Alaska National Guard personnel and for antique motor vehicles; and providing for an effective date." Without objection, the bill was referred to the Rules Committee.

Senator Olson moved and asked unanimous consent to be shown as a cross sponsor on CS FOR HOUSE BILL NO. 167(STA) "An Act relating to license plates for Alaska National Guard personnel and for antique motor vehicles; and providing for an effective date." Without objection, it was so ordered.

**HB 101**

Senator Olson moved and asked unanimous consent to be shown as a cross sponsor on CS FOR HOUSE BILL NO. 101(FIN) "An Act relating to charter schools; and providing for an effective date." Without objection, it was so ordered.

**HB 102**

Senator Kelly, Cochair, moved and asked unanimous consent that the Finance Committee referral be waived on CS FOR HOUSE BILL NO. 102(JUD) "An Act relating to the theft of propelled vehicles." Without objection, the bill was referred to the Rules Committee.

**HB 52**

Senator Taylor, Chair, moved and asked unanimous consent that the Judiciary Committee referral be waived on HOUSE BILL NO. 52 am "An Act relating to the Interstate Compact for Adult Offender Supervision and the State Council for Interstate Adult Offender Supervision; amending Rules 4 and 24, Alaska Rules of Civil Procedure; and providing for an effective date." Without objection, the bill was referred to the Finance Committee.

**HB 58**

Senator Therriault, Chair, moved and asked unanimous consent that the State Affairs Committee referral be waived on CS FOR HOUSE BILL NO. 58(L&C) "An Act relating to the calculation and payment of unemployment compensation benefits; and providing for an effective date." Without objection, the bill was referred to the Finance Committee.

Senator Wilken moved and asked unanimous consent to be excused, not subject to a call, from June 27 through July 8. Without objection, Senator Wilken was excused.

**Announcements**

Announcements are at the end of the journal.

**Engrossment****SB 169**

CS FOR SENATE BILL NO. 169(FIN) "An Act providing that the delinquency laws are inapplicable to minors who are at least 16 years of age and are accused of felony crimes against persons directed at victims because of the victims' race, sex, color, creed, physical or mental disability, ancestry, or national origin" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**SB 210**

CS FOR SENATE BILL NO. 210(JUD) "An Act relating to the constitutional right to privacy" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**SB 218**

CS FOR SENATE BILL NO. 218(TRA) am "An Act relating to international airports revenue bonds and requiring that the spending plan for the International Airports Construction Fund include information about the amounts spent during the previous fiscal year for cost overruns on certain projects and the identification of time delays on certain projects; relating to customer facility charges to fund facilities in airports to be constructed without using international airport revenue bonds; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**HB 65**

SENATE CS FOR CS FOR HOUSE BILL NO. 65(HES) am S "An Act relating to a new optional group of persons eligible for medical assistance who require treatment for breast or cervical cancer; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 142**

CS FOR HOUSE BILL NO. 142(HES) am S "An Act relating to the Alaska temporary assistance program; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**Adjournment**

Senator Lemman moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., May 7, 2001. Without objection, the Senate adjourned at 9:36 p.m.

Heidi Vogel  
Secretary of the Senate

May 2001

**Announcements**

Americans with Disabilities Act Notice - Persons with disabilities who require special accommodation or alternative communication formats to access committee meetings may contact the appropriate committee office or the Legislative Information Office in their community. Reasonable advance notice is needed to accommodate the request. For further information, call the ADA Coordinator at 465-3854 Voice/465-4980 TDD.

**STANDING COMMITTEES**

+ indicates teleconference  
 = indicates bill previously heard/scheduled

**FINANCE**

**May 06 Sunday Senate Finance 532 9:00 AM**  
 + HB 132 ALCOHOL:LOCAL OPTION/DWI/LICENSING  
 + HB 179 UNDERAGE DRINKING & DRUG OFFENSES  
 + HB 71 EDUC. OF DISABLED OR GIFTED CHILDREN  
 + HB 108 DEPT NATURAL RESOURCES RECORDING FEES  
 += HB 234 TOBACCO SETTLEM'T:BONDS & SMOKING PROGRAM

**May 06 Sunday Senate Finance 532 6:00 PM**  
 + Bills Previously Heard/Scheduled

**May 07 Monday Senate Finance 532 9:00 AM**  
 + Bills Previously Heard/Scheduled

**May 07 Monday Senate Finance 532 6:00 PM**  
 Bills Previously Heard/Scheduled

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**JUDICIARY**

**May 06 Sunday Beltz 211 1:30 PM**  
 HB 115 EMERGENCY COMMITMENT ORDERS AND TREATMENT  
 Bills Previously Heard/Scheduled  
 = HB 106 FINANCIAL INSTITUTIONS  
 = HB 132 ALCOHOL:LOCAL OPTION/DWI/LICENSING  
 = HB 152 BREWPUB LICENSES  
 = HB 184 INSURANCE CODE AMENDMENTS

**JUDICIARY (continued)**

**May 07 Monday Beltz 211 9:30 AM**  
 -- Time Change --  
 = HB 152 BREWPUB LICENSES  
 = HB 184 INSURANCE CODE AMENDMENTS

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**LABOR & COMMERCE**

**May 06 Sunday Beltz 211 8:30 AM**  
 -- Rescheduled from 5/5/01 --  
 = HB 58 UNEMPLOYMENT COMPENSATION BENEFITS  
 Uniform Rule 23 Waived

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**RULES**

**May 06 Sunday Fahrenkamp 203 4:30 PM**  
 HB 113 HEALTH CARE INSURANCE PAYMENTS  
 HB 120 CRIME PREVENTION & PRIVACY COMPACT  
 HB 121 QUALIFIED CHARITABLE GIFT ANNUITIES  
 HB 154 FISHERY BUS. TAX/FISHERIES RES. LAND. TAX  
 HB 164 GRANDPARENTS' RIGHTS REGARDING CINA  
 HB 187 VANDALISM OF CEMETERIES & GRAVES  
 HB 189 REPEAL TERM LIMITS/TERM LIMITS PLEDGES  
 HB 204 STUDENT LOANS/COMN. ON POSTSECONDARY ED.  
 HB 210 STAT. OF LIMITATIONS:SEXUAL ASSAULT/ABUSE  
 HB 244 RIGHT-OF-WAY TO DENALI BOR. FOR RR/UTIL.  
 HCR 17 SALE OF NATURAL GAS TO POWER DATA CENTERS  
 = HB 234 TOBACCO SETTLEM'T:BONDS & SMOKING PROGRAM

**May 07 Monday Fahrenkamp 203**  
 -- Upon Recess --  
 SB 186 LIMIT MUNICIPAL G.O.BOND DEBT  
 HB 49 EXTEND TERMINATION DATE FOR BD OF PAROLE  
 HB 71 EDUC. OF DISABLED OR GIFTED CHILDREN  
 HB 76 NEW FACILITIES FOR API  
 HB 90 MUNICIPAL SCHOOL BOND REIMBURSEMENT  
 HB 102 THEFT OF PROPELLED VEHICLES  
 HB 108 DEPT NATURAL RESOURCES RECORDING FEES  
 HB 115 EMERGENCY COMMITMENT ORDERS AND  
 TREATMENT  
 HB 132 ALCOHOL:LOCAL OPTION/DWI/LICENSING



**RULES (continued)**

- <Pending Referral>
- HB 167 MOTOR VEH.LIC.PLATES: NATL GUARD/ANTIQUE
- HB 172 THERAPEUTIC DRUG AND ALCOHOL COURTS
- <Pending Referral>
- HB 179 UNDERAGE DRINKING & DRUG OFFENSES
- <Pending Referral>
- HB 181 COMMUNITY PROPERTY/OBLIGATIONS OF SPOUSES
- HB 184 INSURANCE CODE AMENDMENTS
- <Pending Referral>
- HB 185 STATE WATER USE
- <Pending Referral>
- HB 228 SALE OF TOBACCO PRODUCTS
- HB 230 RAILROAD EMPLOYEE SALARIES AND WAGES
- = HB 234 TOBACCO SETTLEM'T:BONDS & SMOKING PROGRAM
- HB 250 OPERATING BUDGET MISSIONS AND MEASURES

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**TRANSPORTATION**

- May 06      Sunday                      Butrovich 205              9:00 AM**
- Rescheduled from 5/5/01 --
- = HB 260 COMMER.PASSENGER VESSEL REGULATION & FEES

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**JOINT COMMITTEES**

**CONFERENCE COMMITTEES ON HB 103 & HB 104**

- May 06      Sunday                      Senate Finance 532              7:45 PM**
- Time Change --
- = HB 103 APPROP: OPERATING BUDGET
- = HB 104 APPROP: MENTAL HEALTH BUDGET

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**LEGISLATIVE BUDGET & AUDIT**

- May 07      Monday                      Location TBA              9:00 AM**
- Audit Requests
- Other Committee Business