

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Monday

May 6, 2002

One Hundred Thirteenth Day

Pursuant to adjournment the Senate was called to order by President Halford at 11:52 a.m.

The roll showed twenty members present. Senator Cowdery was excused from a call of the Senate from 12:00 p.m.

The prayer was offered by the Chaplain, Major Larry Fankhauser of The Salvation Army. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear God, As we begin this new week, I lift up to You each Senator gathered here and those they represent all across this great state.

We bring to You our petitions for insight and wisdom. The responsibility of governing over Your people is a great task, and it is only with Your spirit guiding that we can hope to accomplish what is good and just.

There are tasks that need our attention, and we are so thankful that we can turn to One Who knows and cares about every facet of our lives. One Who says I will be there if you but call out to Me.

Thank You Lord for this day, a new day to experience Your wonder and grace. Amen.

Senator Davis led the Senate in the Pledge of Allegiance.

Certification

Senator Leman moved and asked unanimous consent that the journals for the one hundred tenth through one hundred twelfth legislative days be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the Governor**SB 328**

Message dated and received May 3 was read, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE BILL NO. 328 "An Act requiring that a nonresident big game hunter be accompanied by a big game guide who is providing big game hunting services to the nonresident under a contract with the nonresident or who is employed by a big game guide who has a contract to provide big game hunting services to the nonresident."

Chapter 14, SLA 2002
Effective Date: 08/01/02

SB 176

Message dated and received May 3 was read, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE CS FOR CS FOR SENATE BILL NO. 176(RLS) "An Act prohibiting certain coercive activity by distributors; relating to certain required distributor payments and purchases; prohibiting distributors from requiring certain contract terms as a condition for certain acts related to distributorship and ancillary agreements; allowing dealers to bring certain court actions against distributors for certain relief; and making exemptions that relate to the

federal Petroleum Marketing Practices Act, situations regulated by the Alaska Gasoline Products Leasing Act, distributorship agreements relating to motor vehicles required to be registered under AS 28.10, activities and agreements by persons licensed under AS 04, contracts between persons licensed under AS 04 and out-of-state persons in the alcoholic beverage industry, distributorship agreements involving cigarettes, food, drink, or components of food or drink, manufacturers with 50 or fewer employees, suppliers, manufacturers, importers, and wholesalers of alcoholic beverages."

Chapter 15, SLA 2002
Effective Date: 08/01/02

SB 244

Message dated and received May 3 was read, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR SENATE BILL NO. 244(RLS) "An Act extending the termination date of the Board of Examiners in Optometry; and relating to optometrists."

Chapter 16, SLA 2002
Effective Date: 08/01/02

SB 242

Message dated and received May 3 was read, stating:

Dear President Halford:

Under the authority of art. II, sec. 17 of the Alaska Constitution, I am allowing the following bill passed by the second session of the Twenty-second Alaska State Legislature to become law without my signature and am transmitting the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE BILL NO. 242 am H "An Act relating to concealed handgun permittees."

Chapter No. 17, SLA 2002
Effective Date: 08/01/02

I have allowed this bill to become law without my signature because while it does little to benefit Alaskans, its impact is minimal. Some concerns regarding this bill were raised during the legislative process by state agencies and the Alaska Peace Officers Association. However, the case made on behalf of Alaska's concealed handgun permit holders by Lt. Governor Fran Ulmer and Democratic legislators Harry Crawford, Eric Croft, John Davies, Gretchen Guess, and Joe Hayes persuaded me otherwise.

Generally, Alaska's current concealed handgun permit law has worked well. Further revisions to it, such as these, may have little or no practical effect. For these reasons, I have decided to let this bill become law without my signature.

Sincerely,
/s/
Tony Knowles
Governor

SCR 21

Message dated and received May 3 was read, stating the Governor transmitted the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's Office for permanent filing:

CS FOR SENATE CONCURRENT RESOLUTION
NO. 21(HES) Supporting the development of
adequate in-state treatment capacity for severely
disturbed children.

Legislative Resolve No. 51

SJR 31

Message dated and received May 3 was read, stating the Governor transmitted the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's Office for permanent filing:

CS FOR SENATE JOINT RESOLUTION NO.
31(STA) Urging the United States Congress to permit
the use of tax exempt bonds to fund loans for
veterans who served after 1976.

Legislative Resolve No. 52

SCR 28

Message dated and received May 3 was read, stating the Governor transmitted the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's Office for permanent filing:

HOUSE CS FOR CS FOR SENATE
CONCURRENT RESOLUTION NO. 28(FIN)
Establishing the Joint Legislative Salmon Industry
Task Force.

Legislative Resolve No. 53

HCR 19

Message dated and received May 3 was read, stating the Governor transmitted the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's Office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 19
Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning Senate Bill No. 176; prohibiting certain
coercive activity by distributors, relating to certain
required distributor payments and purchases;
prohibiting distributors from requiring certain
contract terms as a condition for certain acts related
to distributorship and ancillary agreements; allowing
dealers to bring certain court actions against
distributors for certain relief; and exempting from the

provisions of the Act franchises regulated by the federal Petroleum Marketing Practices Act, situations regulated by the Alaska Gasoline Products Leasing Act, and distributorship agreements relating to motor vehicles required to be registered under AS 28.10.

Legislative Resolve No. 54

HCR 26

Message dated and received May 3 was read, stating the Governor transmitted the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's Office for permanent filing:

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.

Legislative Resolve No. 55

SCR 31

Message dated and received May 3 was read, stating the Governor transmitted the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's Office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 31 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 297, regarding aggravating factors at sentencing.

Legislative Resolve No. 56

Messages from the House**HB 298**

Message dated May 3 was read, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 298(L&C), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO.
298(FIN) "An Act relating to authorizing the Alaska
Railroad Corporation to lease land for a period of up
to 55 years; and providing for an effective date."

HB 304

Message dated May 2 transmitting CS FOR HOUSE BILL NO. 304(2d RLS) am "An Act relating to the education fund and the infrastructure and economic development fund, to the market value of the permanent fund, to distribution of the income of the permanent fund, and to the determination of net income of the mental health trust fund" which was referred to the Senate Judiciary Committee on May 3 (page 3143), included a House Letter of Intent (House Journal page 3277).

HB 470

Message dated May 3 was read, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 470(L&C)(title am), thus adopting:

SENATE CS FOR CS FOR HOUSE BILL NO.
470(RLS) "An Act relating to public offering
statements required under the Uniform Common
Interest Ownership Act; and providing for an
effective date."

HJR 46

Message dated May 3 was read, stating the House concurred in the Senate amendment to CS FOR HOUSE JOINT RESOLUTION NO. 46(RES), thus adopting:

SENATE CS FOR CS FOR HOUSE JOINT
RESOLUTION NO. 46(RLS) Relating to the
moratorium on fish farming in British Columbia.

Message dated May 3 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 175

CS FOR HOUSE BILL NO. 175(2d FIN) BY THE HOUSE
FINANCE COMMITTEE, entitled:

"An Act making an appropriation to the Alaska
Energy Authority to secure repayment of bonds for
power and intertie projects; and providing for an
effective date."

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

HB 464

CS FOR HOUSE BILL NO. 464(RLS) BY THE HOUSE RULES
COMMITTEE, entitled:

"An Act relating to statewide school district
correspondence study and to centralized
correspondence study."

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

HB 489

CS FOR HOUSE BILL NO. 489(JUD) BY THE HOUSE
JUDICIARY COMMITTEE, entitled:

"An Act relating to cruelty to animals."

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

HB 524

CS FOR HOUSE BILL NO. 524(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to the issuance of general obligation bonds for the purpose of paying the cost of design, construction, and major maintenance of educational and museum facilities; and providing for an effective date."

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

HB 525

CS FOR HOUSE BILL NO. 525(FIN) am BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to the issuance of general obligation bonds for the purpose of paying the cost of deferred maintenance of public facilities; and providing for an effective date."

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

HB 528

CS FOR HOUSE BILL NO. 528(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to programs of state reimbursement for debt payments for certain capital projects; and providing for an effective date."

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

Standing Committee Reports

Report dated May 3 was read, stating:

In accordance with AS 39.05.080, the Senate Resources Committee reviewed the following and recommends the appointment be forwarded to a joint session for consideration:

Alaska Commercial Fisheries Entry Commission

Commissioner Mary McDowell - Juneau

This report does not reflect intent by any of the members to vote for or against the confirmation of the named individual during any further sessions.

Signing the report: Senator Torgerson, Chair, Senators Wilken, Stevens, Elton, Lincoln.

Report dated May 3 was read, stating:

In accordance with AS 39.05.080, the Senate Resources Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

Board of Fisheries

Art Nelson - Anchorage

Gerry Merrigan - Petersburg

Brett Huber - Soldotna

This report does not reflect intent by any of the members to vote for or against the confirmation of the named individuals during any further sessions.

Signing the report: Senator Torgerson, Chair, Senators Wilken, Stevens, Taylor, Elton, Lincoln.

SB 252

The Finance Committee considered SENATE BILL NO. 252 "An Act renaming the Alaska Human Resource Investment Council as the Alaska Workforce Investment Board and relating to its membership; repealing the termination date of the state training and employment program; relating to employment and training activities; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 252(FIN) "An Act renaming the Alaska Human Resource Investment Council as the Alaska Workforce Investment Board and relating to its membership; relating to repayment on promissory notes for work-related items paid for by grant programs; extending the termination date of the state training and employment program; relating to employment and training activities; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 4, Department of Labor and Workforce Development

Fiscal Note No. 5, Department of Labor and Workforce Development

Fiscal Note No. 6, Department of Labor and Workforce Development

Fiscal Note No. 7, Department of Labor and Workforce Development

The bill was referred to the Rules Committee.

SB 267

The Finance Committee considered SENATE BILL NO. 267 "An Act establishing the Alaska veterans' memorial endowment fund and providing for credits against certain taxes for contributions to that fund; relating to other tax credits for certain contributions; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 267(FIN) "An Act establishing the Alaska veterans' memorial endowment fund and providing for credits against certain taxes for contributions to that fund; providing that the amount of each tax credit for contributions to the Alaska veterans' memorial endowment fund on amounts that do not exceed \$100,000 is 50 percent and on amounts that exceed \$100,000 but do not exceed \$200,000 is 75 percent; relating to other tax credits for certain contributions; and providing for an effective date."

Signing do pass: Senators Donley, Kelly, Cochairs, Senators Green, Austerman, Hoffman, Olson, Wilken, Leman, Ward.

The following previously published fiscal information applies:

Fiscal Note No. 1, Department of Military and Veterans Affairs
Fiscal Note No. 2, indeterminate, Department of Revenue
Fiscal Note No. 3, indeterminate, Department of Community and Economic Development

The bill was referred to the Rules Committee.

SB 312

The Community and Regional Affairs Committee considered SENATE BILL NO. 312 "An Act relating to enterprise zones" and recommended it be replaced with

CS FOR SENATE BILL NO. 312(CRA)

Signing do pass: Senator Torgerson, Chair, Senator Austerman.
Signing no recommendation: Senator Phillips.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Community and Economic Development
Fiscal Note No. 2, indeterminate, Department of Revenue

The bill was referred to the State Affairs Committee.

SB 363

The State Affairs Committee considered SENATE BILL NO. 363 "An Act relating to electioneering communications and communications intended to influence the outcome of an election and to campaign misconduct in the second degree; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 363(STA) "An Act relating to communications and elections, to reporting of contributions and expenditures, and to campaign misconduct in the second degree; relating to disclosure by individuals of contributions to candidates; and providing for an effective date."

Signing do pass: Senator Therriault, Chair, Senators Phillips, Stevens, Davis.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Administration
Fiscal Note No. 2, zero, Office of the Governor

President Halford added a Finance Committee referral to the bill.

The bill was referred to the Finance Committee.

SB 371

The Resources Committee considered SENATE BILL NO. 371 "An Act exempting the use of munitions in certain areas from a waste disposal permit requirement of the Department of Environmental Conservation" and recommended it be replaced with

CS FOR SENATE BILL NO. 371(RES)

Signing do pass: Senator Torgerson, Chair, Senators Stevens, Wilken. Signing do pass, Go Get Em Boys!: Senator Taylor. Signing do not pass: Senator Lincoln. Signing do not pass, I object to the characterization of those opposed: Senator Elton.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Environmental
Conservation

The bill was referred to the Rules Committee.

HB 4

The Finance 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(FIN)

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

The following fiscal information was published today:

Fiscal Note No. 24, Senate Finance Committee

Fiscal information forthcoming.

The bill was referred to the Rules Committee.

HB 208

The Judiciary Committee considered CS FOR HOUSE BILL NO. 208(RES) "An Act relating to aquatic farming of shellfish; and providing for an effective date." Signing do pass: Senator Taylor, Chair, Senator Ellis. Signing no recommendation: Senators Cowdery, Therriault, Donley.

The following previously published fiscal information applies:

Fiscal Note No. 2, Department of Natural Resources

Fiscal Note No. 3, Department of Fish and Game

Fiscal Note No. 4, Department of Fish and Game

The bill was referred to the Finance Committee.

HB 246

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 246(JUD) "An Act relating to regulation of a person providing insurance for the cost of medical care, to confidentiality of insurance records, to insurance hearings, to insurance fees, to annual and quarterly statements by insurers, to managed care insurance, to taxes on insurance, to insurer certificates of authority, to risk based capital for insurers, to unauthorized and nonadmitted insurers, to surplus lines insurance, to health insurance, to life insurance, to annuity insurance, to consumer credit insurance, to insurer liquidation, to multiple employer welfare arrangements, to the Alaska Insurance Guaranty Association, to hospital and medical service corporations, and to regulation of insurance producers, agents, brokers, managers, and adjusters; and providing for an effective date." Signing do pass: Senator Stevens, Chair, Senators Austerman, Torgerson. Signing no recommendation: Senator Davis.

The following previously published fiscal information applies:

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

The bill was referred to the Judiciary Committee.

HB 274

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 274(L&C) "An Act relating to the qualification of a physician used for an employer's independent medical examination and to the authority of the Alaska Workers' Compensation Board to provide an expedited hearing when an employee needs medical treatment; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 274(L&C) "An Act relating to the qualification of a physician used for an employer's independent medical examination; and providing for an effective date" (Title change authorized by SCR 37)

Signing do pass: Senator Stevens, Chair, Senators Austerman, Torgerson. Signing no recommendation: Senator Davis.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

HB 286

The Judiciary Committee considered CS FOR HOUSE BILL NO. 286(RES) am "An Act allowing a person to hold two commercial fishing entry permits for a salmon fishery for the purpose of consolidating the fishing fleet for a salmon fishery; relating to salmon fishery associations and to salmon fishery assessments; and providing for an effective date" and recommended the adoption of the Resources Senate Committee Substitute offered on page 2946. Signing do pass: Senator Taylor, Chair, Senators Therriault, Ellis. Signing no recommendation: Senators Cowdery, Donley.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Fish and Game

The bill was referred to the Rules Committee.

HB 300

The State Affairs Committee considered HOUSE BILL NO. 300 "An Act relating to the procurement of certain travel services" and recommended it be replaced with

SENATE CS FOR HOUSE BILL NO. 300(STA)

Signing no recommendation: Senator Therriault, Chair, Senators Phillips, Stevens.

The following previously published fiscal information applies:

Fiscal Note No. 1, indeterminate, Department of Administration

The bill was referred to the Finance Committee.

HB 393

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 393(JUD) am "An Act relating to unfair and deceptive trade practices and to the sale of business opportunities; amending Rules 4 and 73, Alaska Rules of Civil Procedure; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.
393(L&C)

Signing no recommendation: Senator Stevens, Chair, Senator Austerman. Signing do pass: Senators Davis, Torgerson.

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

The bill was referred to the Judiciary Committee.

HB 471

The Community and Regional Affairs Committee considered CS FOR HOUSE BILL NO. 471(CRA) "An Act increasing the maximum amount of loans from the bulk fuel revolving loan fund operated by the Alaska Energy Authority; relating to the definitions of 'net income' and 'unrestricted net income' for purposes of determining the amount of the Alaska Industrial Development and Export Authority's dividend to the state; relating to communities within which rural development loans may be made by the Alaska Industrial Development and Export Authority; and providing for an effective date." Signing do pass: Senator Torgerson, Chair, Senator Austerman. Signing no recommendation: Senator Phillips.

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

The bill was referred to the Labor and Commerce Committee.

HB 498

The Judiciary Committee considered 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." Signing no recommendation: Senator Taylor, Chair, Senators Cowdery, Therriault. Signing do not pass: Senator Ellis.

The following previously published fiscal information applies:

Fiscal Note No. 3, Department of Corrections

Fiscal Note No. 4, Department of Revenue

The bill was referred to the Finance Committee.

HB 499

The Labor and Commerce Committee considered 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." Signing no recommendation: Senator Stevens, Chair, Senators Austerman, Davis, Torgerson.

The following previously published fiscal information applies:

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

The bill was referred to the Judiciary Committee.

HB 509

The State Affairs Committee considered CS FOR HOUSE BILL NO. 509(STA) "An Act relating to Alaska children's trust registration plates; and providing for an effective date." Signing no recommendation: Senator Therriault, Chair, Senator Phillips. Signing do pass: Senators Stevens, Davis.

The following previously published fiscal information applies:

Fiscal Note No. 2, Department of Administration

The bill was referred to the Finance Committee.

HB 521

The Community and Regional Affairs Committee considered CS FOR HOUSE BILL NO. 521(CRA) "An Act relating to municipal improvement areas." Signing do pass: Senator Torgerson, Chair, Senator Austerman. Signing no recommendation: Senator Phillips.

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.

SJR 13

The Judiciary Committee considered SENATE JOINT RESOLUTION NO. 13 Proposing amendments to the Constitution of the State of Alaska relating to inflation-proofing the permanent fund, and recommended it be replaced with

CS FOR SENATE JOINT RESOLUTION NO. 13(JUD) Proposing amendments to the Constitution of the State of Alaska relating to the Alaska permanent fund.

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

The following previously published fiscal information applies:
Fiscal Note No. 1, Office of the Governor

The bill was referred to the Finance Committee.

SB 191

The Rules Committee considered SENATE BILL NO. 191 "An Act relating to insurance pooling by members of an airline employers association." Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Halford. Signing under other recommendations: Senator Therriault.

The bill is on today's calendar.

SB 226

The Rules Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 226 "An Act requiring highways to be designed and constructed so that they will adequately serve anticipated traffic levels for the next 30 years; and providing for an effective date" Signing to calendar: Senator Phillips, Chair, Senator Cowdery. Signing under other recommendations: Senators Ellis, Therriault.

The bill is on today's calendar.

SB 364

The Rules Committee considered SENATE BILL NO. 364 "An Act relating to medical services under the state Medicaid program." Signing under other recommendations: Senator Phillips, Chair. Signing to calendar: Senators Halford, Cowdery, Therriault.

The bill is on today's calendar.

SCR 33

The Rules Committee considered SENATE CONCURRENT RESOLUTION NO. 33 Relating to Ovarian Cancer Awareness Month. Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Halford, Therriault.

The resolution is on today's calendar.

**Introduction and Reference of
Senate Resolutions****SCR 37**

SENATE CONCURRENT RESOLUTION NO. 37 BY THE SENATE LABOR AND COMMERCE COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 274, relating to workers' compensation.

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

Introduction and Reference of Senate Bills**SB 372**

SENATE BILL NO. 372 BY THE SENATE TRANSPORTATION COMMITTEE, entitled:

"An Act providing for and relating to the issuance of general obligation bonds in a principal amount of not more than \$160,130,000 for the purpose of paying the cost of state transportation projects; and providing for an effective date."

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

Consideration of the Calendar**Second Reading of Senate Bills****SB 191**

SENATE BILL NO. 191 "An Act relating to insurance pooling by members of an airline employers association" was read the second time.

Senator Taylor, Chair, moved and asked unanimous consent for the adoption of the Judiciary Committee Substitute offered on page 1574. Without objection, CS FOR SENATE BILL NO. 191(JUD) "An Act relating to insurance pooling by air carriers" 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. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 191(JUD) was read the third time.

Senator Olson moved and asked unanimous consent to abstain from voting because of a conflict of interest. Objections were heard and Senator Olson was required to vote.

The question being: "Shall CS FOR SENATE BILL NO. 191(JUD) "An Act relating to insurance pooling by air carriers" pass the Senate?" The roll was taken with the following result:

CSSB 191(JUD)

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, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

and so, CS FOR SENATE BILL NO. 191(JUD) passed the Senate and was referred to the Secretary for engrossment.

SB 226

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 226 "An Act requiring highways to be designed and constructed so that they will adequately serve anticipated traffic levels for the next 30 years; and providing for an effective date" was read the second time.

Senator Donley, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 2707. Senator Ellis objected, then withdrew his objection. There being no further objections, CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 226(FIN) "An Act relating to design of highway projects; and providing for an effective date" 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:

CSSSSB 226(FIN)

Advance from Second to Third Reading?

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

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

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

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

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 226(FIN) will be on the May 7 calendar.

SB 364

SENATE BILL NO. 364 "An Act relating to medical services under the state Medicaid program" was 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:

SB 364

Advance from Second to Third Reading?

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

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

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

Excused: Cowdery

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

SENATE BILL NO. 364 will be on the May 7 calendar.

House Bills in Third Reading

HB 389

CS FOR HOUSE BILL NO. 389(CRA) "An Act eliminating the delayed repeal of a provision authorizing an exemption from and deferral of municipal property taxes on certain types of deteriorated property; and providing for an effective date" which had been held on reconsideration (page 3131) was before the Senate.

Senator Leman moved and asked unanimous consent that the bill be returned to the Rules Committee. Without objection, it was so ordered.

Second Reading of Senate Resolutions

SCR 33

SENATE CONCURRENT RESOLUTION NO. 33 was read the second time and was before the Senate on final passage.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 33 Relating to Ovarian Cancer Awareness Month, pass the Senate?" The roll was taken with the following result:

SCR 33

Second Reading - Final Passage

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

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

Excused: Cowdery

and so, SENATE CONCURRENT RESOLUTION NO. 33 passed the Senate and was referred to the Secretary for engrossment.

Citations

Honoring – William G. Stroecker

Senator(s) Wilken, Halford, Cowdery, Leman, Hoffman, Green, Lincoln, Austerman, Elton, Davis, Taylor, Kelly, Therriault

Honoring – Mount Edgecumbe Lady Braves, 2001-2002 Basketball Team

Representative(s) Wilson

Senator(s) Taylor, Halford, Cowdery, Leman, Hoffman, Olson, Wilken, Green, Lincoln, Austerman, Elton, Davis, Kelly, Therriault

Honoring – Ron M. Crawford

Representative(s) Bunde

Senator(s) Cowdery, Halford, Leman, Hoffman, Donley, Wilken, Green, Lincoln, Austerman, Elton, Davis, Taylor, Kelly, Therriault

Honoring – Department of Transportation

Representative(s) Dyson

Senator(s) Cowdery, Leman, Hoffman, Wilken, Halford, Green, Lincoln, Austerman, Elton, Davis, Taylor, Kelly, Therriault

Honoring – Valdez High School Academic Decathlon
Representative(s) Harris
Senator(s) Lincoln, Halford, Cowdery, Leman, Hoffman, Wilken,
Green, Austerman, Elton, Davis, Taylor, Kelly, Therriault

Honoring – Thomas L. Moses, Jr., P.E., Whittier Access Project
Representative(s) Dyson
Senator(s) Halford, Cowdery, Leman, Hoffman, Wilken, Green,
Lincoln, Austerman, Elton, Davis, Taylor, Kelly, Therriault

Honoring – The Hoonah Braves, Hoonah Girls Volleyball Team
Representative(s) Kookesh
Senator(s) Austerman, Halford, Cowdery, Leman, Hoffman, Wilken,
Green, Lincoln, Elton, Davis, Taylor, Kelly, Therriault

Honoring – Klawock Boys Wrestling Team
Representative(s) Kookesh
Senator(s) Austerman, Halford, Cowdery, Leman, Hoffman, Wilken,
Green, Lincoln, Elton, Davis, Taylor, Kelly, Therriault

Honoring – The Angoon Eagles, Angoon Boys and Girls "Mixed Six"
Volleyball Team
Representative(s) Kookesh
Senator(s) Austerman, Halford, Cowdery, Leman, Hoffman, Wilken,
Green, Lincoln, Elton, Davis, Taylor, Kelly, Therriault

Honoring – The Craig Panthers, Craig Boys Basketball Team
Representative(s) Kookesh
Senator(s) Austerman, Halford, Cowdery, Leman, Hoffman, Wilken,
Green, Lincoln, Elton, Davis, Taylor, Kelly, Therriault

Honoring – Hydaburg Boys Basketball Team, the Warriors
Representative(s) Kookesh
Senator(s) Austerman, Halford, Cowdery, Leman, Hoffman, Wilken,
Green, Lincoln, Elton, Davis, Taylor, Kelly, Therriault

In Memoriam – James M. Messick
Representative(s) Kohring
Senator(s) Halford, Cowdery, Leman, Hoffman, Donley, Wilken,
Green, Lincoln, Austerman, Elton, Davis, Taylor, Kelly, Therriault

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.

Unfinished Business

SB 1

Senator Ward moved and asked unanimous consent to be shown as a cosponsor on SPONSOR SUBSTITUTE FOR SENATE BILL NO. 1 "An Act relating to the base student allocation used in the formula for state funding of public education; and providing for an effective date." Without objection, it was so ordered.

Announcements

Announcements are at the end of the journal.

Engrossment

SB 191

CS FOR SENATE BILL NO. 191(JUD) "An Act relating to insurance pooling by air carriers" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SCR 33

SENATE CONCURRENT RESOLUTION NO. 33 Relating to Ovarian Cancer Awareness Month, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Leman moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., May 7, 2002. Without objection, the Senate adjourned at 12:42 p.m.

Heidi Vogel
Secretary of the Senate

May 2002

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 Monday Senate Finance 532 9:00 AM

- SB 268 GUARANTEED REVENUE BONDS FOR VETERANS
- HB 162 ABSENCES UNDER LONGEVITY BONUS PROGRAM
- HB 209 PROGRAM FOR FORMER FOSTER CHILDREN
- Bills Previously Heard/Scheduled
- Teleconference Upon Request --

May 07 Tuesday Senate Finance 532 9:30 AM

- Time Change --
- SB 363 ELECTIONEERING COMMUNICATIONS
- Bills Previously Heard/Scheduled
- Teleconference Upon Request --

JUDICIARY

May 06 Monday Beltz 211 1:30 PM

- + HB 330 PROVIDING ALCOHOL TO PERSONS UNDER 21
- + HB 304 PERM. FUND INCOME/ DIVIDENDS/ FUNDS
- + Bills Previously Heard/Scheduled

May 08 Wednesday Beltz 211 1:30 PM

- + HB 348 VIOLATION OF A DOMESTIC VIOLENCE ORDER
- + HB 350 TERRORISTIC THREATS
- + SB 235 EMERGENCY MANAGEMENT ASSISTANCE COMPACT
- + HB 180 YOUTH SERVICES: REGULATION & TASK FORCE
- + Bills Previously Heard/Scheduled
- + HB 304 PERM. FUND INCOME/ DIVIDENDS/ FUNDS

JUDICIARY (Continued)

May 10 Friday Beltz 211 1:30 PM
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

May 07 Tuesday Beltz 211 1:30 PM
 += SB 320 MOTOR VEHICLE INSURANCE & REPAIRS
 + HB 471 AIDEA LOANS AND DIVIDEND
 + Bills Previously Heard/Scheduled

RESOURCES

May 06 Monday Butrovich 205 5:00 PM
 -- Time Change --
 += HB 302 ALASKA GAS CORPORATION
 += HB 382 CLEANUP OF ILLEGAL DRUG SITES
 + HB 474 ANCHORAGE COASTAL WILDLIFE REFUGE
 + Bills Previously Heard/Scheduled

May 08 Wednesday Butrovich 205 3:30 PM
 + SB 366 CHITINA DIP NET FISHERY PERMIT FEE
 + HB 287 EXEMPT ENTRY PERMITS FROM CREDITOR CLAIMS
 += HB 447 COM FISH & AGRICULTURE BANK INTEREST RATE
 + Bills Previously Heard/Scheduled

RULES

May 06 Monday Fahrenkamp 203 10:30 AM
 SB 239 STATE EMPLOYEES CALLED TO MILITARY DUTY
 SB 359 MUNICIPAL ORGANIZATION GRANTS
 = HB 206 LIMITED ENTRY FOR COMM. FISHERIES
 = HB 262 BUILDING SAFETY ACCOUNT
 = SCR 36 SUSPEND UNIFORM RULES FOR HB 262
 HB 288 LIMITED ENTRY BUY-BACK PROGRAM/ASSESSMENT

RULES (Continued)**May 07 Tuesday Fahrenkamp 203 9:30 AM**

SB 369 POWERS OF APPOINTMENTS/TRUSTS/CREDITORS
SB 370 CONSTITUTIONAL CONVENTION
HB 52 COMPACT FOR ADULT OFFENDER SUPERVISION
HB 128 APPROVAL FOR EMPLOYMENT OF MINORS
HB 305 NONCOMPLIANCE WITH SELECTIVE SERVICE
HB 374 NAMING DOUTHIT VETERANS' MEMORIAL BRIDGE
HB 397 NO DRIVERS' LIC. FOR OFF HWY VEHICLES
HB 458 STATE EMPLOYEE PROBATIONARY PERIOD
HB 523 TOM MADSEN AIRPORT AT UNALASKA

May 07 Tuesday Fahrenkamp 203

<Upon Recess>
SB 363 ELECTIONEERING COMMUNICATIONS
<Pending Referral>

May 08 Wednesday Fahrenkamp 203 9:30 AM

SB 252 EMPLOYMENT AND TRAINING PROGRAM/BOARD
SB 355 LET ME HELP ACCOUNT
SB 371 PERMIT EXEMPTION FOR MUNITIONS USE
HB 4 MOTOR VEHICLES & DRUNK DRIVING
HB 32 SEX CRIME AND PORNOGRAPHY FORFEITURES
HB 225 ALCOHOLIC BEVERAGE TAX
HB 274 WORKERS' COMP: HEARING/MEDICAL EXAM
HB 286 FISHING PERMITS/ASSOCIATIONS/ASSESSMENTS
HB 344 INCREASE DRIVER'S LICENSE/PERMIT FEES
HB 421 WATER USE ACT PROCEDURES & RECORDS
HB 504 WAGES FOR WORKERS IN FISHERIES
HB 515 OPERATING BUDGET MISSIONS AND MEASURES

STATE AFFAIRS

May 07 Tuesday Beltz 211 3:30 PM
 SB 312 ENTERPRISE ZONES
 HB 517 SURPLUS/OBSOLETE STATE PROPERTY
 HB 526 DISCLOSURE BY ETHICS COMMITTEE MEMBERS
 Confirmation Hearings:
 AK Public Offices Commission-
 John Dapcevich
 Sheila Gallagher
 AK Air National Guard Brigadier General-
 Colonel Jim Robinson
 Colonel Tim Scott
 Colonel Gene Ramsay
 Space/Missile Defense Brigadier General-
 Colonel Jim Welch
 State Commission for Human Rights-
 Kathy Wisthoff
 Bills Previously Heard/Scheduled

TRANSPORTATION

May 07 Tuesday Butrovich 205 1:30 PM
 SB 372 TRANSPORTATION BONDS
 HB 528 STATE REIMBURSEMENT CAPITAL PROJECT DEBTS
 HB 175 APPROP: POWER PROJECTS BONDS
 HB 271 CAP ON AVIATION ACCIDENT PUNITIVE DAMAGES
 Bills Previously Heard/Scheduled

JOINT COMMITTEES

CONFERENCE COMMITTEE ON SB 11

May 07 Tuesday Capitol 121 8:30 AM
 SB 11 COMPULSORY SCHOOL ATTENDANCE/AK HISTORY

CONFERENCE COMMITTEES ON HB 403 & HB 404

May 06 Monday Senate Finance 532 4:00 PM
= HB 403 APPROP: OPERATING BUDGET/LOANS/FUNDS
= HB 404 APPROP: MENTAL HEALTH BUDGET
Departments to be discussed:
Dept of Law
Dept of Labor and Workforce Development
Dept of Revenue
Alaska Court System

LEGISLATIVE BUDGET & AUDIT

May 10 Friday House Finance 519 12:00 PM

LEGISLATIVE COUNCIL

May 08 Wednesday Capitol 208 8:30 AM
Information Technology Subcommittee