

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Wednesday

May 5, 2004

One Hundred Fifteenth Day

Pursuant to adjournment the Senate was called to order by President Therriault at 11:43 a.m.

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

The prayer was offered by the Chaplain, Reverend Dr. Paula Sampson of the Holy Trinity Episcopal Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Most Gracious God, so many voices need hearing, so many interests need speaking. The session's end draws near, the volume increases, and the balance is harder to find.

Help these legislators discover the quiet place where the only voice is Your guidance, where the only interest is Your love.

Today and in days to come, may the laws passed proclaim the common good, may the policies made declare improvement for all, may the decisions reached pronounce fairness.

May the final days of this legislature speak to Alaskans of lawmakers who are reverent toward one another and respectful of each other's ideas and positions.

So that, when adjournment is achieved, those who serve in this body will hear Your voice speaking to say, "Well done, you good and faithful servants." Amen.

Senator Guess led the Senate in the Pledge of Allegiance.

Certification

Senator Ben Stevens moved and asked unanimous consent that the journal for the one hundred fourteenth legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

The presence of Senator Olson was noted.

Messages from the Governor

Letter dated and received May 4 was read, stating in accordance with AS 39.05.080, I submit the following name for legislative confirmation of appointment to the board set out below:

Board of Game

Ben Grussendorf – Sitka

Appointed: 1/31/2001 Reappointed: 5/4/2004

Term Expires: 3/1/2007

The appointment was referred to the Resources Committee.

The resume for this appointment has been submitted to the Offices of the Senate Secretary and the Chief Clerk.

HB 344

Message dated and received May 4 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 CS FOR CS FOR HOUSE BILL NO.
344(RES) "An Act relating to annual rental fees,
statements of annual labor, and production royalty for
mining claims; and providing a cure for
abandonment."

Chapter 26, SLA 2004
Effective Date: 8/2/2004

SB 289

Message dated and received May 4 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. 289 "An Act extending the termination date of the special education service agency; and providing for an effective date."

Chapter 27, SLA 2004
Effective Date: 5/5/2004

HB 356

Message dated and received May 4 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 BILL NO. 356 "An Act relating to operation of alcoholic beverage delivery sites; and providing for an effective date."

Chapter 28, SLA 2004
Effective Date: 6/30/2004

HJR 30

Message dated and received May 4 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 JOINT RESOLUTION NO. 30(STA) am Relating to supporting the repeal of the Government Pension Offset and the Windfall Elimination Provisions from the Social Security Act.

Legislative Resolve No. 42

Messages from the House**SJR 14**

Message dated May 4 was read, stating the House passed and returned:

SENATE JOINT RESOLUTION NO. 14 Requesting the Federal Aviation Administration to fully staff and maintain flight service stations in Alaska.

The resolution was referred to the Secretary for enrollment.

Message dated May 4 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills**HB 404**

CS FOR HOUSE BILL NO. 404(RLS) BY THE HOUSE RULES COMMITTEE, entitled:

"An Act relating to the Alaska Commission on Postsecondary Education; relating to the Alaska Student Loan Corporation; relating to bonds of the corporation; relating to loan and grant programs of the commission; relating to an exemption from the State Procurement Code regarding certain contracts of the commission or corporation; making conforming changes; and providing for an effective date."

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

HB 561

CS FOR HOUSE BILL NO. 561(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act providing for and relating to the issuance of general obligation bonds in a principal amount of not more than \$93,280,000 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 Community and Regional Affairs and Finance Committees.

Concur Messages

SB 299

Message dated May 4 was read, stating the House passed and returned for consideration SENATE BILL NO. 299 "An Act relating to a charge for a bad check" with the following amendments:

HOUSE CS FOR SENATE BILL NO. 299(JUD) am H

President Therriault stated the message will be held on the Secretary's desk.

Communications

Report from the Acting Commissioner of the Department of Administration dated April 28 was received, stating the monetary terms for the collective bargaining agreement reached with the Alaska Public Employees Association, Inc. representing the Confidential Employees bargaining unit in accordance with AS 23.40.215.

President Therriault referred the report to the Finance Committee.

Standing Committee Reports

Report dated May 4 was read stating:

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

Board of Marine Pilots

Jack G. Poulson, Esq. – Juneau

This does not reflect intent by any of the members to vote for or against the individual during any future sessions.

Signing the report: Senator Bunde, Chair; Senator Seekins, Vice Chair; Senators Gary Stevens, Davis.

SB 97

The Judiciary Committee considered SENATE BILL NO. 97 "An Act relating to public interest litigants and to attorney fees; and amending Rule 82, Alaska Rules of Civil Procedure" and recommended it be replaced with

CS FOR SENATE BILL NO. 97(JUD) "An Act relating to public interest litigants and to attorney fees and costs and the posting of bonds or other security; amending Rules 65, 79, 80, and 82, Alaska Rules of Civil Procedure, and Rules 205, 508, and 602, Alaska Rules of Appellate Procedure; and providing for an effective date."

Signing do pass: Senator Seekins, Chair; Senators Ogan, Therriault.
Signing do not pass: Senator French.

The following fiscal information was published today:

Fiscal Note No. 3, zero, Department of Law

The bill is on today's calendar.

SB 335

The Community and Regional Affairs Committee considered SENATE BILL NO. 335 "An Act relating to enhanced 911 surcharges and to emergency services dispatch systems of municipalities, certain villages, and public corporations established by municipalities" and recommended it be replaced with

CS FOR SENATE BILL NO. 335(CRA) "An Act relating to enhanced 911 surcharges and to 911 and emergency services dispatch systems."

and further recommended the adoption of the following Community and Regional Affairs Committee Letter of Intent:

Letter of Intent

The Senate Community and Regional Affairs Committee finds that recent improvements in the software, hardware, equipment and other technology employed in the operation of enhanced 911 and other emergency dispatch services has changed the economics of providing these important public services. The committee also finds that advances in telecommunications continue to place new requirements and demands on these services and the local governments that provide them. However, coordination and consolidation of these services within and among communities throughout the state, can significantly improve the quality and cost of providing enhanced 911 and emergency dispatch services. Therefore, it is the intent of this committee to encourage the State of Alaska to do everything within its authority to facilitate, endorse and promote the coordination of these services statewide.

Signing no recommendation: Senator Stedman, Chair; Senator Lincoln. Signing do pass: Senators Wagoner, Gary Stevens.

The following fiscal information was published today:
Fiscal Note No. 1, zero, Department of Public Safety

The bill was referred to the Finance Committee.

SB 395

The Finance Committee considered SENATE BILL NO. 395 "An Act relating to application of municipal ordinances providing for planning, platting, and land use regulation to interests in land owned by the Alaska Railroad Corporation; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 395(FIN)
(forthcoming)

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

The following fiscal information was published today:
Fiscal Note No. 2, Department of Community and Economic
Development

The bill is on today's calendar.

HB 10

The Finance Committee considered CS FOR HOUSE BILL NO. 10(HES) "An Act relating to pooling by employers and self-employed individuals for purposes of group health insurance; and providing for an effective date" and recommended it be replaced with

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

Signing no recommendation: Senators Green, Wilken, Cochairs. Signing do pass: Senators Dyson, Olson, Bunde, Ben Stevens. Signing do not pass: Senator Hoffman.

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

The bill was referred to the Rules Committee.

The presence of Senator Ogan was noted.

HB 91

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 91(FIN) "An Act relating to medical benefits for retired peace officers after 20 years of credited service" and recommended the adoption of the State Affairs Senate Committee Substitute offered on page 2758. Signing do not pass: Senator Bunde, Chair. Signing no recommendation: Senators Davis, Seekins, Gary Stevens.

The following previously published fiscal information applies:
Fiscal Note No. 2, Department of Administration
Fiscal Note No. 3, Department of Administration

The bill was referred to the Finance Committee.

HB 93

The Finance Committee considered CS FOR HOUSE BILL NO. 93(FIN) "An Act relating to boating safety, registration, and numbering; extending the sunset date of changes in ch. 28, SLA 2000; and providing for an effective date" and recommended the adoption of the Transportation Senate Committee Substitute offered on page 2758. Signing no recommendation: Senator Wilken, Cochair; Senators Olson, Bunde. Signing amend: Senator Green, Cochair. Signing do pass: Senators Hoffman, Dyson.

The following previously published fiscal information applies:
Fiscal Note No. 3, zero, Department of Natural Resources
Fiscal Note No. 4, Department of Administration

The bill was referred to the Rules Committee.

HB 227

The Finance Committee considered CS FOR HOUSE BILL NO. 227(JUD) "An Act increasing the jurisdictional limit for small claims and for magistrates from \$7,500 to \$10,000; increasing the jurisdictional limit of district courts in certain civil cases from \$50,000 to \$100,000; expanding the jurisdiction of district courts; limiting magistrates from hearing certain small claims cases; and amending Rule 11(a)(4), Alaska District Court Rules of Civil Procedure, relating to service of process for small claims." Signing do pass: Senators Green, Wilken, Cochairs; Senators Hoffman, Bunde. Signing no recommendation: Senators Dyson, Olson.

The following previously published fiscal information applies:
Fiscal Note No. 2, indeterminate, Alaska Court System

The bill was referred to the Rules Committee.

HB 272

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 272(STA) am "An Act relating to the advertising of motor vehicles, including trailers, for sale by motor vehicle dealers; relating to the financing of motor vehicle purchases; relating to motor vehicle sales contracts; relating to the disclosures required to be made by motor vehicle dealers when selling motor vehicles, including trailers, or when their service employees work on commission; relating to a motor vehicle dealer's selling as a new or current model vehicle, a motor vehicle required to be registered under AS 28.10; relating to a motor vehicle dealer's advertising an offer for the sale, lease, or purchase of a motor vehicle, including a trailer; relating to a motor vehicle dealer's conditioning the sale and delivery of a motor vehicle, including a trailer, on the buyer's purchase of other items; and relating to the return of a buyer's trade-in by a motor vehicle dealer" and recommended it be replaced with

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

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

The following previously published fiscal information applies:

Fiscal Note No. 2, zero, Department of Law

The bill was referred to the Rules Committee.

HB 273

The Judiciary Committee considered CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 273(JUD) am "An Act relating to the right of a parent to waive an unemancipated child's claim of negligence against a provider of sports or recreational activities" and recommended it be replaced with

SENATE CS FOR CS FOR SPONSOR
SUBSTITUTE FOR HOUSE BILL NO. 273(JUD)

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

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

The bill was referred to the Rules Committee.

HB 334

The Judiciary Committee considered CS FOR HOUSE BILL NO. 334(RLS) "An Act relating to unlawful exploitation of a minor and to distribution of child pornography." Signing do pass: Senator Seekins, Chair; Senators Ogan, French, Therriault.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Department of Administration
Fiscal Note No. 2, zero, Department of Corrections
Fiscal Note No. 3, zero, Department of Law

The bill was referred to the Rules Committee.

HB 336

The Finance Committee considered CS FOR HOUSE BILL NO. 336(JUD) am "An Act relating to motor vehicle insurance; limiting recovery of civil damages by an uninsured driver; and providing for an effective date" and recommended the adoption of the Judiciary Senate Committee Substitute offered on page 3265. Signing do pass: Senators Green, Wilken, Cochairs; Senators Dyson, Olson, Bunde. Signing no recommendation: Senator Hoffman.

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

The bill was referred to the Rules Committee.

HB 342

The Judiciary Committee considered CS FOR HOUSE BILL NO. 342(FIN) am "An Act relating to driving while under the influence, to the definition of 'previously convicted,' to alcohol-related offenses, to ignition interlock devices, and to the issuance of limited driver's licenses; and providing for an effective date." Signing do pass: Senator Seekins, Chair. Signing no recommendation: Senator Therriault. Signing amend: Senators Ogan, French.

The following previously published fiscal information applies:

- Fiscal Note No. 1, zero, Alaska Court System
- Fiscal Note No. 2, zero, Department of Law
- Fiscal Note No. 3, zero, Department of Public Safety
- Fiscal Note No. 5, indeterminate, Department of Corrections
- Fiscal Note No. 6, indeterminate, Department of Administration

The bill was referred to the Finance Committee.

HB 364

The State Affairs Committee considered CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 364(O&G) "An Act prohibiting the issuance of state shallow natural gas leases in the vicinity of Kachemak Bay, modifying the authority to extend certain shallow natural gas leases, and precluding the director of the division of lands from reissuing or otherwise extending shallow natural gas leases within the Kachemak Bay area if there is a breach of a term or condition of the lease; and providing for an effective date." Signing do pass: Senator Gary Stevens, Chair. Signing no recommendation: Senators Cowdery, Stedman.

The following previously published fiscal information applies:

- Fiscal Note No. 1, indeterminate, Department of Natural Resources

President Therriault added a Finance Committee referral to the bill.

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

HB 366

The Finance Committee considered CS FOR HOUSE BILL NO. 366(FIN) "An Act relating to animal classic charitable gaming; and providing for an effective date." Signing do pass: Senators Green, Wilken, Cochairs; Senators Bunde, Ben Stevens. Signing no recommendation: Senators Hoffman, Olson.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

HB 379

The Finance Committee considered HOUSE BILL NO. 379 "An Act establishing an office of citizenship assistance in the Department of Labor and Workforce Development." Signing do pass: Senators Green, Wilken, Cochairs; Senators Olson, Ben Stevens. Signing no recommendation: Senators Dyson, Hoffman, Bunde.

The following previously published fiscal information applies:

Fiscal Note No. 2, Department of Labor and Workforce
Development

The bill was referred to the Rules Committee.

HB 418

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 418(FIN) "An Act extending the termination date of the Real Estate Commission; relating to real estate; relating to home inspectors; relating to real estate licensees; and providing for an effective date" and recommended it be replaced with

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

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

The following previously published fiscal information applies:

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

The bill was referred to the Finance Committee.

HB 419

The Finance Committee considered CS FOR HOUSE BILL NO. 419(RES) "An Act relating to regional seafood development associations and to regional seafood development taxes" and recommended it be replaced with

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

Signing do pass: Senator Wilken, Cochair; Senators Dyson, Hoffman, Bunde. Signing no recommendation: Senator Green, Cochair.

The following previously published fiscal information applies:

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

Fiscal Note No. 2, indeterminate, Department of Revenue

The bill was referred to the Rules Committee.

HB 421

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 421(JUD) "An Act relating to reconveyances of deeds of trust." Signing do pass: Senator Bunde, Chair; Senators Seekins, Davis, Gary Stevens. Signing no recommendation: Senator French.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Natural Resources

The bill was referred to the Judiciary Committee.

HB 424

The Finance Committee considered CS FOR HOUSE BILL NO. 424(JUD) "An Act relating to review by the Legislative Affairs Agency of certain state agency regulations proposed for adoption, amendment, or repeal under the Administrative Procedure Act; repealing provisions relating to annulment of regulations; and providing for an effective date." Signing do pass: Senators Green, Wilken, Cochairs; Senator Dyson. Signing no recommendation: Senators Hoffman, Olson, Bunde.

The following previously published fiscal information applies:

Fiscal Note No. 4, zero, Department of Health and Social Services

Fiscal Note No. 5, zero, House Finance Committee

Fiscal Note No. 6, indeterminate, Department of Law

The bill was referred to the Rules Committee.

HB 484

The Finance Committee considered CS FOR HOUSE BILL NO. 484(JUD) am "An Act imposing a correctional facility surcharge on persons convicted of a crime under state law and on persons whose probation is revoked; relating to fees and expenses for interstate transfer of probation or parole; and providing for an effective date." Signing do pass: Senators Green, Wilken, Cochairs; Senators Dyson, Bunde. Signing no recommendation: Senators Hoffman, Olson.

The following previously published fiscal information applies:

- Fiscal Note No. 1, Department of Law
- Fiscal Note No. 2, zero, Alaska Court System
- Fiscal Note No. 3, Department of Corrections

The bill was referred to the Rules Committee.

HB 490

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 490(JUD) am "An Act relating to the release of employment security records, to the binding effect of determinations and decisions regarding unemployment compensation benefits, and to contributions, interest, penalties, and payments under the Alaska Employment Security Act; providing that property under the Alaska Employment Security Act is not subject to the Uniform Unclaimed Property Act; and providing for an effective date." Signing do pass: Senator Bunde, Chair; Senators Seekins, Davis, French, Gary Stevens.

The following previously published fiscal information applies:

- Fiscal Note No. 1, zero, Department of Labor and Workforce Development

The bill was referred to the Rules Committee.

HB 512

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 512(FIN) "An Act establishing the Hydrogen Energy Partnership in the Department of Community and Economic Development; requiring the commissioner of community and economic development to seek public and private funding for the partnership; providing for the contingent repeal of an effective date;

and providing for an effective date." Signing no recommendation: Senator Bunde, Chair; Senator Gary Stevens. Signing do pass: Senators Davis, French. Signing do not pass: Senator Seekins.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, University of Alaska
Fiscal Note No. 3, Department of Community and Economic
Development

The bill was referred to the Finance Committee.

HB 531

The Resources Committee considered CS FOR HOUSE BILL NO. 531(FIN) am "An Act relating to natural gas exploration and development and to nonconventional gas, and amending the section under which shallow natural gas leases may be issued; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.
531(RES)

Signing do pass: Senator Wagoner, Vice Chair; Senators Dyson, Seekins, Ben Stevens.

The following fiscal information was published today:

Fiscal Note No. 3, Department of Administration

The following previously published fiscal information applies:

Fiscal Note No. 2, Department of Natural Resources

The bill was referred to the Finance Committee.

HB 533

The Finance Committee considered CS FOR HOUSE BILL NO. 533(JUD) "An Act relating to the state's administrative procedures and to judicial oversight of administrative matters" and recommended it be replaced with

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

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

The following previously published fiscal information applies:

- Fiscal Note No. 1, indeterminate, Alaska Court System
- Fiscal Note No. 2, indeterminate, Department of Fish and Game
- Fiscal Note No. 3, indeterminate, Department of Health and Social Services
- Fiscal Note No. 4, Department of Law

The bill was referred to the Rules Committee.

HB 540

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 540(L&C) "An Act relating to workers' compensation insurance rates; and providing for an effective date." Signing do pass: Senator Bunde, Chair; Senator French. Signing no recommendation: Senators Seekins, Davis, Gary Stevens.

The following previously published fiscal information applies:

- Fiscal Note No. 1, zero, House Labor and Commerce Committee

The bill was referred to the Rules Committee.

HB 542

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 542(RLS) "An Act reducing to \$5,000 the ceiling for a contract price allowed under one construction contractor exemption and expanding the work that a specialty contractor may perform to include, in addition to work requiring not more than three trades, work under that construction contractor exemption; and changing the definition of specialty contractor to refer to the work that a specialty contractor may perform." Signing do pass: Senator Bunde, Chair; Senator Seekins. Signing no recommendation: Senators Davis, French, Gary Stevens.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

HB 556

The Finance Committee considered CS FOR HOUSE BILL NO. 556(FIN) "An Act relating to a port development project on Lynn Canal, providing legislative approval for the Alaska Industrial Development and Export Authority to issue bonds for the project; and providing for an effective date." Signing do pass: Senators Green, Wilken, Coauthors. Signing no recommendation: Senators Hoffman, Olson.

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 559

The Labor and Commerce Committee considered HOUSE BILL NO. 559 am "An Act extending the termination of the state training and employment program; and providing for an effective date." Signing do pass: Senator Bunde, Chair; Senators Seekins, French. Signing no recommendation: Senators Davis, Gary Stevens.

The following previously published fiscal information applies:

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

The bill was referred to the Finance Committee.

SR 3

Forthcoming Finance Committee Substitute (page 3301) for SENATE RESOLUTION NO. 3 Relating to commemoration of Senator Frank R. Ferguson and other distinguished Senators, was received today.

SR 4

The Resources Committee considered SENATE RESOLUTION NO. 4 Requesting the United States Congress to amend the federal Wilderness Act to authorize fishery enhancement programs and similar activities in wilderness areas. Signing do pass: Senator Ogan, Chair; Senators Seekins, Wagoner. Signing no recommendation: Senator Elton.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Senate Resources Committee

The resolution was referred to the Rules Committee.

HJR 9

The Finance Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 9(FIN) am Proposing amendments to the Constitution of the State of Alaska relating to an appropriation limit, and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE JOINT
RESOLUTION NO. 9(FIN)

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

The following previously published fiscal information applies:

Fiscal Note No. 2, Office of the Governor

Fiscal Note No. 3, zero, Office of the Governor

The resolution is on today's calendar.

HJR 44

The Finance Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 44(RES) am Relating to research into the decline of the Southwest Alaska population of the Northern Sea Otter in the western Gulf of Alaska. Signing do pass: Senator Wilken, Cochair; Senators Dyson, Bunde. Signing no recommendation: Senator Green, Cochair; Senators Hoffman, Olson.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, House Resources Committee

The resolution was referred to the Rules Committee.

HCR 32

The Labor and Commerce Committee considered CS FOR HOUSE CONCURRENT RESOLUTION NO. 32(EDT) am Relating to information infrastructure and establishing the Alaska Information Infrastructure Policy Task Force. Signing no recommendation: Senator Bunde, Chair; Senators French, Gary Stevens. Signing do pass: Senators Seekins, Davis.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, University of Alaska
Fiscal Note No. 3, Legislative Agency

The resolution was referred to the Finance Committee.

Special Committee Reports**HB 414**

May 4, 2004

Mr. President:

Mr. Speaker:

The Conference Committee considering CS FOR HOUSE BILL NO. 414(JUD) "An Act relating to filling a vacancy in the office of United States senator, and to the definition of 'political party'" and SENATE CS FOR CS FOR HOUSE BILL NO. 414(JUD) "An Act relating to filling a vacancy in the office of United States senator, and to the definition of 'political party'; and providing for an effective date" (technical title change) requests limited powers of free conference pursuant to Rule 42 of the Uniform Rules of the Alaska State Legislature. We request this authority to address the following points:

1. Reinclusion of the Legislative Intent language originally inserted in CS FOR HOUSE BILL NO. 414(STA) (23-LS1514\S; Sec. 1, page 1, lines 6-8); and
2. Provisions governing the selection and appointment of temporary appointees to the office of United States Senator following the vacancy of the office and prior to a special election originally included in CS FOR HOUSE BILL NO. 414(JUD) (23-LS1514\U; Sec. 3, page 2, lines 4-10).

Signing the report: Senator Seekins, Senate Chair, Senators Wagoner, French; Representative McGuire, House Chair, Representatives Anderson, Crawford.

Introduction and Reference of Senate Resolutions

SCR 26

SENATE CONCURRENT RESOLUTION NO. 26 BY THE SENATE FINANCE COMMITTEE BY REQUEST,

Urging the Department of Health and Social Services to immediately adopt regulations to aggressively contain the costs of personal care services in the medical assistance program.

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

SR 5

SENATE RESOLUTION NO. 5 BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE,

Relating to the National Day of Prayer.

was read the first time.

President Therriault stated the resolution will be held on the Secretary's desk.

Reconsideration of Senate Bills**SB 284**

Senator Guess requested that the reconsideration on CS FOR SENATE BILL NO. 284(FIN) "An Act making information on a permanent fund dividend application, other than the applicant's name, confidential, and relating to disclosure of that confidential information; and relating to confidential information in voter registration records" be taken up. The bill was before the Senate on reconsideration.

Senator Guess moved and asked unanimous consent that the bill be returned to second reading for the purpose of a specific amendment, that being Amendment No. 1. Without objection, the bill was returned to second reading.

Senators Green, Guess offered Amendment No. 1:

Page 2, line 3, following "address.":

Insert "However, notwithstanding an election under this subsection, a voter's residential address may be disclosed to

- (1) a watcher appointed under AS 15.10.170 and, in the case of a watcher appointed by an organization or group sponsoring or opposing an initiative, referendum, or recall group, authorized by the director;
- (2) an observer of a recount provided under AS 15.20.440(b) by a candidate, political party, or organized group having a direct interest in the recount; or
- (3) the subject of a recall election if the voter voted in the recall election."

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

CS FOR SENATE BILL NO. 284(FIN) am was automatically in third reading on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 284(FIN) am "An Act making information on a permanent fund dividend application, other than the applicant's name, confidential, and relating to disclosure of that confidential information; and relating to confidential information in voter registration records" pass the Senate?" The roll was taken with the following result:

CSSB 284(FIN) am
Third Reading - On Reconsideration

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

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

and so, CS FOR SENATE BILL NO. 284(FIN) am passed the Senate on reconsideration and was referred to the Secretary for engrossment.

Consideration of the Calendar

Second Reading of Senate Bills

SB 97

SENATE BILL NO. 97 "An Act relating to public interest litigants and to attorney fees; and amending Rule 82, Alaska Rules of Civil Procedure" was read the second time.

Senator Seekins, Chair, moved and asked unanimous consent for the adoption of the Judiciary Committee Substitute offered on page 3320. Senator Guess objected, then withdrew her objection. There being no further objection, CS FOR SENATE BILL NO. 97(JUD) "An Act relating to public interest litigants and to attorney fees and costs and the posting of bonds or other security; amending Rules 65, 79, 80, and 82, Alaska Rules of Civil Procedure, and Rules 205, 508, and 602, Alaska Rules of Appellate Procedure; and providing for an effective date" was adopted.

Senator Seekins offered Amendment No. 1:

Page 4, line 13:

Delete "Board of Fisheries"

Insert "commissioner, the department, the Board of Fisheries,"

Page 4, line 14, following "Game":

Insert "regarding subsistence use of fish and game"

Senator Seekins moved for the adoption of Amendment No. 1. Objections were heard. Senator Seekins moved and asked unanimous consent to withdraw Amendment No. 1. Without objection, Amendment No. 1 was withdrawn.

President Therriault stated CS FOR SENATE BILL NO. 97(JUD) will be on the May 6 calendar.

SB 232

SENATE BILL NO. 232 "An Act relating to federal requirements for governmental plan and other qualifications for the teachers' retirement system, the public employees' retirement system, and the judicial retirement system; and providing for an effective date" was read the second time.

Senator Wilken, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 3197. Without objection, CS FOR SENATE BILL NO. 232(FIN) "An Act relating to federal tax requirements for and other provisions of the teachers' retirement system, the public employees' retirement system, and the judicial retirement system; removing village public safety officers from the public employees' retirement system; eliminating the public employees' retirement system conditional duty to refund contributions under \$1,000 to inactive employees; limiting service credit for village public safety officer service in the public employees' retirement system to five years; and providing for an effective date" was adopted.

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

President Therriault stated CS FOR SENATE BILL NO. 232(FIN) will be on the May 6 calendar.

SB 254

SENATE BILL NO. 254 "An Act relating to the levy and collection of an assessment on certain tourism-related and recreation-related goods and services, and repealing the levy of excise taxes of certain passenger and recreation vehicles; and providing for an effective date" was read the second time.

Senator Wilken, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 3299. Senator Ellis objected, then withdrew his objection. There being no further objection, CS FOR SENATE BILL NO. 254(FIN) "An Act relating to tourism marketing contracts; and providing for an effective date" was adopted.

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

President Therriault stated CS FOR SENATE BILL NO. 254(FIN) will be on the May 6 calendar.

SB 282

SENATE BILL NO. 282 "An Act relating to the identification of finfish in food products and to the misbranding of food products consisting of or containing finfish" was read the second time.

Senator Ben Stevens moved and asked unanimous consent for the adoption of the Resources Committee Substitute offered on page 2456. Without objection, CS FOR SENATE BILL NO. 282(RES) was adopted.

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

CS FOR SENATE BILL NO. 282(RES) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 282(RES) "An Act relating to the identification of finfish in food products and to the misbranding of food products consisting of or containing finfish" pass the Senate?" The roll was taken with the following result:

CSSB 282(RES)

Third Reading - Final Passage

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

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

and so, CS FOR SENATE BILL NO. 282(RES) passed the Senate and was referred to the Secretary for engrossment.

SB 379

SENATE BILL NO. 379 "An Act providing that public members of the Board of Trustees of the Alaska Permanent Fund Corporation may be removed only for cause; and providing for an effective date" was read the second time.

Senator Wilken, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 3097. Without objection, CS FOR SENATE BILL NO. 379(FIN) was adopted.

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

CS FOR SENATE BILL NO. 379(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 379(FIN) "An Act providing that public members of the Board of Trustees of the Alaska Permanent Fund Corporation may be removed only for cause; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 379(FIN)
Third Reading - Final Passage
Effective Date

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

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

and so, CS FOR SENATE BILL NO. 379(FIN) passed the Senate.

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

SB 392

SENATE BILL NO. 392 "An Act relating to the expenses of investigation, hearing, or public advocacy before the Regulatory Commission of Alaska, to calculation of the regulatory cost charge for public utilities and pipeline carriers to include the Department of Law's costs of its public advocacy function, to inspection of certain books and records by the attorney general when participating as a party in a matter before the Regulatory Commission of Alaska; and providing for an effective date" was read the second time.

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

President Therriault stated SENATE BILL NO. 392 will be on the May 6 calendar.

Reconsideration of Senate Bills

SB 306

Senator Seekins requested that the reconsideration on CS FOR SENATE BILL NO. 306 (FIN) am be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 306(FIN) am "An Act relating to the practice of naturopathic medicine; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 306(FIN) am
Third Reading - On Reconsideration
Effective Dates

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

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

Nays: French

and so, CS FOR SENATE BILL NO. 306(FIN) am passed the Senate on reconsideration.

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

Second Reading of Senate Bills (continued)

SB 395

SENATE BILL NO. 395 "An Act relating to application of municipal ordinances providing for planning, platting, and land use regulation to interests in land owned by the Alaska Railroad Corporation; and providing for an effective date" was read the second time.

Senator Ben Stevens moved and asked unanimous consent that SENATE BILL NO. 395 be held to the bottom of today's calendar. Without objection, it was so ordered.

Second Reading of House Bills

HB 378

HOUSE BILL NO. 378 "An Act relating to the Alaska Food, Drug, and Cosmetic Act, including sales, advertising, certain devices, food donors, and food banks; making certain violations of organic food

provisions and of the Alaska Food, Drug, and Cosmetic Act unfair methods of competition and unfair or deceptive acts or practices under certain of the state's unfair trade practices and consumer protection laws; and providing for an effective date" was read the second time.

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

President Therriault stated HOUSE BILL NO. 378 will be on the May 6 calendar.

HB 546

CS FOR HOUSE BILL NO. 546(JUD) "An Act relating to regulation of the discharge of pollutants from timber-related activities under the National Pollutant Discharge Elimination System; relating to waste treatment and disposal permits; making conforming amendments; and providing for an effective date" was read the second time.

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

President Therriault stated CS FOR HOUSE BILL NO. 546(JUD) will be on the May 6 calendar.

Third Reading of Senate Bills

SB 364

CS FOR SENATE BILL NO. 364(HES) "An Act relating to liability for expenses of placement in certain mental health facilities; relating to the mental health treatment assistance program; and providing for an effective date" was read the third time.

Senator Guess moved and asked unanimous consent 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 Guess offered Amendment No. 2:

Page 2, lines 13 - 26:

Delete all material.

Renumber the following bill sections accordingly.

Page 5, lines 6 - 7:

Delete "secs. 1 - 8"

Insert "secs. 1 - 7"

Page 5, line 14:

Delete "Section 10"

Insert "Section 9"

Page 5, line 15:

Delete "sec. 11"

Insert "sec. 10"

Senator Guess moved for the adoption of Amendment No. 2. Senator Green objected.

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

CSSB 364(HES)

Second Reading

Amendment No. 2

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

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

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

and so, Amendment No. 2 failed.

CS FOR SENATE BILL NO. 364(HES) was automatically in third reading.

The question being: "Shall CS FOR SENATE BILL NO. 364(HES) "An Act relating to liability for expenses of placement in certain mental health facilities; relating to the mental health treatment assistance program; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 364(HES)

Third Reading - Final Passage

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

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

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

Cowdery changed from "Nay" to "Yea".

and so, CS FOR SENATE BILL NO. 364(HES) passed the Senate.

Senator Ben Stevens moved for the adoption of the effective date clauses.

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

CSSB 364(HES)

Effective Date Clauses

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

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

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

and so, the effective date clauses failed to be adopted.

Senator Ben Stevens moved and asked unanimous consent that the Health, Education and Social Services Committee Letter of Intent offered on page 2774 be adopted as a Senate Letter of Intent. Without objection, the Senate Letter of Intent was adopted.

Senator Guess gave notice of reconsideration on CS FOR SENATE BILL NO. 364(HES)(efd fld) "An Act relating to liability for expenses of placement in certain mental health facilities; and relating to the mental health treatment assistance program."

Third Reading of House Bills

HB 188

HOUSE BILL NO. 188 "An Act relating to the authority of the Department of Natural Resources to issue citations for certain skiing violations; relating to establishing a bail schedule for certain skiing violations and to procedures for issuing a citation for a skiing violation" was read the third time.

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

HB 409

CS FOR HOUSE BILL NO. 409(FSH) was read the third time.

Senator Ben Stevens called the Senate. The call was satisfied.

The question being: "Shall CS FOR HOUSE BILL NO. 409(FSH) "An Act relating to the maximum length of salmon seine vessels; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 409(FSH)

Third Reading - Final Passage

Effective Date

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

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

Nays: Ogan

and so, CS FOR HOUSE BILL NO. 409(FSH) passed the Senate.

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

Senator Ellis gave notice of reconsideration.

HB 486

CS FOR HOUSE BILL NO. 486(FIN) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 486(FIN) "An Act relating to reclamation bonding and financial assurance for certain mines; relating to financial assurance limits for lode mines; establishing the mine reclamation trust fund; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

C SHB 486(FIN)

Third Reading - Final Passage

Effective Date

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

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

and so, CS FOR HOUSE BILL NO. 486(FIN) passed the Senate.

Senator Ben Stevens moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was signed by the President and Secretary and returned to the House.

Second Reading of House Resolutions**HJR 9**

CS FOR HOUSE JOINT RESOLUTION NO. 9(FIN) am Proposing amendments to the Constitution of the State of Alaska relating to an appropriation limit, was read the second time.

Senator Wilken, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 3333. Without objection, SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 9(FIN) was adopted.

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

President Therriault stated SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 9(FIN) will be on the May 6 calendar.

SB 395

Senator Ben Stevens moved and asked unanimous consent that SENATE BILL NO. 395 "An Act relating to application of municipal ordinances providing for planning, platting, and land use regulation to interests in land owned by the Alaska Railroad Corporation; and providing for an effective date" be held in second reading to the May 6 calendar. Without objection, it was so ordered.

Citations

Honoring – Emma Olsen

Senator(s) Elton, Therriault, Bunde, Cowdery, Davis, Dyson, Green, Guess, Hoffman, Lincoln, Olson, Seekins, Stedman, Ben Stevens, Gary Stevens, Wagoner, Wilken
Representative(s) Weyhrauch, Kerttula

Honoring – The Alaska Folk Festival

Senator(s) Elton, Therriault, Bunde, Cowdery, Davis, Dyson, Ellis, Green, Guess, Hoffman, Lincoln, Olson, Seekins, Stedman, Ben Stevens, Gary Stevens, Wagoner, Wilken
Representative(s) Weyhrauch, Kerttula

Honoring – Juneau-Douglas High School National Ocean Sciences Bowl Participants

Representative(s) Kerttula, Weyhrauch
Senator(s) Elton, Therriault, Bunde, Cowdery, Davis, Dyson, Ellis, Green, Guess, Hoffman, Lincoln, Olson, Seekins, Stedman, Ben Stevens, Gary Stevens, Wagoner, Wilken

Honoring – Robert D. Storer

Representative(s) Kerttula, Weyhrauch

Senator(s) Elton, Therriault, Bunde, Cowdery, Davis, Dyson, Ellis, French, Green, Guess, Hoffman, Lincoln, Olson, Seekins, Stedman, Ben Stevens, Gary Stevens, Wagoner, Wilken

In Memoriam – Fred C. Morgan, Sr.

Representative(s) Kerttula, Weyhrauch

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

In Memoriam – Leona Gran

Representative(s) Kerttula, Weyhrauch

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

In Memoriam – Bob Ernisse

Representative(s) Berkowitz

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

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

Senator Ben Stevens moved and asked unanimous consent that the following citations be made a special order of business. Without objection, it was so ordered.

Special Order of Business

Honoring – Jo Ann Bantz

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

Honoring – Emergency Dispatchers Across Alaska

Representative(s) Coghill

Senator(s) Therriault, Cowdery, Davis, Dyson, Elton, Green, Guess, Hoffman, Lincoln, Olson, Seekins, Stedman, Ben Stevens, Gary Stevens, Wagoner, Wilken

In Memoriam – Charles E. Crapuchettes

Senator(s) Wagoner, Dyson, Therriault, Cowdery, Davis, Elton, Green, Guess, Hoffman, Lincoln, Olson, Seekins, Stedman, Ben Stevens, Gary Stevens, Wilken

Senator Ben Stevens 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

HB 379

Senators Ben Stevens, Wilken, Ellis, Elton, Gary Stevens, Green, Guess, Olson, Stedman, Bunde moved and asked unanimous consent to be shown as cross sponsors on HOUSE BILL NO. 379 "An Act establishing an office of citizenship assistance in the Department of Labor and Workforce Development." Without objection, it was so ordered.

Concur Messages

SB 299

Senator Ben Stevens moved and asked unanimous consent that the concur message on HOUSE CS FOR SENATE BILL NO. 299(JUD) am H "An Act relating to a charge for a bad check" which had been held on the Secretary's desk (page 3319) be taken up at this time. Without objection, it was so ordered.

Senator Ben Stevens moved that the Senate concur in the House amendments.

The question being: "Shall the Senate concur in the House amendments?" The roll was taken with the following result:

HCS SB 299(JUD) am H

Shall the Senate Concur in the House amendments to SB 299?

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

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

Absent: Hoffman

and so, the Senate concurred in the House amendments, thus adopting HOUSE CS FOR SENATE BILL NO. 299(JUD) am H "An Act relating to a charge for a bad check."

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

SB 300

Senator Ben Stevens moved and asked unanimous consent that the concur message on HOUSE CS FOR CS FOR SENATE BILL NO. 300(JUD) "An Act relating to an attorney's lien, to court actions, and to other proceedings where attorneys are employed; and providing for an effective date" which had been held on the Secretary's desk (page 3297) be taken up at this time. Without objection, it was so ordered.

Senator Ben Stevens moved that the Senate concur in the House amendment.

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

HCS CSSB 300(JUD)

Shall the Senate Concur in the House

Amendment to CSSB 300(FIN)? Effective Date

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

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

Absent: Hoffman

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 300(JUD) "An Act relating to an attorney's lien, to court actions, and to other proceedings where attorneys are employed; and providing for an effective date."

Senator Ben Stevens moved and asked unanimous consent that the vote on concurrence be considered the vote on the effective date clause. Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

SB 309

Senator Ben Stevens moved and asked unanimous consent that the concur message on HOUSE CS FOR CS FOR SENATE BILL NO. 309(JUD) "An Act relating to testing the blood of prisoners and those in custody for bloodborne pathogens" which had been held on the Secretary's desk (page 3298) be taken up at this time. Without objection, it was so ordered.

Senator Ben Stevens moved that the Senate concur in the House amendment.

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

HCS CSSB 309(JUD)

Shall the Senate Concur in the House

Amendment to CSSB 309(JUD) am?

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

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

Absent: Guess

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 309(JUD) "An Act relating to testing the blood of prisoners and those in custody for bloodborne pathogens."

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

SB 344

Senator Ben Stevens moved and asked unanimous consent that the concur message on HOUSE CS FOR SENATE BILL NO. 344(JUD) am H "An Act relating to the Uniform Probate Code and trusts, including pleadings, orders, nonprobate assets, estates of decedents, minors, protected persons, incapacitated persons, guardians, conservators, trustees, foreign trusts, principal and income, and transfer restrictions; relating to corporate voting trusts; and providing for an effective date" which had been held on the Secretary's desk (page 3298) be taken up at this time. Without objection, it was so ordered.

Senator Ben Stevens moved that the Senate concur in the House amendments.

The question being: "Shall the Senate concur in the House amendments?" The roll was taken with the following result:

HCS SB 344(JUD) am H
 Shall the Senate Concur in the House
 Amendments to SB 344? Effective Date

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

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

Absent: Guess

and so, the Senate concurred in the House amendments, thus adopting HOUSE CS FOR SENATE BILL NO. 344(JUD) am H "An Act relating to the Uniform Probate Code and trusts, including pleadings, orders, nonprobate assets, estates of decedents, minors, protected persons, incapacitated persons, guardians, conservators, trustees, foreign trusts, principal and income, and transfer restrictions; relating to corporate voting trusts; and providing for an effective date."

Senator Ben Stevens moved and asked unanimous consent that the vote on concurrence be considered the vote on the effective date clause. Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

HB 414

President Therriault granted the Senate members of the Conference Committee considering CS FOR HOUSE BILL NO. 414(JUD) "An Act relating to filling a vacancy in the office of United States senator, and to the definition of 'political party'" and SENATE CS FOR CS FOR HOUSE BILL NO. 414(JUD) "An Act relating to filling a vacancy in the office of United States senator, and to the definition of 'political party'; and providing for an effective date" limited powers of free conference as requested (page 3334).

The Secretary was requested to notify the House.

HB 337

Senators Bunde, Wilken, Stedman, Dyson, Gary Stevens, Wagoner, Davis, Olson moved and asked unanimous consent to be shown as cross sponsors on CS FOR HOUSE BILL NO. 337(FIN) "An Act relating to anatomical donor registries, to an anatomical gift awareness fund, to an anatomical gift awareness program, to motor vehicle licenses and registrations, and to state identification cards." Without objection, it was so ordered.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 282**

CS FOR SENATE BILL NO. 282(RES) "An Act relating to the identification of finfish in food products and to the misbranding of food products consisting of or containing finfish" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 284

CS FOR SENATE BILL NO. 284(FIN) am "An Act making information on a permanent fund dividend application, other than the applicant's name, confidential, and relating to disclosure of that confidential information; and relating to confidential information in voter registration records" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 306

CS FOR SENATE BILL NO. 306(FIN) am "An Act relating to the practice of naturopathic medicine; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 379

CS FOR SENATE BILL NO. 379(FIN) "An Act providing that public members of the Board of Trustees of the Alaska Permanent Fund Corporation may be removed only for cause; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

Adjournment

Senator Ben Stevens moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., May 6, 2004. Without objection, the Senate adjourned at 4:05 p.m.

Kirsten Waid
Secretary of the Senate

July 2004

Announcements

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

STANDING COMMITTEES

+ indicates teleconference
 = indicates bill previously heard/scheduled

COMMUNITY & REGIONAL AFFAIRS

May 05	Wednesday	Fahrenkamp 203	1:30 PM
	-- Meeting Postponed --		
	Bills Previously Heard/Scheduled		
May 07	Friday	Fahrenkamp 203	1:30 PM
	Bills Previously Heard/Scheduled		

FINANCE

May 05	Wednesday	Senate Finance 532	9:00 AM
	-- Recessed to 4:20 pm --		
+ =	SB 395	MUNICIPAL LAND USE REGULATION	
+ =	HB 10	GROUP HEALTH INSURANCE FOR PRIVATE GROUPS	
+ =	HB 123	ALASKA WORKFORCE INVESTMENT BOARD	
+	HB 366	ANIMAL CLASSICS CHARITABLE GAMING	
+	HB 379	OFFICE OF CITIZENSHIP ASSISTANCE	
+	HB 459	ELECTRONIC/OPTICAL SCAN VOTING MACHINES	
+	HB 489	AVTEC ADMINISTRATION	
+	HB 556	AIDEA BONDS FOR LYNN CANAL PORT	
+ =	HJR 9	CONST AM: APPROPRIATION/SPENDING LIMIT	
+	HB 531	CONVENTIONAL & NONCONVENTIONAL GAS LEASES	
+		Bills Previously Heard/Scheduled	

FINANCE (continued)

May 06 Thursday Senate Finance 532 8:00 AM
 + HB 15 SOLICITATIONS/CONSUMER PROTECTION
 + HB 417 AK NATURAL GAS DEV. AUTHORITY INITIATIVE
 + HB 418 REAL ESTATE COM'N/LICENSEE/HOME INSPECT
 + HB 422 BUDGET RESERVE FUND INVESTMENT
 + HB 494 ELECTRONIC PAYMENT FOR STATE BUSINESS
 + HB 514 CHILD SUPPORT ENFORCEMENT/ CRIMES
 + HB 545 STATE REAL PROPERTY LEASE EXTENSIONS
 + HB 559 STEP PROGRAM CONTINUANCE
 += HJR 26 CONST. AM: PF APPROPS/INFLATION-PROOFING
 + Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

May 05 Wednesday Butrovich 205 1:30 PM
 -- To Continue 05/05/04 --
 At the Call of the Chair
 += HB 511 CERTIFICATE OF NEED PROGRAM
 + Bills Previously Heard/Scheduled
 If Necessary

May 06 Thursday Location Tba
 Continuation of 05/05/04 Meeting
 At the Call of the Chair

May 07 Friday Butrovich 205 1:30 PM
 + Bills Previously Heard/Scheduled
 If Necessary

JUDICIARY

May 05 Wednesday Butrovich 205 8:00 AM
 + HB 334 UNLAWFUL EXPLOITATION OF MINOR/CHILD PORN
 + HB 367 LICENSING ADULT-ORIENTED BUSINESSES
 + HB 342 DRIVING UNDER INFLUENCE/ALCOHOL OFFENSES
 += HB 273 PARENTS' WAIVER OF CHILD'S SPORTS CLAIM
 += HB 549 UNSOLICITED COMMUNICATION:AIRCRAFT CRASH
 + Bills Previously Heard/Scheduled

JUDICIARY (continued)

May 06 Thursday Butrovich 205 8:00 AM
 + SB 397 LEGISLATIVE PROCEDURE & ETHICS GUIDELINES
 + HB 421 DEED OF TRUST RECONVEYANCE
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

May 06 Thursday Beltz 211 1:30 PM
 + HB 474 LIABILITY FOR AIRPORTS AND AIRSTRIPS
 Bills Previously Heard/Scheduled

RESOURCES

May 05 Wednesday Butrovich 205 4:15 PM
 -- Time Change --
 + Confirmation Hearing:
 Board of Game
 += HB 395 SHALLOW NATURAL GAS/ OIL AND GAS
 + HB 452 GUIDED SPORT FISHING/ ADFG & CFEC RECORDS
 Bills Previously Heard/Scheduled

May 06 Thursday Butrovich 205 3:30 PM
 + HB 364 NATURAL GAS LEASES NEAR KATCHEMAK BAY
 + HB 309 PROHIBIT RELEASE OF PREDATORY FISH
 + Bills Previously Heard/Scheduled

STATE AFFAIRS

May 06 Thursday Beltz 211 3:30 PM
 + HB 536 PFUND APPLICATION DEADLINES: MILITARY
 + Confirmation Hearing:
 Ray Matiashowski, Commissioner
 Department of Administration
 + Bills Previously Heard/Scheduled

JOINT COMMITTEES

CONFERENCE COMMITTEE FOR HOUSE BILL 414

May 05 Wednesday Capitol 120
 Meeting Postponed to Call of the Chair
 <Meeting will begin immediately following
 House Judiciary Meeting>
 HB 414 U.S.SENATE VACANCY/DEF OF POLITICAL PARTY

CONFERENCE COMMITTEE ON HB 375 & HB 377

May 06 Thursday Senate Finance 532 4:30 PM
 = HB 375 APPROP: OPERATING BUDGET/LOANS/FUNDS
 = HB 377 APPROP:MENTAL HEALTH BUDGET
 Departments to be Considered:
 Administration
 Environmental Conservation
 Fish & Game
 Law
 Military & Veterans Affairs
 Natural Resources
 Revenue
 Transportation & Public Facilities
 Court System

CONFERENCE COMMITTEE ON SB 283

May 05 Wednesday Senate Finance 532 5:30 PM
 -- Meeting Canceled --
 = SB 283 APPROP: EDUC/CBR/COURTS/GRANTS/PCE

May 06 Thursday Senate Finance 532 5:30 PM
 = SB 283 APPROP: EDUC/CBR/COURTS/GRANTS/PCE

JOINT COMMITTEES (continued)

LEGISLATIVE COUNCIL

May 05 Wednesday Terry Miller 104 5:00 PM
 Approvals: Three Year Technology Plan,
 Computer & Printer Upgrade, Print Shop
 Copier and Lease Space
 Approval of Projects
 Capitol 1st Floor HESS/STA Remodel
 Ratification of Sanctioned Events

SELECT COMMITTEE ON LEGISLATIVE ETHICS

May 07 Friday Capitol 120 8:00 AM
 + Full Committee Meeting: Open Session
 Advisory Opinion 04-03
 <Public Comment by Invitation Only>
 Open Meetings

May 07 Friday Beltz 211 10:00 AM
 Senate Subcommittee Continued
 Public Comment<by Invitation Only>
 Executive Session followed by Pubic
 Session

OTHER MEETINGS

JOINT SESSION

May 10 Monday House Chamber 3:00 PM
 Governor's Appointees

MAJORITY CAUCUS

May 05 Wednesday Beltz 211 4:00 PM