

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Monday

May 13, 2002

One Hundred Twentieth Day

Pursuant to adjournment the House was called to order by Speaker Porter at 10:19 a.m.

Roll call showed 34 members present. Representatives Halcro, Kapsner, Kott, Masek, and Mulder were absent and their presence was noted later.

Representative James moved and asked unanimous consent that Representative Ogan be excused from a call of the House. There being no objection, it was so ordered.

The invocation was offered by Representative Davies, Chaplain Designee. Representative Croft moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

The Wisdom Prayer

O Great Spirit,
Whose voice I hear in the winds;
And who's breath gives life to all the world,
hear me! I am small and weak, I need your
strength and wisdom.
Let Me Walk In Beauty, and make my eyes
ever behold the red and purple sunsets.
Make My Hands respect the things you have
made and my ears sharp to hear your voice.
Make Me Wise so that I may understand the
things you have taught my people.

Let Me Learn the lessons you have hidden
in every leaf and rock.
I Seek Strength, not to be greater than my
brother, but to fight my greatest
enemy--myself.
Make Me Always Ready to come to you with
clean hands and straight eyes.
So When Life Fades, as the fading sunset,
my spirit may come to you
without shame.

A Native American Prayer

The Pledge of Allegiance was led by Representative Scalzi.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 119th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

HCR 35

A message dated May 12, 2002, was read stating the Senate has passed:

HOUSE CONCURRENT RESOLUTION NO. 35
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 345, relating to medical assistance paid to school districts for services to certain children.

HCR 35 was referred to the Chief Clerk for enrollment.

HB 52

A message dated May 12, 2002, was read stating the Senate has passed:

HOUSE BILL NO. 52 am

"An Act relating to the Interstate Compact for Adult Offender Supervision and the State Council for Interstate Adult Offender Supervision; amending Rules 4 and 24, Alaska Rules of Civil Procedure; and providing for an effective date."

HB 52 am was referred to the Chief Clerk for enrollment.

HB 288

A message dated May 12, 2002, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 288(FIN) am

"An Act relating to commercial fishing limited entry permit buy-back programs, to a permit buy-back assessment, and to voluntary relinquishment of commercial fishing permits; and defining 'optimum number.'"

CSHB 288(FIN) am was referred to the Chief Clerk for enrollment.

HB 307

A message dated May 12, 2002, was read stating the Senate has passed:

HOUSE BILL NO. 307

"An Act delaying to June 30, 2007, the last date by which hydrocarbon exploration geophysical work must be performed or drilling of a stratigraphic test well or exploratory well must be completed in order for a person to qualify for an exploration incentive credit."

HB 307 was referred to the Chief Clerk for enrollment.

HB 331

A message dated May 12, 2002, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 331(STA)

"An Act relating to appointment of persons to positions that require confirmation by the legislature; and providing for an effective date."

CSHB 331(STA) was referred to the Chief Clerk for enrollment.

HB 455

A message dated May 12, 2002, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 455(CRA)

"An Act relating to the assessment of certain agricultural land for purposes of municipal taxation; and providing for an effective date."

CSHB 455(CRA) was referred to the Chief Clerk for enrollment.

**The presence of Representative Kapsner was noted.

HB 458

A message dated May 12, 2002, was read stating the Senate has passed:

HOUSE BILL NO. 458

"An Act relating to periods of probation for state employees; and providing for an effective date."

HB 458 was referred to the Chief Clerk for enrollment.

HB 274

A message dated May 12, 2002, was read stating the Senate has passed:

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."

with the following amendment and it is transmitted for consideration:

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."

(SCR 37 - title change resolution)

CSHB 274(L&C) is under Unfinished Business.

HB 305

A message dated May 12, 2002, was read stating the Senate has passed CSHB 305(STA) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 305(RLS)

"An Act prohibiting certain state employment, a student loan, or a permanent fund dividend for a person who fails to register for the military selective service; and providing for an effective date."

CSHB 305(STA) am is under Unfinished Business.

SB 37

A message dated May 12, 2002, was read stating the Senate has concurred in the House amendment to CSSB 37(FIN), thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 37(JUD) am H

"An Act relating to collective negotiation by competing physicians with health benefit plans, to health benefit plan contracts, to the application of antitrust laws to agreements involving providers and groups of providers affected by collective negotiations, and to the effect of the collective negotiation provisions on health care providers."

SB 359

A message dated May 12, 2002, was read stating the Senate has concurred in the House amendment to CSSB 359(RLS), thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 359(FIN)

"An Act relating to organization grants for mergers, consolidations, or unifications involving third class boroughs; and relating to identification by the Local Boundary Commission of areas that meet the standards for borough incorporation."

**The presence of Representative Masek was noted.

SB 345

A message dated May 12, 2002, was read stating the Senate has failed to concur in the House amendment to:

SENATE BILL NO. 345

"An Act relating to medical assistance for rehabilitative services for certain children with disabilities; relating to agreements to pay medical assistance for covered services paid for or furnished to eligible children with disabilities by a school district; and providing for an effective date."

namely:

HOUSE CS FOR SENATE BILL NO. 345(RLS)

"An Act relating to questionnaires and surveys administered in the public schools; relating to statewide school district correspondence study and to centralized correspondence study; relating to the delay of the reduction of supplementary public school funding; relating to funding the Alaska Challenge Youth Academy program; relating to medical assistance for rehabilitative services for certain children with disabilities; relating to agreements to pay medical assistance for covered services paid for or furnished to eligible children with disabilities by a school district; and providing for an effective date."

(HCR 35 - title change resolution)

and respectfully requests the House to recede from its amendment.

In the event the House fails to recede, the President appointed the following members to a Conference Committee to meet with the like committee from the House to consider the bills:

Senator Green, Chair
Senator Therriault
Senator Davis

**The presence of Representative Kott was noted.

Representative James moved that the House recede from its amendment to SB 345, namely HCS SB 345(RLS), and recommended that the members vote no.

The question being: "Shall the House recede from its amendment to SB 345?" The roll was taken with the following result:

HCS SB 345(RLS)

Recede

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

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

Excused: Ogan

Absent: Foster, Halcro, Joule, Mulder

And so, the House failed to recede.

The Speaker appointed the following members to a Conference Committee to meet with the like committee from the Senate to consider the above bills:

Representative James

Representative Bunde

Representative Guess

The Chief Clerk was instructed to so notify the Senate.

SPECIAL ORDER OF BUSINESS

SB 115

Representative James moved and asked unanimous consent that the House bring up the following as a Special Order of Business:

HOUSE CS FOR SENATE BILL NO. 115(RLS) am H

"An Act relating to the Board of Marital and Family Therapy and the practitioners of marital and family therapy; extending the termination date of the Board of Storage Tank Assistance; setting timelines for issuance of final orders by the Regulatory Commission of Alaska, amending the authority of the commission

to enter compromise settlement orders, and extending the commission's termination date to June 30, 2004; relating to an exemption that allows one bill to continue more than one board, commission, or agency program; and providing for an effective date."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that the House rescind its action in passing HCS SB 115(RLS) am H (page 3592). There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that HCS SB 115(RLS) am H be returned to second reading for the specific purpose of considering Amendment No. 2. There being no objection, it was so ordered.

Amendment No. 2 was offered by Representative James:

At the end of the bill, as amended:

Insert a new bill section to read:

"* **Sec. 16.** Sections 11 and 12 of this Act take effect immediately under AS 01.10.070(c)."

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

Representative Dyson objected and withdrew the objection.

There being no further objection, it was so ordered.

The question being: "Shall HCS SB 115(RLS) am H pass the House?"
The roll was taken with the following result:

HCS SB 115(RLS) am H

Third Reading

Final Passage

YEAS: 36 NAYS: 1 EXCUSED: 1 ABSENT: 2

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

Nays: Kohring

Excused: Ogan

Absent: Halcro, Mulder

And so, HCS SB 115(RLS) am H passed the House.

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

HCS SB 115(RLS) am H was referred to the Chief Clerk for engrossment.

MESSAGES FROM THE SENATE

(continued)

A message dated May 12, 2002, was read stating the Senate has passed the following and it is transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 355

SENATE BILL NO. 355 by the Senate Health, Education & Social Services Committee by request, entitled:

"An Act establishing an account in the general fund to receive general gifts, donations, and bequests to the State of Alaska."

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

REPORTS OF STANDING COMMITTEES**SB 181**

The Finance Committee has considered:

CS FOR SENATE BILL NO. 181(FIN) am

"An Act relating to and increasing the interest rate on that portion of a loan for a single-family house or owner-occupied duplex that exceeds \$200,000 where the loan is for a house or duplex in a small community with a population of 6,500 or less that is not connected by road or rail to Anchorage or Fairbanks, or with a population of 1,600 or less that is connected by road or rail to Anchorage or Fairbanks for purposes of the small community housing program of the Alaska Housing Finance Corporation; relating to loans for teacher housing in which each unit that is not vacant is occupied by at least one individual who is employed as a certificated teacher in a public elementary or secondary school in a small community with a population of 6,500 or less that is not connected by road or rail to Anchorage or Fairbanks, or with a population of 1,600 or less that is connected by road or rail to Anchorage or Fairbanks, and increasing the interest rate on the loans if this occupancy requirement is not complied with; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 181(FIN)

"An Act relating to and increasing the interest rate on that portion of a loan for a single family house or owner-occupied duplex in a small community that exceeds \$250,000; relating to the Alaska Housing Finance Corporation's rural assistance loan program and to loans for teacher housing in small communities."

(pending authorization of a concurrent resolution)

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

Do pass (5): Harris, Davies, Lancaster, Mulder, Williams

No recommendation (4): Bunde, Whitaker, Moses, Hudson

The following fiscal note(s) apply to HCS CSSB 181(FIN):

1. Indeterminate, Dept. of Revenue

CSSB 181(FIN) am is on today's calendar.

**The presence of Representative Halcro was noted.

SB 247

The Finance Committee has considered:

CS FOR SENATE BILL NO. 247(FIN) am(brf sup maj fld)

"An Act making and amending appropriations and reappropriations; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 247(FIN)

"An Act making and amending appropriations and reappropriations; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

(technical title change)

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

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

Amend (2): Croft, Davies

CSSB 247(FIN) am(brf sup maj fld) is on today's calendar.

SB 252

The Finance Committee has considered:

CS FOR SENATE BILL NO. 252(RLS)

"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."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 252(FIN)
(same title)

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

Do pass (4): Whitaker, Lancaster, Mulder, Williams

No recommendation (7): Bunde, Harris, Croft, Davies, Moses, Hudson, Foster

The following fiscal note(s) apply to HCS CSSB 252(FIN):

4. Fiscal, Dept. of Labor & Workforce Development
5. Fiscal, Dept. of Labor & Workforce Development
6. Fiscal, Dept. of Labor & Workforce Development
7. Fiscal, Dept. of Labor & Workforce Development

CSSB 252(RLS) is on today's calendar.

SB 267

The Finance Committee has considered:

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."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 267(FIN)
(same title)

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

Do pass (10): Whitaker, Harris, Croft, Davies, Moses, Lancaster, Hudson, Foster, Mulder, Williams

No recommendation (1): Bunde

The following fiscal note(s) apply to HCS CSSB 267(FIN):

1. Fiscal, Dept. of Military & Veterans' Affairs
2. Indeterminate, Dept. of Revenue
3. Indeterminate, Dept. of Community & Economic Development

CSSB 267(FIN) is on today's calendar.

SB 268

The Rules Committee has considered:

SENATE BILL NO. 268

"An Act relating to the issuance of state-guaranteed revenue bonds by the Alaska Housing Finance Corporation to finance mortgages for qualifying veterans; and providing for an effective date."

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

Do pass (4): McGuire, Kott, Porter, Kohring

No recommendation (2): Joule, Berkowitz

The following fiscal note(s) apply:

1. Fiscal, Office of the Governor
2. Zero, Dept. of Revenue

SB 268 is on today's calendar.

SB 324

The Rules Committee has considered:

CS FOR SENATE BILL NO. 324(L&C)

"An Act providing that a utility or electric operating entity owned and operated by a political subdivision of the state competing directly with a telecommunications utility is not subject to the Alaska Public Utilities Regulatory Act."

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

Do pass (3): Porter, Kohring, Kott

No recommendation (4): Joule, Morgan, McGuire, Berkowitz

The following fiscal note(s) apply:

1. Zero, Dept. of Community & Economic Development

CSSB 324(L&C) is on today's calendar.

SB 339

The Finance Committee has considered:

SENATE BILL NO. 339

"An Act increasing fines for certain criminal offenses."

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

Do pass (6): Bunde, Whitaker, Harris, Lancaster, Mulder, Williams

No recommendation (2): Moses, Hudson

Amend (1): Davies

The following fiscal note(s) apply:

1. Indeterminate, Dept. of Law
2. Indeterminate, Dept. of Administration

SB 339 is on today's calendar.

SB 363

The Rules Committee has considered:

CS FOR SENATE BILL NO. 363(STA) am

"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."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 363(RLS)
(same title)

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

Do pass (3): Kott, Porter, Kohring

No recommendation (3): Joule, Morgan, McGuire

Amend (1): Berkowitz

The following fiscal note(s) apply to HCS CSSB 363(RLS):

2. Zero, Office of the Governor
4. Zero, House Judiciary Committee/Dept. of Administration

CSSB 363(STA) am is on today's calendar.

SB 371

The Rules Committee has considered:

CS FOR SENATE BILL NO. 371(RES) am

"An Act exempting the use of munitions in certain areas from a waste disposal permit requirement of the Department of Environmental Conservation; relating to general or nationwide permits under the Alaska coastal management program and to authorizations and permits issued by the Alaska Oil and Gas Conservation Commission; and providing for an effective date."

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

Do pass (4): McGuire, Kott, Porter, Kohring

No recommendation (2): Joule, Morgan

Amend (1): Berkowitz

The following fiscal note(s) apply:

1. Zero, Dept. of Environmental Conservation

CSSB 371(RES) am is on today's calendar.

INTRODUCTION OF CITATIONS

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

Honoring - Aelin Peterson
By Representatives Davies, Hayes

Honoring - Shanksville, Pennsylvania
By Representative McGuire

Honoring - Caleb Frontiness Parker
By Representative Harris

Honoring - Paul Jason Bealer
By Representative Harris

Honoring - Donald Sherwood Dickey on His 80th Birthday
By Representatives Hudson, Kerttula; Senator Elton

Honoring - Lee Ann Tomco
By Representative McGuire

Honoring - "Mama" Jean Cripps
By Representative Lancaster

Honoring - Major General James J. Lovelace, Commander, U.S. Army
Alaska
By Representative Mulder

Honoring - Gail Lovelace for Her Service with the United States Army
Alaska
By Representative Mulder

Honoring - George A. Buhite, 34 Years of Service to Alaska
By Senator Halford

Honoring - Carol White
By Senator Stevens

In Memoriam - Chad A. Bax, 4/8/1988 - 9/16/2001
By Representative McGuire

In Memoriam - Tom Posey
By Representative Mulder; Senator Leman

In Memoriam - Frieda Henrietta Honeyball
By Senator Phillips

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

HCR 36

HOUSE CONCURRENT RESOLUTION NO. 36 by the House Community & Regional Affairs Committee, entitled:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 181, relating to the Alaska Housing Finance Corporation's small community housing loan program and loans for teacher housing.

was read the first time and taken up later as a Special Order of Business.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF SENATE BILLS

SB 371

The following was read the second time:

CS FOR SENATE BILL NO. 371(RES) am

"An Act exempting the use of munitions in certain areas from a waste disposal permit requirement of the Department of Environmental Conservation; relating to general or nationwide permits under the Alaska coastal management program and to authorizations and permits issued by the Alaska Oil and Gas Conservation Commission; and providing for an effective date."

with the:

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RLS RPT 4DP 2NR 1AM

3622

FN1: ZERO(DEC)

3622

Amendment No. 1 was offered by Representative Kerttula:

Page 1, line 9:

Delete ", including active ranges"

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

Representative Whitaker objected.

**The presence of Representative Mulder was noted.

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

CSSB 371(RES) am
Second Reading
Amendment No. 1

YEAS: 11 NAYS: 27 EXCUSED: 1 ABSENT: 1

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Joule, Kapsner, Kerttula, Kookesh, Meyer

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

Excused: Ogan

Absent: Moses

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representative Kerttula:

Page 2, following line 5:

Insert a new bill section to read:

****Sec. 3.** AS 46.40.096 (h) (1) is repealed August 1, 2003."

ReNUMBER the following bill sections accordingly.

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

Representative Green objected.

Amendment to Amendment No. 2 was offered by Representative Kerttula:

Delete "2003"
Insert "2004"

Representative Kerttula moved and asked unanimous consent that Amendment to Amendment No. 2 be adopted. There being no objection, it was so ordered.

Representative Kerttula placed a call of the House.

The call was satisfied.

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

CSSB 371(RES) am
Second Reading
Amendment No. 2 as amended

YEAS: 10 NAYS: 29 EXCUSED: 1 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Kapsner, Kerttula, Kookesh, Moses

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

Excused: Ogan

And so, Amendment No. 2 as amended was not adopted.

Representative James moved and asked unanimous consent that CSSB 371(RES) am be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that CSSB 371(RES) am will be in third reading on tomorrow's calendar.

The Speaker stated that, without objection, the House would recess until 12:30 p.m.; and so, the House recessed at 11:37 a.m.

AFTER RECESS

The Speaker called the House back to order at 12:35 p.m.

SECOND READING OF SENATE BILLS (continued)

SB 181

The following was read the second time:

CS FOR SENATE BILL NO. 181(FIN) am

"An Act relating to and increasing the interest rate on that portion of a loan for a single-family house or owner-occupied duplex that exceeds \$200,000 where the loan is for a house or duplex in a small community with a population of 6,500 or less that is not connected by road or rail to Anchorage or Fairbanks, or with a population of 1,600 or less that is connected by road or rail to Anchorage or Fairbanks for purposes of the small community housing program of the Alaska Housing Finance Corporation; relating to loans for teacher housing in which each unit that is not vacant is occupied by at least one individual who is employed as a certificated teacher in a public elementary or secondary school in a small community with a population of 6,500 or less that is not connected by road or rail to Anchorage or Fairbanks, or with a population of 1,600 or less that is connected by road or rail to Anchorage or Fairbanks, and increasing the interest rate on the loans if this occupancy requirement is not complied with; and providing for an effective date."

with the:

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CRA RPT HCS(CRA) NT 4DP 2NR	3483
TITLE CHANGE: PENDING HCR	3483
FN1: INDETERMINATE(REV)	3484

FIN RPT HCS(FIN) NT 5DP 4NR	3616
TITLE CHANGE: PENDING HCR 36	3616
FN1: INDETERMINATE(REV)	3617

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

HOUSE CS FOR CS FOR SENATE BILL NO. 181(FIN)

"An Act relating to and increasing the interest rate on that portion of a loan for a single family house or owner-occupied duplex in a small community that exceeds \$250,000; relating to the Alaska Housing Finance Corporation's rural assistance loan program and to loans for teacher housing in small communities."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that HCS CSSB 181(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 181(FIN) was read the third time.

The question being: "Shall HCS CSSB 181(FIN) pass the House?"
The roll was taken with the following result:

HCS CSSB 181(FIN)
Third Reading
Final Passage

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

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

Nays: Kohring, Masek

Excused: Ogan

Absent: Moses, Mulder

And so, HCS CSSB 181(FIN) passed the House.

Representative Hayes later gave notice of reconsideration of the vote on HCS CSSB 181(FIN), and the reconsideration was taken up then.

SPECIAL ORDER OF BUSINESS

HCR 36

Representative James moved and asked unanimous consent that the following be taken up as a Special Order of Business at this time:

HOUSE CONCURRENT RESOLUTION NO. 36
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 181, relating to the Alaska Housing Finance Corporation's small community housing loan program and loans for teacher housing.

There being no objection, it was so ordered.

The question being: "Shall HCR 36 pass the House?" The roll was taken with the following result:

HCR 36
Special Order of Business

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

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

Excused: Ogan

Absent: Moses, Mulder

And so, HCR 36 passed the House.

Representative Hayes later gave notice of reconsideration of the vote on HCR 36, and the reconsideration was taken up then.

RECONSIDERATION

SB 181

Representative Hayes gave notice of reconsideration of the vote on HCS CSSB 181(FIN) (page 3628).

Representative Hayes moved and asked unanimous consent that the reconsideration of HCS CSSB 181(FIN) be taken up on the same day.

There being no objection, it was so ordered.

The following was again before the House in third reading:

HOUSE CS FOR CS FOR SENATE BILL NO. 181(FIN)

"An Act relating to and increasing the interest rate on that portion of a loan for a single family house or owner-occupied duplex in a small community that exceeds \$250,000; relating to the Alaska Housing Finance Corporation's rural assistance loan program and to loans for teacher housing in small communities."

The question to be reconsidered: "Shall HCS CSSB 181(FIN) pass the House?" The roll was taken with the following result:

HCS CSSB 181(FIN)--RECONSIDERATION

Third Reading

Final Passage

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

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

Nays: Kohring, Masek

Excused: Ogan

And so, HCS CSSB 181(FIN) passed the House on reconsideration.

HCS CSSB 181(FIN) was referred to the Chief Clerk for engrossment.

HCR 36

Representative Hayes gave notice of reconsideration of the vote on HCR 36 (page 3628).

Representative Hayes moved and asked unanimous consent that the reconsideration of HCR 36 be taken up on the same day.

There being no objection, it was so ordered.

The following was again before the House:

HOUSE CONCURRENT RESOLUTION NO. 36

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 181, relating to the Alaska Housing Finance Corporation's small community housing loan program and loans for teacher housing.

The question to be reconsidered: "Shall HCR 36 pass the House?"
The roll was taken with the following result:

HCR 36--RECONSIDERATION

Special Order of Business

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

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

Excused: Ogan

And so, HCR 36 passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

SB 270

Representative McGuire brought up reconsideration of the vote on HCS CSSB 270(RLS) am H (page 3592).

The following was again before the House in third reading:

HOUSE CS FOR CS FOR SENATE BILL NO. 270(RLS) am H
"An Act extending the termination date of the Board of Dispensing Opticians; relating to the regulation of dispensing opticians; and providing for an effective date."

The question to be reconsidered: "Shall HCS CSSB 270(RLS) am H pass the House?" The roll was taken with the following result:

HCS CSSB 270(RLS) am H--RECONSIDERATION

Third Reading

Final Passage

YEAS: 36 NAYS: 1 EXCUSED: 1 ABSENT: 2

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

Nays: Kohring

Excused: Ogan

Absent: Berkowitz, Mulder

And so, HCS CSSB 270(RLS) am H passed the House on reconsideration.

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

Representative James moved and asked unanimous consent that the House adopt the House Labor & Commerce Committee letter of intent (page 3463). There being no objection, it was so ordered.

HCS CSSB 270(RLS) am H was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE BILLS

(continued)

SB 226

The following was read the second time:

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO.
226(FIN) am

"An Act relating to design of highway projects; and providing for an effective date."

with the:

Journal Page

TRA RPT 4DP

3485

FN1: ZERO(DOT)

3485

Representative James moved and asked unanimous consent that CSSSSB 226(FIN) am be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that CSSSSB 226(FIN) am will be in third reading on tomorrow's calendar.

SB 247

The following was read the second time:

CS FOR SENATE BILL NO. 247(FIN) am(brf sup maj fld)

"An Act making and amending appropriations and reappropriations; and providing for an effective date."

HOUSE JOURNAL

3634

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with the:

Journal Page

FIN RPT HCS(FIN) NT 8DP 2AM

3617

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

HOUSE CS FOR CS FOR SENATE BILL NO. 247(FIN)

"An Act making and amending appropriations and reappropriations; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

(technical title change)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Hayes:

Page 72, following line 8, under University of Alaska:

Insert under General Fund:
"System-wide 8,000,000"

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

Representative Mulder objected.

Representative Bunde rose to a point of order regarding confining remarks to the bill before the body.

The Speaker stated that the point was well taken and cautioned the other member.

Representative Croft placed a call of the House.

The call was satisfied.

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

HCS CSSB 247(FIN)
Second Reading
Amendment No. 1

YEAS: 13 NAYS: 26 EXCUSED: 1 ABSENT: 0

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

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

Excused: Ogan

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representative Croft:

Page 113, following line 22:

Insert a new subparagraph to read:

"(3) The sum of \$45,000,000 is appropriated from the general fund to the Department of Community & Economic Development to the power cost equalization endowment fund (AS 42.45.070)."

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

Representative Williams objected.

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

HCS CSSB 247(FIN)
Second Reading
Amendment No. 2

YEAS: 15 NAYS: 24 EXCUSED: 1 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Foster, Guess, Hayes, Joule, Kapsner, Kerttula, Kookesh, Morgan, Moses, Wilson

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

Excused: Ogan

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representative Croft:

Page 137, following line 25:

Insert a new bill section to read:

"* **Sec. 86.** DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT. The sum of \$35,000,000 is appropriated from the general fund to the Department of Education and Early Development for the fiscal year ending June 30, 2003, for distribution to school districts for instructional programs in the proportion that the adjusted average daily membership of each district bears to the total adjusted average daily membership for all school districts."

Renumber the following bill sections accordingly.

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

Representative Mulder objected.

The Speaker placed a call of the House.

The call was satisfied.

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

HCS CSSB 247(FIN)
Second Reading
Amendment No. 3

YEAS: 13 NAYS: 26 EXCUSED: 1 ABSENT: 0

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

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

Excused: Ogan

And so, Amendment No. 3 was not adopted.

The Speaker placed a call of the House on the bill.

The call was satisfied.

Amendment No. 4 was offered by Representative Wilson:

Page 124, line 26, following "engineering":
Insert "of the recreational loop trail"

Representative Wilson moved and asked unanimous consent that Amendment No. 4 be adopted. There being no objection, it was so ordered.

Amendment No. 5 was offered by Representative Joule:

Page 7, following line 30:
Insert "City of Shishmaref - Erosion Control (ED 37)
Appropriation Items - 3,100,000
General Funds - 3,100,000"

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

Representative Williams objected.

The question being: "Shall Amendment No. 5 be adopted?" The roll was taken with the following result:

HCS CSSB 247(FIN) am H
Second Reading
Amendment No. 5

YEAS: 16 NAYS: 23 EXCUSED: 1 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Foster, Guess, Halcro, Hayes, Joule, Kapsner, Kerttula, Kookesh, McGuire, Morgan, Moses

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

Excused: Ogan

And so, Amendment No. 5 was not adopted.

Amendment No. 6 was offered by Representative Kapsner:

Page 28, following line 22:

Insert "Yuut Elitnaurviat People's Learning Center - Phase 1 Construction, General Fund 900,000"

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

Representative Williams objected.

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

HCS CSSB 247(FIN) am H
Second Reading
Amendment No. 6

YEAS: 16 NAYS: 23 EXCUSED: 1 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Halcro, Hayes, Hudson, Joule, Kapsner, Kerttula, Kookesh, McGuire, Morgan, Moses

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

Excused: Ogan

And so, Amendment No. 6 was not adopted.

Amendment No. 7 was offered by Representative Kerttula:

Page 23, following line 5:

Insert "Fireweed Place (ED 3-4)

Appropriation Items - 338,000

General Funds - 338,000"

Representative Kerttula moved and asked unanimous consent that Amendment No. 7 be adopted.

Representative Mulder objected.

Representatives Bunde and James moved and asked unanimous consent that they be allowed to abstain from voting due to a conflict of interest. Objection was heard, and the members were required to vote.

The question being: "Shall Amendment No. 7 be adopted?" The roll was taken with the following result:

HCS CSSB 247(FIN) am H

Second Reading

Amendment No. 7

YEAS: 13 NAYS: 26 EXCUSED: 1 ABSENT: 0

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

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

Excused: Ogan

And so, Amendment No. 7 was not adopted.

Representative James moved and asked unanimous consent that HCS CSSB 247(FIN) am H be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that HCS CSSB 247(FIN) am H will be in third reading on tomorrow's calendar.

UNFINISHED BUSINESS

HB 105

Representative Guess moved and asked unanimous consent that the following be discharged from the Rules Committee:

HOUSE BILL NO. 105

"An Act relating to the base student allocation used in the formula for state funding of public education; and providing for an effective date."

Objection was heard.

The question being: "Shall HB 105 be discharged from the Rules Committee?" The roll was taken with the following result:

HB 105

Discharge from Rules Committee

YEAS: 12 NAYS: 27 EXCUSED: 1 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Hayes, Jule, Kapsner, Kerttula, Kookesh, Moses

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

Excused: Ogan

And so, the motion failed.

SECOND READING OF SENATE BILLS

(continued)

SB 252

The following was read the second time:

CS FOR SENATE BILL NO. 252(RLS)

"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."

with the:

Journal Page

L&C RPT 2DP 4NR	3568
FN4: (LWF); FN5: (LWF)	3569
FN6: (LWF); FN7: (LWF)	3569
FIN RPT HCS(FIN) 4DP 7NR	3617
FN4: (LWF); FN5: (LWF)	3618
FN6: (LWF); FN7: (LWF)	3618

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

HOUSE CS FOR CS FOR SENATE BILL NO. 252(FIN)
(same title)

Representative Hayes objected.

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

CSSB 252(RLS)
Second Reading
Adopt Finance CS

YEAS: 28 NAYS: 10 EXCUSED: 1 ABSENT: 1

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

Nays: Berkowitz, Cissna, Crawford, Croft, Guess, Harris, Hayes, Hudson, Kerttula, Moses

Excused: Ogan

Absent: Rokeberg

Cissna changed from "Yea" to "Nay".

And so, HCS CSSB 252(FIN) was adopted.

Amendment No. 1 was offered by Representative Croft:

Page 28, line 24:

Delete "**June 30, 2006**"

Insert "**June 30, 2004**"

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

Representative Mulder objected.

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

HCS CSSB 252(FIN)
Second Reading
Amendment No. 1

YEAS: 12 NAYS: 27 EXCUSED: 1 ABSENT: 0

Yeas: Berkowitz, Bunde, Cissna, Crawford, Croft, Fate, Guess, Harris, Hayes, Hudson, Kerttula, Moses

Nays: Chenault, Coghill, Davies, Dyson, Foster, Green, Halcro, James, Joule, Kapsner, Kohring, Kookesh, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Ogan

And so, Amendment No. 1 was not adopted.

Representative James moved and asked unanimous consent that HCS CSSB 252(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 252(FIN) was read the third time.

The question being: "Shall HCS CSSB 252(FIN) pass the House?"
The roll was taken with the following result:

HCS CSSB 252(FIN)

Third Reading

Final Passage

YEAS: 32 NAYS: 7 EXCUSED: 1 ABSENT: 0

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

Nays: Berkowitz, Bunde, Crawford, Croft, Hayes, Kerttula, Rokeberg

Excused: Ogan

And so, HCS CSSB 252(FIN) passed the House.

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

HCS CSSB 252(FIN) was referred to the Chief Clerk for engrossment.

SB 267

The following was read the second time:

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."

with the:	Journal Page
FIN RPT HCS(FIN) 10DP 1NR	3618
FN1: (MVA)	3619
FN2: INDETERMINATE(REV)	3619
FN3: INDETERMINATE(CED)	3619

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

HOUSE CS FOR CS FOR SENATE BILL NO. 267(FIN)
(same title)

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that HCS CSSB 267(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 267(FIN) was read the third time.

The question being: "Shall HCS CSSB 267(FIN) pass the House?"
The roll was taken with the following result:

HCS CSSB 267(FIN)
 Third Reading
 Final Passage

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

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

Excused: Ogan

And so, HCS CSSB 267(FIN) passed the House.

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

HCS CSSB 267(FIN) was referred to the Chief Clerk for engrossment.

SB 268

The following was read the second time:

SENATE BILL NO. 268

"An Act relating to the issuance of state-guaranteed revenue bonds by the Alaska Housing Finance Corporation to finance mortgages for qualifying veterans; and providing for an effective date."

with the:

Journal Page

RLS RPT 4DP 2NR	3619
FN1: (GOV)	3620
FN2: ZERO(REV)	3620

Representative James moved and asked unanimous consent that SB 268 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 268 was read the third time.

The question being: "Shall SB 268 pass the House?" The roll was taken with the following result:

SB 268
Third Reading
Final Passage

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

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

Excused: Ogan

Absent: Halcro, Moses

And so, SB 268 passed the House.

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

Representative Mulder gave notice of reconsideration of the vote on SB 268.

SB 324

The following was read the second time:

CS FOR SENATE BILL NO. 324(L&C)

"An Act providing that a utility or electric operating entity owned and operated by a political subdivision of the state competing directly with a telecommunications utility is not subject to the Alaska Public Utilities Regulatory Act."

with the:

Journal Page

RLS RPT 3DP 4NR

3620

FN1: ZERO(CED)

3620

Representative James moved and asked unanimous consent that CSSB 324(L&C) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that CSSB 324(L&C) will be in third reading on tomorrow's calendar.

SB 339

The following was read the second time:

SENATE BILL NO. 339

"An Act increasing fines for certain criminal offenses."

with the:	Journal Page
JUD RPT 2DP 3NR	3395
FN1: INDETERMINATE(LAW)	3396
FN2: INDETERMINATE(ADM)	3396
FIN RPT 6DP 2NR 1AM	3620
FN1: INDETERMINATE(LAW)	3621
FN2: INDETERMINATE(ADM)	3621

Representative James moved and asked unanimous consent that SB 339 be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that SB 339 will be in third reading on tomorrow's calendar.

SB 363

The following was read the second time:

CS FOR SENATE BILL NO. 363(STA) am

"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."

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with the:	Journal Page
JUD RPT HCS(JUD) 2DP 4NR	3516
FN2: ZERO(GOV)	3517
FN4: ZERO(H.JUD/ADM)	3517
RLS RPT HCS(RLS) 3DP 3NR 1AM	3621
FN2: ZERO(GOV)	3621
FN4: ZERO(ADM)	3621

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

HOUSE CS FOR CS FOR SENATE BILL NO. 363(RLS)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Mulder:

Page 4, line 29:

Delete "automatic telemarketing,"

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

Representative Berkowitz objected.

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

HCS CSSB 363(RLS)
Second Reading
Amendment No. 1

YEAS: 16 NAYS: 20 EXCUSED: 1 ABSENT: 3

Yeas: Chenault, Fate, Green, Halcro, Harris, James, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Rokeberg, Stevens, Williams, Wilson

Nays: Berkowitz, Bunde, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Foster, Guess, Hayes, Hudson, Joule, Kapsner, Kerttula, Kohring, Morgan, Porter, Scalzi, Whitaker

Excused: Ogan

Absent: Kookesh, Masek, Moses

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representative Berkowitz:

Page 5, line 14, following "importance":

Insert ", and does not support or oppose a candidate for election to public office"

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

Objection was heard and withdrawn.

There being no further objection, it was so ordered.

Representative James moved and asked unanimous consent that HCS CSSB 363(RLS) am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 363(RLS) am H was read the third time.

The question being: "Shall HCS CSSB 363(RLS) am H pass the House?" The roll was taken with the following result:

HCS CSSB 363(RLS) am H

Third Reading

Final Passage

YEAS: 36 NAYS: 0 EXCUSED: 1 ABSENT: 3

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

Excused: Ogan

Absent: Croft, Kookesh, Moses

And so, HCS CSSB 363(RLS) am H passed the House.

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

Representative Kerttula gave notice of reconsideration of the vote on HCS CSSB 363(RLS) am H.

SB 364

The following was read the second time:

SENATE BILL NO. 364

"An Act relating to medical services under the state Medicaid program."

with the:	Journal Page
JUD RPT 3DP 1DNP 2NR	3517
FN1: INDETERMINATE(HSS)	3517
FIN RPT 6DP 2DNP 1NR	3570
FN1: INDETERMINATE(HSS)	3570

Amendment No. 1 was offered by Representative Halcro:

Page 1, line 12, following "necessary"
Insert "."

Page 1, line 12, following "necessary" through page 2, line 8:
Delete all material.

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

Representative Dyson objected.

Representative Dyson placed a call of the House on the bill.

**The presence of Representative Ogan, who had been previously excused (page 3607), was noted.

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

SB 364

Second Reading

Amendment No. 1

YEAS: 19 NAYS: 21 EXCUSED: 0 ABSENT: 0

Yeas: Berkowitz, Bunde, Cissna, Crawford, Croft, Davies, Guess, Halcro, Hayes, Hudson, Joule, Kapsner, Kerttula, Kookesh, McGuire, Moses, Murkowski, Porter, Scalzi

Nays: Chenault, Coghill, Dyson, Fate, Foster, Green, Harris, James, Kohring, Kott, Lancaster, Masek, Meyer, Morgan, Mulder, Ogan, Rokeberg, Stevens, Whitaker, Williams, Wilson

And so, Amendment No. 1 was not adopted.

Amendment No. 2 and Amendment No. 3 were not offered.

Representative James moved and asked unanimous consent that SB 364 be considered engrossed, advanced to third reading, and placed on final passage.

Objections were heard.

The Speaker stated that SB 364 will be in third reading on tomorrow's calendar.

The Speaker stated that, without objection, the House would revert to:

REPORTS OF STANDING COMMITTEES

The Finance Committee has reviewed the qualifications of:

Phil A. Younker, Sr.
Alaska Mental Health Trust Authority Board of Trustees

and recommends the following:

Confirm (10): Bunde, Whitaker, Harris, Croft, Davies, Moses,
Lancaster, Hudson, Foster, Williams

The report was signed by Representative Williams, Co-chair.

CONSIDERATION OF THE DAILY CALENDAR

(continued)

SENATE BILLS IN SECOND READING**SB 191**

The following, which had been read the second time and returned to the Rules Committee (page 3526), was again before the House in second reading:

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

Representative James moved and asked unanimous consent that the House rescind previous action in failing to adopt the House Rules Committee Substitute.

Representative James moved and asked unanimous consent to withdraw the motion. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Berkowitz and Kott:

Delete all material and insert:

"An Act relating to insurance pooling by air carriers; amending the definition of group health insurance, and allowing the Department of Administration to obtain a policy or policies of group health care insurance for employers that are small businesses, nonprofit organizations, special services organizations, or small associations for insurance purposes; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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

FINDINGS AND INTENT. (a) Concerning secs. 2, 4, and 5 of this Act, the legislature has made the following findings regarding the facts that support a group insurance policy for qualified entities:

(1) the latest United States Census data indicate that 19 percent of Alaskans are uninsured;

(2) in 2000, about 700 companies were licensed to offer health insurance in the state, about 250 companies wrote some form of health insurance in the state, and fewer than 114,000 Alaskans were covered under individual and group comprehensive health insurance policies written in the state;

(3) in 2000, 18 insurers wrote small employer health insurance in the state; 80 percent of small group policies are written by three health insurers;

(4) small businesses are having problems finding and keeping adequate insurance coverage for employees;

(5) nonprofit and special services organizations are having problems finding and keeping adequate insurance coverage for employees;

(6) nonprofit and special services organizations provide many services that government cannot supply; and

(7) adequate and stable health insurance is important to Alaskans;

(b) It is the intent of the legislature that secs. 2, 4, and 5 of this Act assist in providing access to adequate and stable health insurance

for small businesses, nonprofit organizations, and special services organizations.

(c) The Department of Administration, in procuring the policy or policies permitted by secs. 2, 4, and 5 of this Act, should explore all options, including preferred provider organizations and lower cost options such as limited benefit and high deductible coverage.

* **Sec. 2.** AS 21.54.060 is amended by adding a new paragraph to read:

(7) under a policy or policies issued under AS 39.30.097.

* **Sec. 3.** AS 21 is amended by adding a new chapter to read:

Chapter 77. Joint Aviation Insurance Arrangements.

Sec. 21.77.010. Authority to establish joint aviation insurance arrangements. (a) Air carriers may enter into cooperative agreements with each other for the purpose of establishing, operating, or participating in joint aviation insurance arrangements through which the participating members agree to pool contributions in order to either assume risks from losses to the participants on a group basis or purchase coverage for the participants on a group basis.

(b) A joint aviation insurance arrangement

(1) may be for any kind of insurance defined by this title except for health insurance, life insurance, and title insurance; and

(2) shall be considered an alternative or supplement to any other policy or contract of insurance authorized or required by law, including insurance under AS 21.75.

(c) For purposes of AS 23.30.075, a joint aviation insurance arrangement is considered to be an association duly authorized to transact workers' compensation insurance in the state.

Sec. 21.77.020. Regulation by division of insurance, notice, and annual report. (a) A joint aviation insurance arrangement may not be considered insurance for the purpose of any other law of the state and is not subject to regulations adopted by the director.

(b) Before an air carrier signs a cooperative agreement, the joint aviation insurance arrangement shall notify the air carrier in writing that the joint aviation insurance arrangement is not licensed in this state, is not subject to this state's supervision, and, in the event of the insolvency of the joint aviation insurance arrangement, losses will not be covered under AS 21.80 (Alaska Insurance Guaranty Association Act).

(c) By October 1 of each year, the administrator of a joint aviation insurance arrangement shall prepare and deliver to the Legislative Budget and Audit Committee and the director a report showing the true and correct financial condition of the joint aviation insurance arrangement. The report must

- (1) be attested to by the administrator and the board of directors;
- (2) include an analysis, certified by a member of the American Academy of Actuaries, of the sufficiency of the loss reserves; and
- (3) be certified by a certified public accountant.

Sec. 21.77.030. General provisions of cooperative agreements. (a) A cooperative agreement must provide for the proper operation of the joint aviation insurance arrangement and include provisions for

- (1) administration of the arrangement by a board of directors, specifying the number of members of the board and other requirements necessary for the proper functioning of the board;
- (2) appointment of an administrator and other persons as necessary for the proper functioning of the arrangement;
- (3) organization of the arrangement, including a roster of participating members and the names of the members of the board of directors;
- (4) procedures to establish and promote an aggressive risk management program among the members of the arrangement, including procedures for identifying and reducing the risks that can be reduced through implementing better safety technologies and improved work techniques and procedures;
- (5) enforcing the collection of contributions or payments in default from members of the arrangement;
- (6) the addition of new members to the arrangement or the withdrawal of members from the arrangement;
- (7) the method of apportioning costs and disposition of excess contributions;
- (8) transmission of financial statements and audit reports of the arrangement to participating members;
- (9) terminating the arrangement and disposing of its assets; and

(10) establishing and administering a joint aviation insurance fund.

(b) A cooperative agreement may

(1) authorize the board of directors to enter into contracts for services necessary to perform the functions of a joint aviation insurance arrangement; a person contracting to perform functions under this paragraph is subject to the licensing requirements of this title;

(2) delegate to the board of directors, or authorize delegation by the board to another person or group, the power to compromise, arbitrate, or otherwise settle claims on behalf of the arrangement;

(3) authorize the board of directors to adopt rules not inconsistent with law for the fair and equitable administration of the joint aviation insurance arrangement and the joint aviation insurance fund.

(c) The board of directors shall file a copy of the cooperative agreement with the director at least 60 days before the effective date of the agreement. The agreement shall be available for public inspection.

Sec. 21.77.040. Financial provisions of agreements. (a) A joint aviation insurance arrangement formed in accordance with the provisions of this chapter shall

(1) have and maintain a surplus no less than an amount equal to the total of the capital and one-half of the surplus that would be required of a domestic stock insurer writing the same lines as the joint aviation insurance arrangement; or

(2) post a bond for an amount equal to the capital that would be required of a domestic stock insurer writing the same lines of insurance as the joint aviation insurance arrangement and maintain a surplus of \$500,000 in admitted assets or a surplus sufficient to operate the joint aviation insurance arrangement for one year, whichever is greater.

(b) A cooperative agreement must include a provision requiring an annual determination by a casualty actuary who is a member of the American Academy of Actuaries that procedures for establishing reserves for losses of the joint aviation insurance arrangement are actuarially sound.

(c) A joint aviation insurance arrangement shall be subject to an annual independent audit. The audit shall be conducted in

accordance with generally accepted auditing standards and must include a review of the actuarial assumptions used for establishing the reserves under (b) of this section. The audit report must include certification from a casualty actuary who is a member of the American Academy of Actuaries that the actuarial assumptions continue to be sound and the level of the reserves is adequate.

(d) A cooperative agreement may authorize the board of directors to purchase excess or catastrophic insurance on behalf of the joint aviation insurance arrangement. The cost of the insurance shall be apportioned in the manner specified in the joint aviation insurance agreement. The board may purchase insurance under this subsection only from an insurer authorized to do business in the state, except insurance under this subsection may be purchased from a risk-sharing pool established by a national association of similar entities if the risk-sharing pool meets the qualifications for an unauthorized insurer under AS 21.34.040(b) and (d) and 21.34.220 and has capital and policyholders surplus in an amount at least as great as would be required if the association were a domestic multiple line insurer. An arrangement may purchase insurance under this subsection for property and liability risks from unauthorized insurers allowed for use by licensed Alaska surplus lines brokers.

Sec. 21.77.050. Joint aviation insurance fund. (a) A joint aviation insurance arrangement shall establish a joint aviation insurance fund. The fund consists of money

(1) contributed by members of the joint aviation insurance arrangement through budgetary appropriations or transfers from a self-insurance reserve;

(2) contributed by officers and employees of members of the joint aviation insurance arrangement under an employee benefit plan; and

(3) collected by the joint aviation insurance arrangement through subrogation of a claim paid from the fund to a member of the arrangement.

(b) An expenditure may be made from a joint aviation insurance fund only to

(1) pay claims, losses, or benefits, including interest on claims, losses, or benefits, and the administrative and adjustment expenses incurred in connection with claims, losses, or benefits,

involving the types of protection for which the fund provides coverage as specified in the joint aviation insurance agreement; and

(2) purchase insurance coverage for members of a joint aviation insurance arrangement on a group basis.

(c) The administrator shall keep the fund separate from other funds of a member of a joint aviation insurance arrangement.

(d) For each type of protection offered by the joint aviation insurance arrangement, the method of accounting must show the order, source, date, and amount of each payment from the fund.

(e) Within 150 days of the end of the fiscal year, the administrator shall furnish a detailed report of the operation and condition of the fund to the board of directors and the director.

(f) Money held by a fund as reserves and money not needed for daily operations may be invested by the board of directors.

(g) A fund may not be terminated unless the administrator certifies that an amount of money sufficient to pay accrued and contingent expenditures has been placed in a fully collateralized escrow account.

Sec. 21.77.250. Definitions. In this chapter,

(1) "adjustment expenses" means expenses for investigative, processing, legal, actuarial, arbitration, and settlement services incurred in the adjustment of losses, claims, or benefits;

(2) "administrator" means a person or group appointed by the board of directors to administer a joint aviation insurance arrangement or a joint aviation insurance fund;

(3) "board" or "board of directors" means the board of directors provided for in a cooperative agreement;

(4) "cooperative agreement" means a written agreement entered into by two or more air carriers described in AS 21.77.010 for the purpose of establishing, operating, or participating in a joint aviation insurance arrangement;

(5) "fund" or "joint aviation insurance fund" means a fund established under AS 21.77.050;

(6) "joint aviation insurance arrangement" means a joint aviation insurance arrangement authorized under AS 21.77.010.

* **Sec. 4.** AS 39.30 is amended by adding a new section to read:

Sec. 39.30.097. Procurement of group health care insurance policies for qualified entities. (a) The department

may obtain a health care insurance policy or policies to cover a group of qualified entities.

(b) In procuring a health care insurance policy or policies under this section, the commissioner of administration shall comply with the procedure for obtaining policies of insurance under AS 39.30.090(a)(4) and (5).

(c) A qualified entity is eligible for coverage under (a) of this section if the qualified entity

(1) submits a written request for registration to the department; and

(2) receives written confirmation from the commissioner of administration that the qualified entity is registered to participate.

(d) The request for registration submitted by a qualified entity under (c) of this section must contain a statement certifying that the entity meets the definition of a qualified entity under this section and that the entity agrees to pay the required premiums to the insurance company. The owner, a principal, or another legally qualified representative of the entity shall sign the statement under penalty of unsworn falsification and fraud. The department shall register an entity that submits a request for registration and meets the requirements of this subsection. The department shall maintain a list of entities registered to participate under this section and shall make the list available for public inspection.

(e) The department may not procure benefits under this section by means of self-insurance.

(f) In this section,

(1) "association for insurance purposes" means an association

(A) composed of businesses or nonprofit organizations or both; and

(B) organized and operating in Alaska;

(2) "business" means a business

(A) located in Alaska;

(B) organized under the relevant provisions of the Alaska Statutes; if the form of business is not required to be organized under a statute, then the sole proprietor or joint venturers who own the business must be Alaska residents; and

(C) that employed an average of at least two but not more than 50 eligible employees on the business days during

the preceding calendar year and employs at least two eligible employees on the first day of a health benefit plan;

(3) "department" means the Department of Administration;

(4) "employee" has the meaning given in AS 21.54.500;

(5) "health care insurance" has the meaning given in AS 21.12.050;

(6) "nonprofit organization" means a nonprofit corporation, association, club, or society organized and operating in Alaska exclusively for charitable, religious, scientific, or educational purposes or for the promotion of social welfare and that has received an exemption from the payment of federal income tax;

(7) "policy" has the meaning given in AS 21.90.900;

(8) "qualified entity" means a business, nonprofit organization, association for insurance purposes, or special services organization;

(9) "special services organization" means an entity, corporation, or nonprofit organization organized and operating in Alaska that is

(A) an entity, including a sole proprietorship and a corporation solely owned by one person,

(i) operating a child care facility that is licensed under AS 14.37;

(ii) operating a residential child care facility, child placement agency, foster home, or maternity home that is licensed under AS 47.35;

(iii) operating an assisted living home that is licensed under AS 47.33;

(iv) operating a community-based center for adult day care as that term is defined in AS 47.65.290; or

(v) providing home care services as defined in AS 47.65.290;

(B) a corporation incorporated under AS 10.20 that

(i) receives state grants to provide services; or

(ii) makes grants to other corporations incorporated under AS 10.20 that receive state grants to provide services; or

(C) a nonprofit organization, regardless of whether incorporated, whose primary purpose is to provide assistance to disadvantaged classes or groups;

* **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to read:

INITIAL COST RECOVERY. The commissioner of administration shall recover the initial administrative costs of procuring group health care insurance policies as provided in AS 39.30.097, added by sec. 4 of this Act, over a period of five years. The commissioner shall fairly allocate the administrative costs among the qualified entities seeking coverage under AS 39.30.097 based on the numbers of persons covered. The commissioner shall distribute the administrative costs recovered pro rata to the funds from which initial funding was made.

* **Sec. 6.** This Act takes effect July 1, 2002.

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

Representative Rokeberg objected.

Amendment to Amendment No. 1 was offered by Representative Rokeberg:

Delete all references to small businesses from Amendment No. 1.

Representative Bunde objected.

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

CSSB 191(JUD)
Second Reading
Amendment to Amendment No. 1

YEAS: 7 NAYS: 27 EXCUSED: 0 ABSENT: 6

Yeas: Coghill, Dyson, Foster, Kohring, Meyer, Rokeberg, Stevens

Nays: Berkowitz, Bunde, Chenault, Cissna, Crawford, Croft, Fate, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kookesh, Kott, Lancaster, Morgan, Moses, Murkowski, Porter, Scalzi, Whitaker, Wilson

Absent: Davies, Masek, McGuire, Mulder, Ogan, Williams

And so, Amendment to Amendment No. 1 was not adopted.

Representative Rokeberg withdrew the objection to Amendment No. 1. There being no further objection, Amendment No. 1 was adopted.

The Speaker stated that, without objection, Conference Committee members Representatives Williams, Mulder, and Davies would be excused from a call of the House.

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

Representative James moved and asked unanimous consent that CSSB 191(JUD) am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 191(JUD) am H was read the third time.

The question being: "Shall CSSB 191(JUD) am H pass the House?"
The roll was taken with the following result:

CSSB 191(JUD) am H

Third Reading

Final Passage

YEAS: 31 NAYS: 5 EXCUSED: 3 ABSENT: 1

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

Nays: Chenault, Coghill, Kott, Masek, Ogan

Excused: Davies, Mulder, Williams

Absent: McGuire

And so, CSSB 191(JUD) am H passed the House.

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

Representative Berkowitz gave notice of reconsideration of the vote on CSSB 191(JUD) am H.

RECONSIDERATION

SB 191

Representative Berkowitz moved and asked unanimous consent that the reconsideration of CSSB 191(JUD) am H be taken up on the same day.

Representative Kott objected.

The question being: "Shall the reconsideration of CSSB 191(JUD) am H be taken up on the same day?" The roll was taken with the following result:

CSSB 191(JUD) am H - RECONSIDERATION

Third Reading

Take up Reconsideration on the Same Day

YEAS: 27 NAYS: 7 EXCUSED: 3 ABSENT: 3

Yeas: Berkowitz, Cissna, Crawford, Croft, Fate, Foster, Green, Guess, Harris, Hayes, Hudson, James, Jule, Kapsner, Kerttula, Kohring, Kookesh, Meyer, Morgan, Moses, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Wilson

Nays: Bunde, Coghill, Dyson, Halcro, Kott, Lancaster, Masek

Excused: Davies, Mulder, Williams

Absent: Chenault, McGuire, Ogan

And so, the motion passed.

Representative James moved and asked unanimous consent that Representative Ogan be excused from a call of the House today. There being no objection, it was so ordered.

The following was again before the House in third reading:

CS FOR SENATE BILL NO. 191(JUD) am H

"An Act relating to insurance pooling by air carriers; amending the definition of group health insurance, and allowing the Department of Administration to obtain a policy or policies of group health care insurance for employers that are small businesses, nonprofit organizations, special services organizations, or small associations for insurance purposes; and providing for an effective date."

The question to be reconsidered: "Shall CSSB 191(JUD) am H pass the House?" The roll was taken with the following result:

CSSB 191(JUD) am H--RECONSIDERATION

Third Reading

Final Passage

YEAS: 32 NAYS: 3 EXCUSED: 4 ABSENT: 1

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

Nays: Chenault, Coghill, Masek

Excused: Davies, Mulder, Ogan, Williams

Absent: McGuire

And so, CSSB 191(JUD) am H passed the House on reconsideration.

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

CSSB 191(JUD) am H was referred to the Chief Clerk for engrossment.

SPECIAL ORDER OF BUSINESS

HCR 32

Representative James moved and asked unanimous consent that the following be taken up as a Special Order of Business at this time:

HOUSE CONCURRENT RESOLUTION NO. 32
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 191, relating to insurance pooling by air carriers.

There being no objection, it was so ordered.

The question being: "Shall HCR 32 pass the House?" The roll was taken with the following result:

HCR 32
Special Order of Business

YEAS: 33 NAYS: 2 EXCUSED: 4 ABSENT: 1

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

Nays: Kohring, Masek

Excused: Davies, Mulder, Ogan, Williams

Absent: McGuire

And so, HCR 32 passed the House and was referred to the Chief Clerk for engrossment.

The Speaker stated that, without objection, the House would recess until 6:00 p.m. for a joint session; and so, the House recessed at 5:02 p.m.

AFTER RECESS

The Speaker called the House back to order at 6:16 p.m.

JOINT SESSION IN THE HOUSE

In accordance with Uniform Rule 51, Speaker Porter turned the gavel over to President Halford who called the joint session to order at 6:17 p.m.

The purpose of the joint session was to consider confirmation of Senate and House nominations and the Governor's appointments.

A roll call of the Senate showed 20 members present.

A roll call of the House showed 39 members present.

2002 SENATE AND HOUSE NOMINATIONS**Chief Victims' Advocate**

Stephen E. Branchflower

Ombudsman

Linda Lord-Jenkins

2002 CONFIRMATION OF GOVERNOR'S APPOINTMENTS

President Halford stated that all confirmations under consideration would be for the terms provided in statute pursuant to AS 39.05.053 and not necessarily as stated in the list below:

Alaska Air National Guard - Brigadier General

Colonel Gene Ramsay - Kulis ANG Base

Colonel Jim Robinson - Fort Richardson

Colonel Tim Scott - Eielson Air Force Base

Space and Missile Defense - Brigadier General

Colonel Jim Welch - Anchorage

Commissioner - Department of Health and Social Services

Jay Livey - Juneau

Appointed: 10/09/2001

Alaska State Board of Public Accountancy

Marjorie J. Kaiser - Anchorage

Appointed: 07/16/1997 Reappointed: 06/07/2001

Term Expires: 03/01/2005

Steven R. Tarola - Homer

Appointed: 07/16/1997 Reappointed: 06/07/2001

Term Expires: 03/01/2005

Sandra R. Wilson - Fairbanks

Appointed: 07/16/1997 Reappointed: 06/07/2001

Term Expires: 03/01/2005

Alcoholic Beverage Control Board

Ellen L. Ganley - Fairbanks

Appointed: 06/29/1995 Reappointed: 01/31/1996,

02/19/1999, and 01/31/2002 Term Expires: 03/01/2005

State Board of Registration for Architects, Engineers, and Land Surveyors

Linda Cyra-Korsgaard - Anchorage

Appointed: 09/11/1998 Reappointed: 07/01/2001

Term Expires: 06/30/2005

Donald J. Iverson - Anchorage

Appointed: 08/12/1997 Reappointed: 07/01/2001

Term Expires: 03/01/2005

Scott McLane - Soldotna

Appointed: 08/12/1997 Reappointed: 07/01/2001

Term Expires: 03/01/2005

Patricia Peirsol - Fairbanks

Appointed: 08/12/1997 Reappointed: 07/01/2001

Term Expires: 03/01/2005

Board of Governors of the Alaska Bar

William A. Granger - Anchorage

Appointed: 06/29/2001 Term Expires: 03/01/2003

Dr. Sheila Selkregg - Anchorage

Appointed: 04/05/2002 Term Expires: 03/01/2004

Board of Barbers and Hairdressers

William (Randy) R. Graf - Anchorage

Appointed: 06/21/2001 Term Expires: 03/01/2002

Board of Chiropractic Examiners

- Dr. Gregory M. Culbert - Eagle River
Appointed: 01/24/2002 Term Expires: 03/01/2005
- Dr. Carol J. Davis - Fairbanks
Appointed: 11/16/1998 Reappointed: 07/15/2001
Term Expires: 03/01/2005
- Dr. R. Clark Davis - Ketchikan
Appointed: 11/14/2001 Term Expires: 03/01/2004

Alaska Commercial Fisheries Entry Commission (CFEC)

- Mary McDowell - Juneau
Appointed: 10/06/1997 Reappointed: 08/20/2001
Term Expires: 03/01/2006

Board of Dental Examiners

- Dr. Robert J. Allen - Bethel
Appointed: 11/14/2001 Term Expires: 03/01/2003
- Dr. William L. Gerace - Anchorage
Appointed: 06/25/2001 Term Expires: 03/01/2005
- Dr. Rebecca Neslund - Kodiak
Appointed: 11/14/2001 Term Expires: 03/01/2005

Board of Dispensing Opticians

- David Matthews, Jr. - Kotzebue
Appointed: 04/01/2002 Term Expires: 03/01/2006
- James Rothmeyer - Fairbanks
Appointed: 03/17/1999 Reappointed: 06/07/2001
Term Expires: 03/01/2005
- Cindy Tidd - Wasilla
Appointed: 04/01/2002 Term Expires: 03/01/2005

State Commission for Human Rights

- Kathy K. Wisthoff - Anchorage
Appointed: 02/20/1997 Reappointed: 01/31/2002
Term Expires: 03/01/2007

Commission on Judicial Conduct

- Jeffrey M. Feldman - Anchorage
Appointed: 09/01/1993 Reappointed: 07/16/1997 and
06/07/2001 Term Expires: 03/01/2005

Alaska Labor Relations Agency

Roberta Demoski - Anchorage

Appointed: 01/18/2002 Term Expires: 03/01/2003

Aaron T. Isaacs - Klawock

Appointed: 06/12/2000 Reappointed: 01/18/2002
Term Expires: 03/01/2005

David D. Rasley - Fairbanks

Appointed: 11/14/2001 Term Expires: 03/01/2004

Raymond P. Smith - Anchorage

Appointed: 03/06/1995 Reappointed: 06/30/1995,
07/31/1998, and 08/22/2001 Term Expires: 03/01/2004

Board of Marine Pilots

Jack G. Poulson - Juneau

Appointed: 06/07/2001 Term Expires: 03/01/2004

Board of Marital and Family Therapy

Larry Holman - Anchorage

Appointed: 08/22/2001 Reappointed: 12/14/2001
Term Expires: 03/01/2005

Bill Platte - Juneau

Appointed: 04/01/2002 Term Expires: 03/01/2005

State Medical Board

Dr. Allan G. Schlicht - Juneau

Appointed: 11/14/2001 Term Expires: 03/01/2004

Thomas H. Wilson - Fairbanks

Appointed: 11/14/2001 Term Expires: 03/01/2005

Alaska Mental Health Trust Authority Board of Trustees

Phil A. Younker, Sr. - Fairbanks

Appointed: 06/07/2001 Term Expires: 03/01/2005

Board of Certified Direct-Entry Midwives

Martha J. Falkar Linden - Anchorage

Appointed: 11/26/1997 Reappointed: 07/21/2001
Term Expires: 03/01/2005

Board of Nursing

Barbara Berner - Anchorage

Appointed: 06/02/1998 Reappointed: 03/08/2002

Term Expires: 03/01/2006

Dr. Nancy L. Sanders - Anchorage

Appointed: 08/23/1999 Reappointed: 06/07/2001

Term Expires: 03/01/2005

Board of Examiners in Optometry

Dr. Erik D. Christianson - Ketchikan

Appointed: 06/01/1998 Reappointed: 06/07/2001

Term Expires: 03/01/2005

Board of Pharmacy

Gerry Knasiak - Ketchikan

Appointed: 04/16/1998 Reappointed: 06/07/2001

Term Expires: 03/01/2005

Laura Lee Nelson - Juneau

Appointed: 06/29/1999 Reappointed: 06/07/2001

Term Expires: 03/01/2005

Margaret Soden - Fairbanks

Appointed: 12/11/1998 Reappointed: 03/08/2002

Term Expires: 03/01/2006

State Physical Therapy and Occupational Therapy Board

Sundi M. Hondl - Wasilla

Appointed: 01/21/1998 Reappointed: 08/22/2001

Term Expires: 03/01/2005

Laura McDonough - Anchorage

Appointed: 06/07/2001 Term Expires: 03/01/2004

Linda Newman - Juneau

Appointed: 04/01/2002 Term Expires: 03/01/2006

Dr. George D. Rhyneer - Anchorage

Appointed: 11/06/2001 Term Expires: 03/01/2004

Board of Professional Counselors

Janet McGillivray - Anchorage

Appointed: 03/21/2000 Reappointed: 11/06/2001

Term Expires: 03/01/2005

Dr. Allan A. Morotti - Fairbanks

Appointed: 11/16/1998 Reappointed: 11/06/2001

Term Expires: 03/01/2005

Professional Teaching Practices Commission

Steven Beardsley - Anchorage

Appointed: 12/11/1998 Reappointed: 07/01/2001

Term Expires: 03/01/2004

Vickie L. McCubbin - Anchorage

Appointed: 12/11/1998 Reappointed: 07/01/2001

Term Expires: 03/01/2004

Dr. Donna Peterson - Soldotna

Appointed: 07/01/2001 Term Expires: 03/01/2004

Board of Psychologist and Psychological Associate Examiners

Dr. Carey S. Edney - Anchorage

Appointed: 10/31/1997 Reappointed: 07/01/2001

Term Expires: 03/01/2005

Alaska Public Offices Commission (APOC)

John Dapcevich - Juneau

Appointed: 01/16/2001 Reappointed 04/12/2002

Term Expires: 03/01/2007

Sheila Gallagher - Anchorage

Appointed: 06/07/2001 Term Expires: 03/01/2006

Board of Certified Real Estate Appraisers

Judy Kemplen - Anchorage

Appointed: 01/21/1998 Reappointed: 06/30/2001

Term Expires: 03/01/2005

Stephen F. Turner - Anchorage

Appointed: 08/25/2000 Reappointed: 01/18/2002

Term Expires: 03/01/2006

Real Estate Commission

Lowell (Tom) T. Freeman - Anchorage
Appointed: 11/06/2001 Term Expires: 03/01/2003
Jeannie Johnson - Douglas
Appointed: 06/07/2001 Term Expires: 03/01/2005
Susan Rainey - Fairbanks
Appointed: 09/15/2001 Term Expires: 03/01/2005

Regulatory Commission of Alaska (RCA)

Will Abbott - Anchorage
Appointed: 07/01/1999 Reappointed: 07/01/2001
Term Expires: 03/01/2007

Board of Social Work Examiners

Lorraine M. Jaeger-Kirsch - Douglas
Appointed: 11/14/2001 Reappointed: 01/18/2002
Term Expires: 03/01/2006
Denny Patella - Anchorage
Appointed: 09/11/1998 Reappointed: 08/22/2001 and
09/25/2001 Term Expires: 03/01/2005
Sammye Pokryfki - Wasilla
Appointed: 03/01/2002 Term Expires: 03/01/2006

Violent Crimes Compensation Board

Leslie D. Bogda Wheeler - Wasilla
Appointed: 05/15/1996 Reappointed: 12/11/1998 and
01/18/2002 Term Expires: 03/01/2004

Alaska Workers' Compensation Board

Dorothy Bradshaw - Fairbanks
Appointed: 01/30/1996 Reappointed: 06/02/1998 and
07/01/2001 Term Expires: 03/01/2004
John Giuchici - Fairbanks
Appointed: 10/10/1991 Reappointed: 06/25/1996,
09/07/2000, and 01/18/2002 Term Expires: 03/01/2005
Stephen T. Hagedorn - Anchorage
Appointed: 08/19/1991 Reappointed: 06/25/1996,
09/06/2000, and 01/18/2002 Term Expires: 03/01/2005
James (Jay) N. Rhodes - Ketchikan
Appointed: 09/11/2001 Term Expires: 03/01/2004

Philip E. Ulmer - Eagle River

Appointed: 01/30/1996 Reappointed: 06/02/1998 and
07/01/2001 Term Expires: 03/01/2004

Board of Fisheries

Brett Huber - Soldotna

Appointed: 07/01/2002 Term Expires: 06/30/2005

Gerry Merrigan - Petersburg

Appointed: 07/01/2002 Term Expires: 06/30/2005

Art Nelson - Anchorage

Appointed: 07/01/2002 Term Expires: 06/30/2005

Board of Game

Bruce Baker - Juneau

Appointed: 02/19/2002 Term Expires: 03/01/2005

George Matz - Anchorage

Appointed: 05/17/2001 Term Expires: 03/01/2004

J. Dana Pruhs - Anchorage

Appointed: 05/17/2001 Term Expires: 03/01/2003

Caleb Pungowiyi - Kotzebue

Appointed: 02/19/2002 Term Expires: 03/01/2005

Michelle Sparck - Bethel

Appointed: 02/19/2002 Term Expires: 03/01/2005

Board of Education and Early Development

Roger Chan - Anchorage

Appointed: 04/29/2002 Term Expires: 03/1/2005

Sally Rue - Juneau

Appointed: 03/23/2000 Reappointed: 01/31/2002
Term Expires: 03/01/2007

University of Alaska Board of Regents

Mark Begich - Anchorage

Appointed: 05/29/2001 Term Expires: 03/01/2009

Joseph Hardenbrook - Fairbanks

Appointed: 06/01/2001 Term Expires: 06/01/2003

Marlene A. Johnson - Juneau

Appointed: 05/29/2001 Term Expires: 03/01/2009

Senator Leman moved that Stephen E. Branchflower be confirmed as Chief Victims' Advocate.

The question being: "Shall Stephen E. Branchflower be confirmed as Chief Victims' Advocate?" The roll of the House was taken with the following result:

Chief Victims' Advocate
Confirm - Branchflower
HOUSE

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

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

Absent: Halcro

The roll of the Senate was called with the following result:

Chief Victims' Advocate
Confirm - Branchflower
SENATE

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

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

TOTAL: YEAS: 59 NAYS: 0 EXCUSED: 0 ABSENT: 1

And so, Stephen E. Branchflower was confirmed as Chief Victims' Advocate.

Senator Leman moved that Linda Lord-Jenkins be confirmed as Ombudsman.

The question being: "Shall Linda Lord-Jenkins be confirmed as Ombudsman?" The roll of the Senate was called with the following result:

Ombudsman
Confirm - Lord-Jenkins
SENATE

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

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

Nays: Elton

The roll of the House was taken with the following result:

Ombudsman
Confirm - Lord-Jenkins
HOUSE

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

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

Absent: Halcro

TOTAL: YEAS: 58 NAYS: 1 EXCUSED: 0 ABSENT: 1

And so, Linda Lord-Jenkins was confirmed as Ombudsman.

Senator Leman moved that Colonel Gene Ramsay be confirmed as Alaska Air National Guard - Brigadier General.

The question being: "Shall Colonel Gene Ramsay be confirmed as Alaska Air National Guard - Brigadier General?" The roll of the House was taken with the following result:

Alaska Air National Guard - Brigadier General
Confirm - Ramsay
HOUSE

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

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

Absent: Halcro

The roll of the Senate was called with the following result:

Alaska Air National Guard - Brigadier General
Confirm - Ramsay
SENATE

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

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

Nays: Ward

TOTAL: YEAS: 58 NAYS: 1 EXCUSED: 0 ABSENT: 1

And so, Colonel Gene Ramsay was confirmed as Alaska Air National Guard - Brigadier General.

Senator Leman moved that Colonel Jim Robinson be confirmed as Alaska Air National Guard - Brigadier General.

The question being: "Shall Colonel Jim Robinson be confirmed as Alaska Air National Guard - Brigadier General?" The roll of the Senate was called with the following result:

Alaska Air National Guard - Brigadier General
 Confirm - Robinson
 SENATE

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

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

Nays: Ward

The roll of the House was taken with the following result:

Alaska Air National Guard - Brigadier General
 Confirm - Robinson
 HOUSE

YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

TOTAL: YEAS: 59 NAYS: 1 EXCUSED: 0 ABSENT: 0

And so, Colonel Jim Robinson was confirmed as Alaska Air National Guard - Brigadier General.

Senator Leman moved that Colonel Tim Scott be confirmed as Alaska Air National Guard - Brigadier General.

The question being: "Shall Colonel Tim Scott be confirmed as Alaska Air National Guard - Brigadier General?" The roll of the House was taken with the following result:

Alaska Air National Guard - Brigadier General
 Confirm - Scott
 HOUSE

YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

The roll of the Senate was called with the following result:

Alaska Air National Guard - Brigadier General
Confirm - Scott
SENATE

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

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

Nays: Ward

TOTAL: YEAS: 59 NAYS: 1 EXCUSED: 0 ABSENT: 0

And so, Colonel Tim Scott was confirmed as Alaska Air National Guard - Brigadier General.

Senator Leman moved that Colonel Jim Welch be confirmed as Space and Missile Defense - Brigadier General.

The question being: "Shall Colonel Jim Welch be confirmed as Space and Missile Defense - Brigadier General?" The roll of the Senate was called with the following result:

Space and Missile Defense - Brigadier General
Confirm - Welch
SENATE

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

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

Nays: Ward

The roll of the House was taken with the following result:

Space and Missile Defense - Brigadier General

Confirm - Welch

HOUSE

YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

TOTAL: YEAS: 59 NAYS: 1 EXCUSED: 0 ABSENT: 0

And so, Colonel Jim Welch was confirmed as Space and Missile Defense - Brigadier General.

Senator Leman moved that Jay Livey be confirmed as Commissioner of the Department of Health and Social Services.

The question being: "Shall Jay Livey be confirmed as Commissioner of the Department of Health and Social Services?" The roll of the House was taken with the following result:

Commissioner of the Department of Health and Social Services

Confirm - Livey

HOUSE

YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

The roll of the Senate was called with the following result:

Commissioner - Dept. of Health and Social Services

Confirm - Livey

SENATE

YEAS: 18 NAYS: 1 EXCUSED: 0 ABSENT: 1

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

Nays: Ward

Absent: Kelly

TOTAL: YEAS: 58 NAYS: 1 EXCUSED: 0 ABSENT: 1

And so, Jay Livey was confirmed as Commissioner of the Department of Health and Social Services.

Senator Leman listed the appointments to the:

Alaska State Board of Public Accountancy

Marjorie J. Kaiser - Anchorage

Appointed: 07/16/1997 Reappointed: 06/07/2001

Term Expires: 03/01/2005

Steven R. Tarola - Homer

Appointed: 07/16/1997 Reappointed: 06/07/2001

Term Expires: 03/01/2005

Sandra R. Wilson - Fairbanks

Appointed: 07/16/1997 Reappointed: 06/07/2001

Term Expires: 03/01/2005

Senator Leman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointment to the:

Alcoholic Beverage Control Board

Ellen L. Ganley - Fairbanks

Appointed: 06/29/1995 Reappointed: 01/31/1996,
02/19/1999, and 01/31/2002 Term Expires: 03/01/2005

Senator Leman moved and asked unanimous consent that the appointment be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointments to the:

State Board of Registration for Architects, Engineers, and Land Surveyors

Linda Cyra-Korsgaard - Anchorage

Appointed: 09/11/1998 Reappointed: 07/01/2001
Term Expires: 06/30/2005

Donald J. Iverson - Anchorage

Appointed: 08/12/1997 Reappointed: 07/01/2001
Term Expires: 03/01/2005

Scott McLane - Soldotna

Appointed: 08/12/1997 Reappointed: 07/01/2001
Term Expires: 03/01/2005

Patricia Peirsol - Fairbanks

Appointed: 08/12/1997 Reappointed: 07/01/2001
Term Expires: 03/01/2005

Senator Leman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointments to the:

Board of Governors of the Alaska Bar

William A. Granger - Anchorage

Appointed: 06/29/2001 Term Expires: 03/01/2003

Dr. Sheila Selkregg - Anchorage

Appointed: 04/05/2002 Term Expires: 03/01/2004

Senator Leman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointment to the:

Board of Barbers and Hairdressers

William (Randy) R. Graf - Anchorage

Appointed: 06/21/2001 Term Expires: 03/01/2002

Senator Leman moved and asked unanimous consent that the appointment be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointments to the:

Board of Chiropractic Examiners

Dr. Gregory M. Culbert - Eagle River

Appointed: 01/24/2002 Term Expires: 03/01/2005

Dr. Carol J. Davis - Fairbanks

Appointed: 11/16/1998 Reappointed: 07/15/2001

Term Expires: 03/01/2005

Dr. R. Clark Davis - Ketchikan

Appointed: 11/14/2001 Term Expires: 03/01/2004

Senator Leman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointment to the:

Alaska Commercial Fisheries Entry Commission (CFEC)

Mary McDowell - Juneau

Appointed: 10/06/1997 Reappointed: 08/20/2001

Term Expires: 03/01/2006

Senator Leman moved and asked unanimous consent that the appointment be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointments to the:

Board of Dental Examiners

Dr. Robert J. Allen - Bethel
Appointed: 11/14/2001 Term Expires: 03/01/2003
Dr. William L. Gerace - Anchorage
Appointed: 06/25/2001 Term Expires: 03/01/2005
Dr. Rebecca Neslund - Kodiak
Appointed: 11/14/2001 Term Expires: 03/01/2005

Senator Leman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointments to the:

Board of Dispensing Opticians

David Matthews, Jr. - Kotzebue
Appointed: 04/01/2002 Term Expires: 03/01/2006
James Rothmeyer - Fairbanks
Appointed: 03/17/1999 Reappointed: 06/07/2001
Term Expires: 03/01/2005
Cindy Tidd - Wasilla
Appointed: 04/01/2002 Term Expires: 03/01/2005

Senator Leman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointment to the:

State Commission for Human Rights

Kathy K. Wisthoff - Anchorage
Appointed: 02/20/1997 Reappointed: 01/31/2002
Term Expires: 03/01/2007

Senator Leman moved and asked unanimous consent that the appointment be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointment to the:

Commission on Judicial Conduct

Jeffrey M. Feldman - Anchorage

Appointed: 09/01/1993 Reappointed: 07/16/1997 and
06/07/2001 Term Expires: 03/01/2005

Senator Leman moved and asked unanimous consent that the appointment be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointments to the:

Alaska Labor Relations Agency

Roberta Demoski - Anchorage

Appointed: 01/18/2002 Term Expires: 03/01/2003

Aaron T. Isaacs - Klawock

Appointed: 06/12/2000 Reappointed: 01/18/2002
Term Expires: 03/01/2005

David D. Rasley - Fairbanks

Appointed: 11/14/2001 Term Expires: 03/01/2004

Raymond P. Smith - Anchorage

Appointed: 03/06/1995 Reappointed: 06/30/1995,
07/31/1998, and 08/22/2001 Term Expires: 03/01/2004

Senator Leman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointment to the:

Board of Marine Pilots

Jack G. Poulson - Juneau

Appointed: 06/07/2001 Term Expires: 03/01/2004

Senator Leman moved and asked unanimous consent that the appointment be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointments to the:

Board of Marital and Family Therapy

Larry Holman - Anchorage

Appointed: 08/22/2001 Reappointed: 12/14/2001

Term Expires: 03/01/2005

Bill Platte - Juneau

Appointed: 04/01/2002 Term Expires: 03/01/2005

Senator Lemman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Lemman listed the appointments to the:

State Medical Board

Dr. Allan G. Schlicht - Juneau

Appointed: 11/14/2001 Term Expires: 03/01/2004

Thomas H. Wilson - Fairbanks

Appointed: 11/14/2001 Term Expires: 03/01/2005

Senator Lemman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Lemman listed the appointment to the:

Alaska Mental Health Trust Authority Board of Trustees

Phil A. Younker, Sr. - Fairbanks

Appointed: 06/07/2001 Term Expires: 03/01/2005

Senator Lemman moved and asked unanimous consent that the appointment be confirmed. There being no objection, it was so ordered.

Senator Lemman listed the appointment to the:

Board of Certified Direct-Entry Midwives

Martha J. Falkar Linden - Anchorage

Appointed: 11/26/1997 Reappointed: 07/21/2001

Term Expires: 03/01/2005

Senator Leman moved and asked unanimous consent that the appointment be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointments to the:

Board of Nursing

Barbara Berner - Anchorage

Appointed: 06/02/1998 Reappointed: 03/08/2002

Term Expires: 03/01/2006

Dr. Nancy L. Sanders - Anchorage

Appointed: 08/23/1999 Reappointed: 06/07/2001

Term Expires: 03/01/2005

Senator Leman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointment to the:

Board of Examiners in Optometry

Dr. Erik D. Christianson - Ketchikan

Appointed: 06/01/1998 Reappointed: 06/07/2001

Term Expires: 03/01/2005

Senator Leman moved and asked unanimous consent that the appointment be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointments to the:

Board of Pharmacy

Gerry Knasiak - Ketchikan

Appointed: 04/16/1998 Reappointed: 06/07/2001

Term Expires: 03/01/2005

Laura Lee Nelson - Juneau

Appointed: 06/29/1999 Reappointed: 06/07/2001

Term Expires: 03/01/2005

Margaret Soden - Fairbanks

Appointed: 12/11/1998 Reappointed: 03/08/2002

Term Expires: 03/01/2006

Senator Leman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointments to the:

State Physical Therapy and Occupational Therapy Board

Sundi M. Hondl - Wasilla

Appointed: 01/21/1998 Reappointed: 08/22/2001

Term Expires: 03/01/2005

Laura McDonough - Anchorage

Appointed: 06/07/2001 Term Expires: 03/01/2004

Linda Newman - Juneau

Appointed: 04/01/2002 Term Expires: 03/01/2002

Dr. George D. Rhyneer - Anchorage

Appointed: 11/06/2001 Term Expires: 03/01/2004

Senator Leman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointments to the:

Board of Professional Counselors

Janet McGillivary - Anchorage

Appointed: 03/21/2000 Reappointed: 11/06/2001

Term Expires: 03/01/2005

Dr. Allan A. Morotti - Fairbanks

Appointed: 11/16/1998 Reappointed: 11/06/2001

Term Expires: 03/01/2005

Senator Leman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointments to the:

Professional Teaching Practices Commission

Steven Beardsley - Anchorage

Appointed: 12/11/1998 Reappointed: 07/01/2001

Term Expires: 03/01/2004

Vickie L. McCubbin - Anchorage

Appointed: 12/11/1998 Reappointed: 07/01/2001

Term Expires: 03/01/2004

Dr. Donna Peterson - Soldotna

Appointed: 07/01/2001 Term Expires: 03/01/2004

Senator Leman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointment to the:

Board of Psychologist and Psychological Associate Examiners

Dr. Carey S. Edney - Anchorage

Appointed: 10/31/1997 Reappointed: 07/01/2001

Term Expires: 03/01/2005

Senator Leman moved and asked unanimous consent that the appointment be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointments to the:

Alaska Public Offices Commission (APOC)

John Dapcevich - Juneau

Appointed: 01/16/2001 Reappointed 04/12/2002

Term Expires: 03/01/2007

Sheila Gallagher - Anchorage

Appointed: 06/07/2001 Term Expires: 03/01/2006

Senator Leman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointments to the:

Board of Certified Real Estate Appraisers

Judy Kemplen - Anchorage

Appointed: 01/21/1998 Reappointed: 06/30/2001

Term Expires: 03/01/2005

Stephen F. Turner - Anchorage

Appointed: 08/25/2000 Reappointed: 01/18/2002

Term Expires: 03/01/2006

Senator Leman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointments to the:

Real Estate Commission

Lowell (Tom) T. Freeman - Anchorage

Appointed: 11/06/2001 Term Expires: 03/01/2003

Jeannie Johnson - Douglas

Appointed: 06/07/2001 Term Expires: 03/01/2005

Susan Rainey - Fairbanks

Appointed: 09/15/2001 Term Expires: 03/01/2005

Senator Leman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointment to the:

Regulatory Commission of Alaska (RCA)

Will Abbott - Anchorage

Appointed: 07/01/1999 Reappointed: 07/01/2001

Term Expires: 03/01/2007

Senator Leman moved and asked unanimous consent that the appointment be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointments to the:

Board of Social Work Examiners

Lorraine M. Jaeger-Kirsch - Douglas

Appointed: 11/14/2001 Reappointed: 01/18/2002

Term Expires: 03/01/2006

Denny Patella - Anchorage

Appointed: 09/11/1998 Reappointed: 08/22/2001 and

09/25/2001 Term Expires: 03/01/2005

Sammye Pokryfki - Wasilla

Appointed: 03/01/2002 Term Expires: 03/01/2006

Senator Leman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointment to the:

Violent Crimes Compensation Board

Leslie D. Bogda Wheeler - Wasilla

Appointed: 05/15/1996 Reappointed: 12/11/1998 and

01/18/2002 Term Expires: 03/01/2004

Senator Leman moved and asked unanimous consent that the appointment be confirmed. There being no objection, it was so ordered.

Senator Leman listed the appointments to the:

Alaska Workers' Compensation Board

Dorothy Bradshaw - Fairbanks

Appointed: 01/30/1996 Reappointed: 06/02/1998 and

07/01/2001 Term Expires: 03/01/2004

John Giuchici - Fairbanks

Appointed: 10/10/1991 Reappointed: 06/25/1996,

09/07/2000, and 01/18/2002 Term Expires: 03/01/2005

Stephen T. Hagedorn - Anchorage

Appointed: 08/19/1991 Reappointed: 06/25/1996,

09/06/2000, and 01/18/2002 Term Expires: 03/01/2005

James (Jay) N. Rhodes - Ketchikan

Appointed: 09/11/2001 Term Expires: 03/01/2004

Philip E. Ulmer - Eagle River

Appointed: 01/30/1996 Reappointed: 06/02/1998 and

07/01/2001 Term Expires: 03/01/2004

Senator Leman moved and asked unanimous consent that the appointments be confirmed. There being no objection, it was so ordered.

Senator Leman moved and asked unanimous consent that the joint session adjourn.

Objection was heard.

The question being: "Shall the joint session adjourn?" The roll of the House was taken with the following result:

Adjourn Joint Session

HOUSE

YEAS: 25 NAYS: 15 EXCUSED: 0 ABSENT: 0

Yeas: Bunde, Chenault, Coghill, Dyson, Fate, Green, Harris, James, Kohring, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Mulder, Murkowski, Ogan, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Davies, Foster, Guess, Halcro, Hayes, Hudson, Joule, Kapsner, Kerttula, Kookesh, Moses

The roll of the Senate was called with the following result:

Adjourn Joint Session

SENATE

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

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

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

TOTAL: YEAS: 39 NAYS: 21 EXCUSED: 0 ABSENT: 0

And so, President Halford adjourned the joint session at 6:42 p.m.

The Speaker ordered the House at ease to allow members of the Senate to leave the Chamber.

IN THE HOUSE

The Speaker called the House back to order at 6:50 p.m.

The Speaker stated that, without objection, the House would revert to:

MESSAGES FROM THE SENATE**HB 225**

A message dated May 13, 2002, was read stating the Senate has passed CSHB 225(FIN) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 225(RLS)

"An Act relating to state taxation of alcoholic beverages; and increasing the alcoholic beverage state tax rates."

CSHB 225(FIN) am is under Unfinished Business.

Messages dated May 13, 2002, were read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS****SB 55**

CS FOR SENATE BILL NO. 55(RLS) by the Senate Rules Committee, entitled:

"An Act changing the name of the Alaska Pioneers' Home to the Alaska Pioneers' and Veterans' Home and of the Alaska Pioneers' Homes Advisory Board to the Alaska Pioneers' and Veterans' Home Advisory Board; relating to housing and services for veterans; relating to the advisory board for the home; making other amendments to the statutes relating to the home; and providing for an effective date."

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

SB 230

CS FOR SENATE BILL NO. 230(JUD) by the Senate Judiciary Committee, entitled:

"An Act relating to recommending or refusing psychotropic drugs or certain types of evaluations or treatments for children."

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

SB 317

SENATE BILL NO. 317 by the Senate Judiciary Committee, entitled:

"An Act relating to the national forest income program in the Department of Community and Economic Development and to the authority of the department to adopt regulations; and providing for an effective date."

was read the first time and referred to the Labor & Commerce and Finance Committees.

SB 366

CS FOR SENATE BILL NO. 366(RES) by the Senate Resources Committee, entitled:

"An Act relating to the fee for the Chitina dip net fishing permit and to Chitina fishery access; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR

(continued)

THIRD READING OF SENATE BILLS**SB 206**

The following, which was advanced to third reading from the May 12, 2002, calendar (page 3575), was read the third time:

HOUSE CS FOR CS FOR SENATE BILL NO. 206(FIN) am H
"An Act relating to registration plates and parking permits for persons with disabilities and to illegal use of parking spaces for persons with disabilities."

Representative Rokeberg moved and asked unanimous consent that HCS CSSB 206(FIN) am H be returned to second reading for the specific purpose of considering Amendment No. 2.

Objection was heard.

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

The question being: "Shall HCS CSSB 206(FIN) am H be returned to second reading for the specific purpose of considering Amendment No. 2?" The roll was taken with the following result:

HCS CSSB 206(FIN) am H
Third Reading
Return to Second for Amendment No. 2

YEAS: 10 NAYS: 25 EXCUSED: 1 ABSENT: 4

Yeas: Chenault, Coghill, Dyson, Guess, McGuire, Meyer, Murkowski, Rokeberg, Scalzi, Wilson

Nays: Bunde, Cissna, Crawford, Croft, Davies, Fate, Foster, Green, Halcro, Harris, Hayes, Hudson, James, Joule, Kerttula, Kohring, Kookesh, Kott, Lancaster, Masek, Morgan, Mulder, Stevens, Whitaker, Williams

Excused: Ogan

Absent: Berkowitz, Kapsner, Moses, Porter

And so, the motion failed.

The question being: "Shall HCS CSSB 206(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 206(FIN) am H
Third Reading
Final Passage

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

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

Nays: Davies

Excused: Ogan

Absent: Berkowitz, Kapsner, Moses, Porter

And so, HCS CSSB 206(FIN) am H passed the House.

Representative Meyer gave notice of reconsideration of the vote on HCS CSSB 206(FIN) am H.

RECONSIDERATION

SB 206

Representative Meyer moved and asked unanimous consent that the reconsideration of HCS CSSB 206(FIN) am H be taken up on the same day.

Objection was heard.

Representative Davies placed a call of the House.

Representative Mulder moved and asked unanimous consent that Representative Porter be excused from a call of the House.

Representative Davies objected.

Representative Croft placed a call of the House.

Representative Davies lifted the call.

Representative Croft lifted the call.

Representative Mulder moved and asked unanimous consent to withdraw the motion to excuse Representative Porter from a call of the House. There being no objection, it was so ordered.

There being no further objection to taking up reconsideration of HCS CSSB 206(FIN) am H on the same day, it was so ordered.

The following was again before the House in third reading:

HOUSE CS FOR CS FOR SENATE BILL NO. 206(FIN) am H
 "An Act relating to registration plates and parking permits for persons with disabilities and to illegal use of parking spaces for persons with disabilities."

The question to be reconsidered: "Shall HCS CSSB 206(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 206(FIN) am H--RECONSIDERATION

Third Reading

Final Passage

YEAS: 36 NAYS: 0 EXCUSED: 1 ABSENT: 3

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

Excused: Ogan

Absent: Berkowitz, Kapsner, Porter

And so, HCS CSSB 206(FIN) am H passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

THIRD READING OF SENATE BILLS

(continued)

SB 219

The following, which was advanced to third reading from the May 12, 2002, calendar (page 3575), was read the third time:

CS FOR SENATE BILL NO. 219(FIN)

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

The question being: "Shall CSSB 219(FIN) pass the House?" The roll was taken with the following result:

CSSB 219(FIN)

Third Reading

Final Passage

YEAS: 29 NAYS: 5 EXCUSED: 1 ABSENT: 5

Yeas: Bunde, Chenault, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Halcro, Harris, Hudson, James, Kohring, Kott, Lancaster, Masek, McGuire, Meyer, Moses, Mulder, Murkowski, Rokeberg, Scalzi, Stevens, Whitaker, Wilson

Nays: Cissna, Joule, Kerttula, Kookesh, Morgan

Excused: Ogan

Absent: Berkowitz, Hayes, Kapsner, Porter, Williams

And so, CSSB 219(FIN) passed the House.

Representative Coghill gave notice of reconsideration of the vote on CSSB 219(FIN).

Representative Coghill moved and asked unanimous consent that the reconsideration of CSSB 219(FIN) be taken up on the same day.

Objection was heard.

Representative Coghill moved and asked unanimous consent to withdraw the motion. There being no objection, it was so ordered.

Representative Coghill withdrew the notice of reconsideration on CSSB 219(FIN).

Representative Croft gave notice of reconsideration of the vote on CSSB 219(FIN).

SB 279

The following, which was advanced to third reading from the May 12, 2002, calendar (page 3576), was read the third time:

CS FOR SENATE BILL NO. 279(FIN)

"An Act authorizing the commissioner of fish and game to issue complimentary sport fishing licenses and tags to September 11 emergency responders and their spouses; and providing for an effective date."

The question being: "Shall CSSB 279(FIN) pass the House?" The roll was taken with the following result:

CSSB 279(FIN)

Third Reading

Final Passage

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

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

Excused: Ogan

Absent: Kookesh

And so, CSSB 279(FIN) passed the House.

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

Representative Croft gave notice of reconsideration of the vote on CSSB 279(FIN).

SB 370

The following, which was advanced to third reading from the May 12, 2002, calendar (page 3583), was read the third time:

CS FOR SENATE BILL NO. 370(STA) am H

"An Act establishing procedures relating to constitutional conventions."

Representative Hayes moved and asked unanimous consent that CSHB 370(STA) am H be returned to second reading for the specific purpose of considering Amendment No. 5. There being no objection, it was so ordered.

Amendment No. 5 was offered by Representative Hayes:

Page 1, lines 12 - 13:

Delete "**One delegate shall be elected from each house district and one from each senate district.**"

Insert "**Three delegates shall be elected from each senate district.**"

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

Representative Mulder objected.

The question being: "Shall Amendment No. 5 be adopted?" The roll was taken with the following result:

CSSB 370(STA) am H

Second Reading

Amendment No. 5

YEAS: 8 NAYS: 31 EXCUSED: 1 ABSENT: 0

Yeas: Coghill, Crawford, Croft, Davies, Hayes, Kerttula, Moses, Scalzi

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

Excused: Ogan

And so, Amendment No. 5 was not adopted.

The question being: "Shall CSSB 370(STA) am H pass the House?"
The roll was taken with the following result:

CSSB 370(STA) am H
Third Reading
Final Passage

YEAS: 18 NAYS: 12 EXCUSED: 1 ABSENT: 9

Yeas: Chenault, Coghill, Dyson, Foster, Harris, Hayes, James, Kohring, Kott, Morgan, Moses, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Nays: Berkowitz, Bunde, Crawford, Croft, Davies, Green, Guess, Hudson, Kapsner, Kerttula, Kookesh, Murkowski

Excused: Ogan

Absent: Cissna, Fate, Halcro, Joule, Lancaster, Masek, McGuire, Meyer, Mulder

And so, CSSB 370(STA) am H failed to pass the House.

Representative James gave notice of reconsideration of the vote on CSSB 370 (STA) am H(fld H).

CONCUR IN SENATE AMENDMENTS

HB 206

Representative James moved and asked unanimous consent that the House consider the Senate message (page 3564) on the following at this time:

CS FOR HOUSE BILL NO. 206(RLS)

"An Act relating to a vessel-based commercial fisheries limited entry system for the Bering Sea Korean hair crab fishery and for weathervane scallop fisheries, to management of offshore fisheries, and to the definition of 'person' for purposes of the commercial fisheries entry program; and providing for an effective date."

and

CS FOR HOUSE BILL NO. 206(RLS) am S
(same title)

There being no objection, it was so ordered.

Representative James moved that the House concur in the Senate amendment to CSHB 206(RLS), thus adopting CSHB 206(RLS) am S, and recommended that the members vote yes.

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

The question being: "Shall the House concur in the Senate amendment to CSHB 206(RLS)?" The roll was taken with the following result:

CSHB 206(RLS) am S
Concur

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

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

Excused: Ogan

Absent: Mulder

Masek changed from "Nay" to "Yea".

And so, the House concurred in the Senate amendment, thus adopting CSHB 206(RLS) am S.

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

The Chief Clerk was instructed to so notify the Senate.

CSHB 206(RLS) am S was referred to the Chief Clerk for enrollment.

HB 286

Representative James moved and asked unanimous consent that the House consider the Senate message (page 3564) on the following at this time:

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

SENATE CS FOR CS FOR HOUSE BILL NO. 286(RES)
(same title)

There being no objection, it was so ordered.

Representative James moved that the House concur in the Senate amendment to CSHB 286(RES) am, thus adopting SCS CSHB 286(RES), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 286(RES) am?" The roll was taken with the following result:

SCS CSHB 286(RES)

Concur

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

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

Excused: Ogan

Absent: Mulder

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 286(RES).

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

The Chief Clerk was instructed to so notify the Senate.

SCS CSHB 286(RES) was referred to the Chief Clerk for enrollment.

HB 262

Representative James moved and asked unanimous consent that the House consider the Senate message (page 3506) on the following at this time:

HOUSE BILL NO. 262

"An Act relating to accounting for and appropriations of receipts from fees collected by the Department of Labor and Workforce Development for certain inspections and for certain plumbing and electrical worker certificates of fitness; establishing a building safety account; and providing for an effective date."

and

SENATE CS FOR HOUSE BILL NO. 262(RLS)

"An Act relating to the accounting for and appropriations of certain state program receipts; and providing for an effective date."

(SCR 36 - title change resolution)

There being no objection, it was so ordered.

Representative James moved that the House concur in the Senate amendment to HB 262, thus adopting SCS HB 262(RLS), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to HB 262?" The roll was taken with the following result:

SCS HB 262(RLS)
Concur

YEAS: 30 NAYS: 9 EXCUSED: 1 ABSENT: 0

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

Nays: Berkowitz, Bunde, Cissna, Crawford, Croft, James, Kohring, Kookesh, Masek

Excused: Ogan

Kott changed from "Nay" to "Yea".

James changed from "Yea" to "Nay".

And so, the House concurred in the Senate amendment, thus adopting SCS HB 262(RLS).

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

The Chief Clerk was instructed to so notify the Senate.

SCS HB 262(RLS) was referred to the Chief Clerk for enrollment.

SPECIAL ORDER OF BUSINESS

SCR 36

Representative James moved and asked unanimous consent that the following be taken up as a Special Order of Business at this time:

SENATE CONCURRENT RESOLUTION NO. 36

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 262, relating to accounting for and appropriations of receipts from fees collected by the Department of Labor and Workforce Development for certain inspections and for certain plumbing and

electrical worker certificates of fitness, establishing a building safety account, and providing for an effective date.

Representative Croft objected.

The question being: "Shall SCR 36 be taken up as a Special Order of Business?" The roll was taken with the following result:

SCR 36
Consider
Special Order of Business

YEAS: 31 NAYS: 8 EXCUSED: 1 ABSENT: 0

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

Nays: Berkowitz, Cissna, Crawford, Croft, Hayes, Joule, Kapsner, Kookesh

Excused: Ogan

And so, the motion passed.

The question being: "Shall SCR 36 pass the House?" The roll was taken with the following result:

SCR 36
Special Order of Business

YEAS: 30 NAYS: 9 EXCUSED: 1 ABSENT: 0

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

Nays: Berkowitz, Cissna, Crawford, Croft, Guess, Kapsner, Kerttula, Kookesh, Moses

Excused: Ogan

And so, SCR 36 passed the House, was signed by the Speaker and the Chief Clerk and returned to the Senate.

CONCUR IN SENATE AMENDMENTS

HB 274

Representative James moved and asked unanimous consent that the House consider the Senate message (page 3610) on the following at this time:

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

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."

(SCR 37 - title change resolution)

There being no objection, it was so ordered.

Representative James moved that the House concur in the Senate amendment to CSHB 274(L&C), thus adopting SCS CSHB 274(L&C), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 274(L&C)?" The roll was taken with the following result:

SCS CSHB 274(L&C)

Concur

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

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

Nays: Crawford, Kerttula

Excused: Ogan

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 274(L&C).

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

The Chief Clerk was instructed to so notify the Senate.

SCS CSHB 274(L&C) was referred to the Chief Clerk for enrollment.

SPECIAL ORDER OF BUSINESS

SCR 37

Representative James moved and asked unanimous consent that the following be taken up as a Special Order of Business at this time:

SENATE CONCURRENT RESOLUTION NO. 37

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.

There being no objection, it was so ordered.

The question being: "Shall SCR 37 pass the House?" The roll was taken with the following result:

SCR 37

Special Order of Business

YEAS: 35 NAYS: 3 EXCUSED: 1 ABSENT: 1

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

Nays: Cissna, Crawford, Kerttula

Excused: Ogan

Absent: Mulder

And so, SCR 37 passed the House, was signed by the Speaker and the Chief Clerk and returned to the Senate.

UNFINISHED BUSINESS

SB 4

The Speaker waived the Finance Committee referral for the following at the request of Representative Williams, Co-chair:

CS FOR SENATE BILL NO. 4(RLS) am

"An Act relating to optional exemptions from municipal property taxes on residential property and limiting an optional exclusion or exemption to the assessed value of \$10,000 for a residence in a municipality with a total bonded indebtedness that equals or exceeds \$15,000 multiplied by the number of residents in the municipality; and providing for an effective date."

CSSB 4(RLS) am was removed from the Finance Committee and referred to the Rules Committee for placement on the calendar.

SPECIAL ORDER OF BUSINESS

Representative Davies moved and asked unanimous consent that the following be adopted as the Sense of the House:

"It is the Sense of the House that we should invite the Senate to join us in joint session to complete the confirmation process."

Objection was heard.

Representative Davies placed a call of the House.

Representative Moses was excused from a call of the House today because of illness.

The Speaker stated that the call was satisfied.

The question being: "Shall it be the Sense of the House to invite the Senate to joint session to complete the confirmation process?" The roll was taken with the following result:

Sense of the House

Invite Senate to Joint Session to Complete Confirmation Process

YEAS: 18 NAYS: 20 EXCUSED: 2 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Foster, Guess, Halcro, Hayes, Hudson, Joule, Kapsner, Kerttula, Kookesh, McGuire, Morgan, Murkowski, Wilson

Nays: Bunde, Chenault, Coghil, Dyson, Fate, Green, Harris, James, Kohring, Kott, Lancaster, Masek, Meyer, Mulder, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams

Excused: Moses, Ogan

And so, the motion failed.

UNFINISHED BUSINESS

HB 124

Representative Kohring added his name as cosponsor to:

HOUSE BILL NO. 124

"An Act prohibiting nursing facilities and assisted living homes from employing or allowing access by persons with certain criminal backgrounds, with exceptions."

HB 129

Representative Kohring added his name as cosponsor to:

HOUSE BILL NO. 129

"An Act relating to lifetime state park developed campsite permits."

HB 419

Representative Kohring added his name as cosponsor to:

HOUSE BILL NO. 419

"An Act establishing the Prescription Drug Assistance Task Force; and providing for an effective date."

SB 100

Reconsideration of the following was not taken up on this legislative day. It was signed by the Speaker and Chief Clerk and returned to the Senate:

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 100(RLS)(title am)

"An Act relating to regulation and operation of personal motor vehicles."

SB 235

Reconsideration of the following was not taken up on this legislative day. It was signed by the Speaker and Chief Clerk and returned to the Senate:

CS FOR SENATE BILL NO. 235(STA)

"An Act relating to emergency and disaster relief forces as state employees for purposes of workers' compensation benefits; relating to the Emergency Management Assistance Compact and the implementation of the compact; and providing for an effective date."

ENGROSSMENT

HCR 32

HCR 32 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HCR 36

HCR 36 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 115

HCS SB 115(RLS) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 161

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

HOUSE CS FOR CS FOR SENATE BILL NO. 161(JUD)
(efd am H)

"An Act relating to the withholding of salary of justices, judges, and magistrates; relating to prompt decisions by justices, judges, and magistrates; relating to judicial retention elections for judicial officers; and providing for an effective date."

SB 181

HCS CSSB 181(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 191

CSSB 191(JUD) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 206

HCS CSSB 206(FIN) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 222

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

HOUSE CS FOR CS FOR SENATE BILL NO. 222(RLS) am H

"An Act relating to certain motor vehicles that are required to yield to following traffic."

SB 252

HCS CSSB 252(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 267

HCS CSSB 267(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 270

HCS CSSB 270(RLS) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted with a House letter of intent to the Senate for consideration.

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

ADJOURNMENT

Representative James moved and asked unanimous consent that the House adjourn until 10:00 a.m., May 14, 2002. There being no objection, the House adjourned at 8:38 p.m.

Suzi Lowell
Chief Clerk