

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Tuesday

May 14, 2002

One Hundred Twenty-first Day

Pursuant to adjournment the House was called to order by Speaker Porter at 12:08 p.m.

Roll call showed 30 members present. Representatives Berkowitz, Croft, Guess, Joule, Kapsner, Mulder, Murkowski, Rokeberg, and Scalzi 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 today as needed [for medical reasons]. There being no objection, it was so ordered.

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

Creator God,

You knew us before we were born. You made each of us in Your image. You gave us special gifts, unique to each of us. We are similar, yet different. We are related, as we are all your children.

As family members we have differences of opinion. We squabble, tempers flare, and we try to convince each other of our personal views. We pray, Lord, that we express our differences with respect and love.

We are now in our last day of the Twenty-second Alaska Legislature's regular session. Some of us will not return, some will, and there will be new faces in next year's legislature, and this is as it should be.

All of us are common folks representing other common folks, doing the best we can for the common good of this magnificent state. Though we make mistakes, we pray that we conduct ourselves properly; that we are worthy of the high office to which we have been elected.

Father God, keep us mindful that we have been honored to serve in this body, and keep us mindful that we have an obligation to do it honorably.

Please guide us this day, Lord, during this last day. Please bless us with wisdom, integrity, consideration for each other, and most importantly, please guide our thoughts, deeds, and speech - that we independently and collectively do what is pleasing to You.

In Jesus, our Savior's Name, we pray this, Lord God Almighty. Amen.

The Pledge of Allegiance was led by Representative Foster.

MESSAGES FROM THE SENATE

HB 135

A message dated May 13, 2002, was read stating the Senate has passed CSHB 135(JUD) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 135(JUD)

"An Act relating to municipal fees for certain police protection services and to a tenant's activities that result in the imposition of those fees."

CSHB 135(JUD) am is under Unfinished Business.

**The presence of Representative Joule was noted.

HB 162

A message dated May 13, 2002, was read stating the Senate has passed HB 162 with the following amendment and it is transmitted for consideration:

SENATE CS FOR HOUSE BILL NO. 162(STA)

"An Act relating to absences from the state under the longevity bonus program."

HB 162 is under Unfinished Business.

HB 209

A message dated May 13, 2002, was read stating the Senate has passed CSHB 209(HES) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 209(HES)

"An Act directing the Department of Health and Social Services to establish a foster care transition program; relating to that program; and providing for an effective date."

CSHB 209(HES) is under Unfinished Business.

HB 254

A message dated May 13, 2002, was read stating the Senate has passed:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 254(FIN)

"An Act relating to the teachers' retirement system, the judicial retirement system, and the public employees' retirement system and to the tax qualification under the Internal Revenue Code of those systems; amending the definition of 'actuarial adjustment' in the teachers' retirement system and the public employees' retirement system; repealing certain provisions of the teachers' retirement system and the public employees' retirement system; amending the statutory limitation on payment of warrants to make

an exception for warrants making benefit payments or refunds under various state retirement and benefit programs; and providing for an effective date."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR SS FOR HOUSE BILL NO.
254(RLS)

"An Act relating to the teachers' retirement system, the judicial retirement system, and the public employees' retirement system and to the tax qualification under the Internal Revenue Code of those systems; amending the definition of 'actuarial adjustment' in the teachers' retirement system and the public employees' retirement system; repealing certain provisions of the teachers' retirement system and the public employees' retirement system; amending the statutory limitation on payment of warrants to make an exception for warrants making benefit payments or refunds under various state retirement and benefit programs; relating to the teachers' retirement system; relating to the public employees' retirement system in regard to temporary legislative employees and peace officers and fire fighters; and providing for an effective date."

(SCR 40 - title change resolution)

CSSSHB 254(FIN) is under Unfinished Business.

HB 276

A message dated May 13, 2002, was read stating the Senate has passed CSHB 276(L&C) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 276(RLS)

"An Act relating to temporary permits and licenses by endorsement issued by the Board of Nursing; and relating to the delegation of nursing duties."

CSHB 276(L&C) is under Unfinished Business.

**The presence of Representative Mulder was noted.

HB 330

A message dated May 13, 2002, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 330(FIN) am
"An Act relating to providing alcoholic beverages to a person under 21 years of age."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 330(RLS)
"An Act relating to brewpub licenses and to providing alcoholic beverages to a person under 21 years of age."

(SCR 44 - title change resolution)

A Senate letter of intent was attached.

CSHB 330(FIN) am is under Unfinished Business.

**The presence of Representative Murkowski was noted.

HB 507

A message dated May 13, 2002, was read stating the Senate has passed:

HOUSE BILL NO. 507 am
"An Act naming the Trooper Hans-Peter Lothar Roelle Memorial Weigh Station and the Officer Justin Todd Wollam Memorial Bike Trail; and providing for an effective date."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR HOUSE BILL NO. 507(TRA)
"An Act naming the Trooper Hans-Peter Lothar Roelle Memorial Weigh Station, the Officer Justin Todd Wollam Memorial Bike Trail, the Mail Carrier Emil Wegner Memorial Corridor, and the Katelyn Ohmer Markley Bridge; relating to the naming of the Wendy Ann Cogdell Memorial Rest Area; and providing for an effective date."

(SCR 39 - title change resolution)

HB 507 am is under Unfinished Business.

HB 527

A message dated May 13, 2002, was read stating the Senate has passed HB 527 with the following amendment and it is transmitted for consideration:

SENATE CS FOR HOUSE BILL NO. 527(RES) am S
"An Act relating to entry into the Minto Flats State Game Refuge for purposes of exploration and development of oil and gas resources."

HB 527 is under Unfinished Business.

SB 140

A message dated May 13, 2002, was read stating the Senate has concurred in the House amendment to CSSB 140(FIN), thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 140(FIN)
"An Act relating to regulation and licensing of certain water-power development projects; and providing for an effective date."

SB 270

A message dated May 13, 2002, was read stating the Senate has concurred in the House amendment to CSSB 270(L&C), thus adopting:

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."

SB 302

A message dated May 13, 2002, was read stating the Senate has concurred in the House amendment to CSSB 302(JUD), thus adopting:

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

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

**The presence of Representative Scalzi was noted.

A message dated May 14, 2002, was read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS**

SCR 39

SENATE CONCURRENT RESOLUTION NO. 39 by the Senate Transportation Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 507, a bill relating to the naming of certain state facilities.

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

SCR 40

SENATE CONCURRENT RESOLUTION NO. 40 by the Senate Rules Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 254, relating to the teachers', judicial, and public employees' retirement systems; and providing for an effective date.

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

SCR 42

SENATE CONCURRENT RESOLUTION NO. 42 by the Senate Judiciary Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 246, relating to insurance.

was read the first time.

SCR 43

SENATE CONCURRENT RESOLUTION NO. 43 by the Senate Finance Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 525, relating to the issuance of general obligation bonds for deferred maintenance.

was read the first time.

**The presence of Representative Guess was noted.

SCR 44

SENATE CONCURRENT RESOLUTION NO. 44 by the Senate Rules Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 330, relating to providing alcohol to a person under 21.

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

**The presence of Representative Rokeberg was noted.

COMMUNICATIONS

The following audit report was received from:

Division of Legislative Audit
Legislative Budget & Audit Committee
(as required by AS 24.20.311)

Dept. of Labor & Workforce Development
Northstar Unit Alaskan Hire and Contracting
February 5, 2002

REPORTS OF SPECIAL COMMITTEES**HB 403**

The Conference Committee with limited powers of free conference considering CSHB 403(FIN) am(brf sup maj fld)(efd fld) and SCS CSHB 403(FIN) am S(brf sup maj fld S) recommends the following be adopted:

CONFERENCE CS FOR HOUSE BILL NO. 403

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

The report was signed by Representatives Mulder (Chair), Williams, Davies; and Senators Donley (Chair), Kelly, Hoffman.

The report is under Unfinished Business.

**The presence of Representative Croft was noted.

HB 404

The Conference Committee with limited powers of free conference considering CSHB 404(FIN) and SCS CSHB 404(FIN) recommends the following be adopted:

CONFERENCE CS FOR HOUSE BILL NO. 404

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

The report was signed by Representatives Mulder (Chair), Williams, Davies; and Senators Donley (Chair), Kelly, Hoffman.

The report is under Unfinished Business.

**The presence of Representative Berkowitz was noted.

INTRODUCTION OF CITATIONS

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

Honoring - Tara Jollie
By Representative Kapsner

Honoring - Palmer Xtreme Sports, 2001 Matanuska Youth Football Association Region Champions
By Representatives Kohring, Ogan, Masek; Senators Halford, Green

Honoring - Wasilla High School Girls Basketball Team, Region III 4A Champions
By Representatives Kohring, Ogan, Masek; Senators Halford, Green

Honoring - Wasilla High School Boys Varsity Basketball Team Region III 4A Champions
By Representatives Kohring, Ogan, Masek; Senators Halford, Green

Honoring - Bethel Army Junior Reserve Officer Training Corp
By Representative Kapsner; Senator Hoffman

Honoring - Ron Reihl
By Representative Whitaker

Honoring - Kluane Albert, Best Anti-Drinking Poster
By Senator Lincoln

Honoring - Martin Buser
By Senator Green; Representative Masek

Honoring - Steve Ginnis, Past President - Tanana Chiefs Conference,
Inc.
By Senator Lincoln

Honoring - Jay Nolfi
By Senator Green; Representative Masek

Honoring - Jerry and Connie Pinkerton
By Senator Green; Representative Masek

Honoring - Lisa Stewart
By Senator Green; Representative Ogan

Honoring - Holy Resurrection Orthodox Church on Becoming a
Cathedral
By Senator Austerman; Representative Stevens

Honoring - 10th Anniversary of "Paint Fairview"
By Senator Ellis

Commemorating - The Contributions by Asian/Pacific Americans to
Alaska in Conjunction with Asian/Pacific American Heritage Month
By Senator Austerman; Representative Stevens

In Memoriam - Kenneth Russell Hughes and Vivian Vose Hughes
By Representatives Kohring, Ogan, Masek; Senators Halford, Green

In Memoriam - Kerwin Melarvie
By Representative Berkowitz

In Memoriam - Janie Edna Olsen
By Representative Berkowitz

In Memoriam - Magdeline Omaliaq Tikik
By Representative Joule

In Memoriam - Kore Seth Yoder
By Representative Morgan

In Memoriam - Charles Alexander Wulf, III
By Representative Morgan; Senator Lincoln

In Memoriam - Charles M. Warbelow
By Representative Morgan; Senator Lincoln

In Memoriam - Jerry Wayne Barnes
By Senator Lincoln

In Memoriam - Frederick L. Jordan
By Senator Lincoln

In Memoriam - John Martin Pursell
By Senators Leman, Olson

In Memoriam - Decema Kimball Andresen Slawson, An Alaska
Pioneer
By Senator Leman

In Memoriam - Isabel Svoboda
By Senator Kelly

In Memoriam - Douglas Walker
By Senator Lincoln

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HCR 37

HOUSE CONCURRENT RESOLUTION NO. 37 by the House Rules
Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of
the Alaska State Legislature, concerning Senate Bill No. 4,
relating to optional exemptions from municipal property taxes on
residential property.

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

HCR 38

HOUSE CONCURRENT RESOLUTION NO. 38 by the House Rules Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 324, relating to 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.

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 4

The following was read the second time:

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."

with the:

Journal Page

CRA RPT HCS(CRA) NT 2DP 5NR	3482
TITLE CHANGE: PENDING HCR 37	3482
FN5: (REV)	3483
FIN REFERRAL WAIVED	3708

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. 4(CRA)

"An Act relating to an optional exemption from municipal property taxes on residential property owned and occupied by certain volunteers who provide fire fighting or emergency medical services; and providing for an effective date."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that HCS CSSB 4(CRA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 4(CRA) was read the third time.

The question being: "Shall HCS CSSB 4(CRA) pass the House?" The roll was taken with the following result:

HCS CSSB 4(CRA)

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, Kerttula, Kohring, Kookesh, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Ogan

Absent: Kapsner

And so, HCS CSSB 4(CRA) 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 4(CRA) was referred to the Chief Clerk for engrossment.

SPECIAL ORDER OF BUSINESS

HCR 37

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. 37

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 4, relating to optional exemptions from municipal property taxes on residential property.

There being no objection, it was so ordered.

The question being: "Shall HCR 37 pass the House?" The roll was taken with the following result:

HCR 37

Special Order of Business

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, Kerttula, Kohring, Kookesh, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Ogan

Absent: Kapsner

And so, HCR 37 passed the House and was referred to the Chief Clerk for engrossment.

RECONSIDERATION

SB 370

Representative James brought up reconsideration of the vote on CSSB 370(STA) am H(fld H) (page 3700).

The following was again before the House in third reading:

CS FOR SENATE BILL NO. 370(STA) am H
"An Act establishing procedures relating to constitutional conventions."

Representative James placed a call of the House.

**The presence of Representative Kapsner was noted.

The presence of Representative Ogan, who had been previously excused from a call of the House (page 3715), was noted.

The call was satisfied.

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

CSSB 370(STA) am H--RECONSIDERATION

Third Reading

Final Passage

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

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

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

And so, CSSB 370(STA) am H passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE BILLS

(continued)

SB 220

The following was read the second time:

CS FOR SENATE BILL NO. 220(L&C)

"An Act relating to the scope of practice authorized under a license to practice hairdressing."

with the:	Journal Page
L&C RPT 4DP	3064
FN1: ZERO(CED)	3064

Representative James moved and asked unanimous consent that CSSB 220(L&C) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 220(L&C) was read the third time.

The question being: "Shall CSSB 220(L&C) pass the House?" The roll was taken with the following result:

CSSB 220(L&C)
Third Reading
Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 0 ABSENT: 3

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Davies, Dyson, Fate, Foster, Green, 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: Croft, Guess, Halcro

And so, CSSB 220(L&C) passed the House.

Representative Berkowitz gave notice of reconsideration of the vote on CSSB 220(L&C).

RECONSIDERATION

SB 363

Representative James brought up reconsideration of the vote on HCS CSSB 363(RLS) am H (page 3650).

The following was again before the House in third reading:

HOUSE CS FOR CS FOR SENATE BILL NO. 363(RLS) am H
 "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."

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

HCS CSSB 363(RLS) am H--RECONSIDERATION

Third Reading

Final Passage

YEAS: 38 NAYS: 0 EXCUSED: 0 ABSENT: 2

Yeas: Berkowitz, Chenault, Cissna, Coghill, Crawford, 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

Absent: Bunde, Croft

And so, HCS CSSB 363(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.

HCS CSSB 363(RLS) am H was referred to the Chief Clerk for engrossment.

CONSIDERATION OF THE DAILY CALENDAR

(continued)

THIRD READING OF SENATE BILLS

SB 371

The following, which was advanced to third reading from the May 13, 2002, calendar (page 3626), was read the third 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."

Representative Crawford moved and asked unanimous consent that he be allowed to abstain from voting due to a conflict of interest. Objection was heard, and Representative Crawford was required to vote.

The question being: "Shall CSSB 371(RES) am pass the House?"
The roll was taken with the following result:

CSSB 371(RES) am

Third Reading

Final Passage

YEAS: 34 NAYS: 3 EXCUSED: 0 ABSENT: 3

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

Nays: Cissna, Kapsner, Kerttula

Absent: Berkowitz, Croft, Guess

And so, CSSB 371(RES) am 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 371(RES) am.

The Speaker stated that the House would stand in recess until 1:30 p.m. for a Majority Caucus; and so, the House recessed at 1:14 p.m.

AFTER RECESS

The Speaker called the House back to order at 2:33 p.m.

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

MESSAGES FROM THE GOVERNOR

The following Governor's proclamation, dated May 14, 2002, was received:

"Under the authority of art. III, sec. 17, of the Alaska Constitution, and in the public interest, I call the Twenty-Second Legislature of the State of Alaska into joint session at Juneau, Alaska, in the legislative chambers on May 14, 2002, at 5:00 p.m., to consider the following subjects:

Confirmation of the following appointments made by the Governor:

Board of Fisheries

Brett Huber - Soldotna
Gerry Merrigan - Petersburg
Art Nelson - Anchorage

Board of Game

Bruce Baker - Juneau
George Matz - Anchorage
J. Dana Pruhs - Anchorage
Caleb Pungowiyi - Kotzebue
Michelle Sparck - Bethel

State Board of Education and Early Development

Roger Chan - Anchorage
Sally Rue - Juneau

University of Alaska Board of Regents

Mark Begich - Anchorage

Joseph Hardenbrook - Fairbanks

Marlene A. Johnson - Juneau

/s/

Tony Knowles

Governor"

THIRD READING OF SENATE BILLS

(continued)

SB 226

The following, which was advanced to third reading from the May 13, 2002, calendar (page 3633), was read the third 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."

Representative Ogan had been previously excused from a call of the House (page 3715).

The question being: "Shall CSSSSB 226(FIN) am pass the House?"
The roll was taken with the following result:

CSSSSB 226(FIN) am

Third Reading

Final Passage

YEAS: 34 NAYS: 0 EXCUSED: 1 ABSENT: 5

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

Excused: Ogan

Absent: Davies, Foster, Kookesh, Kott, Murkowski

And so, CSSSSB 226(FIN) am 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 CSSSSB 226(FIN) am.

SB 247

The following, which was advanced to third reading from the May 13, 2002, calendar (page 3640), was read the third time:

HOUSE CS FOR CS FOR SENATE BILL NO. 247(FIN) am H
"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."

The Speaker stated that, without objection, HCS CSSB 247(FIN) am H would be moved to the bottom of the calendar.

SB 324

The following, which was advanced to third reading from the May 13, 2002, calendar (page 3647), was read the third 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."

The question being: "Shall CSSB 324(L&C) pass the House?" The roll was taken with the following result:

CSSB 324(L&C)
Third Reading
Final Passage

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

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, 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: Davies, Mulder

And so, CSSB 324(L&C) passed the House.

Representative Berkowitz gave notice of reconsideration of the vote on CSSB 324(L&C).

SPECIAL ORDER OF BUSINESS

HCR 38

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. 38

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 324, relating to 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.

There being no objection, it was so ordered.

The question being: "Shall HCR 38 pass the House?" The roll was taken with the following result:

HCR 38

Special Order of Business

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

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

Nays: Williams

Excused: Ogan

Absent: Davies, Masek, McGuire, Rokeberg

And so, HCR 38 passed the House.

THIRD READING OF SENATE BILLS
(continued)

SB 339

The following, which was advanced to third reading from the May 13, 2002, calendar (page 3647), was read the third time:

SENATE BILL NO. 339

"An Act increasing fines for certain criminal offenses."

The question being: "Shall SB 339 pass the House?" The roll was taken with the following result:

SB 339

Third Reading

Final Passage

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

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

Excused: Ogan

Absent: Davies, Joule, McGuire

And so, SB 339 passed the House.

Representative Berkowitz gave notice of reconsideration of the vote on SB 339.

SB 364

The following, which was advanced to third reading from the May 13, 2002, calendar (page 3651), was read the third time:

SENATE BILL NO. 364

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

Representative Halcro moved and asked unanimous consent that SB 364 be returned to second reading for the specific purpose of rescinding previous action in failing to adopt Amendment No. 1.

Objection was heard.

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

Speaker Pro Tempore James stated that, without objection, the House would advance to:

LEGISLATIVE CITATIONS

Acting Majority Leader Foster moved and asked unanimous consent that the House approve the citations on the calendar. There being no objection, the following citations were approved and sent to enrolling:

Honoring - Aelin Peterson

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

Honoring - Shanksville, Pennsylvania

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

Honoring - Caleb Frontiness Parker

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

Honoring - Paul Jason Bealer

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

Honoring - Donald Sherwood Dickey on His 80th Birthday

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

Honoring - Lee Ann Tomco

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

Honoring - "Mama" Jean Cripps

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

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

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

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

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

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

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

Honoring - Carol White

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

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

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

In Memoriam - Tom Posey

By Representatives Mulder, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kott, Lancaster, Masek, Meyer, Morgan, Murkowski, Ogan, Rokeberg, Scalzi, Stevens, Williams, Wilson; Senator Leman

In Memoriam - Frieda Henrietta Honeyball

By Senator Phillips; Representatives Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kott, Lancaster, Masek, Meyer, Morgan, Mulder, Murkowski, Ogan, Rokeberg, Scalzi, Stevens, Williams, Wilson

CONCUR IN SENATE AMENDMENTS

HB 305

Representative Foster moved and asked unanimous consent that the House consider the Senate message (page 3611) on the following at this time:

CS FOR HOUSE BILL NO. 305(STA) am

"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."

and

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

(same title)

There being no objection, it was so ordered.

Representative Foster moved that the House concur in the Senate amendment to CSHB 305(STA) am, thus adopting SCS CSHB 305(RLS), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 305(STA) am?" The roll was taken with the following result:

SCS CSHB 305(RLS)
Concur

YEAS: 28 NAYS: 3 EXCUSED: 1 ABSENT: 8

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

Nays: Kerttula, Kohring, Masek

Excused: Ogan

Absent: Berkowitz, Davies, Joule, Kookesh, Kott, Mulder, Porter, Williams

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 305(RLS).

Representative Foster 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 305(RLS) was referred to the Chief Clerk for enrollment.

HB 162

Representative Foster moved and asked unanimous consent that the House consider the Senate message (page 3717) on the following at this time:

HOUSE BILL NO. 162

"An Act relating to absences from the state under the longevity bonus program."

and

SENATE CS FOR HOUSE BILL NO. 162(STA)

(same title)

There being no objection, it was so ordered.

Representative Foster moved that the House concur in the Senate amendment to HB 162, thus adopting SCS HB 162(STA), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to HB 162?" The roll was taken with the following result:

SCS HB 162(STA)

Concur

YEAS: 33 NAYS: 0 EXCUSED: 1 ABSENT: 6

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

Excused: Ogan

Absent: Berkowitz, Davies, Joule, Mulder, Porter, Williams

And so, the House concurred in the Senate amendment, thus adopting SCS HB 162(STA).

The Chief Clerk was instructed to so notify the Senate.

SCS HB 162(STA) was referred to the Chief Clerk for enrollment.

HB 209

Representative Foster moved and asked unanimous consent that the House consider the Senate message (page 3717) on the following at this time:

CS FOR HOUSE BILL NO. 209(HES)

"An Act directing the Department of Health and Social Services to establish a foster care transition program; relating to that program; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 209(HES)
(same title)

There being no objection, it was so ordered.

Representative Foster moved that the House concur in the Senate amendment to CSHB 209(HES), thus adopting SCS CSHB 209(HES), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 209(HES)?" The roll was taken with the following result:

SCS CSHB 209(HES)

Concur

YEAS: 33 NAYS: 0 EXCUSED: 1 ABSENT: 6

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

Excused: Ogan

Absent: Berkowitz, Davies, Joule, Mulder, Porter, Williams

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 209(HES).

Representative Foster 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 209(HES) was referred to the Chief Clerk for enrollment.

HB 507

Representative Foster moved and asked unanimous consent that the House consider the Senate message (page 3719) on the following at this time:

HOUSE BILL NO. 507 am

"An Act naming the Trooper Hans-Peter Lothar Roelle Memorial Weigh Station and the Officer Justin Todd Wollam Memorial Bike Trail; and providing for an effective date."

and

SENATE CS FOR HOUSE BILL NO. 507(TRA)

"An Act naming the Trooper Hans-Peter Lothar Roelle Memorial Weigh Station, the Officer Justin Todd Wollam Memorial Bike Trail, the Mail Carrier Emil Wegner Memorial Corridor, and the Katelyn Ohmer Markley Bridge; relating to the naming of the Wendy Ann Cogdell Memorial Rest Area; and providing for an effective date."

(SCR 39 - title change resolution)

There being no objection, it was so ordered.

Representative Foster moved that the House concur in the Senate amendment to HB 507 am, thus adopting SCS HB 507(TRA), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to HB 507 am?" The roll was called with the following result:

SCS HB 507(TRA)

Concur

YEAS: 33 NAYS: 0 EXCUSED: 1 ABSENT: 6

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

Excused: Ogan

Absent: Berkowitz, Davies, Joule, Mulder, Porter, Williams

And so, the House concurred in the Senate amendment, thus adopting SCS HB 507(TRA).

Representative Foster 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 507(TRA) was referred to the Chief Clerk for enrollment.

HB 225

Representative Foster moved and asked unanimous consent that the House consider the Senate message (page 3692) on the following at this time:

CS FOR HOUSE BILL NO. 225(FIN) am
"An Act relating to state taxation of alcoholic beverages; and increasing the alcoholic beverage state tax rates."

and

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

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

SPECIAL ORDER OF BUSINESS

SCR 39

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

SENATE CONCURRENT RESOLUTION NO. 39
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 507, a bill relating to the naming of certain state facilities.

There being no objection, it was so ordered.

The question being: "Shall SCR 39 pass the House?" The roll was taken with the following result:

SCR 39
Special Order of Business

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

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

Excused: Ogan

Absent: Berkowitz, Coghill, Davies, Hayes, Joule, Kott, Masek, Mulder, Porter, Williams

And so, SCR 39 passed the House, was signed by the Speaker Pro Tempore and the Chief Clerk and returned to the Senate.

CONCUR IN SENATE AMENDMENTS

HB 276

Representative Foster moved and asked unanimous consent that the House consider the Senate message (page 3718) on the following at this time:

CS FOR HOUSE BILL NO. 276(L&C)

"An Act relating to temporary permits and licenses by endorsement issued by the Board of Nursing; and relating to the delegation of nursing duties."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 276(RLS)
(same title)

There being no objection, it was so ordered.

Representative Foster moved that the House concur in the Senate amendment to CSHB 276(L&C), thus adopting SCS CSHB 276(RLS), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 276(L&C)?" The roll was taken with the following result:

SCS CSHB 276(RLS)

Concur

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

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

Excused: Ogan

Absent: Berkowitz, Coghill, Davies, Hayes, Joule, Kott, Masek, Mulder, Porter, Williams

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 276(RLS).

The Chief Clerk was instructed to so notify the Senate.

SCS CSHB 276(RLS) was referred to the Chief Clerk for enrollment.

HB 527

Representative Foster moved and asked unanimous consent that the House consider the Senate message (page 3720) on the following at this time:

HOUSE BILL NO. 527

"An Act relating to entry into the Minto Flats State Game Refuge for purposes of exploration and development of oil and gas resources."

and

SENATE CS FOR HOUSE BILL NO. 527(RES) am S
(same title)

There being no objection, it was so ordered.

Representative Foster moved that the House concur in the Senate amendment to HB 527, thus adopting SCS HB 527(RES) am S, and recommended that the members vote yes.

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

The question being: "Shall the House concur in the Senate amendment to HB 527?" The roll was taken with the following result:

SCS HB 527(RES) am S

Concur

YEAS: 24 NAYS: 12 EXCUSED: 1 ABSENT: 3

Yeas: Bunde, Chenault, Coghill, Dyson, Fate, Foster, Harris, Hayes, Hudson, James, Kohring, Kookesh, Lancaster, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Stevens, Whitaker, Williams, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Davies, Green, Guess, Joule, Kapsner, Kerttula, McGuire, Scalzi

Excused: Ogan

Absent: Halcro, Kott, Masek

And so, the House concurred in the Senate amendment, thus adopting SCS HB 527(RES) am S.

The Chief Clerk was instructed to so notify the Senate.

SCS HB 527(RES) am S was referred to the Chief Clerk for enrollment.

HB 225

Representative James moved and asked unanimous consent that the House consider the Senate message (page 3692) on the following at this time:

CS FOR HOUSE BILL NO. 225(FIN) am

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

and

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

There being no objection, it was so ordered.

Representative Berkowitz placed a call of the House.

The call was satisfied.

Representative James moved that the House concur in the Senate amendment to CSHB 225(FIN) am, thus adopting SCS CSHB 225(RLS), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 225(FIN) am?" The roll was taken with the following result:

SCS CSHB 225(RLS)
Concur

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

Yeas: Bunde, Cissna, Coghill, Crawford, Croft, Dyson, Fate, Green, Guess, Halcro, Hayes, Hudson, Joule, Kapsner, Kerttula, Kookesh, Lancaster, McGuire, Meyer, Morgan, Murkowski, Porter, Rokeberg, Stevens, Whitaker, Williams, Wilson

Nays: Berkowitz, Chenault, Davies, Foster, Harris, James, Kohring, Kott, Masek, Moses, Mulder, Scalzi

Excused: Ogan

Williams changed from "Nay" to "Yea".

Chenault changed from "Yea" to "Nay".

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 225(RLS).

The Chief Clerk was instructed to so notify the Senate.

SCS CSHB 225(RLS) was referred to the Chief Clerk for enrollment.

The Speaker stated that the House would stand at ease; and so, the House stood at ease at 4:51 p.m.

AFTER AT EASE

The Speaker called the House back to order at 5:08 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 5:09 p.m.

The purpose of the joint session was to consider confirmation of the Governor's appointments in accordance with the Governor's proclamation (page 3734).

The Secretary of the Senate read the proclamation.

A roll call of the House showed 39 members present.

Representative Ogan had been previously excused from a call of the House (page 3715).

A roll call of the Senate showed 20 members present.

GOVERNOR'S APPOINTMENTS

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 and asked unanimous consent that the joint session adjourn.

Representative Berkowitz and Senator Ellis objected.

Senator Ellis moved to amend the motion to a time certain, that being 7:00 p.m. tonight.

Senator Halford stated that the motion to amend the adjournment motion is debatable as to time, but the unqualified motion to adjourn takes precedence over the motion to amend.

Senator Leman restated the motion to adjourn the joint session.

Objections were 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: 26 NAYS: 13 EXCUSED: 1 ABSENT: 0

Yeas: 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

Nays: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Hayes, Joule, Kapsner, Kerttula, Kookesh, Moses, Wilson

Excused: Ogan

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

TOTAL: YEAS: 40 NAYS: 19 EXCUSED: 1 ABSENT: 0

And so, President Halford adjourned the joint session at 5:15 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 5:22 p.m.

ENGROSSMENT**SB 363**

HCS CSSB 363(RLS) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

UNFINISHED BUSINESS**SB 363**

In the event the Senate fails to concur in the House amendments to CSSB 363(STA) am, namely:

HOUSE CS FOR CS FOR SENATE BILL NO. 363(RLS) am H
"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."

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

Representative Rokeberg, Chair
Representative Coghill
Representative Moses

SB 345

The Speaker announced that Representative Harris will replace Representative Bunde on the Conference Committee considering:

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."

and:

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."

(HCR 35 - title change resolution)

The Speaker stated that the House would stand at ease for a Minority Caucus; and so, the House stood at ease at 5:23 p.m.

AFTER AT EASE

The Speaker called the House back to order at 6:36 p.m.

CONCUR IN SENATE AMENDMENTS

HB 330

Representative James moved and asked unanimous consent that the House consider the Senate message (page 3719) on the following at this time:

CS FOR HOUSE BILL NO. 330(FIN) am

"An Act relating to providing alcoholic beverages to a person under 21 years of age."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 330(RLS)

"An Act relating to brewpub licenses and to providing alcoholic beverages to a person under 21 years of age."

(SCR 44 - title change resolution)

There being no objection, it was so ordered.

Representative James moved that the House concur in the Senate amendment to CSHB 330(FIN) am, thus adopting SCS CSHB 330(RLS), and recommended that the members vote no.

The question being: "Shall the House concur in the Senate amendment to CSHB 330(FIN) am?" The roll was taken with the following result:

SCS CSHB 330(RLS)

Concur

YEAS: 6 NAYS: 30 EXCUSED: 1 ABSENT: 3

Yeas: Berkowitz, Cissna, Crawford, Davies, Guess, Kerttula

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

Excused: Ogan

Absent: Bunde, Kookesh, Murkowski

And so, the House failed to concur in the Senate amendment, thus failing to adopt SCS CSHB 330(RLS).

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

In the event the Senate fails to recede from its amendment, 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 Rokeberg, Chair
Representative Halcro
Representative Croft

SPECIAL ORDER OF BUSINESS

SCR 44

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. 44
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 330, relating to providing alcohol to a person under 21.

There being no objection, it was so ordered.

The question being: "Shall SCR 44 pass the House?" The roll was taken with the following result:

SCR 44
Special Order of Business

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

Yeas: Berkowitz, 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, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Ogan

Absent: Bunde, Kookesh, Morgan

And so, SCR 44 passed the House, was signed by the Speaker and the Chief Clerk and returned to the Senate.

HB 254

Representative James moved and asked unanimous consent that the House consider the Senate message (page 3717) on the following at this time:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 254(FIN)

"An Act relating to the teachers' retirement system, the judicial retirement system, and the public employees' retirement system and to the tax qualification under the Internal Revenue Code of those systems; amending the definition of 'actuarial adjustment' in the teachers' retirement system and the public employees' retirement system; repealing certain provisions of the teachers' retirement system and the public employees' retirement system; amending the statutory limitation on payment of warrants to make an exception for warrants making benefit payments or refunds under various state retirement and benefit programs; and providing for an effective date."

and

SENATE CS FOR CS FOR SS FOR HOUSE BILL NO. 254(RLS)

"An Act relating to the teachers' retirement system, the judicial retirement system, and the public employees' retirement system and to the tax qualification under the Internal Revenue Code of those systems; amending the definition of 'actuarial adjustment' in the teachers' retirement system and the public employees' retirement system; repealing certain provisions of the teachers' retirement system and the public employees' retirement system; amending the statutory limitation on payment of warrants to make an exception for warrants making benefit payments or refunds under various state retirement and benefit programs; relating to the teachers' retirement system; relating to the public employees' retirement system in regard to temporary legislative employees and peace officers and fire fighters; and providing for an effective date."

(SCR 40 - title change resolution)

There being no objection, it was so ordered.

Representatives Cissna and Davies 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.

Representative James moved that the House concur in the Senate amendment to CSSSHB 254(FIN), thus adopting SCS CSSSHB 254(RLS), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSSSHB 254(FIN)?" The roll was taken with the following result:

SCS CSSSHB 254(RLS)

Concur

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, Kott, Lancaster, Masek, McGuire, Meyer, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Ogan

Absent: Kookesh, Morgan

And so, the House concurred in the Senate amendment, thus adopting SCS CSSSHB 254(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 CSSSHB 254(RLS) was referred to the Chief Clerk for enrollment.

SPECIAL ORDER OF BUSINESS

SCR 40

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. 40

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of

the Alaska State Legislature, concerning House Bill No. 254, relating to the teachers', judicial, and public employees' retirement systems; and providing for an effective date.

There being no objection, it was so ordered.

The question being: "Shall SCR 40 pass the House?" The roll was taken with the following result:

SCR 40
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, Kott, Lancaster, Masek, McGuire, Meyer, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Ogan

Absent: Kookesh, Morgan

And so, SCR 40 passed the House, was signed by the Speaker and the Chief Clerk and returned to the Senate.

CONCUR IN SENATE AMENDMENTS

HB 135

Representative James moved and asked unanimous consent that the House consider the Senate message (page 3716) on the following at this time:

CS FOR HOUSE BILL NO. 135(JUD) am
"An Act relating to municipal fees for certain police protection services and to a tenant's activities that result in the imposition of those fees."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 135(JUD)
(same title)

There being no objection, it was so ordered.

Representative James moved that the House concur in the Senate amendment to CSHB 135(JUD) am, thus adopting SCS CSHB 135(JUD), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 135(JUD) am?" The roll was taken with the following result:

SCS CSHB 135(JUD)

Concur

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

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Halcro, Harris, 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: Hayes, Kookesh

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 135(JUD).

The Chief Clerk was instructed to so notify the Senate.

SCS CSHB 135(JUD) was referred to the Chief Clerk for enrollment.

CONSIDERATION OF THE DAILY CALENDAR

(continued)

SENATE BILLS IN THIRD READING

SB 364

The following, which had been read the third time with a motion pending (page 3739), was again before the House in third reading:

SENATE BILL NO. 364

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

Representative Guess placed a call of the House.

The presence of Representative Ogan, who had been previously excused from a call of the House (page 3715), was noted.

The Speaker stated that the call was satisfied.

The question being: "Shall SB 364 be returned to second reading for the specific purpose of rescinding action in failing to adopt Amendment No. 1?" The roll was taken with the following result:

SB 364

Third Reading

Return to Second/rescind previous action/Am 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, the motion failed.

Representative Dyson placed a call of the House.

The call was satisfied.

Representatives Scalzi and Dyson 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 SB 364 pass the House?" The roll was taken with the following result:

SB 364
Third Reading
Final Passage

YEAS: 23 NAYS: 17 EXCUSED: 0 ABSENT: 0

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

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

And so, SB 364 passed the House.

Representative Berkowitz gave notice of reconsideration of the vote on SB 364.

RECONSIDERATION

SB 268

Representative Mulder brought up reconsideration of the vote on SB 268 (page 3646).

The following was again before the House in third reading:

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."

Representative Mulder moved and asked unanimous consent that SB 268 be returned to second reading for the specific purpose of considering Amendment No. 1.

Objection was heard.

Representative Ogan had been previously excused from a call of the House (page 3715).

The question being: "Shall SB 268 be returned to second reading for the specific purpose of considering Amendment No. 1?" The roll was taken with the following result:

SB 268--RECONSIDERATION

Third Reading

Return to Second for Amendment No. 1

YEAS: 22 NAYS: 17 EXCUSED: 1 ABSENT: 0

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

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

Excused: Ogan

And so, SB 268 was returned to second reading.

Amendment No. 1 was offered by Representative Mulder:

Page 2, line 24:

Delete "the first general"

Insert "a special election to be held on the date of the first primary"

Page 2, line 25:

Delete "and"

Insert ". The special election shall be held in substantial compliance with the election laws of the state, including absentee voting and preparation, publication, and mailing of an election pamphlet under AS 15.58. The election pamphlet must comply with AS 15.58.020(7). The question placed before the qualified voters of the state at the special election"

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:

SB 268--RECONSIDERATION

Second Reading

Amendment No. 1

YEAS: 25 NAYS: 14 EXCUSED: 1 ABSENT: 0

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

Nays: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Halcro, Hayes, Kerttula, Kookesh, McGuire, Murkowski, Scalzi, Whitaker

Excused: Ogan

And so, Amendment No. 1 was adopted.

The question to be reconsidered: "Shall SB 268 am H pass the House?" The roll was taken with the following result:

SB 268 am H--RECONSIDERATION

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, SB 268 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.

SB 268 am H was referred to the Chief Clerk for engrossment.

The Speaker stated that the House would recess to a call of the Chair; and so, the House recessed at 7:54 p.m.

AFTER RECESS

The Speaker called the House back to order at 11:31 p.m.

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

REPORTS OF SPECIAL COMMITTEES

HB 330

The Conference Committee considering:

CS FOR HOUSE BILL NO. 330(FIN) am
"An Act relating to providing alcoholic beverages to a person
under 21 years of age."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 330(RLS)
(same title)

requests limited powers of free conference on the following specific point(s):

1. Brewpub licenses

The request was signed by Representatives Rokeberg (Chair), Halcro, Croft; and Senators Taylor (Chair), Halford, Ellis.

The Speaker granted the limited powers of free conference as requested.

The Chief Clerk was instructed to so notify the Senate.

The presence of Representative Ogan, who had been previously excused (page 3715), was noted.

HB 330

The Conference Committee with limited powers of free conference considering CSHB 330(FIN) am and SCS CSSB 220(RLS) recommends the following be adopted:

CONFERENCE CS FOR HOUSE BILL NO. 330

"An Act relating to brewpub licenses and to providing alcoholic beverages to a person under 21 years of age."

The report was signed by Representatives Rokeberg (Chair), Halcro, Croft; and Senators Taylor (Chair), Halford, Ellis.

The following fiscal note(s) apply to CCS HB 330:

1. Zero, Dept. of Law
2. Indeterminate, Dept. of Administration
3. Indeterminate, Dept. of Corrections

Representative James moved that the House adopt the Conference Committee with limited powers of free conference report, thus adopting CCS HB 330 and recommended that the members vote yes.

The question being: "Shall the House adopt the Conference Committee with limited powers of free conference report?" The roll was taken with the following result:

CCS HB 330

Adopt Conference Committee Report

YEAS: 34 NAYS: 0 EXCUSED: 0 ABSENT: 6

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

Absent: Bunde, Halcro, Kohring, McGuire, Morgan, Murkowski

And so, the House adopted the Conference Committee with limited powers of free conference report, thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 330

"An Act relating to brewpub licenses and to providing alcoholic beverages to a person under 21 years of age."

The Chief Clerk was instructed to so notify the Senate.

CCS HB 330 was referred to the Chief Clerk for engrossment and enrollment.

SB 345

The Conference Committee considering HCS SB 345(RLS) and SB 345 recommends the following be adopted:

CONFERENCE CS FOR SENATE BILL NO. 345

"An Act relating to correspondence study programs; 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."

The report was signed by Representatives James, Harris, Guess; and Senators Green (Chair), Therriault.

The following fiscal note(s) apply to CCS SB 345:

1. Fiscal, Dept. of Health & Social Services
2. Fiscal, Dept. of Health & Social Services

Representative James moved that the House adopt the Conference Committee report, thus adopting CCS SB 345 and recommended that the members vote yes.

The question being: "Shall the House adopt the Conference Committee report?" The roll was taken with the following result:

CCS SB 345

Adopt Conference Committee Report

YEAS: 22 NAYS: 14 EXCUSED: 0 ABSENT: 4

Yeas: Chenault, Coghill, Dyson, Fate, Foster, Green, Halcro, Harris, Hudson, James, Kohring, Lancaster, Masek, Meyer, Mulder, Ogan, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Hayes, Joule, Kapsner, Kerttula, Kookesh, Morgan, Moses, Williams

Absent: Bunde, Kott, McGuire, Murkowski

And so, the House adopted the Conference Committee report, thus adopting:

CONFERENCE CS FOR SENATE BILL NO. 345

"An Act relating to correspondence study programs; 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."

Representative James moved the effective date clause.

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

CCS SB 345

Effective Date

YEAS: 36 NAYS: 0 EXCUSED: 0 ABSENT: 4

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

Absent: Bunde, Kott, McGuire, Murkowski

And so, the effective date clause was adopted.

The Chief Clerk was instructed to so notify the Senate.

CCS SB 345 was referred to the Chief Clerk for engrossment and enrollment.

SB 363

The Conference Committee considering HCS CSSB 363(RLS) am H and CSSB 363(STA) am recommends the following be adopted:

CONFERENCE CS FOR SENATE BILL NO. 363

"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."

The report was signed by Representatives Rokeberg, Coghill, Moses; and Senators Therriault (Chair), Cowdery.

The following fiscal note(s) apply to CCS SB 363:

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

Representative James moved that the House adopt the Conference Committee report, thus adopting CCS SB 363 and recommended that the members vote yes.

The question being: "Shall the House adopt the Conference Committee report?" The roll was taken with the following result:

CCS SB 363

Adopt Conference Committee Report

YEAS: 27 NAYS: 9 EXCUSED: 0 ABSENT: 4

Yeas: Chenault, Coghill, Dyson, Fate, Foster, Green, Halcro, Harris, Hayes, Hudson, James, Kapsner, Kohring, Lancaster, Masek, Meyer, Morgan, Moses, Mulder, Ogan, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Joule, Kerttula, Kookesh

Absent: Bunde, Kott, McGuire, Murkowski

And so, the House adopted the Conference Committee report, thus adopting:

CONFERENCE CS FOR SENATE BILL NO. 363

"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."

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.

CCS SB 363 was referred to the Chief Clerk for engrossment and enrollment.

UNFINISHED BUSINESS

Representative James moved and asked unanimous consent that the Second Session of the Twenty-Second Alaska State Legislature be extended to midnight, May 16, 2002.

Representative Hayes objected.

The question being: "Shall the Second Session of the Twenty-Second Alaska State Legislature be extended to midnight, May 16, 2002?"
The roll was taken with the following result:

Extend 2nd Session of 22nd Alaska Legislature
To Midnight, May 16, 2002

YEAS: 27 NAYS: 13 EXCUSED: 0 ABSENT: 0

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

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

And so, the motion passed.

CONSIDERATION OF THE DAILY CALENDAR
(continued)

SENATE BILLS IN THIRD READING

SB 247

The following, which had been read a third time and moved to the bottom of the calendar (page 3736), was not taken up and will be on tomorrow's calendar:

HOUSE CS FOR CS FOR SENATE BILL NO. 247(FIN) am H
"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."

UNFINISHED BUSINESS

SB 230

The Speaker waived the Health, Education & Social Services Committee referral for the following at the request of Representative Dyson, Chair:

CS FOR SENATE BILL NO. 230(JUD)
"An Act relating to recommending or refusing psychotropic drugs or certain types of evaluations or treatments for children."

CSSB 230(JUD) was removed from the Health, Education & Social Services Committee and referred to the Judiciary Committee.

HB 4

Representative Meyer added his name as cosponsor to:

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

"An Act relating to motor vehicles and to operating a motor vehicle, aircraft, or watercraft; and providing for an effective date."

SB 219

Reconsideration of the following was not taken up on this legislative day. It was signed by the Speaker Pro Tempore and Chief Clerk and returned to the Senate:

CS FOR SENATE BILL NO. 219(FIN)

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

SB 279

Reconsideration of the following was not taken up on this legislative day. It was signed by the Speaker Pro Tempore and Chief Clerk and returned to the Senate:

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."

ENGROSSMENT**HCR 37**

HCR 37 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 4

HCS CSSB 4(CRA) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 268

SB 268 am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 370

CSSB 370(STA) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

ENROLLMENT**HB 375**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 9:40 a.m., May 14, 2002:

SENATE CS FOR HOUSE BILL NO. 375(JUD)

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

The following memorandum dated May 9, 2002, was received from Patty Rose, Enrolling Secretary, Division of Legal Services:

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest error in SCS CSHB 375(JUD), which has been corrected in enrolling:

Page 9, line 11:

Delete "AS 36.10.006 and AS 18.55.934(b)"

Insert "AS 18.55.934(b) and AS 36.10.006"

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

ADJOURNMENT

Representative James moved and asked unanimous consent that the House adjourn until 1:00 p.m., May 15, 2002. There being no objection, the House adjourned at 12:03 a.m., May 15, 2002.

Suzi Lowell
Chief Clerk