

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Wednesday

May 2, 2001

One Hundred Fifteenth Day

Pursuant to adjournment the Senate was called to order by President Halford at 1:49 p.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Pastor Sam Dalin of the River of Glory Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Dear Father, Son and Holy Spirit, Your Word says,
"Wisdom calls aloud outside, she raises her voice in
the open squares, she cries out in the chief
concourses, at the opening of the gates in the city."
Today as we lead in the business that is at hand here
in the state of Alaska, we call out for wisdom in the
decisions we make. We thank You for wisdom, in the
Name of God the Father, God the Son and God the
Holy Spirit. Amen.

Senator Elton led the Senate in the Pledge of Allegiance.

Certification

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

Senator Leman moved and asked unanimous consent that the Senate rescind its action in approving the journal for the one hundred thirteenth legislative day. Without objection, it was so ordered.

Message from the Senate Secretary dated May 1 was read, stating:

Upon a review of the journal for the one hundred thirteenth legislative day of the First Session of the Twenty-second Legislature, the following error was identified:

On page 1369, under Senate Bill No. 29, Amendment No. 12, following the objection to the motion for the adoption of Amendment No. 12, the next paragraph should read:

"Senator Hoffman moved and asked unanimous consent for the adoption of the following amendment to Amendment No. 12:"

As this journal has already been certified (May 1, 2001), I formally request that the Senate rescind its action in approving the journal for the one hundred thirteenth legislative day, direct that the correction be made, and approve the journal as corrected.

Senator Leman directed that the correction as noted by the Secretary be made and that the journal be approved as corrected. Without objection, it was so ordered.

Messages from the House

HB 72

Message dated May 1 was read, stating the House concurred in the Senate amendment to HOUSE BILL NO. 72 am "An Act relating to an assistant adjutant general for space and missile defense in the Department of Military and Veterans' Affairs" thus adopting:

SENATE CS FOR HOUSE BILL NO. 72(RLS) "An Act relating to an assistant adjutant general for space and missile defense in the Department of Military and Veterans' Affairs; and providing for an effective date."

SB 9

Message dated May 1 was read, stating the House passed and returned:

CS FOR SENATE BILL NO. 9(L&C) "An Act extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors; relating to the temporary member of that board; and providing for an effective date."

A House Letter of Intent (page 406, House Journal) was attached.

The bill was referred to the Secretary for enrollment.

SB 135

Message dated May 1 was read, stating the House passed and returned:

CS FOR SENATE BILL NO. 135(JUD) "An Act relating to mental health records, communications, and information; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

SB 178

Message dated May 2 was read, stating the House passed and returned:

SENATE BILL NO. 178 "An Act relating to the detention of delinquent minors and to temporary detention hearings; amending Rule 12, Alaska Delinquency Rules; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

SB 187

Message dated May 2 was read, stating the House passed and returned:

CS FOR SENATE BILL NO. 187(FIN) "An Act relating to absentee and special needs voting."

The bill was referred to the Secretary for enrollment.

SB 103

Message dated May 2 was read stating, the House has failed to recede from its amendments to CS FOR SENATE BILL NO. 103(FIN), namely:

HOUSE CS FOR CS FOR SENATE BILL NO.
103(2d RLS) am H "An Act relating to election
campaigns and legislative ethics."

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

Representative Kott, Chair
Representative Coghill
Representative Croft

Senate members appointed May 1 (page 1414):

Senator Therriault, Chair
Senator Ellis
Senator Cowdery

Messages dated May 1 and 2 were read, stating the House passed and transmitted for consideration:

**First Reading and Reference of
House Resolutions**

HCR 10

HOUSE CONCURRENT RESOLUTION NO. 10 BY THE HOUSE
HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e),
Uniform Rules of the Alaska State Legislature,
concerning Senate Bill No. 19, relating to certain
federal child support enforcement requirements, so
that the phrase "relating to child support payments"
may be added to the bill's title.

was read the first time and held on the Secretary's desk.

HJR 23

CS FOR HOUSE JOINT RESOLUTION NO. 23(STA) BY THE HOUSE STATE AFFAIRS COMMITTEE,

Advocating the retention of the electoral college system in its present form.

was read the first time and referred to the State Affairs Committee.

First Reading and Reference of House Bills**HB 40**

CS FOR HOUSE BILL NO. 40(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act providing for the revocation of driving privileges by a court for a driver convicted of a violation of traffic laws in connection with a fatal motor vehicle or commercial motor vehicle accident; amending Rules 43 and 43.1, Alaska Rules of Administration; and providing for an effective date."

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

HB 157

CS FOR HOUSE BILL NO. 157(JUD) am BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to trust companies and providers of fiduciary services; amending Rules 6 and 12, Alaska Rules of Civil Procedure, Rule 40, Alaska Rules of Criminal Procedure, Rules 204, 403, 502, 602, and 611, Alaska Rules of Appellate Procedure, and Rules 7.2 and 7.3, Alaska Rules of Professional Conduct; and providing for an effective date."

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

HB 184

CS FOR HOUSE BILL NO. 184(JUD) am BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to insurance; amending Rule 402, Alaska Rules of Evidence; and providing for an effective date."

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

HB 189

HOUSE BILL NO. 189 BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act repealing statutory provisions relating to term limits and term limit pledges."

was read the first time and referred to the State Affairs Committee.

HB 198

CS FOR HOUSE BILL NO. 198(RLS)(efd add) BY THE HOUSE RULES COMMITTEE, entitled:

"An Act relating to a post-retirement pension adjustment for certain persons receiving benefits under the Elected Public Officers Retirement System, and establishing and relating to a Compensation Commission for State Officials; and providing for an effective date."

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

HB 260

CS FOR HOUSE BILL NO. 260(FIN) am BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act requiring the owners or operators of certain commercial passenger vessels operating in the marine waters of the state to register with the Department of Environmental Conservation; establishing information-gathering, record keeping, and reporting requirements

relating to the vessels' graywater, sewage, hazardous substances, hazardous wastes, solid wastes, and other pollutants; establishing certain sampling, testing, reporting, and record-keeping requirements as terms and conditions of permitting discharges from the vessels; authorizing the Department of Environmental Conservation to provide for independent verification of compliance by the vessels, and to monitor and supervise discharges from the vessels; prohibiting the discharge of untreated sewage from the vessels; placing limits on discharges of treated sewage and graywater from the vessels; providing that there is no audit report privilege for complying with a requirement that the owner or operator of a commercial passenger vessel must report discharges of sewage or graywater that violate laws; establishing a fee, ranging from \$.70 - \$1.75 per berth, with a maximum of \$3,750 per voyage, on commercial passenger vessels that are not operated by the state for each voyage during which the vessels operate in the marine waters of the state based on the overnight accommodation capacity of the vessels determined with reference to the number of lower berths; providing for a fee for vessels operated by the state to be determined by an agreement between the commissioner of environmental conservation and the commissioner of transportation and public facilities; authorizing the Department of Environmental Conservation to research, monitor, and study discharges and releases from commercial passenger vessels, including the opacity of air emissions from the vessels; establishing penalties for failure to comply with certain laws relating to the vessels; authorizing the Department of Environmental Conservation to encourage and recognize superior environmental protection efforts related to commercial passenger vessels; authorizing the Department of Environmental Conservation to adopt regulations to implement laws relating to commercial passenger vessels and directing the department to use negotiated regulation procedures, when appropriate, to develop the regulations; establishing a commercial passenger vessel coastal protection fund; requiring a report from the Department of Environmental Conservation concerning matters relating to the vessels; and providing for an effective date."

was read the first time and held on the Secretary's Desk.

SB 19

Message dated May 2 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 19(HES) "An Act relating to federal child support enforcement requirements regarding social security number information, employer reports about employees, and certain kinds of automated data matching with financial institutions; repealing the termination date of changes made by ch. 87, SLA 1997, and ch. 132, SLA 1998, regarding child support enforcement and related programs; repealing the nonseverability provision of ch. 132, SLA 1998; repealing uncodified laws relating to ch. 87, SLA 1997, and ch. 132, SLA 1998; and providing for an effective date" with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL NO. 19(HES) "An Act relating to federal child support enforcement requirements regarding social security number information, employer reports about employees, and certain kinds of automated data matching with financial institutions; relating to child support payments; repealing the termination date of changes made by ch. 87, SLA 1997, and ch. 132, SLA 1998, regarding child support enforcement and related programs; repealing the nonseverability provision of ch. 132, SLA 1998; repealing uncodified laws relating to ch. 87, SLA 1997, and ch. 132, SLA 1998; and providing for an effective date."

(Title change authorized by HCR 10)

HB 127

Message dated May 2 was read, stating the House failed to concur in the Senate amendments to CS FOR HOUSE BILL NO. 127(RLS) and respectfully requests the Senate to recede from its amendments, namely:

SENATE CS FOR CS FOR HOUSE BILL NO. 127(TRA) am S "An Act relating to aviation and to emergency equipment to be carried on aircraft."

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

Representative Harris, Chair
Representative Bunde
Representative Kerttula

Senator Leman moved that the Senate recede from its amendments and recommended the body vote no.

The question being: "Shall the Senate recede from its amendments?"
The roll was taken with the following result:

SCS CSHB 127(TRA) am S
Shall the Senate recede from its
amendments to CSHB 127(RLS)?

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

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

and so, the Senate failed to recede.

The President appointed the following members to a Conference Committee to meet with the like committee from the House:

Senator Halford, Chair
Senator Olson
Senator Taylor

The Secretary was requested to notify the House.

Standing Committee Reports

Reports dated April 30 were read stating:

In accordance with AS 39.05.080 and without recommendations, the Senate Health, Education and Social Services Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

Board of Dental Examiners

Rena L. Anderson - Anchorage
Dr. James Blasingame - Anchorage
Dr. Patricia Bergdahl - Fairbanks
Dr. Michael P. Moriarty - Seward

Board of Dispensing Opticians

Ann M. Bezona - Kodiak
Larry E. Harper - Anchorage

Board of Education and Early Development

Diane Heard - Eagle River

Board of Marital and Family Therapy

Ann W. Swift - Fairbanks

State Medical Board

Dr. Martha Tillion Cotten - Eagle River
Constance E. Livsey - Anchorage
Sheila Means - Juneau
Dr. David Head - Nome

Alaska Mental Health Trust Authority Board of Trustees

John Pugh - Juneau

Board of Certified Direct-Entry Midwives

Sharon Evans - Chugiak

Board of Nursing

Mary S. (Sue) Nikodym - Wrangell

Board of Examiners in Optometry

Dr. William D. Faulkner - Anchorage

Board of Pharmacy

Mark D. Bohrer - Eagle River
Cindy Bueler - Anchorage

State Physical Therapy and Occupational Therapy Board

Jo Anne Bell-Graves - Juneau

Board of Professional Counselors

David F. Leonard - Fairbanks

Professional Teaching Practices Commission

Georgia (Sue) Cast - Bethel

Cynthia Curran - Juneau

Patricia A. Truman - Palmer

Board of Psychologists and Psychological Associate Examiners

Cathy W. Biggerstaff - Anchorage

University of Alaska Board of Regents

Kevin O. Meyers - Anchorage

Board of Social Work Examiners

Diane M. DiSanto - Anchorage

Signing the reports: Senator Green, Chair, Senators Leman, Ward, Wilken, Davis.

SB 191

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

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

Signing no recommendation: Senator Phillips, Chair, Senators Austerman, Davis, Torgerson.

The following fiscal information was published today:

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

The bill was referred to the Judiciary Committee.

SB 218

The Transportation Committee considered SENATE BILL NO. 218 "An Act relating to international airports revenue bonds and to the spending plan for the International Airports Construction Fund; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 218(TRA)

Signing do pass: Senator Cowdery, Chair, Senators Wilken, Taylor.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Revenue

The bill was referred to the Finance Committee.

HB 200

The State Affairs Committee considered CS FOR HOUSE BILL NO. 200(STA) "An Act establishing July 3 as Drunk Driving Victims Remembrance Day." Signing do pass: Senator Therriault, Chair, Senators Phillips, Pearce, Davis.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

SJR 28

The Labor and Commerce Committee considered SENATE JOINT RESOLUTION NO. 28 Urging dissemination of information about the costs of long-term care services and the availability of long-term care insurance for individuals, and recommended the adoption of the Health, Education and Social Services Committee Substitute offered on page 1328. Signing do pass: Senator Phillips, Chair, Senators Austerman, Davis, Torgerson.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Senate Health, Education and Social Services Committee

The resolution was referred to the Rules Committee.

HB 48

The Rules Committee considered CS FOR HOUSE BILL NO. 48(RES) "An Act eliminating a requirement that a social security number be provided by an applicant for certain hunting or sport fishing licenses, tags, and permits; eliminating a requirement that applications for certain licenses and tags be sworn to by the applicants before an officer authorized to administer oaths; and providing for an effective date." Signing to calendar and do pass: Senator Pearce, Chair, Senators Ellis, Cowdery, Phillips, Therriault.

The bill is on today's calendar.

HB 110

The Rules Committee considered CS FOR HOUSE BILL NO. 110(JUD) "An Act relating to driver's licenses and instructional permits; and providing for an effective date." Signing to calendar and do pass: Senator Pearce, Chair, Senators Ellis, Cowdery, Phillips, Therriault.

The bill is on today's calendar.

HB 194

The Rules Committee considered CS FOR HOUSE BILL NO. 194(FIN) "An Act relating to fees for commercial fishing licenses and permits; and providing for an effective date." Signing to calendar: Senator Pearce, Chair, Senator Cowdery. Signing no recommendation: Senators Therriault, Ellis, Phillips.

The bill is on today's calendar.

HJR 26

The Rules Committee considered HOUSE JOINT RESOLUTION NO. 26 Requesting the National Marine Fisheries Service to relocate the Alaska Fisheries Science Center Steller sea lion research team to Alaska. Signing to calendar: Senator Pearce, Chair, Senators Phillips, Cowdery, Therriault, Ellis.

The resolution is on today's calendar.

HJR 27

The Rules Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 27(MLV) Supporting the erection of monuments in Alaska, Russia, and Canada to commemorate the World War II lend-lease program between the United States and the Union of Soviet Socialist Republics. Signing to calendar: Senator Pearce, Chair, Senators Cowdery, Phillips, Therriault, Ellis.

The resolution is on today's calendar.

**Introduction and Reference of
Senate Resolutions****SCR 16**

SENATE CONCURRENT RESOLUTION NO. 16 BY THE SENATE JUDICIARY COMMITTEE,

SENATE CONCURRENT RESOLUTION NO. 16 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 106, relating to the authorizations for certain state financial institutions of certain powers and limitations, relating to confidential records of depositors and customers of certain financial institutions, relating to the examination of certain institutions subject to AS 06, relating to the Alaska Banking Code, Mutual Savings Bank Act, Alaska Small Loans Act, and Alaska Credit Union Act, and amending Rule 45, Alaska Rules of Civil Procedure, Rules 17 and 37, Alaska Rules of Criminal Procedure, and Rule 24, Alaska Bar Rules.

was read the first time and held on the Secretary's desk.

Introduction and Reference of Senate Bills**SB 219**

SENATE BILL NO. 219 BY SENATOR HALFORD, entitled:

"An Act establishing and relating to the Joint Federal and State Navigable Waters Commission for Alaska; and providing for an effective date."

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

SB 220

SENATE BILL NO. 220 BY SENATOR GREEN, entitled:

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

was read the first time and referred to the Labor and Commerce Committee.

SB 221

SENATE BILL NO. 221 BY SENATOR TAYLOR, entitled:

"An Act establishing the Alaska Liquefied Natural Gas Development Authority, a public corporation, and providing for its structure, management, responsibilities, and operation."

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

Consideration of the Calendar**Second Reading of House Bills****HB 48**

CS FOR HOUSE BILL NO. 48(RES) "An Act eliminating a requirement that a social security number be provided by an applicant

for certain hunting or sport fishing licenses, tags, and permits; eliminating a requirement that applications for certain licenses and tags be sworn to by the applicants before an officer authorized to administer oaths; and providing for an effective date" was read the second time.

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

CS FOR HOUSE BILL NO. 48(RES) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 48(RES) "An Act eliminating a requirement that a social security number be provided by an applicant for certain hunting or sport fishing licenses, tags, and permits; eliminating a requirement that applications for certain licenses and tags be sworn to by the applicants before an officer authorized to administer oaths; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 48(RES)

Third Reading - Final Passage

Effective Date

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

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

Absent: Cowdery

and so, CS FOR HOUSE BILL NO. 48(RES) passed the Senate.

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

HB 110

CS FOR HOUSE BILL NO. 110(JUD)"An Act relating to driver's licenses and instructional permits; and providing for an effective date" was read the second time.

Senators Therriault, Halford, Taylor, Ward, Green, Leman, Wilken, Cowdery, Ellis, Phillips moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

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

CS FOR HOUSE BILL NO. 110(JUD) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 110(JUD)"An Act relating to driver's licenses and instructional permits; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 110(JUD)
Third Reading - Final Passage
Effective Date

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

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

and so, CS FOR HOUSE BILL NO. 110(JUD) passed the Senate.

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

HB 194

CS FOR HOUSE BILL NO. 194(FIN) "An Act relating to fees for commercial fishing licenses and permits; and providing for an effective date" was read the second time.

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

CS FOR HOUSE BILL NO. 194 (FIN) was read the third time.

Senators Leman, Lincoln, Hoffman moved and asked unanimous consent to be allowed to abstain from voting due to a conflict of interest. Objections were heard and Senators Leman, Lincoln, Hoffman were required to vote.

The question being: "Shall CS FOR HOUSE BILL NO. 194(FIN) "An Act relating to fees for commercial fishing licenses and permits; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 194(FIN)

Third Reading - Final Passage

Effective Dates

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

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

Absent: Torgerson

and so, CS FOR HOUSE BILL NO. 194(FIN) passed the Senate.

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

Third Reading of Senate Bills**SB 83**

CS FOR SENATE BILL NO. 83(FIN) am was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 83(FIN) am "An Act relating to construction of highways by the Department of Transportation and Public Facilities and to contracts for the construction of highways" pass the Senate?" The roll was taken with the following result:

CSSB 83(FIN) am
Third Reading - Final Passage

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

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

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

Absent: Torgerson

Donley changed from "Nay" to "Yea".

and so, CS FOR SENATE BILL NO. 83(FIN) am passed the Senate.

Senator Ellis gave notice of reconsideration.

Third Reading of House Bills**HB 149**

SENATE CS FOR CS FOR HOUSE BILL NO. 149(FIN) am S "An Act expressing legislative intent regarding correctional facility space; relating to correctional facility space; authorizing the Department of Corrections to enter into an agreement to lease facilities for the confinement and care of prisoners within the Kenai Peninsula Borough; and providing for an effective date" was read the third time.

Senator Olson moved that the bill be returned to second reading for the purpose of a specific amendment, that being Amendment No. 3. Without objection, the bill was returned to second reading.

Senators Olson, Lincoln, Hoffman, Ward offered Amendment No. 3:

Page 3, line 12, following "state":

Insert ";

(4) the commissioner may not enter into the lease unless the contract between the Kenai Peninsula Borough and the operator requires the operator to provide culturally relevant counseling services to incarcerated Alaska Natives"

Senator Olson moved for the adoption of Amendment No. 3. Senator Phillips objected.

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

SCS CSHB 149(FIN)am S

Second Reading

Amendment No. 3

YEAS: 17 NAYS: 2 EXCUSED: 0 ABSENT: 1

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

Nays: Kelly, Phillips

Absent: Torgerson

and so, Amendment No. 3 was adopted.

SENATE CS FOR CS FOR HOUSE BILL NO. 149(FIN) am S was automatically in third reading.

Senator Ward moved and asked unanimous consent to be allowed to abstain from voting due to a conflict of interest. Objections were heard and Senator Ward was required to vote.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 149(FIN) am S "An Act expressing legislative intent regarding correctional facility space; relating to correctional facility space; authorizing the Department of Corrections to enter into an agreement to lease facilities for the confinement and care of prisoners within the Kenai Peninsula Borough; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 149(FIN) am S
Third Reading - Final Passage

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

Yeas: Austerman, Cowdery, Donley, Green, Halford, Kelly, Leman, Lincoln, Pearce, Taylor, Ward, Wilken

Nays: Davis, Ellis, Elton, Hoffman, Olson, Phillips, Therriault, Torgerson

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 149 (FIN) am S passed the Senate.

Senator Leman moved for the adoption of the effective date clause.

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

SCS CSHB 149(FIN) am S
Effective Date Clause

YEAS: 18 NAYS: 2 EXCUSED: 0 ABSENT: 0

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

Nays: Phillips, Torgerson

and so, the effective date clause was adopted.

Senator Ward moved and asked unanimous consent to be shown as a cross sponsor on the bill. Without objection, it was so ordered.

Senator Phillips gave notice of reconsideration.

Second Reading of House Resolutions**HJR 26**

HOUSE JOINT RESOLUTION NO. 26 Requesting the National Marine Fisheries Service to relocate the Alaska Fisheries Science Center Steller sea lion research team to Alaska, was read the second time.

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

HOUSE JOINT RESOLUTION NO. 26 was read the third time.

The question being: "Shall HOUSE JOINT RESOLUTION NO. 26 Requesting the National Marine Fisheries Service to relocate the Alaska Fisheries Science Center Steller sea lion research team to Alaska, pass the Senate?" The roll was taken with the following result:

HJR 26

Third Reading - Final Passage

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

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

and so, HOUSE JOINT RESOLUTION NO. 26 passed the Senate, was signed by the President and Secretary and returned to the House.

HJR 27

CS FOR HOUSE JOINT RESOLUTION NO. 27(MLV) Supporting the erection of monuments in Alaska, Russia, and Canada to commemorate the World War II lend-lease program between the United States and the Union of Soviet Socialist Republics, was read the second time.

Senator Therriault, Chair, moved and asked unanimous consent for the adoption of the State Affairs Senate Committee Substitute offered on page 1398. Without objection, SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 27(STA) was adopted and was read the second time.

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

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 27 (STA) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 27(STA) Supporting the erection of monuments in Alaska, Russia, and Canada to commemorate the World War II lend-lease program between the United States and the Union of Soviet Socialist Republics, pass the Senate?" The roll was taken with the following result:

SCS CSHJR 27(STA)
Third Reading - Final Passage

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

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

and so, SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 27(STA) passed the Senate and was referred to the Secretary for engrossment.

Third Reading of Senate Resolutions

SJR 24

CS FOR SENATE JOINT RESOLUTION NO. 24(RLS) Proposing amendments to the Constitution of the State of Alaska relating to the budget reserve fund, was read the third time.

Senator Leman moved and asked unanimous consent that CS FOR SENATE JOINT RESOLUTION NO. 24(RLS) be held in third reading to the May 3 calendar. Without objection, it was so ordered.

Citations

Commemorating – Juneteenth 2001

Senator(s) Davis, Phillips, Halford, Wilken, Ellis, Pearce, Kelly, Taylor, Leman, Austerman, Lincoln, Elton, Ward, Hoffman

Honoring – Carl Rose, Executive Director, Association of Alaska School Boards

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

Honoring – Midnight Sun Learning Center

Representative(s) Kohring

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

Honoring – Sarah Maas, Special Olympian

Representative(s) McGuire

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

Honoring – Principal Dave Combs, Upon His Retirement

Representative(s) Mulder

Senator(s) Phillips, Halford, Wilken, Ellis, Pearce, Donley, Green, Kelly, Taylor, Leman, Austerman, Lincoln, Davis, Elton, Hoffman

Honoring – Mike Dingman

Representative(s) Meyer

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

In Memoriam – Jay Dee Williams

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

In Memoriam – Jeff Childs
Representative(s) Mulder
Senator(s) Phillips, Halford, Wilken, Pearce, Donley, Green, Kelly,
Taylor, Leman, Austerman, Lincoln, Davis, Elton, Hoffman

In Memoriam – George Ahgupuk
Representative(s) Croft, Joule
Senator(s) Olson, Halford, Wilken, Pearce, Donley, Green, Kelly,
Taylor, Leman, Austerman, Lincoln, Davis, Elton, Hoffman

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

Unfinished Business

HCR 10

HOUSE CONCURRENT RESOLUTION NO. 10 was read the second time and was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 10 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 19, relating to certain federal child support enforcement requirements, so that the phrase "relating to child support payments" may be added to the bill's title, pass the Senate?" The roll was taken with the following result:

HCR 10

Second Reading - Final Passage

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

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

Absent: Olson, Therriault, Torgerson

and so, HOUSE CONCURRENT RESOLUTION NO. 10 passed the Senate, was signed by the President and Secretary and returned to the House.

SB 19

Message dated May 2, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 19(HES) with the following amendment:

HOUSE CS FOR CS FOR SENATE
BILL NO.19(HES) CHILD SUPPORT
ENFORCEMENT/SOC SEC. #

which had been read (page 1428), was before the Senate.

Senator Leman moved that the Senate concur in the House amendment.

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

HCS CSSB 19(HES)
Shall the Senate concur in the House
Amendment to CSSB 19(HES)?
Effective Dates

YEAS: 17 NAYS: 1 EXCUSED: 0 ABSENT: 2

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

Nays: Phillips

Absent: Therriault, Torgerson

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 19(HES) "An Act relating to federal child support enforcement requirements regarding social security number information, employer reports about employees, and certain kinds of automated data matching with financial institutions; relating to child support payments; repealing the termination date of changes made by ch. 87, SLA 1997, and ch. 132, SLA 1998, regarding child support enforcement and related programs; repealing the nonseverability provision of ch. 132, SLA 1998; repealing uncodified laws relating to ch. 87, SLA 1997, and ch. 132, SLA 1998; and providing for an effective date."

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

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

Reconsideration of Senate Bills

SB 176

Senator Taylor requested that the reconsideration on CS FOR SENATE BILL NO. 176(L&C)(title am) "An Act prohibiting certain coercive activity by distributors; relating to certain required distributor payments and purchases; prohibiting distributors from requiring certain contract terms as a condition for certain acts related to distributorship and ancillary agreements; allowing dealers to bring certain court actions against distributors for certain relief; and exempting from the provisions of the Act franchises regulated by the federal Petroleum Marketing Practices Act, situations regulated by the Alaska gasoline products leasing act, and distributorship agreements relating to motor vehicles required to be registered under AS 28.10" be taken up. The bill was before the Senate on reconsideration.

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

Senator Taylor offered Amendment No. 2:

Page 4, line 1, following "distributor;":

Delete "or"

Insert a new paragraph to read:

(4) a requirement that prohibits a firearms dealer from selling firearms or related accessories whose sale is otherwise legal, but which the firearms distributor does not manufacture or distribute; or"

Renumber following sections accordingly.

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

CS FOR SENATE BILL 176(L&C) am was automatically in third reading on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL 176(L&C) am "An Act prohibiting certain coercive activity by distributors; relating to certain required distributor payments and purchases; prohibiting distributors from requiring certain contract terms as a condition for certain acts related to distributorship and ancillary agreements; allowing dealers to bring certain court actions against distributors for certain relief; and exempting from the provisions of the Act franchises regulated by the federal Petroleum Marketing Practices Act, situations regulated by the Alaska gasoline products leasing act, and distributorship agreements relating to motor vehicles required to be registered under AS 28.10" pass the Senate?" The roll was taken with the following result:

CSSB 176(L&C) am
Third Reading - On Reconsideration

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

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

Nays: Wilken

Absent: Torgerson

and so, CS FOR SENATE BILL NO. 176(L&C) am passed the Senate on reconsideration and was referred to the Secretary for engrossment.

HB 177

Senator Kelly, Cochair, moved and asked unanimous consent that the Finance Committee referral be waived on CS FOR HOUSE BILL NO. 177(STA) "An Act placing certain special interest organizations within the definition of 'group' for purposes of Alaska's campaign finance statutes; and requiring disclosure of the true source of campaign contributions." Without objection, the bill was referred to the Rules Committee.

SB 29

The reconsideration on CS FOR SENATE BILL NO. 29(FIN) am(brf sup maj fld S) "An Act making and amending appropriations and reappropriations; and providing for an effective date" was not taken up this legislative day and the bill was referred to the Secretary for engrossment.

Announcements**HB 106**

Senator Taylor, Chair, moved and asked unanimous consent that Uniform Rule 23 be waived on CS FOR HOUSE BILL NO. 106(L&C) am "An Act relating to the authorizations for certain state financial institutions of certain powers and limitations; relating to confidential records of depositors and customers of certain financial institutions; relating to the examination of certain institutions subject to AS 06; relating to the Alaska Banking Code, Mutual Savings Bank Act, Alaska Small Loans Act, and Alaska Credit Union Act; amending Rule 45, Alaska Rules of Civil Procedure, Rules 17 and 37, Alaska Rules of Criminal Procedure, and Rule 24, Alaska Bar Rules; and providing for an effective date" for the Judiciary Committee meeting on May 2. Without objection, it was so ordered.

SB 210

Senator Taylor, Chair, moved and asked unanimous consent that Uniform Rule 23 be waived on SENATE BILL NO. 210 "An Act relating to the constitutional right to privacy" for the Judiciary Committee meeting on May 2. Without objection, it was so ordered.

Announcements are at the end of the journal.

Engrossment

SB 176

CS FOR SENATE BILL NO. 176(L&C) am "An Act prohibiting certain coercive activity by distributors; relating to certain required distributor payments and purchases; prohibiting distributors from requiring certain contract terms as a condition for certain acts related to distributorship and ancillary agreements; allowing dealers to bring certain court actions against distributors for certain relief; and exempting from the provisions of the Act franchises regulated by the federal Petroleum Marketing Practices Act, situations regulated by the Alaska gasoline products leasing act, and distributorship agreements relating to motor vehicles required to be registered under AS 28.10" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

HJR 27

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 27(STA) Supporting the erection of monuments in Alaska, Russia, and Canada to commemorate the World War II lend-lease program between the United States and the Union of Soviet Socialist Republics, was engrossed, signed by the President and Secretary and returned to the House for consideration.

Enrollment

SB 82

CS FOR SENATE BILL NO. 82(STA) "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date" was enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 11:20 a.m., May 2, 2001.

SB 93

CS FOR SENATE BILL NO. 93(FIN) am H "An Act relating to the Arctic Winter Games Team Alaska trust; and providing for an effective date" was enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 11:20 a.m., May 2, 2001.

SB 121

CS FOR SENATE BILL NO. 121(RES) am H "An Act adding, for purposes of the Alaska Right-of-Way Leasing Act, a definition of 'substantial change' as applied to an amended right-of-way lease application; and providing for an effective date" was enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 11:20 a.m., May 2, 2001.

Adjournment

Senator Leman moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., May 3, 2001. Without objection, the Senate adjourned at 3:38 p.m.

Heidi Vogel
Secretary of the Senate

May 2001

Announcements

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

STANDING COMMITTEES

+ indicates teleconference
= indicates bill previously heard/scheduled

FINANCE

May 02 Wednesday Senate Finance 532 9:00 AM
+ SB 139 STATE WATER USE
+ HB 76 NEW FACILITIES FOR API
+ HB 242 TRS & PERS REEMPLOY & MED BENEFITS; COLA
+ HB 204 STUDENT LOANS/COMN. ON POSTSECONDARY ED.
+ Bills Previously Heard/Scheduled

May 02 Wednesday Senate Finance 532 6:00 PM
-- Meeting Canceled --
+ Bills Previously Heard/Scheduled

May 03 Thursday Senate Finance 532 9:00 AM
+ SB 169 HATE CRIMES: AUTOMATIC WAIVER OF MINORS
+= SB 186 LIMIT MUNICIPAL G.O.BOND DEBT
+= SJR 23 CONST AM: APPROPRIATION LIMIT
+ HB 177 CAMPAIGN FINANCE: GROUPS & DISCLOSURE
<Above Item Waived from Committee>
+ HB 32 SEX CRIME AND PORNOGRAPHY FORFEITURES
+ Bills Previously Heard/Scheduled

May 03 Thursday Senate Finance 532 6:00 PM
+ Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

May 03 Thursday Butrovich 205 3:00 PM

-- Time Change --

HB 234 TOBACCO SETTLEM'T:BONDS & SMOKING PROGRAM

HB 164 GRANDPARENTS' RIGHTS REGARDING CINA

Bills Previously Heard/Scheduled

JUDICIARY

May 02 Wednesday Beltz 211 5:00 PM

-- Time Change --

+ HB 187 VANDALISM OF CEMETERIES & GRAVES

+ HB 102 THEFT OF PROPELLED VEHICLES

+ HB 214 CIVIL ACTION AGAINST MINORS IN BARS

+ HB 210 STATUTE OF LIMITATIONS:SEXUAL ASSAULT

+ HB 106 FINANCIAL INSTITUTIONS

Uniform Rule 23 Waived

+ SB 210 LIMITS ON RIGHT TO PRIVACY

Uniform Rule 23 Waived

+ Bills Previously Heard/Scheduled

May 04 Friday Beltz 211 1:30 PM

+ HB 49 EXTEND TERMINATION DATE FOR BD OF PAROLE

+ HB 121 CHARITABLE GIFT ANNUITIES

+ HB 179 UNDERAGE DRINKING & DRUG OFFENSES

SB 210 LIMITS ON RIGHT TO PRIVACY

<Above Item Removed from Agenda>

+ HB 184 INSURANCE CODE AMENDMENTS

+ HCR 17 SALE OF NATURAL GAS TO POWER DATA CENTERS

+ Bills Previously Heard/Scheduled

LABOR & COMMERCE

May 02 Wednesday Fahrenkamp 203 3:45 PM

-- Time and Location Change --

+ SB 208 FARMED SALMON DISCLOSURES

+ HB 181 COMMUNITY PROPERTY

+ Bills Previously Heard/Scheduled

RESOURCES

May 02 Wednesday Butrovich 205 3:30 PM

+ Governor's Confirmations:
Board of Fisheries- Russell Nelson,
Dr. John White
Commissioner DNR- Pat Pourchot

May 03 Thursday Butrovich 205 3:30 PM

+ = HB 236 AIDEA BONDS FOR GAS PUBLIC UTILITIES
+ = HB 244 RIGHT-OF-WAY TO DENALI BOR. FOR RR/UTIL.
+ HB 108 DEPT NATURAL RESOURCES RECORDING FEES
+ Bills Previously Heard/Scheduled

RULES

May 02 Wednesday Fahrenkamp 203 10:45 AM

HB 48 NO SOC SEC. # REQ'D ON HUNT/FISH LICENSE
HB 110 SOCIAL SECURITY # & DRIVER'S LICENSES
HB 194 ENTRY PERMIT FEES
HJR 26 STELLER SEA LION RESEARCH TEAM TO ALASKA
HJR 27 WWII ALASKA-USSR LEND-LEASE MONUMENTS
SB 174 EDUCATION FUNDING

May 03 Thursday Fahrenkamp 203

-- Upon Recess --
= SB 174 EDUCATION FUNDING
SCR 14 JOINT COMMITTEE ON NATURAL GAS PIPELINES
SJR 23 CONST AM: APPROPRIATION LIMIT
<Pending Referral>
HB 177 CAMPAIGN FINANCE: GROUPS & DISCLOSURE
HB 200 DRUNK DRIVING VICTIMS REMEMBRANCE DAY

STATE AFFAIRS

May 02 Wednesday Fahrenkamp 203 5:00 PM

-- Time and Location Change --

Confirmation Hearings:

Commissioner Administration- Jim Duncan

Commissioner Public Safety- Glenn Godfrey

Human Rights- Judge Roy Harding Madsen, Martha Gore

Alaska Public Offices Commission- John Dapevich,

Mark T. Handley

Army National Guard Brigadier General-Colonel Craig Noel

Christensen

May 03 Thursday Beltz 211 3:30 PM

HB 96 ACQUIRING JESSE LEE HOME

HB 189 REPEAL TERM LIMITS/TERM LIMITS PLEDGES

HB 228 SALE OF TOBACCO PRODUCTS

HJR 23 MAINTAIN ELECTORAL COLLEGE SYSTEM

TRANSPORTATION

May 02 Wednesday Beltz 211 3:45 PM

-- Time and Location Change --

HB 191 FINANCING FOR TRANSPORTATION PROJECTS

JOINT COMMITTEES

CONFERENCE COMMITTEES ON HB 103 & HB 104

May 02 Wednesday Senate Finance 532 3:00 PM

-- Meeting Postponed to 5/3/01 --

= HB 103 APPROP: OPERATING BUDGET

= HB 104 APPROP: MENTAL HEALTH BUDGET

Depts to be Announced

May 03 Thursday Senate Finance 532 3:00 PM

-- Rescheduled from 5/2/01 --

= HB 103 APPROP: OPERATING BUDGET

= HB 104 APPROP: MENTAL HEALTH BUDGET

Depts to be Announced

OTHER MEETINGS

FISCAL POLICY CAUCUS

May 02	Wednesday Alaskans United	House Finance 519	8:00 AM
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