

# SENATE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Tuesday

May 8, 2001

#### One Hundred Twenty-first Day

Pursuant to adjournment the Senate was called to order by President Halford at 11:35 a.m.

The roll showed fourteen members present. Senators Davis, Ellis, Elton, Hoffman, Lincoln, Olson were absent.

The prayer was offered by the Chaplain, Senator Leman. Senator Ward moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

#### A Psalm of David

"Ascribe to the Lord, O mighty ones, ascribe to the Lord glory and strength. Ascribe to the Lord the glory due His name; worship the Lord in the splendor of His holiness." (Psalm 29:1-2)

Dear God, I acknowledge You as Creator and Lord. When we get busy with our plans, it's easy to overlook the fact that You are in control - and You have special plans for us. Thank You for each member of this Senate, for our supporting staff and our families. I ask You to bless them richly and to protect us as we travel home.

For the children of Mountain View Elementary School who were injured yesterday, I ask for Your healing touch, in Jesus' name, Amen.

Senator Pearce led the Senate in the Pledge of Allegiance.

**Certification**

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

**Messages from the Governor****SB 93**

Message dated and received May 7 was read, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR SENATE BILL NO. 93(FIN) am H "An Act relating to the Arctic Winter Games Team Alaska trust; and providing for an effective date."

Chapter 21, SLA 2001  
Effective Date: 07/01/01

The presence of Senators Olson, Ellis, Davis, Elton, Lincoln, Hoffman was noted.

**Messages from the House****HB 65**

Message dated May 7 was read, stating the House failed to concur in the Senate amendments to CS FOR HOUSE BILL NO. 65(HES) and respectfully requests the Senate to recede from its amendments, namely:

SENATE CS FOR CS FOR HOUSE BILL NO. 65(HES) am S "An Act relating to a new optional group of persons eligible for medical assistance who require treatment for breast or cervical cancer; and providing for an effective date."

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 Dyson, Chair  
Representative Murkowski  
Representative Hayes

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 65(HES) am S  
Shall the Senate Recede from its  
amendments to CSHB 65(HES)?

**YEAS: 7 NAYS: 12 EXCUSED: 0 ABSENT: 1**

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

Nays: Austerman, Cowdery, Donley, Green, Halford, Leman,  
Phillips, Taylor, Therriault, Torgerson, Ward, Wilken

Absent: Kelly

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 Green  
Senator Taylor  
Senator Olson

The Secretary was requested to notify the House.

**SB 137**

Message dated May 8 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 137 (FIN) with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL NO. 137(FIN) "An Act relating to the allocation of money appropriated to the Alaska Human Resource Investment Council; and providing for an effective date."

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 137(FIN)  
Shall the Senate Concur in the House  
Amendment to CSSB 137(FIN)?

**YEAS: 11 NAYS: 9 EXCUSED: 0 ABSENT: 0**

Yeas: Austerman, Davis, Ellis, Elton, Hoffman, Lincoln, Olson, Pearce, Phillips, Taylor, Torgerson

Nays: Cowdery, Donley, Green, Halford, Kelly, Leman, Therriault, Ward, Wilken

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 137(FIN).

Senator Leman moved the effective date clause.

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

HCS CSSB 137(FIN)  
Effective Date Clause

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

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

Absent: Kelly

and so, the effective date clause was adopted.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

**SB 145**

Message dated May 8 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 145(FIN) with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL NO. 145(FIN) "An Act relating to regional and village public safety officers; relating to the expansion of the village public safety officer program to include the provision of probation and parole supervision services; and relating to retirement benefits for village public safety officers; and providing for an effective date." (Technical Title Change)

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 145(FIN)

Shall the Senate Concur in the House

Amendment to CSSB 145(FIN)? (effective date)

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

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

Nays: Phillips

Absent: Kelly, Pearce

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 145(FIN).

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.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

**SB 152**

Message dated May 8 was read, stating the House passed and returned for consideration SENATE BILL NO. 152 with the following amendments:

HOUSE CS FOR SENATE BILL NO. 152(FIN) am  
H "An Act relating to the handling of and interest on  
contract controversies involving the Department of  
Transportation and Public Facilities or state agencies  
to whom the Department of Transportation and  
Public Facilities delegates the responsibility for  
handling the controversies."

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

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

HCS SB 152(FIN) am H  
Shall the Senate Concur in the House  
Amendments to SB 152?

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

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

Absent: Kelly, Pearce

and so, the Senate concurred in the House amendments, thus adopting HOUSE CS FOR SENATE BILL NO. 152(FIN) am H "An Act relating to the handling of and interest on contract controversies involving the Department of Transportation and Public Facilities or state agencies to whom the Department of Transportation and Public Facilities delegates the responsibility for handling the controversies."

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

### **Introduction and Reference of Senate Bills**

#### **SB 227**

SENATE BILL NO. 227 BY SENATOR PEARCE, entitled:

"An Act relating to the airports in Anchorage, Fairbanks, and Cold Bay, and establishing the Alaska Airport Authority; and providing for an effective date."

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

#### **SB 228**

SENATE BILL NO. 228 BY SENATOR TAYLOR, entitled:

"An Act relating to the Alaska Insurance Guaranty Association and to liquidation of an insurer; and amending Rule 24, Alaska Rules of Civil Procedure."

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

**SB 229**

SENATE BILL NO. 229 BY SENATOR TAYLOR, entitled:

"An Act relating to self-audits by insurers; amending Rule 402, Alaska Rules of Evidence; and providing for an effective date."

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

**House Bills in Third Reading****HB 150**

Senator Leman moved and asked unanimous consent that HOUSE BILL NO. 150 "An Act relating to insurance premiums for rental motor vehicles" which had been held on the Secretary's Desk (page 1335) be taken up. Without objection, the bill was before the Senate in third reading.

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

The question being: "Shall HOUSE BILL NO. 150 "An Act relating to insurance premiums for rental motor vehicles" pass the Senate?" The roll was taken with the following result:

HB 150

Third Reading - Final Passage

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

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

Nays: Donley, Green, Wilken

and so, HOUSE BILL NO. 150 passed the Senate, was signed by the President and Secretary and returned to the House.



**Recess**

Senator Leman moved and asked unanimous consent that the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 12:04 p.m.

**After Recess**

The Senate reconvened at 2:48 p.m.

Senator Leman moved and asked unanimous consent that the Senate return to Messages from the House. Without objection, the Senate returned to:

**Messages from the House****HB 142**

Message dated May 7 was received, stating the House concurred in the Senate amendment to CS FOR HOUSE BILL NO. 142 (HES), thus adopting:

CS FOR HOUSE BILL NO. 142(HES) am S "An Act relating to the Alaska temporary assistance program; and providing for an effective date."

**SB 99**

Message dated May 7 was read, stating the House passed and returned:

SENATE BILL NO. 99 "An Act relating to the DNA identification registration system."

The bill was referred to the Secretary for enrollment.

**SB 143**

Message dated May 7 was read, stating the House passed and returned:

SENATE BILL NO. 143 "An Act authorizing the Department of Natural Resources to enter into agreements with a person or persons desiring to own an oil or natural gas pipeline proposed to be located on state land for the purposes of providing for payment of the reasonable costs incurred in preparing for activities before receipt of an application under the Alaska Right-of-Way Leasing Act and for activities relating to the processing of an application under that Act; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

**SB 72**

Message dated May 8 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 72(FIN) with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL NO.  
72(RES) "An Act relating to 'take-a-child-hunting'  
seasons for big game."

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 72(RES)

Shall the Senate Concur in the House  
Amendment to CSSB 72(FIN)?

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

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

Nays: Lincoln

Absent: Hoffman, Ward

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 72(RES) "An Act relating to 'take-a-child-hunting' seasons for big game."

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

Message dated May 8 was read, stating the House passed and transmitted for consideration:

**HCR 18**

HOUSE CONCURRENT RESOLUTION NO. 18 BY THE HOUSE JUDICIARY COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 105, relating to crime victims.

was read the first time.

Senator Halford stated if there was no objection, HOUSE CONCURRENT RESOLUTION NO. 18 would be adopted. By unanimous consent, HOUSE CONCURRENT RESOLUTION NO. 18 passed the Senate, was signed by the President and Secretary and was returned to the House.

**SB 105**

Message dated May 8 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 105(FIN) "An Act relating to victims' rights; relating to establishing an office of victims' rights; relating to the authority of litigants and the court to comment on the crime victim's choice to appear or testify in a criminal case; relating to compensation of victims of violent crimes; relating to eligibility for a permanent fund dividend for persons convicted of and incarcerated for certain offenses; relating to notice of appropriations concerning victims' rights; amending Rules 16 and 30, Alaska Rules of Criminal Procedure, Rule 9, Alaska Delinquency Rules, and Rule 501, Alaska Rules of Evidence; and providing for an effective date" with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL NO. 105(FIN) "An Act relating to victims' rights; relating to establishing an office of victims' rights; relating to the crime victim's choice to appear or testify in a criminal case; relating to compensation of victims of violent crimes; relating to eligibility for a permanent fund dividend for persons convicted of and incarcerated for certain offenses; relating to notice of appropriations concerning victims' rights; relating to restitution for criminal and delinquency acts; authorizing the state to collect restitution on behalf of victims of crime and delinquent acts and the release of certain information related to that collection; relating to the forfeiture of certain cash and other security for payment of other restitution; relating to access by the Violent Crimes Compensation Board to certain records regarding delinquency acts to award compensation to victims; relating to immunity for damages related to certain collections of restitution; amending Rule 82, Alaska Rules of Civil Procedure, Rule 16, Alaska Rules of Criminal Procedure, Rule 9, Alaska Delinquency Rules, and Rules 402 and 501, Alaska Rules of Evidence; and providing for an effective date." (Title change authorized by HCR 18)

Senator Lemman 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 105(FIN)

Shall the Senate Concur in the House amendment  
to CSSB 105(FIN)? (Effective Dates)(Court Rules)

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

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

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 105(FIN) VICTIMS' RIGHTS/PRISONER'S PFD. (Title change authorized by HCR 18)

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.

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

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

**HB 127**

Message dated May 8 was read, stating:

The House has rescinded its action in adopting CONFERENCE CS FOR HOUSE BILL NO. 127 "An Act relating to aviation and to emergency equipment to be carried on aircraft."

Senator Leman moved that the Senate rescind its action in adopting the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 127 (page 1543).

The question being: "Shall the Senate rescind its action?" The roll was taken with the following result:

CCS HB 127

Shall the Senate Rescind its action in  
adopting the Conference Committee Report?

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

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

Nays: Taylor

and so, the Senate rescinded its action in adopting the Conference Committee Report, and the bill was returned to the Conference Committee.

The Secretary was requested to notify the House.

**SB 149**

Message dated May 8 was read, stating the House passed and returned for consideration CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 149(HES) with the following amendment:

HOUSE CS FOR CS FOR SPONSOR  
SUBSTITUTE FOR SENATE BILL NO. 149(FIN)  
"An Act relating to reemployment of retired teachers,  
to eligibility for major medical insurance coverage  
for beneficiaries of the teachers' retirement system,  
and to teacher certificates; and providing for an  
effective date."

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 CSSSSB 149(FIN)

Shall the Senate Concur in the House

Amendment to CSSSSB 149(HES)? (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, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 149(FIN) "An Act relating to reemployment of retired teachers, to eligibility for major medical insurance coverage for beneficiaries of the teachers' retirement system, and to teacher certificates; 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 clause. Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

**SB 158**

Message dated May 8 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 158(RES) am with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL NO.  
158(FIN) "An Act directing the commissioner of  
revenue to prepare a report to the legislature relating  
to the state's participation in owning or financing a  
gas pipeline project; and providing for an effective  
date."

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 158(FIN)

Shall the Senate Concur in the House

Amendment to CSSB 158(RES) am? (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, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 158(FIN) "An Act directing the commissioner of revenue to prepare a report to the legislature relating to the state's participation in owning or financing a gas pipeline project; 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 clause. Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

**SB 172**

Message dated May 8 was read, stating the House passed and returned CS FOR SENATE BILL NO. 172(FIN) "An Act relating to an annual report by the court system to the public and the legislature" for consideration with the following amendment:

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

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 172(JUD)

Shall the Senate Concur in the House  
Amendment to CSSB 172(FIN)?

**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, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 172(JUD).

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.



**Standing Committee Reports****HB 198**

The Rules Committee considered CS FOR HOUSE BILL NO. 198(RLS)(efd add) "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." Signing no recommendation: Senator Pearce, Chair, Senators Ellis, Therriault. Signing do not pass: Senators Phillips, Cowdery.

The bill is on today's calendar.

**Special Committee Reports****HB 65**

Memo dated May 8 was read, stating:

The conference committee on HOUSE BILL NO. 65 has met and requests limited powers of free conference so that an amendment may be adopted.

Contingent upon the granting of limited powers of free conference, we agree to the following amendment:

Page 1, line 9, following "assistance":

Insert "whenever they are eligible for coverage under 42 USC 1396a(a)(10)(A)(ii)(XVIII) if they apply for the assistance before the date that is two years after the effective date of this Act,"

Page 2, line 30:

Delete all material.

Signing the memo: Representative Dyson, Chair, Representatives Murkowski, Hayes; Senators Green, Taylor.

President Halford granted limited powers of free conference as requested.

The following report was received and distributed at 1:40 p.m.,  
May 8, 2001:

May 8, 2001

Mr. President:

Mr. Speaker:

The CONFERENCE COMMITTEE with limited powers of free conference considered CS FOR HOUSE BILL NO. 65(HES) and SENATE CS FOR CS FOR HOUSE BILL NO. 65(HES) am S and recommends

CONFERENCE CS FOR HOUSE BILL NO. 65 "An Act relating to a new optional group of persons eligible for medical assistance who require treatment for breast or cervical cancer; and providing for an effective date."

be adopted.

Signing the report: Representative Dyson, Chair, Representatives Murkowski, Hayes; Senators Green, Senator Taylor.

The following previously published fiscal information applies:

Fiscal Note No. 2, Department of Health and Social Services

Senator Leman moved that the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 65.

The question being: "Shall the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 65 "An Act relating to a new optional group of persons eligible for medical assistance who require treatment for breast or cervical cancer; and providing for an effective date"?" The roll was taken with the following result:

CCS HB 65

Adopt Conference Committee Report?

**YEAS: 13 NAYS: 7 EXCUSED: 0 ABSENT: 0**

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

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

and so, the report was adopted.

Senator Leman moved the effective date clause.

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

CCS HB 65

Effective Date Clause

**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, the effective date clause was adopted.

The Secretary was requested to notify the House.

### **Consideration of the Calendar**

#### **Second Reading of House Bills**

#### **HB 198**

CS FOR HOUSE BILL NO. 198(RLS)(efd add) "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 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. 198(RLS)(efd add) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 198(RLS)(efd add) "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" pass the Senate?" The roll was taken with the following result:

CSHB 198(RLS)(efd add)

Third Reading - Final Passage

**YEAS: 13 NAYS: 7 EXCUSED: 0 ABSENT: 0**

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

Nays: Cowdery, Donley, Kelly, Phillips, Therriault, Torgerson, Ward

and so, CS FOR HOUSE BILL NO. 198(RLS)(efd add) passed the Senate.

Senator Leman moved the effective date clause.

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

CSHB 198(RLS)(efd add)

Effective Date Clause

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

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

Nays: Cowdery, Phillips

and so, the effective date clause was adopted and the bill was signed by the President and Secretary and returned to the House.

### **Reconsideration of House Bills**

#### **HB 113**

Senator Leman requested that the reconsideration on SENATE CS FOR CS FOR HOUSE BILL NO. 113(HES) be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 113(HES) "An Act relating to health care insurance payments for hospital or medical services; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 113(HES)  
Third Reading - On Reconsideration  
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, SENATE CS FOR CS FOR HOUSE BILL NO. 113(HES) passed the Senate on reconsideration.

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 referred to the Secretary for engrossment.

#### **HB 121**

Senator Leman requested that the reconsideration on SENATE CS FOR CS FOR HOUSE BILL NO. 121(JUD) be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 121(JUD) "An Act relating to the issuance of qualified charitable gift annuities" pass the Senate?" The roll was taken with the following result:

SCS CSHB 121(JUD)

Third Reading - On Reconsideration

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

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

Absent: Olson

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 121(JUD) passed the Senate on reconsideration and was referred to the Secretary for engrossment.

**HB 244**

Senator Leman requested that the reconsideration on SENATE CS FOR CS FOR HOUSE BILL NO. 244(RES) be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 244(RES) "An Act relating to a grant of state land to the Denali Borough for a railroad and utility corridor and a railroad development project; repealing provisions relating to a grant of a right-of-way of land for a railroad and utility corridor to the Alaska Industrial Development and Export Authority; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 244(RES)

Third Reading - On Reconsideration

Effective Date

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

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

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

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 244(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 referred to the Secretary for engrossment.

**HB 76**

Senator Leman requested that the reconsideration on SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 76(FIN) "An Act providing for and relating to the issuance of certificates of participation to finance construction of a new facility to be known as the Alaska Psychiatric Institute; giving notice of and approving the entry into and the issuance of certificates of participation in a lease-purchase agreement for construction of a new facility to be known as the Alaska Psychiatric Institute; giving notice of the intent and approval to retain investment income from pertinent appropriations to be applied to the cost of construction of a new facility to be known as the Alaska Psychiatric Institute; relating to the construction of a facility to be known as the Alaska Psychiatric Institute; and providing for an effective date" be taken up. The bill was before the Senate on reconsideration.

Senator Donley moved that the bill be returned to second reading for the purpose of a specific amendment, that being Amendment No. 1. Without objection, it was so ordered.

Senator Donley offered Amendment No. 1:

Page 3, following line 3:

Insert a new subsection to read:

"(e) The legislature also finds that the commitment of at least \$15,000,000 in federal funds for demolition of the current facility known as the Alaska Psychiatric Institute and the reclamation of the site of the facility is essential to relocation and replacement of the Alaska Psychiatric Institute and the construction of a new facility to be known as the Alaska Psychiatric Institute."

Page 3, line 6:

Delete "The"

Insert "Subject to sec. 7 of this Act, the"

Page 3, lines 12 - 13:

Delete "The Department of Health and Social Services"

Insert "Subject to sec. 7 of this Act, the commissioner of health and social services"

Page 3, lines 24 - 25:

Delete "Subject to annual appropriation, the Department of Health and Social Services"

Insert "Subject to sec. 7 of this Act and subject to annual appropriation, the commissioner of health and social services"

Page 4, line 9:

Delete "Department of Health and Social Services"

Insert "commissioner of health and social services"

Page 4, lines 19 - 26:

Delete all material and insert:

**\* Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to read:

CONTINGENCY. The authorization of the commissioner of health and social services to provide for the construction of a new facility to be known as the Alaska Psychiatric Institute under sec. 2 of this Act and to enter into a lease-purchase agreement for a facility to be known as the Alaska Psychiatric Institute under secs. 3 and 5 of this Act is contingent upon the prior occurrence of either of the following events:

(1) the enactment of an appropriation by the United States Congress in the amount of at least \$15,000,000 for the demolition of the current facility known as the Alaska Psychiatric Institute and for reclamation of the site of the facility; or

(2) the receipt by the state of a grant of federal funds in the amount of at least \$15,000,000 for the demolition of the current facility known as the Alaska Psychiatric Institute and for reclamation of the site of the facility.

**\* Sec. 8.** This Act takes effect immediately under AS 01.10.070(c)."

Senator Donley moved for the adoption of Amendment No. 1. Objections were heard.



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

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

SCS CSSSHB 76(FIN)

Second Reading

Amendment No. 1

**YEAS: 7 NAYS: 13 EXCUSED: 0 ABSENT: 0**

Yeas: Donley, Green, Halford, Kelly, Taylor, Ward, Wilken

Nays: Austerman, Cowdery, Davis, Ellis, Elton, Hoffman, Leman, Lincoln, Olson, Pearce, Phillips, Therriault, Torgerson

and so, Amendment No. 1 failed.

The bill was automatically in third reading.

The question to be reconsidered: "Shall SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 76(FIN) "An Act providing for and relating to the issuance of certificates of participation to finance construction of a new facility to be known as the Alaska Psychiatric Institute; giving notice of and approving the entry into and the issuance of certificates of participation in a lease-purchase agreement for construction of a new facility to be known as the Alaska Psychiatric Institute; giving notice of the intent and approval to retain investment income from pertinent appropriations to be applied to the cost of construction of a new facility to be known as the Alaska Psychiatric Institute; relating to the construction of a facility to be known as the Alaska Psychiatric Institute; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSSH B 76(FIN)

Third Reading - On Reconsideration

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

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

Nays: Cowdery, Donley, Halford

and so, SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 76 (FIN) passed the Senate on reconsideration.

Senator Leman moved the effective date clause.

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

SCS CSSH B 76(FIN)

Effective Date Clause

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

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

Nays: Ellis, Leman

and so, the effective date clause was adopted and the bill was referred to the Secretary for engrossment.

Senator Leman moved and asked unanimous consent that the Senate temporarily advance down the calendar to consideration of SENATE CS FOR CS FOR HOUSE BILL NO. 250(FIN). Without objection, the Senate proceeded to:

### **Third Reading of House Bills**

#### **HB 250**

SENATE CS FOR CS FOR HOUSE BILL NO. 250(FIN) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 250(FIN) "An Act relating to missions and measures to be applied to certain expenditures by the executive branch of state government and the University of Alaska from the state operating budget for the fiscal year ending June 30, 2002; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 250(FIN)  
Third Reading - Final Passage  
Effective Date

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

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

Absent: Kelly, Torgerson

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 250(FIN) passed the Senate.

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

Senator Lemman moved and asked unanimous consent that the Senate temporarily return to consideration of CS FOR HOUSE BILL NO. 102 (JUD) am S. Without objection, the Senate returned to:

**HB 102**

CS FOR HOUSE BILL NO. 102(JUD) am S was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 102(JUD) am S "An Act relating to the theft of propelled vehicles" pass the Senate?" The roll was taken with the following result:

CSHB 102(JUD) am S  
Third Reading - Final Passage

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

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

Absent: Austerman, Kelly, Torgerson

and so, CS FOR HOUSE BILL NO. 102(JUD) am S passed the Senate and was referred to the Secretary for engrossment.

Senator Leman moved and asked unanimous consent that the Senate temporarily advance to consideration of CS FOR HOUSE BILL NO. 167(STA). Without objection, the Senate proceeded to:

**HB 167**

CS FOR HOUSE BILL NO. 167(STA) was read the third time.

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

The question being: "Shall CS FOR HOUSE BILL NO. 167(STA) "An Act relating to license plates for Alaska National Guard personnel and for antique motor vehicles; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 167(STA)  
Third Reading - Final Passage  
Effective Date

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

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

Absent: Kelly, Torgerson

and so, CS FOR HOUSE BILL NO. 167 (STA) 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.

#### **Recess**

Senator Leman moved and asked unanimous consent that the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 3:37 p.m.

#### **After Recess**

The Senate reconvened at 9:34 p.m.

Senator Leman moved and asked unanimous consent that the Senate return to Messages from the House. Without objection, the Senate returned to:

#### **Messages from the House**

##### **HCR 14**

HOUSE CONCURRENT RESOLUTION NO. 14 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 133, relating to high school competency testing, was read.

President Halford stated if there was no objection, HOUSE CONCURRENT RESOLUTION NO. 14 would be adopted. By unanimous consent, HOUSE CONCURRENT RESOLUTION NO. 14 passed the Senate, was signed by the President and Secretary and was returned to the House.

##### **SB 133**

Message dated May 8 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 133(HES) am "An Act relating to a two-year transition for implementation of the public high school competency examination and to establishing a secondary student competency examination as a high school graduation requirement; and providing for an effective date" with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL NO. 133(RLS) "An Act relating to a two-year transition for implementation of the public high school competency examination and to establishing a secondary student competency examination as a high school graduation requirement; relating to certain reports regarding academic performance of schools; and providing for an effective date."  
(Title change authorized by HCR 14)

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 133(RLS)

Shall the Senate Concur in the House amendment to CSSB 133(HES) am? (effective dates)

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

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

Absent: Kelly, Lincoln

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 133(RLS) "An Act relating to a two-year transition for implementation of the public high school competency examination and to establishing a secondary student competency examination as a high school graduation requirement; relating to certain reports regarding academic performance of schools; 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.

**SB 174**

Message dated May 8 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 174(RLS) with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL NO. 174(FIN) "An Act establishing a base student allocation for purposes of determining education funding in the amount of \$4,010; providing that only 50 percent of the annual increase in assessed value may be included for purposes of calculating the required contribution to education from a city or borough school district; providing that a community with at least 101 students but not more than 425 students in average daily membership is counted as one elementary and one secondary school, and that, in a community with more than 425 students in average daily membership, each facility administered as a separate school, except certain alternative schools, is counted as a school; and providing for an effective date."

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 174(FIN)

Shall the Senate Concur in the House amendment to CSSB 174(RLS)?(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, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 174(FIN) "An Act establishing a base student allocation for purposes of determining education funding in the amount of \$4,010; providing that only 50 percent of the annual increase in assessed value may be included for purposes of calculating the required contribution to education from a city or borough school district; providing that a community with at least 101 students but not more than 425 students in average daily membership is counted as one elementary and one secondary school, and that, in a community with more than 425 students in average daily membership, each facility administered as a separate school, except certain alternative schools, is counted as a school; 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 clause. Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

### **Special Committee Reports**

#### **HB 127**

The following report was received and distributed at 5:35 p.m., May 8, 2001:

May 8, 2001

Mr. President:

Mr. Speaker:

The CONFERENCE COMMITTEE with limited powers of free conference considered CS FOR HOUSE BILL NO. 127(RLS) and SENATE CS FOR CS FOR HOUSE BILL NO. 127(TRA) am S and recommends



2d CONFERENCE CS FOR HOUSE BILL NO. 127  
"An Act relating to aviation and to emergency  
equipment to be carried on aircraft."

be adopted.

Signing the report: Senator Halford, Chair, Senators Taylor, Olson;  
Representative Harris, Chair, Representatives Bunde, Kerttula.

Senator Lemman moved and asked unanimous consent that the motion  
to adopt the first conference committee report be withdrawn. Without  
objection, it was so ordered.

Senator Lemman moved that the Senate adopt the Conference  
Committee Report on 2d CONFERENCE CS FOR HOUSE BILL  
NO. 127.

The question being: "Shall the Senate adopt the Conference  
Committee Report on 2d CONFERENCE CS FOR HOUSE BILL NO.  
127 "An Act relating to aviation and to emergency equipment to be  
carried on aircraft"?" The roll was taken with the following result:

2d CCS HB 127  
Adopt Conference Committee Report?

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

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

and so, the report was adopted.

The Secretary was requested to notify the House.

### **Third Reading of Senate Bills**

#### **SB 186**

CS FOR SENATE BILL NO. 186(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 186(FIN) "An Act relating to municipal taxes on oil and gas production and pipeline property; establishing a limit on the general obligation debt that may be authorized and issued by home rule and general law municipalities; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 186(FIN)

Third Reading - Final Passage

**YEAS: 11 NAYS: 9 EXCUSED: 0 ABSENT: 0**

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

Nays: Austerman, Davis, Ellis, Elton, Hoffman, Lincoln, Olson, Pearce, Torgerson

and so, CS FOR SENATE BILL NO. 186(FIN) passed the Senate.

Senator Leman moved the effective date clauses.

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

CSSB 186(FIN)

Effective Date Clauses

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

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

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

and so, the effective date clauses were adopted.

Senator Leman moved and asked unanimous consent that the Senate proceed to CS FOR HOUSE BILL NO. 181(JUD). Without objection, the Senate proceeded to:

**Third Reading of House Bills****HB 181**

CS FOR HOUSE BILL NO. 181(JUD) was read the third time.

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

The question being: "Shall CS FOR HOUSE BILL NO. 181(JUD) "An Act relating to the obligations of spouses, to insurance policies of spouses, to the nonprobate transfer of property on death to a community property trust, to the division of the community property of spouses at death, and to the Alaska Community Property Act; amending Rule 301, Alaska Rules of Evidence; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CASHB 181(JUD)  
Third Reading - Final Passage  
Effective Date/Court Rules

**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. 181 (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.

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

**HB 228**

CS FOR HOUSE BILL NO. 228(FIN) "An Act relating to the accounting of fees from business license endorsements for tobacco products, to the disclosure of certain confidential cigarette and tobacco product information, to notification regarding a cigarette manufacturer's noncompliance with the tobacco product Master Settlement Agreement, to business license endorsements for sale of tobacco products, to citations and penalties for illegal sales of tobacco products; and providing for an effective date" was read the third time.

Senator Leman moved and asked unanimous consent for the adoption of the following Letter of Intent:

Letter of Intent  
for  
CS FOR HOUSE BILL NO. 228(FIN)

With the enactment and funding of HB 228, the Legislature intends for the Department of Health and Social Services to comply with the Synar Amendment section 1926 of the Public Health Service Act. The Department shall report its progress in reducing the rate of tobacco sales to minors to the Senate and House Finance committees by January 15 of each year. The Department shall advise the Finance committees when the State has reduced the rate of tobacco sales to minors below this federal threshold.

Without objection, the Senate Letter of Intent was adopted.

The question being: "Shall CS FOR HOUSE BILL NO. 228(FIN) "An Act relating to the accounting of fees from business license endorsements for tobacco products, to the disclosure of certain confidential cigarette and tobacco product information, to notification regarding a cigarette manufacturer's noncompliance with the tobacco product Master Settlement Agreement, to business license endorsements for sale of tobacco products, to citations and penalties for illegal sales of tobacco products; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 228(FIN)  
Third Reading - Final Passage  
Effective Dates

**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. 228(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 with a Senate Letter of Intent.

**SB 186**

Senator Ellis moved that the Senate rescind its previous action in passing CS FOR SENATE BILL NO. 186(FIN) "An Act relating to municipal taxes on oil and gas production and pipeline property; establishing a limit on the general obligation debt that may be authorized and issued by home rule and general law municipalities; and providing for an effective date."

The question being: "Shall the Senate rescind its previous action?" The roll was taken with the following result:

CSSB 186(FIN)  
Rescind Previous Action

**YEAS: 9 NAYS: 11 EXCUSED: 0 ABSENT: 0**

Yeas: Austerman, Davis, Ellis, Elton, Hoffman, Lincoln, Olson, Pearce, Torgerson

Nays: Cowdery, Donley, Green, Halford, Kelly, Leman, Phillips, Taylor, Therriault, Ward, Wilken

and so, the action was not rescinded, and the bill was referred to the Secretary for engrossment.

Senator Leman moved and asked unanimous consent that the Senate move up the calendar to HOUSE BILL NO. 90. Without objection, the Senate returned to:

### Third Reading of House Bills

#### HB 90

CS FOR HOUSE BILL NO. 90(FIN) "An Act relating to reimbursement of municipal bonds for school construction; and providing for an effective date" was read the third time.

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

Senator Kelly offered Amendment No. 1:

Page 5, following line 26:

Insert a new bill section to read:

\*\* **Sec. 3.** AS 14.11.100(o) is amended to read:

(o) The total amount of school construction projects approved for reimbursement by the department under (a)(10) of this section

(1) may not exceed **\$180,064,912** [\$151,019,000]; and

(2) after June 30, 1998, and until July 1, 2004, shall be allocated as follows:

(A) \$77,897,000 to projects in a municipality with a public school enrollment of 25,000 or more students in fiscal year 2000, as determined under AS 14.17.500;

(B) \$14,571,000 to projects in a municipality with a public school enrollment of at least 15,000 but less than 25,000 students in fiscal year 2000, as determined under AS 14.17.500;

(C) \$14,143,000 to projects in a municipality with a public school enrollment of at least 10,000 but less than 15,000 students in fiscal year 2000, as determined under AS 14.17.500;

(D) \$7,429,000 to projects in a municipality with a public school enrollment of at least 7,500 but less than 10,000 students in fiscal year 2000, as determined under AS 14.17.500;

(E) **\$20,712,912** [\$7,717,000] to projects in a municipality with a public school enrollment of at least 5,000 but less

than 7,500 students in fiscal year 2000, as determined under AS 14.17.500;

(F) \$2,660,000 to projects in a municipality with a public school enrollment of at least 2,750 but less than 3,000 students in fiscal year 2000, as determined under AS 14.17.500;

(G) \$454,000 to projects in a municipality with a public school enrollment of at least 2,400 but less than 2,750 students in fiscal year 2000, as determined under AS 14.17.500;

(H) **\$36,290,000** [\$22,790,000] to projects in a municipality with a public school enrollment of at least 2,050 but less than 2,400 students in fiscal year 2000, as determined under AS 14.17.500;

(I) \$329,000 to projects in a municipality with a public school enrollment of at least 1,700 but less than 1,750 students in fiscal year 2000, as determined under AS 14.17.500;

(J) \$286,000 to projects in a municipality with a public school enrollment of at least 650 but less than 725 students in fiscal year 2000, as determined under AS 14.17.500;

(K) \$519,000 to projects in a municipality with a public school enrollment of at least 500 but less than 525 students in fiscal year 2000, as determined under AS 14.17.500;

(L) \$2,224,000 to projects in a municipality with a public school enrollment of at least 425 but less than 482 students in fiscal year 2000, as determined under AS 14.17.500;

**(M) \$2,550,000 to projects in a municipality with a public school enrollment of at least 350 but less than 373 students in fiscal year 2000, as determined under AS 14.17.500."**

Renumber the following bill sections accordingly.

Senator Kelly moved for the adoption of Amendment No. 1. Senator Phillips objected.

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

CSHB 90(FIN)  
Second Reading  
Amendment No. 1

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

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

Nays: Phillips

and so, Amendment No. 1 was adopted.

CS FOR HOUSE BILL NO. 90(FIN) am S was automatically in third reading.

The question being: "Shall CS FOR HOUSE BILL NO. 90(FIN) am S "An Act relating to reimbursement of municipal bonds for school construction; and providing for an effective date" pass the Senate?"  
The roll was taken with the following result:

CSHB 90(FIN) am S  
Third Reading - Final Passage  
Effective Date

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

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

Nays: Phillips

and so, CS FOR HOUSE BILL NO. 90(FIN) am S 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.

Senator Kelly moved that the Senate rescind its previous action in passing CS FOR HOUSE BILL NO. 90(FIN) am S. Without objection, it was so ordered.



CS FOR HOUSE BILL NO. 90(FIN) am S "An Act relating to reimbursement of municipal bonds for school construction; and providing for an effective date" was automatically before the Senate in third reading.

Senator Kelly 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 Kelly offered Amendment No. 2:

Page 2, line 22:

Delete "350"

Insert "290"

Page 2, line 22:

Delete "373"

Insert "305"

Senator Kelly moved for the adoption of Amendment No. 2. Objections were heard.

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

CSHB 90(FIN) am S

Second Reading

Amendment No. 2

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

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

Nays: Phillips

and so, Amendment No. 2 was adopted.

CS FOR HOUSE BILL NO. 90(FIN) am S was automatically in third reading.

The question being, "Shall CS FOR HOUSE BILL NO. 90(FIN) am S "An Act relating to reimbursement of municipal bonds for school construction; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 90(FIN) am S  
Third Reading - Final Passage  
Effective Date

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

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

Nays: Phillips, Therriault

and so, CS FOR HOUSE BILL NO. 90(FIN) am S 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 referred to the Secretary for engrossment.

**HB 234**

SENATE CS FOR CS FOR HOUSE BILL NO. 234(FIN) am S "An Act relating to the tobacco use education and cessation fund and to smoking education and cessation programs; relating to funding the tobacco use education and cessation fund; relating to financing of construction and major maintenance of public school facilities, facilities for the University of Alaska, and facilities for ports and harbors; authorizing the commissioner of revenue to sell the right to receive a portion of the anticipated revenue from a tobacco litigation settlement to the Northern Tobacco Securitization Corporation; relating to the deposit of certain anticipated revenue from a tobacco litigation settlement; authorizing the issuance of bonds by the Northern Tobacco Securitization Corporation with proceeds to finance public school construction and major maintenance, facilities for the University of Alaska, and facilities for ports and harbors; and providing for an effective date" was read the third time.

Senator Kelly moved that the bill be returned to second reading for the purpose of a specific amendment, that being Amendment No. 4. Without objection, the bill was returned to second reading.

Senator Kelly offered Amendment No. 4:

Insert after page 4, line 8:

Yupiiit - Akiak School Repairs	177,571
Galena - Project Education Food Service Renovation	261,806
Southwest Region - Koliganek School Improvement	451,993
Southwest Region - Ekwok, Koliganek, Togiak Schools Heating System Upgrade	122,256
Hoonah City - Hoonah Swimming Pool Sprinkler System	220,476
Galena - High School Remodel	167,846
Kenai Peninsula - McNeil Canyon Replace Septic System	171,500
Kake City - Kake High School Renovation Phase II	175,065
Chatham - Angoon High School Major Maintenance	1,730,507
Tanana City - Tanana Kitchen Renovation	438,539
Wrangell City - Wrangell Elementary Schools Renovation	1,129,238
Lower Yukon - Emmonak Mechanical System Upgrade	574,885
Lower Yukon - Alakanuk Mechanical System Upgrade	899,740
Iditarod Area - Takotna Community School Water Project	192,374
Kenai Peninsula - Seward Middle School Gym Reroof	278,275
Iditarod Area - Innoko River School Bathroom, Shower & Underfloor Damage Repairs	46,746
Iditarod Area - McGrath School Heating Design, Boiler Replacement & Repairs	235,200
Kenai Peninsula - Kenai Central High School Reinsulate Exterior Walls	385,610
Alaska Gateway - Tok Multipurpose Recreational Complex Renovation Project	961,612

Adjust the totals on page 2, line 27 and page 4, line 10, accordingly.

Insert after page 3, line 28:

Bering Strait - Koyuk School K-12 Replacement	11,660,343
Yupiiit - Tuluksak School Improvement-Planning	768,850

Adjust the totals on page 2, line 27 and page 4, line 10, accordingly.

Page 4, line 14 through 17, delete:

University of Alaska - Anchorage

Science/Biomedical Facilities Renovations/

Classroom Renovation/Housing Safety Upgrades/

Pool Replacement

10,990,800

Page 4, line 14 through 17, insert:

University of Alaska - Anchorage

Science/Biomedical Facilities Renovations/

Classroom Renovation/Housing Safety Upgrades/

Pool Replacement

10,200,000

Adjust the totals on page 2, line 27 and page 4, line 29 accordingly.

Senator Kelly moved for the adoption of Amendment No. 4.  
Objections were heard.

The question being: "Shall Amendment No. 4 be adopted?" The roll was taken with the following result:

SCS CSHB 234(FIN) am S

Second Reading

Amendment No. 4

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

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

Nays: Cowdery, Donley, Green, Phillips, Torgerson, Ward

and so, Amendment No. 4 was adopted.

SENATE CS FOR CS FOR HOUSE BILL NO. 234(FIN) am S was automatically in third reading.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 234(FIN) am S "An Act relating to the tobacco use education and cessation fund and to smoking education and cessation programs; relating to funding the tobacco use education and cessation fund; relating to financing of construction and major maintenance of public school facilities, facilities for the University of Alaska, and facilities for ports and harbors; authorizing the commissioner of revenue to sell the right to receive a portion of the anticipated revenue from a tobacco litigation settlement to the Northern Tobacco Securitization Corporation; relating to the deposit of certain anticipated revenue from a tobacco litigation settlement; authorizing the issuance of bonds by the Northern Tobacco Securitization Corporation with proceeds to finance public school construction and major maintenance, facilities for the University of Alaska, and facilities for ports and harbors; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 234(FIN) am S  
Third Reading - Final Passage  
Effective Date

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

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

Nays: Cowdery, Green, Phillips, Therriault, Torgerson, Ward

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 234(FIN) am S 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.

In accordance with Rule 43(b) of the Uniform Rules, President Halford waived engrossment of Amendment No. 4 and the bill was referred to the Secretary for transmittal to the House with a certified amendment attached.

Senator Leman moved and asked unanimous consent that the Senate return to Special Committee Reports. Without objection, the Senate returned to:

### **Special Committee Reports**

#### **HB 103**

The Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 103, which had been held on the Secretary's Desk (Page 1619) was before the Senate.

Senator Leman moved that the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 103.

Senator Pearce called the Senate. The call was satisfied.

The question being: "Shall the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 103 "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 roll was taken with the following result:

CCS HB 103

Adopt the Conference Committee Report?

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

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

Nays: Davis, Ellis, Elton, Lincoln, Olson, Pearce, Phillips, Torgerson

Olson changed from "Yea" to "Nay".

and so, the report was adopted.

Senator Leman moved the effective date clauses.

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

CCS HB 103  
Effective Date Clauses

**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, the effective date clauses were adopted.

The Secretary was requested to notify the House.

**HB 104**

The Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 104, which had been held on the Secretary's Desk (Page 1620) was before the Senate.

Senator Leman moved that the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 104.

The question being: "Shall the Senate adopt the Conference Committee Report on CONFERENCE CS FOR HOUSE BILL NO. 104 "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 roll was taken with the following result:

CCS HB 104  
Adopt Conference Committee Report?  
Effective Date Clause

**YEAS: 15 NAYS: 5 EXCUSED: 0 ABSENT: 0**

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

and so, the report was adopted.

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.

The Secretary was requested to notify the House.

### **Consideration of the Calendar**

#### **Citations**

Honoring – Archbishop Francis Hurley, An Alaskan - A Priest – A Servant

Representative(s) Murkowski

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

In Memoriam – Hugh Malone

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

Representative(s) Kerttula, Hudson

In Memoriam – Bill Besser

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

In Memoriam – Emil Dolchok

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

In Memoriam – Earl Cook

Representative(s) Fate, James, Coghill, Whitaker, Hayes, Davies

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

In Memoriam – James S. Hickman

Representative(s) Berkowitz

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



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

Senator Lemman moved and asked unanimous consent that the Citation Calendar be taken up as a special order of business. Without objection, it was so ordered.

### **Special Order of Business Citations**

Honoring – Jessica Thygeson

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

Honoring – USS Ticonderoga Veterans' Association

Representative(s) Cissna

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

Honoring – Billy McCann

Representative(s) Kapsner

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

Honoring – Reverend Doctor Michael Oleksa

Representative(s) Kapsner

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

Honoring – Mat-Su School District's Seeonline Program

Representative(s) Masek

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

Honoring – Bruce Gifford

Representative(s) Hudson, Kerttula

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

Honoring – Lieutenant Dave Lorring  
Representative(s) Hayes  
Senator(s) Wilken, Halford, Pearce, Austerman, Elton, Hoffman,  
Leman, Taylor, Davis, Green, Lincoln, Kelly

Recognizing – Whittier Access Project, American Society of Civil  
Engineers' 2001 Outstanding Civil Engineering Achievement Award  
Senator(s) Leman, Halford, Pearce, Wilken, Austerman, Elton,  
Hoffman, Taylor, Davis, Green, Lincoln, Kelly

In Memoriam – Elmer Edwin Rasmuson  
Senator(s) Leman, Pearce, Halford, Wilken, Donley, Phillips,  
Austerman, Elton, Hoffman, Taylor, Davis, Green, Lincoln, Kelly  
Representative(s) Berkowitz

In Memoriam – Jessie Withrow  
Senator(s) Ellis, Halford, Pearce, Wilken, Donley, Austerman, Elton,  
Hoffman, Leman, Taylor, Davis, Green, Lincoln, Kelly

In Memoriam – Scott Dull, M.D.  
Senator(s) Ellis, Halford, Pearce, Wilken, Donley, Phillips,  
Austerman, Elton, Hoffman, Leman, Taylor, Davis, Green, Lincoln,  
Kelly

In Memoriam – Harold James John Sipary  
Representative(s) Joule  
Senator(s) Olson, Halford, Pearce, Wilken, Austerman, Elton,  
Hoffman, Leman, Taylor, Davis, Green, Lincoln, Kelly

In Memoriam – Shirley Ruth Parham  
Representative(s) Hayes  
Senator(s) Wilken, Halford, Pearce, Austerman, Elton, Hoffman,  
Leman, Taylor, Davis, Green, Lincoln, Kelly

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.

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

**Special Order of Business Citation**

In Memoriam – Claude L. Gabbett  
Representative(s) Chenault  
Senator(s) Halford, Pearce, Austerman, Elton, Hoffman, Taylor,  
Davis, Green, Lincoln, Kelly

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

Senator Pearce lifted the call.

**Recess**

Senator Leman moved and asked unanimous consent that the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 10:42 p.m.

**After Recess**

The Senate reconvened at 11:43 p.m.

Senator Leman moved and asked unanimous consent that the Senate return to Messages from the House. Without objection, the Senate returned to:

**Messages from the House****SB 29**

Message dated May 8 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 29(FIN) am(brf sup maj fld) "An Act making and amending appropriations and reappropriations; and providing for an effective date" with the following amendments:

HOUSE CS FOR CS FOR SENATE BILL NO. 29(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."

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

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

HCS CSSB 29(FIN) am H  
Shall the Senate Concur in the House amendments to  
CSSB 29(FIN) am(brf sup maj fld)  
Effective Dates

**YEAS: 16 NAYS: 4 EXCUSED: 0 ABSENT: 0**

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

Nays: Ellis, Elton, Lincoln, Phillips

and so, the Senate concurred in the House amendments, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 29(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."

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.

Senator Leman moved for the adoption of the Constitutional Budget Reserve Fund Sections (Article IX, sec. 17(c), Constitution of the State of Alaska).

The question being, "Shall the Constitutional Budget Reserve Fund Sections (Article IX, sec. 17(c), Constitution of the State of Alaska) be adopted?" The roll was taken with the following result:

HCS CSSB 29(FIN) am H  
Budget Reserve Fund Sections

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

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

Nays: Phillips

and so, the Budget Reserve Fund Sections were adopted.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

### **Unfinished Business**

#### **HB 120**

The reconsideration on SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 120 am "An Act adopting the National Crime Prevention and Privacy Compact; making criminal justice information available to interested persons and criminal history record information available to the public; making certain conforming amendments; and providing for an effective date" was not taken up this legislative day and the bill was signed by the President and Secretary and returned to the House.

#### **HB 154**

The reconsideration on CS FOR HOUSE BILL NO. 154(FSH) "An Act relating to security for the payment of fishery business taxes and to payment of the fisheries resource landing tax" was not taken up this legislative day and the bill was signed by the President and Secretary and returned to the House.

**HB 164**

The reconsideration on CS FOR HOUSE BILL NO. 164(JUD) "An Act prescribing the rights of grandparents related to child-in-need-of-aid hearings; and amending Rules 3, 7, 10, 15, 17, and 19, Alaska Child in Need of Aid Rules of Procedure" was not taken up this legislative day and the bill was signed by the President and Secretary and returned to the House.

**HB 187**

The reconsideration on CS FOR HOUSE BILL NO. 187(JUD) "An Act relating to the destruction, desecration, and vandalism of cemeteries and graves" was not taken up this legislative day and the bill was signed by the President and Secretary and returned to the House.

**HB 189**

The reconsideration on HOUSE BILL NO. 189 "An Act repealing statutory provisions relating to term limits and term limit pledges" was not taken up this legislative day and the bill was signed by the President and Secretary and returned to the House.

**HB 210**

The reconsideration on CS FOR HOUSE BILL NO. 210(JUD) am "An Act relating to sexual assault and sexual abuse of a minor" was not taken up this legislative day and the bill was signed by the President and Secretary and returned to the House.

**Announcements**

Announcements are at the end of the journal.

**Engrossment****SB 186**

CS FOR SENATE BILL NO. 186(FIN) "An Act relating to municipal taxes on oil and gas production and pipeline property; establishing a limit on the general obligation debt that may be authorized and issued by home rule and general law municipalities; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**HB 76**

SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 76(FIN) "An Act providing for and relating to the issuance of certificates of participation to finance construction of a new facility to be known as the Alaska Psychiatric Institute; giving notice of and approving the entry into and the issuance of certificates of participation in a lease-purchase agreement for construction of a new facility to be known as the Alaska Psychiatric Institute; giving notice of the intent and approval to retain investment income from pertinent appropriations to be applied to the cost of construction of a new facility to be known as the Alaska Psychiatric Institute; relating to the construction of a facility to be known as the Alaska Psychiatric Institute; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 90**

CS FOR HOUSE BILL NO. 90(FIN) am S "An Act relating to reimbursement of municipal bonds for school construction; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 102**

CS FOR HOUSE BILL NO. 102(JUD) am S "An Act relating to the theft of propelled vehicles" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 113**

SENATE CS FOR CS FOR HOUSE BILL NO. 113(HES) "An Act relating to health care insurance payments for hospital or medical services; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 121**

SENATE CS FOR CS FOR HOUSE BILL NO. 121(JUD) "An Act relating to the issuance of qualified charitable gift annuities" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 244**

SENATE CS FOR CS FOR HOUSE BILL NO. 244(RES) "An Act relating to a grant of state land to the Denali Borough for a railroad and utility corridor and a railroad development project; repealing provisions relating to a grant of a right-of-way of land for a railroad and utility corridor to the Alaska Industrial Development and Export Authority; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 250**

SENATE CS FOR CS FOR HOUSE BILL NO. 250(FIN) "An Act relating to missions and measures to be applied to certain expenditures by the executive branch of state government and the University of Alaska from the state operating budget for the fiscal year ending June 30, 2002; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**Adjournment**

Senator Ellis moved and asked unanimous consent that the Senate stand in adjournment until 10:00 a.m., January 14, 2002. Without objection, the Senate adjourned at 11:48 p.m.

Heidi Vogel  
Secretary of the Senate

May 2001



