

**SENATE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-SECOND LEGISLATURE -- SECOND SESSION**

**Juneau, Alaska**

**Saturday**

**May 11, 2002**

**One Hundred Eighteenth Day**

Pursuant to adjournment the Senate was called to order by President Halford at 1:53 p.m.

The roll showed fifteen members present. Senators Donley, Green, Kelly, Phillips, Ward were absent.

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

Our Father in Heaven, We thank You for Your presence, comforting assurance. Love and guide our military that serve and protect our great country. We ask for their protection during danger and keep them in Your loving care until they return to their loved ones. Hold Your protecting hand over our nation. Preserve our priceless religious liberty and keep all believers faithful to You.

Turn the hearts of unbelievers to accept the peace and comfort that only faith in God can bring them. Give us faith instead of unbelief, courage instead of fear, love instead of hate, peace instead of quarrel, war and righteousness instead of sin everywhere and in everything.

Bless all the mothers of this world and remind us all in the Legislature to call their mothers and tell them they love them. Bless all the children who are still too young to hate. Hear our prayer for Jesus' sake. Amen.

Senator Austerman led the Senate in the Pledge of Allegiance.

**Certification**

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

The presence of Senators Ward, Kelly was noted.

**Messages from the Governor****SB 358**

Message dated and received May 10 was read, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE BILL NO. 358 "An Act naming state ferries."

Chapter 19, SLA 2002  
Effective date: 08/08/02

**Messages from the House****SJR 43**

Message dated May 10 was read, stating the House passed and returned:

CS FOR SENATE JOINT RESOLUTION NO. 43(STA)(title am) Requesting the United States Congress to grant a two-year moratorium on state maintenance of effort requirements for federally funded programs.

The resolution was referred to the Secretary for enrollment.

**Standing Committee Reports**

The presence of Senator Donley was noted.

**SB 55**

The Finance Committee considered SENATE BILL NO. 55 "An Act changing the name of the Alaska Pioneers' Home to the Alaska Pioneers' and Veterans' Home and of the Alaska Pioneers' Homes Advisory Board to the Alaska Pioneers' and Veterans' Home Advisory Board; relating to services for veterans in the home; relating to the advisory board for the home; making other amendments to the statutes relating to the home; making conforming amendments to other statutes; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 55(FIN) "An Act relating to housing and care needs of veterans; and providing for an effective date."

Signing no recommendation: Senators Donley, Kelly, Cochairs, Senators Green, Austerman, Hoffman, Olson, Ward. Signing do pass: Senator Wilken. Signing amend: Senator Leman.

Fiscal information forthcoming.

The bill was referred to the Rules Committee.

**SB 230**

The Judiciary Committee considered SENATE BILL NO. 230 "An Act relating to recommending or refusing psychotropic drugs as a treatment for children and to the evaluation and treatment of children with behavioral or psychological problems" and recommended it be replaced with

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

Signing do pass: Senator Taylor, Chair, Senators Ellis, Cowdery, Therriault.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Department of Health and Social Services  
Fiscal Note No. 2, zero, Department of Education and Early  
Development

The bill was referred to the Rules Committee.

**HB 27**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 27(FIN) "An Act relating to the registration of individuals who perform home inspections; relating to regulation of contractors; relating to registration fees for specialty contractors, home inspectors, and associate home inspectors; relating to home inspection requirements for residential loans purchased or approved by the Alaska Housing Finance Corporation; relating to civil actions by and against home inspectors and to civil actions arising from residential unit inspections; and providing for an effective date" and recommended it be replaced with

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

Signing do pass: Senator Taylor, Chair, Senators Ellis, Cowdery.  
Signing no recommendation: Senator Donley.

The following previously published fiscal information applies:

Fiscal Note No. 5, zero, Department of Revenue  
Fiscal Note No. 6, Department of Community and Economic  
Development

The bill was referred to the Finance Committee.

**HB 58**

The Finance Committee considered CS FOR HOUSE BILL NO. 58(L&C) "An Act relating to the calculation and payment of unemployment compensation benefits; and providing for an effective date" and recommended it be replaced with

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

Signing do pass: Senator Donley, Cochair, Senator Wilken. Signing no recommendation: Senator Kelly, Cochair, Senators Green, Austerman, Hoffman, Olson, Leman.

The following fiscal information was published today:

Fiscal Note No. 5, zero, Department of Labor and Workforce Development  
Fiscal Note No. 6, Department of Administration

The bill was referred to the Rules Committee.

**HB 165**

The Resources Committee considered CS FOR HOUSE BILL NO. 165(RES) "An Act relating to the Kenai River Special Management Area; and providing for an effective date" and recommended it be replaced with

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

Signing do pass: Senator Torgerson, Chair, Senators Stevens, Wilken.  
Signing no recommendation: Senator Elton.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Natural Resources  
Fiscal Note No. 2, zero, Department of Natural Resources  
Fiscal Note No. 3, zero, Department of Natural Resources  
Fiscal Note No. 4, zero, Department of Natural Resources

The bill was referred to the Finance Committee.

**HB 175**

The Transportation Committee considered CS FOR HOUSE BILL NO. 175(2d FIN) "An Act making an appropriation to the Alaska Energy Authority to secure repayment of bonds for power and intertie projects; and providing for an effective date." Signing do pass: Senator Cowdery, Chair, Senator Taylor. Signing no recommendation: Senator Wilken.

The bill was referred to the Finance Committee.

**HB 182**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 182(FIN) am "An Act relating to certain vehicles, including motorcycles and trailers; relating to the registration, bonding, and other regulation of motor vehicle dealers; relating to the registration and other regulation of certain motor vehicle buyers' agents; relating to acts and transactions involving vehicles, including trailers, and to the acts and practices of certain persons and entities involved in vehicle transactions, including trailer transactions; relating to consumer protection for used vehicle buyers; amending Rule 3, Alaska Rules of Civil Procedure; and providing for an effective date" and recommended the adoption of the Labor and Commerce Senate Committee Substitute offered on page 2972. Signing do pass: Senator Taylor, Chair, Senators Ellis, Cowdery. Signing amend: Senator Donley.

The following fiscal information was published today:  
Fiscal Note No. 3, zero, Department of Law

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

The bill was referred to the Finance Committee.

**HB 207**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 207(RLS) "An Act moving election district 24 as described in the Constitution of the State of Alaska at statehood from the Second Judicial District to the Fourth Judicial District and adding the Nabesna area to the Third Judicial District and removing it from the Fourth Judicial District." Signing do pass: Senator Taylor, Chair, Senators Ellis, Cowdery, Therriault.

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

The bill was referred to the Rules Committee.

**HB 208**

The Finance Committee considered CS FOR HOUSE BILL NO. 208(RES) "An Act relating to aquatic farming of shellfish; and providing for an effective date." Signing no recommendation: Senators Donley, Kelly, Cochairs, Senators Green, Wilken. Signing do pass: Senators Austerman, Hoffman, Olson, Leman. Signing amend: Senator Ward.

The following fiscal information was published today:

Fiscal Note No. 5, Department of Natural Resources  
Fiscal Note No. 6, Department of Fish and Game

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Environmental  
Conservation  
Fiscal Note No. 4, Department of Fish and Game

The bill was referred to the Rules Committee.

**HB 246**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 246(JUD) "An Act relating to regulation of a person providing insurance for the cost of medical care, to confidentiality of insurance records, to insurance hearings, to insurance fees, to annual and quarterly statements by insurers, to managed care insurance, to taxes on insurance, to insurer certificates of authority, to risk based capital for insurers, to unauthorized and nonadmitted insurers, to surplus lines insurance, to health insurance, to life insurance, to annuity insurance, to consumer credit insurance, to insurer liquidation, to multiple employer welfare arrangements, to the Alaska Insurance Guaranty Association, to hospital and medical service corporations, and to regulation of insurance producers, agents, brokers, managers, and adjusters; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 246(JUD) "An Act relating to regulation of a person providing insurance for the cost of medical care, to confidentiality of insurance records, to insurance hearings, to insurance fees, to annual and quarterly statements by insurers, to managed care insurance, to taxes on insurance, to insurer

certificates of authority, to risk based capital for insurers, to unauthorized and nonadmitted insurers, to surplus lines insurance, to health insurance, to life insurance, to annuity insurance, to consumer credit insurance, to insurer liquidation, to multiple employer welfare arrangements, to title insurance, to the Alaska Insurance Guaranty Association, to hospital and medical service corporations, and to regulation of insurance producers, agents, brokers, managers, and adjusters; and providing for an effective date."

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

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

**HB 252**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 252(RLS) "An Act relating to the construction of certain statutes relating to children; relating to the scope of duty and standard of care for persons who provide services to certain children and families; relating to civil liability for damages to certain children and their families resulting from failure to comply with certain statutes; relating to intensive family preservation services; and providing for an effective date" and recommended it be replaced with

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

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

The following previously published fiscal information applies:

Fiscal Note No. 1, Department of Health and Social Services  
Fiscal Note No. 2, zero, Department of Law

The bill was referred to the Finance Committee.

**HB 276**

The Finance Committee considered CS FOR HOUSE BILL NO. 276(L&C) "An Act relating to temporary permits and licenses by endorsement issued by the Board of Nursing; and relating to the delegation of nursing duties" and recommended the adoption of the Labor and Commerce Senate Committee Substitute offered on page 2493. Signing no recommendation: Senator Kelly, Cochair, Senators Green, Austerman, Hoffman, Ward. Signing amend: Senator Donley, Cochair. Signing do pass: Senators Olson, Wilken, Leman.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

**HB 287**

The Finance Committee considered CS FOR HOUSE BILL NO. 287(FIN) "An Act relating to the exemption of commercial fishing entry permits from claims of creditors and execution on an interest in a limited entry permit; and providing for an effective date." Signing no recommendation: Senator Kelly, Cochair, Senators Green, Ward. Signing do not pass: Senator Donley, Cochair. Signing do pass: Senators Austerman, Hoffman, Olson, Wilken, Leman.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Fish and Game

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

The bill was referred to the Rules Committee.

**HB 317**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 317(FIN) "An Act relating to stalking and to violating a protective order; and amending Rules 4 and 65, Alaska Rules of Civil Procedure, and Rule 9, Alaska Rules of Administration." Signing do pass: Senator Taylor, Chair, Senators Cowdery, Ellis. Signing no recommendation: Senator Therriault.

The following previously published fiscal information applies:

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

The bill was referred to the Finance Committee.

**HB 350**

The Finance Committee considered CS FOR HOUSE BILL NO. 350(FIN) am "An Act relating to murder, conspiracy, criminal mischief, and terroristic threatening; and providing for an effective date" and recommended the adoption of the Judiciary Senate Committee Substitute offered on page 3257. Signing no recommendation: Senators Donley, Kelly, Cochairs, Senators Green, Hoffman, Olson, Ward. Signing do pass: Senators Wilken, Leman, Austerman.

The following previously published fiscal information applies:

- Fiscal Note No. 1, zero, Alaska Court System
- Fiscal Note No. 3, indeterminate, Department of Law
- Fiscal Note No. 4, indeterminate, Department of Administration
- Fiscal Note No. 5, indeterminate, Department of Corrections

The bill was referred to the Rules Committee.

**HB 393**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 393(JUD) am "An Act relating to unfair and deceptive trade practices and to the sale of business opportunities; amending Rules 4 and 73, Alaska Rules of Civil Procedure; and providing for an effective date" and recommended the adoption of the Labor and Commerce Committee Substitute offered on page 3179. Signing do pass: Senator Taylor, Chair, Senators Ellis, Cowdery. Signing no recommendation: Senator Donley.

The following previously published fiscal information applies:

- Fiscal Note No. 1, indeterminate, Department of Law

The bill was referred to the Finance Committee.

**HB 447**

The Finance Committee considered HOUSE BILL NO. 447 "An Act relating to the interest rates that may be charged on loans by the Commercial Fishing and Agriculture Bank." Signing no recommendation: Senators Donley, Kelly, Cochairs, Senators Green, Wilken, Ward. Signing do pass: Senators Austerman, Hoffman, Olson, Leman.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

**HB 471**

The Finance Committee considered CS FOR HOUSE BILL NO. 471(CRA) "An Act increasing the maximum amount of loans from the bulk fuel revolving loan fund operated by the Alaska Energy Authority; relating to the definitions of 'net income' and 'unrestricted net income' for purposes of determining the amount of the Alaska Industrial Development and Export Authority's dividend to the state; relating to communities within which rural development loans may be made by the Alaska Industrial Development and Export Authority; and providing for an effective date." Signing no recommendation: Senators Kelly, Donley, Cochairs, Senators Green, Olson. Signing do pass: Senators Austerman, Hoffman, Wilken, Leman, Ward.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

**HB 489**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 489(JUD) "An Act relating to cruelty to animals." Signing do pass: Senator Taylor, Chair, Senators Ellis, Cowdery, Donley. Signing no recommendation: Senator Therriault.

The following previously published fiscal information applies:

Fiscal Note No. 1, indeterminate, Department of Corrections  
Fiscal Note No. 2, indeterminate, Department of Law

The bill was referred to the Finance Committee.

**HB 499**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 499(JUD) "An Act declaring legislative intent to reject the continuity of enterprise exception to the doctrine of successor liability adopted in Savage Arms, Inc. v. Western Auto Supply, 18 P.3d 49 (Alaska 2001) as it relates to products liability; providing that a successor corporation or other business entity that acquires assets of a predecessor corporation or other business entity is subject to liability for harm to persons or property caused by a defective product sold or otherwise distributed commercially by the predecessor only if the acquisition is accompanied by an agreement for the successor to assume the liability, results from a fraudulent conveyance to escape liability for the debts or liabilities of the predecessor, constitutes a consolidation or merger with the predecessor, or results in the successor's becoming a continuation of the predecessor; defining 'business entity' that acquires assets to include a sole proprietorship; and applying this Act to the sale, lease, exchange, or other disposition of assets by a corporation, a limited liability company, a partnership, a limited liability partnership, a limited partnership, a sole proprietorship, or other business entity that occurs before, on, or after the effective date of this Act." Signing no recommendation: Senator Taylor, Chair, Senator Ellis. Signing do pass: Senator Cowdery.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

**HB 507**

The Transportation Committee considered HOUSE BILL NO. 507 am "An Act naming the Trooper Hans-Peter Lothar Roelle Memorial Weigh Station and the Officer Justin Todd Wollam Memorial Bike Trail; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR HOUSE BILL NO. 507(TRA)  
"An Act naming the Trooper Hans-Peter Lothar Roelle Memorial Weigh Station, the Officer Justin Todd Wollam Memorial Bike Trail, the Mail Carrier Emil Wegner Memorial Corridor, and the Katelyn Ohmer Markley Bridge; relating to the naming of the Wendy Ann Cogdell Memorial Rest Area; and providing for an effective date." (Title change authorized by SCR 39)

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

The following previously published fiscal information applies:  
Fiscal Note No. 1, zero, Department of Transportation and Public Facilities

The bill was referred to the Rules Committee.

The presence of Senator Phillips was noted.

**HB 527**

The Resources Committee considered HOUSE BILL NO. 527 "An Act relating to entry into the Minto Flats State Game Refuge for purposes of exploration and development of oil and gas resources" and recommended it be replaced with

SENATE CS FOR HOUSE BILL NO. 527(RES)

Signing do pass: Senator Torgerson, Chair, Senators Stevens, Wilken.  
Signing no recommendation: Senator Lincoln.

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

The bill was referred to the Rules Committee.

**HB 528**

The Transportation Committee considered CS FOR HOUSE BILL NO. 528(FIN) "An Act relating to programs of state reimbursement for debt payments for certain capital projects; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.  
528(TRA)

Signing do pass: Senator Cowdery, Chair, Senator Taylor. Signing no recommendation: Senator Wilken.

The bill was referred to the Finance Committee.

**HJR 50**

The State Affairs Committee considered HOUSE JOINT RESOLUTION NO. 50 Supporting the participation of Taiwan in the annual summit of the World Health Assembly. Signing do pass: Senator Therriault, Chair, Senators Halford, Stevens, Davis. Signing do not pass: Senator Phillips.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

**SB 54**

The Rules Committee considered SENATE BILL NO. 54 "An Act establishing the Alaska Veterans Advisory Council; and providing for an effective date." Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Halford, Ellis.

The following fiscal information was published today:

Fiscal Note No. 3, Department of Military and Veterans Affairs

The bill is on today's calendar.

**SB 267**

The Rules Committee considered SENATE BILL NO. 267 "An Act establishing the Alaska veterans' memorial endowment fund and providing for credits against certain taxes for contributions to that fund; relating to other tax credits for certain contributions; and providing for an effective date." Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Halford, Ellis.

The bill is on today's calendar.

**SB 268**

The Rules Committee considered SENATE BILL NO. 268 "An Act relating to the issuance of state-guaranteed revenue bonds by the Alaska Housing Finance Corporation to finance mortgages for qualifying veterans; and providing for an effective date." Signing to calendar: Senator Phillips, Chair, Senators Therriault, Ellis. Signing under other recommendations: Senator Cowdery.

The bill is on today's calendar.

**HB 4**

The Rules Committee considered CS FOR HOUSE BILL NO. 4(FIN) am "An Act relating to motor vehicles and to operating a motor vehicle, aircraft, or watercraft; and providing for an effective date." Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Ellis. Signing under other recommendations: Senator Therriault.

The bill is on today's calendar.

**HB 52**

The Rules Committee considered HOUSE BILL NO. 52 am "An Act relating to the Interstate Compact for Adult Offender Supervision and the State Council for Interstate Adult Offender Supervision; amending Rules 4 and 24, Alaska Rules of Civil Procedure; and providing for an effective date." Signing to calendar: Senator Phillips, Chair, Senators Halford, Ellis, Cowdery.

The bill is on today's calendar.

**HB 128**

The Rules Committee considered CS FOR HOUSE BILL NO. 128(L&C)(efd add) "An Act relating to the required approval of the commissioner of labor and workforce development for the employment of certain minors; and providing for an effective date." Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Halford, Ellis.

The bill is on today's calendar.

**HB 160**

The Rules Committee considered CS FOR HOUSE BILL NO. 160(JUD) "An Act requiring the reporting of induced terminations of pregnancies." Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Halford, Therriault.

The bill is on today's calendar.

**HB 206**

The Rules Committee considered CS FOR HOUSE BILL NO. 206(RLS) "An Act relating to a vessel-based commercial fisheries limited entry system for the Bering Sea Korean hair crab fishery and for weathervane scallop fisheries, to management of offshore fisheries, and to the definition of 'person' for purposes of the commercial fisheries entry program; and providing for an effective date." Signing under other recommendations: Senator Phillips, Chair, Senator Therriault. Signing to calendar: Senator Cowdery.

The bill is on today's calendar.

**HB 274**

The Rules Committee considered CS FOR HOUSE BILL NO. 274(L&C) "An Act relating to the qualification of a physician used for an employer's independent medical examination and to the authority of the Alaska Workers' Compensation Board to provide an expedited hearing when an employee needs medical treatment; and providing for an effective date." Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Therriault, Ellis.

The bill is on today's calendar.

**HB 286**

The Rules Committee considered CS FOR HOUSE BILL NO. 286(RES) am "An Act allowing a person to hold two commercial fishing entry permits for a salmon fishery for the purpose of consolidating the fishing fleet for a salmon fishery; relating to salmon fishery associations and to salmon fishery assessments; and providing for an effective date." Signing under other recommendations: Senator Phillips, Chair. Signing to calendar: Senators Cowdery, Therriault, Ellis.

The bill is on today's calendar.

**HB 288**

The Rules Committee considered CS FOR HOUSE BILL NO. 288(FIN) am "An Act relating to commercial fishing limited entry permit buy-back programs, to a permit buy-back assessment, and to voluntary relinquishment of commercial fishing permits; and defining 'optimum number.'" Signing under other recommendations: Senator Phillips, Chair, Senator Therriault. Signing to calendar: Senator Cowdery.

The bill is on today's calendar.

**HB 305**

The Rules Committee considered CS FOR HOUSE BILL NO. 305(STA) am "An Act prohibiting certain state employment, a student loan, or a permanent fund dividend for a person who fails to register for the military selective service; and providing for an effective date" and recommended it be replaced with

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

Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Halford, Ellis.

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

The bill is on today's calendar.

**HB 374**

The Rules Committee considered HOUSE BILL NO. 374 "An Act naming the David Douthit Veterans' Memorial Bridge." Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Halford, Ellis.

The bill is on today's calendar.

**HB 397**

The Rules Committee considered CS FOR HOUSE BILL NO. 397(STA) "An Act exempting a person driving certain motor vehicles, aircraft, or watercraft from driver licensing requirements; and providing for an effective date." Signing under other recommendations: Senator Phillips, Chair, Senators Therriault, Ellis. Signing to calendar: Senator Cowdery.

The bill is on today's calendar.

**HB 421**

The Rules Committee considered CS FOR HOUSE BILL NO. 421(RES)(title am) "An Act relating to requiring the Department of Natural Resources to develop and maintain a standardized procedure for processing applications and issuing permits, authorizations, and certifications under the Alaska Water Use Act and to make a record of those items and amendments and orders affecting them available on the Internet." Signing under other recommendations: Senator Phillips, Chair, Senator Ellis. Signing to calendar: Senators Cowdery, Therriault.

The bill is on today's calendar.

**HB 458**

The Rules Committee considered HOUSE BILL NO. 458 "An Act relating to periods of probation for state employees; and providing for an effective date." Signing to calendar and do pass: Senator Phillips, Chair, Senators Therriault, Ellis.

The bill is on today's calendar.

**HB 504**

The Rules Committee considered CS FOR HOUSE BILL NO. 504(FIN) am "An Act relating to the wages of people working in the fisheries business." Signing under other recommendations: Senator Phillips, Chair, Senator Therriault. Signing to calendar: Senator Cowdery. Signing do not pass: Senator Ellis.

The bill is on today's calendar.

**HB 515**

The Rules Committee considered CS FOR HOUSE BILL NO. 515(FIN) am "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 and by the judicial branch of state government from the state operating budget for the fiscal year ending June 30, 2003; and providing for an effective date." Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Therriault, Ellis.

The bill is on today's calendar.

**HB 523**

The Rules Committee considered CS FOR HOUSE BILL NO. 523(TRA) "An Act naming the state airport at the City of Unalaska the Tom Madsen Airport." Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Halford, Ellis.

The bill is on today's calendar.

**SCR 37**

The Rules Committee considered SENATE CONCURRENT RESOLUTION NO. 37 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 274, relating to workers' compensation. Signing to calendar: Senator Phillips, Chair, Senators, Cowdery, Ellis. Signing under other recommendations: Senator Therriault.

The resolution is on today's calendar.

**Special Committee Reports****SB 11**

The following report was received at 6:36 p.m., May 10, 2002  
May 10, 2002

Mr. President:  
Mr. Speaker:

The CONFERENCE COMMITTEE considered

CS FOR SENATE BILL NO. 11(FIN) "An Act relating to required school attendance; and providing for an effective date."

and

CS FOR SENATE BILL NO. 11(FIN) am H "An Act relating to required school attendance and relating to a curriculum for Alaska history; and providing for an effective date."

and recommends

CONFERENCE CS FOR SENATE BILL NO. 11 "An Act relating to required school attendance; and providing for an effective date."

be adopted.

Signing do pass: Senator Therriault, Chair, Senator Wilken. Signing the report: Senator Olson; Representatives Stevens, Coghill, Kapsner.

The following previously published fiscal information applies:  
Fiscal Note No. 2, zero, Department of Education and Early Development

Senator Leman moved that the Senate adopt the Conference Committee Report on CONFERENCE CS FOR SENATE BILL NO. 11.

The presence of Senator Green was noted.

**SB 11**

Senator Ellis called the Senate. The call was satisfied.

The question being: "Shall the Senate adopt the Conference Committee Report on CONFERENCE CS FOR SENATE BILL NO. 11 "An Act relating to required school attendance; and providing for an effective date"?" The roll was taken with the following result:

CCS SB 11

Adopt Conference Committee Report?

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

Yea: Austerman, Cowdery, Donley, Green, Kelly, Leman, Phillips, Stevens, Taylor, Therriault, Torgerson, Wilken

Nay: Davis, Ellis, Elton, Halford, Hoffman, Lincoln, Olson, Ward

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 SB 11

Effective Date Clause

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

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

and so, the effective date clause was adopted.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for engrossment and enrollment.

### **Reconsideration of Senate Bills**

#### **SB 371**

Senator Therriault requested that the reconsideration on CS FOR SENATE BILL NO. 371(RES) be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 371(RES) am "An Act exempting the use of munitions in certain areas from a waste disposal permit requirement of the Department of Environmental Conservation; relating to general or nationwide permits under the Alaska coastal management program and to authorizations and permits issued by the Alaska Oil and Gas Conservation Commission; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 371(RES) am  
Third Reading - On Reconsideration  
Effective Date

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

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

Nay: Davis, Ellis, Elton, Lincoln

and so, CS FOR SENATE BILL NO. 371(RES) am 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.

**SB 247**

Senator Kelly requested that the reconsideration on CS FOR SENATE BILL NO. 247(FIN) am be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 247(FIN) am "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" pass the Senate?" The roll was taken with the following result:

CSSB 247(FIN) am  
Third Reading - On Reconsideration  
Effective Dates

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

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

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

and so, CS FOR SENATE BILL NO. 247(FIN) am 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 clauses. Without objection, it was so ordered.

Senator Leman moved that the constitutional budget reserve fund section(s) be adopted. Senator Ellis objected.

The question being: "Shall the constitutional budget reserve fund section(s) (Article IX, Section 17(c) Constitution of the State of Alaska) be adopted?" The roll was taken with the following result:

CSSB 247(FIN) am  
Adopt Constitutional Budget  
Reserve Fund Section(s)?

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

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

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

and so, the constitutional budget reserve fund section(s) failed to be adopted, and CS FOR SENATE BILL NO. 247(FIN) am(brf sup maj fld) "An Act making and amending appropriations and reappropriations; and providing for an effective date" was referred to the Secretary for engrossment.

**Introduction and Reference of  
Senate Resolutions**

**SCR 39**

SENATE CONCURRENT RESOLUTION NO. 39 BY THE  
SENATE TRANSPORTATION COMMITTEE,

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

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

**SCR 40**

SENATE CONCURRENT RESOLUTION NO. 40 BY THE  
SENATE RULES COMMITTEE,

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

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

**SCR 41**

SENATE CONCURRENT RESOLUTION NO. 41 BY THE  
SENATE STATE AFFAIRS COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e)  
Uniform Rules of the Alaska State Legislature,  
concerning House Bill No. 212, relating to workers'  
compensation insurance for subcontractors and their  
employees."

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

**Consideration of the Calendar****Second Reading of Senate Bills****SB 54**

SENATE BILL NO. 54 "An Act establishing the Alaska Veterans Advisory Council; and providing for an effective date" was read the second time.

Senator Kelly, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 3144. Without objection, CS FOR SENATE BILL NO. 54(FIN) was adopted and read the second time.

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

CS FOR SENATE BILL NO. 54(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 54(FIN) "An Act establishing the Alaska Veterans Advisory Council; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 54(FIN)  
Third Reading - Final Passage  
Effective Date

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

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

and so, CS FOR SENATE BILL NO. 54(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 clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

**SB 267**

SENATE BILL NO. 267 "An Act establishing the Alaska veterans' memorial endowment fund and providing for credits against certain taxes for contributions to that fund; relating to other tax credits for certain contributions; and providing for an effective date" was read the second time.

Senator Donley, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 3173. Without objection, CS FOR SENATE BILL NO. 267(FIN) "An Act establishing the Alaska veterans' memorial endowment fund and providing for credits against certain taxes for contributions to that fund; providing that the amount of each tax credit for contributions to the Alaska veterans' memorial endowment fund on amounts that do not exceed \$100,000 is 50 percent and on amounts that exceed \$100,000 but do not exceed \$200,000 is 75 percent; relating to other tax credits for certain contributions; and providing for an effective date" was adopted and read the second time.

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

CS FOR SENATE BILL NO. 267(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 267(FIN) "An Act establishing the Alaska veterans' memorial endowment fund and providing for credits against certain taxes for contributions to that fund; providing that the amount of each tax credit for contributions to the Alaska veterans' memorial endowment fund on amounts that do not exceed \$100,000 is 50 percent and on amounts that exceed \$100,000 but do not exceed \$200,000 is 75 percent; relating to other tax credits for certain contributions; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 267(FIN)  
Third Reading - Final Passage  
Effective Date

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

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

Absent: Kelly

and so, CS FOR SENATE BILL NO. 267(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 clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

**SB 268**

SENATE BILL NO. 268 "An Act relating to the issuance of state-guaranteed revenue bonds by the Alaska Housing Finance Corporation to finance mortgages for qualifying veterans; and providing for an effective date" was read the second time.

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

SENATE BILL NO. 268 was read the third time.

The question being: "Shall SENATE BILL NO. 268 "An Act relating to the issuance of state-guaranteed revenue bonds by the Alaska Housing Finance Corporation to finance mortgages for qualifying veterans; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SB 268

Third Reading - Final Passage

Effective Date

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

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

and so, SENATE BILL NO. 268 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.

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

#### **HB 4**

CS FOR HOUSE BILL NO. 4(FIN) am "An Act relating to motor vehicles and to operating a motor vehicle, aircraft, or watercraft; and providing for an effective date" was read the second time.

Senator Kelly, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 3176. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 4(FIN) was adopted and read the second time.

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

SENATE CS FOR CS FOR HOUSE BILL NO. 4(FIN) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 4(FIN) "An Act relating to motor vehicles and to operating a motor vehicle, aircraft, or watercraft; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 4(FIN)  
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, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 4(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 clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

**HB 52**

HOUSE BILL NO. 52 am "An Act relating to the Interstate Compact for Adult Offender Supervision and the State Council for Interstate Adult Offender Supervision; amending Rules 4 and 24, Alaska Rules of Civil Procedure; and providing for an effective date" 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.

HOUSE BILL NO. 52 am was read the third time.

The question being: "Shall HOUSE BILL NO. 52 am "An Act relating to the Interstate Compact for Adult Offender Supervision and the State Council for Interstate Adult Offender Supervision; amending Rules 4 and 24, Alaska Rules of Civil Procedure; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

HB 52 am

Third Reading - Final Passage  
Court Rule(s)/Effective Date

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

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

and so, HOUSE BILL NO. 52 am 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.

Senator Donley gave notice of reconsideration.

**HB 128**

CS FOR HOUSE BILL NO. 128(L&C)(efd add) "An Act relating to the required approval of the commissioner of labor and workforce development for the employment of certain minors; and providing for an effective date" was read the second time.

Senator Kelly, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 3145. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 128(FIN) was adopted and read the second time.

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

SENATE CS FOR CS FOR HOUSE BILL NO. 128(FIN) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 128(FIN) "An Act relating to the required approval of the commissioner of labor and workforce development for the employment of certain minors; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 128(FIN)  
Third Reading - Final Passage  
Effective Date

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

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

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 128(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 clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

**HB 160**

CS FOR HOUSE BILL NO. 160(JUD) "An Act requiring the reporting of induced terminations of pregnancies" 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. Senator Ellis objected.

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

CSHB 160(JUD)  
Advance from Second to Third Reading?

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

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

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

and so, the bill failed to advance to third reading.

CS FOR HOUSE BILL NO. 160(JUD) will be on the May 12 calendar.

**HB 206**

CS FOR HOUSE BILL NO. 206(RLS) "An Act relating to a vessel-based commercial fisheries limited entry system for the Bering Sea Korean hair crab fishery and for weathervane scallop fisheries, to management of offshore fisheries, and to the definition of 'person' for purposes of the commercial fisheries entry program; and providing for an effective date" was read the second time.

Senator Stevens offered Amendment No. 1:

Page 9, following line 18:

Insert a new bill section to read:

"\* **Sec. 5.** AS 16.43.010(a) is amended to read:

(a) It is the purpose of this chapter to promote the conservation and the sustained yield management of Alaska's fishery resource and the economic health and stability of commercial fishing in Alaska by regulating and controlling entry of participants [AND VESSELS] into the commercial fisheries in the public interest and without unjust discrimination."

Renumber the following bill sections accordingly.

Page 11, following line 25:

Insert a new bill section to read:

"\* **Sec. 10.** AS 16.43.960(a) is amended to read:

(a) The commission may revoke, suspend, or transfer all entry or interim-use permits [, VESSEL ENTRY PERMITS, OR VESSEL INTERIM-USE PERMITS] held by a person [OR ENTITY] who knowingly provides or assists in providing false information, or fails to correct false information provided to the commission for the purpose of obtaining a benefit for self or another, including the issuance, renewal, duplication, or transfer of an entry or interim-use permit or [, VESSEL ENTRY PERMIT, OR VESSEL INTERIM-USE PERMIT]. The commission may suspend, as appropriate, that person's [OR ENTITY'S] eligibility to hold an entry or interim-use permit [, VESSEL ENTRY PERMIT, OR VESSEL INTERIM-USE PERMIT] for a period not to exceed three years, and may impose an administrative fine of not more than \$5,000 on the person. The commission may also impose an administrative fine of not more than \$5,000 on an [OR] entity whose officers,

employees, representatives, or agents knowingly provide or assist in providing false information, or fail to correct false information provided, to the commission for the purpose of obtaining a benefit."

Renumber the following bill sections accordingly.

Page 12, following line 7:

Insert a new bill section to read:

"\* **Sec. 12.** AS 16.43.970(a) is amended to read:

(a) A person who violates a provision of this chapter or a regulation adopted under this chapter [OR AN ENTITY THAT VIOLATES A PROVISION OF AS 16.43.450 - 16.43.520 OR A REGULATION ADOPTED UNDER AS 16.43.450 - 16.43.520] is, upon conviction, guilty of a class B misdemeanor and is punishable by a fine of not more than \$5,000 for a first conviction, and a fine of not more than \$10,000 for a second or third conviction. Upon a first or second conviction under this subsection, the court may in its discretion also order the commission to suspend the commercial fishing privileges of the person [OR ENTITY] for a period of not more than three years and to revoke one or more or all commercial fishing permits held by the person [OR ENTITY]. Upon a third or subsequent conviction under this subsection, the person [OR ENTITY] is also subject to a loss of commercial fishing privileges as provided under (i) of this section. This subsection does not apply to violations of AS 16.43.140(a)."

Renumber the following bill sections accordingly.

Page 12, following line 17:

Insert a new bill section to read:

"\* **Sec. 14.** AS 16.43.970(b) is amended to read:

(b) A person [OR ENTITY] who knowingly makes a false statement to the commission for the purpose of obtaining a benefit, including the issuance, renewal, duplication, or transfer of an entry or interim-use permit **or** [,] vessel license [, VESSEL INTERIM-USE PERMIT, OR VESSEL ENTRY PERMIT,] or a person who assists another by knowingly making a false statement to the commission for the purpose of obtaining a benefit for another, is guilty of the crime of unsworn falsification as set out in AS 11.56.210. Upon conviction, the person [OR ENTITY] is also subject to suspension of commercial

fishering privileges and revocation of commercial fishing permits under (i) of this section."

Renumber the following bill sections accordingly.

Page 12, following line 23:

Insert a new bill section to read:

"\* **Sec. 16.** AS 16.43.970(d) is amended to read:

(d) If a permit holder is charged by the state with violating a provision of this chapter or a regulation adopted under this chapter, the holder may not transfer any interim-use or entry permit under AS 16.43.170 [OR ANY TRANSFERABLE VESSEL ENTRY PERMIT UNDER AS 16.43.450 - 16.43.520] until after the final adjudication or dismissal of the charges."

Renumber the following bill sections accordingly.

Page 12, following line 27:

Insert a new bill section to read:

"\* **Sec. 18.** AS 16.43.970(e) is amended to read:

(e) Notwithstanding any other provision of this section, an interim-use or entry permit [OR TRANSFERABLE VESSEL ENTRY PERMIT] may not be transferred while under suspension, without the consent of the commission."

Renumber the following bill sections accordingly.

Page 13, following line 27:

Insert a new bill section to read:

"\* **Sec. 21.** AS 16.43.970(i) is amended to read:

(i) Upon the conviction of a person [OR ENTITY] for an offense described under (a), (b), or (g) of this section, the court shall immediately notify the commission of the conviction. The notice provided by the court shall be accompanied by an order suspending commercial fishing privileges and revoking commercial fishing permits under (a) of this section, as appropriate. The commission shall, upon receipt of

(1) an order from the court under (a) of this section, suspend the commercial fishing privileges of a person [OR ENTITY] for the period set by the court and revoke commercial fishing permits

held by the person [OR ENTITY] as directed by the court;

(2) a notice from the court that a person [OR ENTITY] has been convicted of a third or subsequent violation of (a) of this section, suspend all commercial fishing privileges of the person [OR ENTITY] for a period of three years from the date of conviction and revoke all commercial fishing permits held by the person [OR ENTITY];

(3) a notice from the court that a person [OR ENTITY] has been convicted of a violation described under (b) of this section, suspend all commercial fishing privileges of the person [OR ENTITY] for a period of three years from the date of conviction and revoke all commercial fishing permits held by the person [OR ENTITY];

(4) a notice from the court that a person has been convicted of a violation described under (g)(1) of this section, suspend all commercial fishing privileges of the person for a period of one year from the date of conviction;

(5) a notice from the court that a person has been convicted of a violation described under (g)(2) of this section, suspend all commercial fishing privileges of the person for a period of two years from the date of conviction;

(6) a notice from the court that a person has been convicted of a violation described under (g)(3) of this section, suspend all commercial fishing privileges of the person for a period of five years from the date of conviction."

Renumber the following bill sections accordingly.

Page 13, following line 31:

Insert a new bill section to read:

"\* **Sec. 23.** AS 16.43.970(j)(1) is amended to read:

(1) "commercial fishing permit" means an entry permit **or** [,] an interim-use permit [, A VESSEL ENTRY PERMIT, OR A VESSEL INTERIM-USE PERMIT] issued under this chapter;"

Renumber the following bill sections accordingly.

Page 14, following line 17:

Insert new bill sections to read:

"\* **Sec. 27.** REPEAL OF VESSEL PERMIT SYSTEM.

AS 16.43.100(a)(20), 16.43.450, 16.43.460, 16.43.470, 16.43.480, 16.43.490, 16.43.500, 16.43.510, and 16.43.520 are repealed.

\* **Sec. 28.** Sections 5, 10, 12, 14, 16, 18, 21, 23, and 27 of this Act take effect December 30, 2008."

Renumber the following bill section accordingly.

Page 14, line 18:

Delete "This"

Insert "Except as provided in sec. 28 of this Act, this"

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

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

CS FOR HOUSE BILL NO. 206(RLS) am S was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 206(RLS) am S "An Act relating to a vessel-based commercial fisheries limited entry system for the Bering Sea Korean hair crab fishery and for weathervane scallop fisheries, to management of offshore fisheries, and to the definition of 'person' for purposes of the commercial fisheries entry program; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 206(RLS) am S  
Third Reading - Final Passage  
Effective Date

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

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

Nay: Torgerson, Ward

Absent: Kelly

and so, CS FOR HOUSE BILL NO. 206(RLS) 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.

**SCR 37**

SENATE CONCURRENT RESOLUTION NO. 37 was read the second time and was before the Senate on final passage.

The question being: "Shall SENATE CONCURRENT RESOLUTION NO. 37 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 274, relating to workers' compensation, pass the Senate?" The roll was taken with the following result:

SCR 37

Second Reading - Final Passage

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

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

Absent: Kelly

and so, SENATE CONCURRENT RESOLUTION NO. 37 passed the Senate and was referred to the Secretary for engrossment.

**HB 274**

CS FOR HOUSE BILL NO. 274(L&C) "An Act relating to the qualification of a physician used for an employer's independent medical examination and to the authority of the Alaska Workers' Compensation Board to provide an expedited hearing when an employee needs medical treatment; and providing for an effective date" was read the second time.

Senator Stevens, Chair, moved and asked unanimous consent for the adoption of the Labor and Commerce Senate Committee Substitute offered on page 3177. Senator Donley objected, then withdrew his objection. There being no further objections, SENATE CS FOR CS FOR HOUSE BILL NO. 274(L&C) "An Act relating to the qualification of a physician used for an employer's independent medical examination; and providing for an effective date" (Title change authorized by SCR 37) was adopted and read the second time.

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

SENATE CS FOR CS FOR HOUSE BILL NO. 274(L&C) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 274(L&C) "An Act relating to the qualification of a physician used for an employer's independent medical examination; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 274(L&C)  
Third Reading - Final Passage  
Effective Date

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

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

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 274(L&C) 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 Ellis gave notice of reconsideration.

**HB 286**

CS FOR HOUSE BILL NO. 286(RES) am "An Act allowing a person to hold two commercial fishing entry permits for a salmon fishery for the purpose of consolidating the fishing fleet for a salmon fishery; relating to salmon fishery associations and to salmon fishery assessments; and providing for an effective date" was read the second time.

Senator Torgerson, Chair, moved and asked unanimous consent for the adoption of the Resources Senate Committee Substitute offered on page 2946. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 286(RES) was adopted and read the second time.

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

SENATE CS FOR CS FOR HOUSE BILL NO. 286(RES) was read the third time.

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

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 286(RES) "An Act allowing a person to hold two commercial fishing entry permits for a salmon fishery for the purpose of consolidating the fishing fleet for a salmon fishery; relating to salmon fishery associations and to salmon fishery assessments; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 286(RES)  
Third Reading - Final Passage  
Effective Date

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

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

Nay: Ward

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 286(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 288**

CS FOR HOUSE BILL NO. 288(FIN) am "An Act relating to commercial fishing limited entry permit buy-back programs, to a permit buy-back assessment, and to voluntary relinquishment of commercial fishing permits; and defining 'optimum number'" 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. 288(FIN) am was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 288(FIN) am "An Act relating to commercial fishing limited entry permit buy-back programs, to a permit buy-back assessment, and to voluntary relinquishment of commercial fishing permits; and defining 'optimum number'" pass the Senate?" The roll was taken with the following result:

CSHB 288(FIN) am  
Third Reading - Final Passage

**YEAS: 16 NAYS: 3 EXCUSED: 0 ABSENT: 1**

Yea: Austerman, Davis, Donley, Ellis, Elton, Hoffman, Kelly, Leman, Lincoln, Olson, Phillips, Stevens, Taylor, Therriault, Torgerson, Wilken

Nay: Green, Halford, Ward

Absent: Cowdery

and so, CS FOR HOUSE BILL NO. 288(FIN) am passed the Senate.

Senator Donley gave notice of reconsideration.

**HB 305**

CS FOR HOUSE BILL NO. 305(STA) am "An Act prohibiting certain state employment, a student loan, or a permanent fund dividend for a person who fails to register for the military selective service; and providing for an effective date" was read the second time.

Senator Phillips, Chair, moved and asked unanimous consent for the adoption of the Rules Senate Committee Substitute offered on page 3345. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 305(RLS) was adopted and read the second time.

Senators Leman, Taylor, Phillips, Stevens, Halford, Wilken 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 considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE CS FOR CS FOR HOUSE BILL NO. 305(RLS) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 305(RLS) "An Act prohibiting certain state employment, a student loan, or a permanent fund dividend for a person who fails to register for the military selective service; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 305(RLS)  
Third Reading - Final Passage  
Effective Dates

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

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

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 305(RLS) 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.

Senator Donley gave notice of reconsideration.

**HB 374**

HOUSE BILL NO. 374 "An Act naming the David Douthit Veterans' Memorial Bridge" 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.

HOUSE BILL NO. 374 was read the third time.

Senators Ward, Halford, Taylor, Leman, Elton, Cowdery, Davis, Lincoln, Donley, Kelly moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

The question being: "Shall HOUSE BILL NO. 374 "An Act naming the David Douthit Veterans' Memorial Bridge" pass the Senate?" The roll was taken with the following result:

HB 374

Third Reading - Final Passage

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

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

Absent: Kelly

and so, HOUSE BILL NO. 374 passed the Senate, was signed by the President and Secretary and returned to the House.

**HB 397**

CS FOR HOUSE BILL NO. 397(STA) "An Act exempting a person driving certain motor vehicles, aircraft, or watercraft from driver licensing requirements; and providing for an effective date" was read the second time.

Senator Cowdery, Chair, moved and asked unanimous consent for the adoption of the Transportation Senate Committee Substitute offered on page 3069. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 397(TRA) was adopted and read the second time.

Senator Wilken offered Amendment No. 1:

Page 2, line 7, following "regulation":

Insert "if the person is under 16 years of age and the person

(A) is accompanied by and under immediate supervision of a  
driver licensed under this chapter; or

(B) has completed a snowtrac safety course offered by the  
Department of Public Safety"

Page 2, following line 11:

Insert a new bill section to read:

"\* **Sec. 2.** AS 28.15.021(5) is repealed July 1, 2007."

Renumber the following bill section accordingly.

SENATE JOURNAL  
3372 May 11, 2002

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

Senator Ellis called the Senate. The call was satisfied.

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

SCS CSHB 397(TRA)  
Second Reading  
Amendment No. 1

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

Yea: Austerman, Ellis, Phillips, Stevens, Wilken

Nay: Cowdery, Davis, Donley, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Taylor, Therriault, Torgerson, Ward

and so, Amendment No. 1 failed.

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

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

SCS CSHB 397(TRA)  
Advance from Second to Third Reading?

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

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

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

SENATE CS FOR CS FOR HOUSE BILL NO. 397(TRA) will be on the May 12 calendar.

**HB 421**

CS FOR HOUSE BILL NO. 421(RES)(title am) "An Act relating to requiring the Department of Natural Resources to develop and maintain a standardized procedure for processing applications and issuing permits, authorizations, and certifications under the Alaska Water Use Act and to make a record of those items and amendments and orders affecting them available on the Internet" was read the second time.

Senator Kelly, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 3146. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 421(FIN) was adopted and read the second time.

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

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

SCS CSHB 421(FIN)

Advance from Second to Third Reading?

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

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

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

and so, the bill failed to advance to third reading.

SENATE CS FOR CS FOR HOUSE BILL NO. 421(FIN) will be on the May 12 calendar.

**HB 458**

HOUSE BILL NO. 458 "An Act relating to periods of probation for state employees; 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.

HOUSE BILL NO. 458 was read the third time.

The question being: "Shall HOUSE BILL NO. 458 "An Act relating to periods of probation for state employees; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

**HB 458**

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, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

and so, HOUSE BILL NO. 458 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 Donley gave notice of reconsideration.

**HB 504**

CS FOR HOUSE BILL NO. 504(FIN) am "An Act relating to the wages of people working in the fisheries business" 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. Senator Ellis objected.

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

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

CSHB 504(FIN) am  
Advance from Second to Third Reading?

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

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

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

and so, the bill failed to advance to third reading.

CS FOR HOUSE BILL NO. 504(FIN) am will be on the May 12 calendar.

### **HB 515**

CS FOR HOUSE BILL NO. 515(FIN) am "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 and by the judicial branch of state government from the state operating budget for the fiscal year ending June 30, 2003; and providing for an effective date" was read the second time.

Senator Kelly, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 3146. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 515(FIN) was adopted and read the second time.

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

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

SCS CSHB 515(FIN)  
Advance from Second to Third Reading?

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

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

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

and so, the bill failed to advance to third reading.

SENATE CS FOR CS FOR HOUSE BILL NO. 515(FIN) will be on the May 12 calendar.

**HB 523**

CS FOR HOUSE BILL NO. 523(TRA) "An Act naming the state airport at the City of Unalaska the Tom Madsen Airport" 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. 523(TRA) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 523(TRA) "An Act naming the state airport at the City of Unalaska the Tom Madsen Airport" pass the Senate?" The roll was taken with the following result:

CSHB 523(TRA)

Third Reading - Final Passage

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

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

and so, CS FOR HOUSE BILL NO. 523(TRA) passed the Senate, was signed by the President and Secretary and returned to the House.

**Third Reading of Senate Bills**

**SB 280**

CS FOR SENATE BILL NO. 280(RES) was read the third time.

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

The question being: "Shall CS FOR SENATE BILL NO. 280(RES) "An Act permitting grants to certain regulated public utilities for water quality enhancement projects and water supply and wastewater systems" pass the Senate?" The roll was taken with the following result:

CSSB 280(RES)

Third Reading - Final Passage

**YEAS: 10 NAYS: 10 EXCUSED: 0 ABSENT: 0**

Yea: Austerman, Cowdery, Kelly, Leman, Phillips, Stevens, Taylor, Therriault, Torgerson, Wilken

Nay: Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Lincoln, Olson, Ward

Taylor changed from "Nay" to "Yea".

Davis changed from "Yea" to "Nay".

and so, CS FOR SENATE BILL NO. 280(RES) failed.

Senator Therriault gave notice of reconsideration.

**SB 355**

SENATE BILL NO. 355 was read the third time.

The question being: "Shall SENATE BILL NO. 355 "An Act establishing an account in the general fund to receive general gifts, donations, and bequests to the State of Alaska" pass the Senate?" The roll was taken with the following result:

SB 355

Third Reading - Final Passage

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

Yea: Cowdery, Davis, Donley, Green, Halford, Kelly, Leman, Olson, Taylor, Therriault, Torgerson, Ward, Wilken

Nay: Austerman, Ellis, Elton, Hoffman, Lincoln, Phillips, Stevens

and so, SENATE BILL NO. 355 passed the Senate.  
Senator Ellis gave notice of reconsideration.

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

#### **HB 307**

HOUSE BILL NO. 307 was read the third time.

The question being: "Shall HOUSE BILL NO. 307 "An Act delaying to June 30, 2007, the last date by which hydrocarbon exploration geophysical work must be performed or drilling of a stratigraphic test well or exploratory well must be completed in order for a person to qualify for an exploration incentive credit" pass the Senate?" The roll was taken with the following result:

HB 307

Third Reading - Final Passage

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

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

and so, HOUSE BILL NO. 307 passed the Senate.

Senator Ellis gave notice of reconsideration.

#### **HB 331**

CS FOR HOUSE BILL NO. 331(STA) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 331(STA) "An Act relating to appointment of persons to positions that require confirmation by the legislature; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 331(STA)  
Third Reading - Final Passage  
Effective Date

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

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

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

and so, CS FOR HOUSE BILL NO. 331(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.

Senator Ellis gave notice of reconsideration.

**HB 444**

HOUSE BILL NO. 444 "An Act relating to buildings covered under the Alaska public building fund; and providing for an effective date" was read the third time.

Senator Ward moved that the bill be returned to second reading for the purpose of a specific amendment, that being Amendment No. 1. Objections were heard.

The question being: "Shall the bill be returned to second reading for the purpose of a specific amendment?" The roll was taken with the following result:

**HB 444**

Return to Second for Specific Amendment

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

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

Nay: Davis, Ellis, Elton, Hoffman, Leman, Lincoln, Olson, Stevens

and so, the bill was returned to second reading.

Senator Ward offered Amendment No. 1:

Page 1, following line 7:

Insert a new bill section to read:

**"\* Sec. 2. ROBERT B. ATWOOD BUILDING.** The Department of Administration shall make available 6,000 square feet of space in the Robert B. Atwood Building to the Alaska State Legislature for 121 days during 2003 and 2004 for the purpose of holding the First Regular Session and the Second Regular Session of the Twenty-Third Alaska State Legislature."

Renumber the following bill section accordingly.

Senator Ward moved for the adoption of Amendment No. 1. Senator Elton objected.

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

HB 444  
Second Reading  
Amendment No. 1

**YEAS: 4 NAYS: 15 EXCUSED: 0 ABSENT: 1**

Yea: Cowdery, Donley, Phillips, Ward

Nay: Austerman, Davis, Ellis, Elton, Green, Halford, Kelly, Leman, Lincoln, Olson, Stevens, Taylor, Therriault, Torgerson, Wilken

Absent: Hoffman

and so, Amendment No. 1 failed.

The bill was automatically in third reading.

The question being: "Shall HOUSE BILL NO. 444 "An Act relating to buildings covered under the Alaska public building fund; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

**HB 444**

Third Reading - Final Passage  
Effective Date

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

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

Absent: Hoffman

and so, HOUSE BILL NO. 444 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 455**

CS FOR HOUSE BILL NO. 455(CRA) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 455(CRA) "An Act relating to the assessment of certain agricultural land for purposes of municipal taxation; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 455(CRA)  
Third Reading - Final Passage  
Effective Date

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

Yea: Austerman, Davis, Donley, Ellis, Elton, Green, Halford, Leman, Lincoln, Olson, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward

Absent: Cowdery, Hoffman, Kelly, Wilken

and so, CS FOR HOUSE BILL NO. 455(CRA) 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 Ellis gave notice of reconsideration.

Senators Lincoln, Taylor moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

### Citations

Honoring – 2001 CIFC Champion, Juneau-Douglas High School Crimson Bears and Head Coach of the Year, Reilly Richey  
Senator(s) Elton, Lincoln, Hoffman, Halford, Leman, Davis, Wilken, Kelly, Austerman, Green, Taylor, Cowdery, Stevens, Therriault  
Representative(s) Kerttula, Hudson

Honoring – Linda Rabideau  
Senator(s) Hoffman, Lincoln, Halford, Leman, Davis, Elton, Wilken, Kelly, Austerman, Green, Taylor, Cowdery, Stevens, Therriault

Honoring – Eielson AFB 354<sup>th</sup> Fighter Wing  
Senator(s) Therriault, Cowdery, Ellis, Lincoln, Hoffman, Halford, Leman, Davis, Elton, Wilken, Kelly, Austerman, Green, Taylor, Stevens

Honoring – Chuck and Ann Sassara, Celebrating 50 Years of Marriage  
Representative(s) Murkowski  
Senator(s) Leman, Phillips, Ellis, Lincoln, Hoffman, Halford, Davis, Elton, Wilken, Kelly, Austerman, Green, Taylor, Cowdery, Stevens, Therriault

Honoring – 2001 Nikiski Football Team  
Representative(s) Chenault  
Senator(s) Ward, Lincoln, Hoffman, Halford, Leman, Davis, Elton, Wilken, Kelly, Austerman, Green, Taylor, Cowdery, Stevens, Therriault

In Memoriam – W. M. "Bill" Burnett

Representative(s) Chenault

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

In Memoriam – Alicia Marie Heath

Representative(s) Chenault

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

In Memoriam – Sue Reiter

Representative(s) Chenault, Lancaster

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

In Memoriam – Irving Lee Diamond

Representative(s) Chenault, Lancaster

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

In Memoriam – Daniel Ray Little

Representative(s) Chenault, Lancaster

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

In Memoriam – Robert J. Guenther

Representative(s) Chenault, Lancaster

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

In Memoriam – Wilbur William Geary

Representative(s) Chenault, Lancaster

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

In Memoriam – Cynthia L. Cobb

Representative(s) Chenault, Lancaster

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

In Memoriam – Walter J. Covich

Representative(s) Chenault, Lancaster

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

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**

#### **HB 352**

The reconsideration on CS FOR HOUSE BILL NO. 352(HES) am "An Act extending the dates for assignment of performance designations of public schools and the dates for reports and monitoring based on those designations; 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.

### **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 6:22 p.m.

### **After Recess**

The Senate reconvened at 7:50 p.m.

Senator Leman moved and asked unanimous consent that the first supplemental calendar be adopted. Without objection, it was so ordered.

**Unfinished Business (continued)****HB 330**

Senator Kelly, Cochair, moved and asked unanimous consent that the Finance Committee referral be waived on CS FOR HOUSE BILL NO. 330(FIN) am "An Act relating to providing alcoholic beverages to a person under 21 years of age." Without objection, the bill was referred to the Rules Committee.

**Consideration of the First Supplemental Calendar****Senate Bills in Third Reading****SB 324**

CS FOR SENATE BILL NO. 324(L&C) "An Act providing that a utility or electric operating entity owned and operated by a political subdivision of the state competing directly with a telecommunications utility is not subject to the Alaska Public Utilities Regulatory Act" which had been returned to the Rules Committee (page 3050) was before the Senate in third reading.

The question being: "Shall CS FOR SENATE BILL NO. 324(L&C) "An Act providing that a utility or electric operating entity owned and operated by a political subdivision of the state competing directly with a telecommunications utility is not subject to the Alaska Public Utilities Regulatory Act" pass the Senate?" The roll was taken with the following result:

CSSB 324(L&C)  
Third Reading - Final Passage

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

Yea: Austerman, Cowdery, Davis, Donley, Elton, Green, Halford, Kelly, Leman, Lincoln, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

Nay: Hoffman

Absent: Ellis, Olson

and so, CS FOR SENATE BILL NO. 324(FIN) passed the Senate.

Senator Lincoln gave notice of reconsideration.

### **Announcements**

Announcements are at the end of the journal.

### **Engrossment**

#### **SB 54**

CS FOR SENATE BILL NO. 54(FIN) "An Act establishing the Alaska Veterans Advisory Council; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

#### **SB 247**

CS FOR SENATE BILL NO. 247(FIN) am(brf sup maj fld) "An Act making and amending appropriations and reappropriations; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

#### **SB 267**

CS FOR SENATE BILL NO. 267(FIN) "An Act establishing the Alaska veterans' memorial endowment fund and providing for credits against certain taxes for contributions to that fund; providing that the amount of each tax credit for contributions to the Alaska veterans' memorial endowment fund on amounts that do not exceed \$100,000 is 50 percent and on amounts that exceed \$100,000 but do not exceed \$200,000 is 75 percent; relating to other tax credits for certain contributions; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**SB 268**

SENATE BILL NO. 268 "An Act relating to the issuance of state-guaranteed revenue bonds by the Alaska Housing Finance Corporation to finance mortgages for qualifying veterans; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**SB 371**

CS FOR SENATE BILL NO. 371(RES) am "An Act exempting the use of munitions in certain areas from a waste disposal permit requirement of the Department of Environmental Conservation; relating to general or nationwide permits under the Alaska coastal management program and to authorizations and permits issued by the Alaska Oil and Gas Conservation Commission; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**HB 4**

SENATE CS FOR CS FOR HOUSE BILL NO. 4(FIN) "An Act relating to motor vehicles and to operating a motor vehicle, aircraft, or watercraft; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 128**

SENATE CS FOR CS FOR HOUSE BILL NO. 128(FIN) "An Act relating to the required approval of the commissioner of labor and workforce development for the employment of certain minors; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 206**

CS FOR HOUSE BILL NO. 206(RLS) am S "An Act relating to a vessel-based commercial fisheries limited entry system for the Bering Sea Korean hair crab fishery and for weathervane scallop fisheries, to management of offshore fisheries, and to the definition of 'person' for purposes of the commercial fisheries entry program; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 286**

SENATE CS FOR CS FOR HOUSE BILL NO. 286(RES) "An Act allowing a person to hold two commercial fishing entry permits for a salmon fishery for the purpose of consolidating the fishing fleet for a salmon fishery; relating to salmon fishery associations and to salmon fishery assessments; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**SCR 37**

SENATE CONCURRENT RESOLUTION NO. 37 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 274, relating to workers' compensation, was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**Adjournment**

Senator Leman moved and asked unanimous consent that the Senate stand in adjournment until 2:00 p.m., May 12, 2002. Without objection, the Senate adjourned at 8:07 p.m.

Heidi Vogel  
Secretary of the Senate

May 2002



**JUDICIARY**

**May 11 Saturday** **Beltz 211 11:00 AM**  
-- Time Change --  
+ HB 135 EXCESSIVE POLICE SERVICES:FEES/ TENANCY  
+ HB 207 REALIGNMENT OF JUDICIAL DISTRICTS  
+ HB 216 BD OF FISHERIES MEETINGS/EMERGENCY ORDERS  
+ SB 230 PSYCHOTROPIC DRUGS FOR CHILDREN  
+ Bills Previously Heard/Scheduled

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**RESOURCES**

**May 11 Saturday** **Beltz 211 10:15 AM**  
-- Location Change --  
+ HB 165 KENAI RIVER SPECIAL MANAGEMENT AREA  
Bills Previously Heard/Scheduled

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**RULES**

**May 11 Saturday** **Fahrenkamp 203 10:30 AM**  
SB 268 GUARANTEED REVENUE BONDS FOR VETERANS  
HB 58 UNEMPLOYMENT COMPENSATION BENEFITS  
HB 180 YOUTH SERVICES: REGULATION & TASK FORCE  
HB 348 VIOLATION OF A DOMESTIC VIOLENCE ORDER  
HB 443 TATTOOING AND BODY PIERCING  
HB 474 ANCHORAGE COASTAL WILDLIFE REFUGE  
HB 501 UNCLAIMED PROPERTY & RESTITUTION  
HB 517 SURPLUS/OBSOLETE STATE PROPERTY

**May 12 Sunday** **Fahrenkamp 203 12:00 PM**  
SB 55 PIONEERS' AND VETERANS' HOME/ADVISORY BD  
SB 230 PSYCHOTROPIC DRUGS FOR CHILDREN  
SB 317 NAT'L FOREST INCOME AND REGS OF DCED  
SB 366 CHITINA DIP NET FISHERY PERMIT FEE  
HB 53 SEISMIC HAZARDS SAFETY COMMISSION  
= HB 56 MINIMUM WAGE  
HB 207 REALIGNMENT OF JUDICIAL DISTRICTS  
HB 208 AQUATIC FARMS FOR SHELLFISH  
HB 246 OMNIBUS INSURANCE BILL  
= HB 254 STATE RETIREMENT SYSTEMS/WARRANTS  
HB 276 REGULATION OF NURSING

**RULES (continued)**

HB 287 EXEMPT ENTRY PERMITS FROM CREDITOR CLAIMS  
HB 296 MUNICIPAL MERGER AND CONSOLIDATION  
HB 332 COUNCIL ON DOMESTIC VIOLENCE  
HB 350 TERRORISTIC THREATS  
HB 447 COM FISH & AGRICULTURE BANK INTEREST RATE  
HB 499 SUCCESSOR LIABILITY FOR PRODUCT LIABILITY  
HB 507 NAMING WEIGH STATION AND BIKE TRAIL  
HB 521 MUNICIPAL IMPROVEMENT AREAS  
HB 527 MINTO FLATS GAME REFUGE

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**STATE AFFAIRS**

**May 11 Saturday** **Beltz 211 11:30 AM**  
HJR 50 SUPPORT TAIWAN IN WORLD HEALTH ASSEMBLY

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**TRANSPORTATION**

**May 11 Saturday** **Butrovich 205 4:00 PM**  
HB 510 COMMERCIAL MOTOR VEHICLES:REGULATIONS  
Bills Previously Heard/Scheduled

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**JOINT COMMITTEES****CONFERENCE COMMITTEES ON HB 403 & HB 404**

**May 11 Saturday** **Senate Finance 532 6:00 PM**  
-- Time Change --  
-- Meeting Postponed to Call of Chair --  
= HB 403 APPROP: OPERATING BUDGET/LOANS/FUNDS  
= HB 404 APPROP: MENTAL HEALTH BUDGET

**May 12 Sunday** **Senate Finance 532 11:00 AM**  
= HB 403 APPROP: OPERATING BUDGET/LOANS/FUNDS  
= HB 404 APPROP: MENTAL HEALTH BUDGET