

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Thursday

May 15, 2003

One Hundred Fifteenth Day

Pursuant to adjournment the Senate was called to order by President Therriault at 11:52 a.m.

The roll showed nineteen members present. Senator Bunde was absent.

The prayer was offered by the Chaplain, Dr. Paul Beran of the Resurrection Lutheran Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Let us reflect and give thanks.

Gracious God, our Heavenly Father, You lavish with generosity every good and perfect gift: You've buried in the earth gold, silver, and oil; You placed in the seas an abundance of fish; You've covered many of the mountains with trees stretching skyward; You've placed on the land bountiful animals, caribou, reindeer, and moose. You've called us to be responsible caretakers. We praise You and give You thanks for the bounty of Your creation.

As we face and make decisions help us to be Your diligent and wise stewards. Give us direction for their right uses and save us from the greed that abuses, that we and generations to come might rejoice with us in the lavish goodness and abundance of Your hand. This I pray in the Name of Jesus, Who came not to be served, but to serve. Amen.

Senator Green led the Senate in the Pledge of Allegiance.

Certification

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

Messages from the Governor

HB 249

Message dated and received May 14 was read, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR HOUSE BILL NO. 249(JUD) am "An Act relating to the award of costs and attorney fees to defendants under court rule in civil actions brought under monopoly and restraint of trade statutes; and providing for an effective date."

Chapter 19, SLA 2003

Effective Date: May 15, 2003

SB 43

Message dated and received May 14 was read, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR SENATE BILL NO. 43(FIN) "An Act extending the termination date of the State Medical Board."

Chapter 20, SLA 2003

Effective Date: August 12, 2003

The presence of Senator Bunde was noted.

HB 64

Message dated and received May 14 was read, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR HOUSE BILL NO. 64(JUD) "An Act relating to court approval of the purchase of structured settlements."

Chapter 21, SLA 2003
Effective Date: August 12, 2003

Messages from the House**SB 151**

Message dated May 14 was received, stating the House passed and returned:

CS FOR SENATE BILL NO. 151(L&C) "An Act relating to the regulation of natural gas pipelines under the Pipeline Act; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

HB 184

Message dated May 14 was received, stating the House concurred in the Senate amendments to CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 184(L&C) am, thus adopting:

SENATE CS FOR CS FOR SPONSOR
SUBSTITUTE FOR HOUSE BILL NO. 184(L&C)
am S "An Act relating to individual deferred
annuities; and providing for an effective date."

Message dated May 14 was read, stating the House has ratified the appointment of Marianne Stillner as a public member to the Select Committee on Legislative Ethics.

Messages dated May 14 were read, stating the House passed and transmitted for consideration:

**First Reading and Reference of
House Resolutions**

HCR 17

HOUSE CONCURRENT RESOLUTION NO. 17 BY THE HOUSE HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 25, relating to the acquisition of teachers' housing by regional educational attendance areas and to teachers' housing loan programs in the Alaska Housing Finance Corporation.

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

First Reading and Reference of House Bills

HB 245

CS FOR HOUSE BILL NO. 245(JUD)(efd fld) BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to certain suits and claims by members of the military services; relating to certain suits and claims regarding acts or omissions of the organized militia; relating to workers' compensation and death benefits for members of the organized militia; relating to liability arising out of certain search and rescue, civil defense, fire management, and fire fighting activities."

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

HB 251

CS FOR HOUSE BILL NO. 251(FIN) am BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to exemption of certain foreign pleasure craft from the mandatory pilotage requirement and to civil fines imposed on the owner or operator of a pleasure craft of foreign registry; and providing for an effective date."

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

Concur Messages**SB 25**

Message dated May 14 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 25(FIN) "An Act relating to the acquisition of teachers' housing by regional educational attendance areas and to teachers' housing loan programs in the Alaska Housing Finance Corporation; and providing for an effective date" with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL NO. 25(RLS) "An Act relating to the acquisition of teachers' housing by regional educational attendance areas and to a teacher housing loan program and a teachers' and nurses' housing loan program in the Alaska Housing Finance Corporation; and providing for an effective date."

(Title change authorized by HCR 17)

Senator Ben Stevens moved that the Senate concur in the House amendment.

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

HCS CSSB 25(RLS)

Shall the Senate concur in the House amendment
to CSSB 25(FIN)? Effective Date

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Guess,
Hoffman, Lincoln, Seekins, Stevens B, Stevens G, Taylor, Therriault,
Wagoner, Wilken

Nays: Green

Absent: Ogan, Olson

and so, the Senate concurred in the House amendment, thus adopting
HOUSE CS FOR CS FOR SENATE BILL NO. 25(RLS) "An Act
relating to the acquisition of teachers' housing by regional educational
attendance areas and to a teacher housing loan program and a teachers'
and nurses' housing loan program in the Alaska Housing Finance
Corporation; and providing for an effective date."

Senator Ben Stevens moved and asked unanimous consent that the
vote on concurrence be considered the vote on the effective date
clause. Without objection, it was so ordered.

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

HCR 17

Senator Ben Stevens moved and asked unanimous consent to bring up
HOUSE CONCURRENT RESOLUTION NO. 17. Without objection,
HOUSE CONCURRENT RESOLUTION NO. 17 was before the
Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION
NO. 17 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules
of the Alaska State Legislature, concerning Senate Bill No. 25,
relating to the acquisition of teachers' housing by regional educational
attendance areas and to teachers' housing loan programs in the Alaska
Housing Finance Corporation, pass the Senate?" The roll was taken
with the following result:

HCR 17
Final Passage

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

Yeas: Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Lincoln, Olson, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

Absent: Bunde, Ogan

and so, HOUSE CONCURRENT RESOLUTION NO. 17 passed the Senate.

The Secretary was requested to notify the House.

SB 124

Message dated May 14 was read, stating the House passed and returned for consideration SENATE BILL NO. 124(efd fld) "An Act relating to grants for alcoholism and drug abuse programs" with the following amendment:

HOUSE CS FOR SENATE BILL NO. 124(FIN) "An Act relating to grants for alcoholism and drug abuse programs; and providing for an effective date."
(technical title change)

Senator Ben Stevens moved that the Senate concur in the House amendment.

Senator Green called the Senate. The call was satisfied.

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

HCSSB 124(FIN)
Shall the Senate concur in House amendment to SB 124(efd fld)?

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

Yeas: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

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

and so, the Senate concurred in the House amendment.

Senator Ben Stevens moved for the adoption of the effective date clause.

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

HCS SB 124(FIN)
Effective Date Clause

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

Yeas: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

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

and so, the effective date clause failed.

The Secretary was requested to notify the House.

HOUSE CS FOR SENATE BILL NO. 124(FIN)(efd fld) "An Act relating to grants for alcoholism and drug abuse programs" was referred to the Secretary for engrossment.

SJR 10

Message dated May 14 was read, stating the House passed and returned for consideration SENATE JOINT RESOLUTION NO. 10 with the following amendment:

HOUSE CS FOR SENATE JOINT RESOLUTION
NO. 10(JUD) Relating to the Pledge of Allegiance.

Senator Ben Stevens moved that the Senate concur in the House amendment.

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

HCS SJR 10(JUD)

Shall the Senate concur in the House amendment
to SJR 10?

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green,
Guess, Hoffman, Lincoln, Ogan, Olson, Seekins, Stevens B, Stevens
G, Taylor, Therriault, Wagoner, Wilken

and so, the Senate concurred in the House amendment, thus adopting
HOUSE CS FOR SENATE JOINT RESOLUTION NO. 10(JUD)
Relating to the Pledge of Allegiance.

The Secretary was requested to notify the House.

The resolution was referred to the Secretary for enrollment.

Standing Committee Reports

Report dated May 14 was read, stating:

In accordance with AS 24.60.130 the Senate Judiciary Committee
reviewed the following with regard to confirmation and recommends
the appointment be forwarded to the Senate floor:

Select Committee on Legislative Ethics

Marianne Stillner

This does not reflect an intent by any of the members to vote for or
against the individual during any further sessions.

Signing the report: Senators Therriault, Ogan, French.

Senator Ben Stevens requested that the confirmation of Marianne
Stillner to the Select Committee on Legislative Ethics be taken up at
this time. Without objection, it was so ordered.

Senator Ben Stevens moved that Marianne Stillner be confirmed as a
Public Member to the Select Committee on Legislative Ethics.

The question being: "Shall Marianne Stillner be confirmed as a Public Member to the Select Committee on Legislative Ethics?" The roll was taken with the following result:

Shall Marianne Stillner be confirmed as a member of the Select Committee on Legislative Ethics?

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Lincoln, Ogan, Olson, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

and so, Marianne Stillner was confirmed by the Senate.

The Secretary was requested to notify the House.

Report dated May 14 was read, stating:

In accordance with AS 39.05.080, the Senate Judiciary Committee reviewed the following with regard to confirmation of the Governor's appointments and recommends the appointment be forwarded to a joint session for consideration:

Board of Governors of the Alaska Bar

William A. Granger

This does not reflect an intent by any of the members to vote for or against the individual during any further sessions.

Signing the report: Senator Seekins, Chair; Senators Therriault, Ogan, French.

SB 2

Corrected Judiciary Committee Substitute (page 1300) for SENATE BILL NO. 2 "An Act relating to recovery of civil damages from the parents or legal guardian of a minor; and providing for an effective date" was received today:

CS FOR SENATE BILL NO. 2(JUD) "An Act relating to liability for destruction of property by an unemancipated minor; and providing for an effective date."

SB 215

The Finance Committee considered SENATE BILL NO. 215 "An Act giving notice of and approving the entry into and the issuance of certificates of participation for a lease-purchase agreement for a seafood and food safety laboratory facility; relating to the use of certain investment income for certain construction costs; and providing for an effective date" and recommended the adoption of the State Affairs Committee Substitute offered on page 1384. Signing do pass: Senator Wilken, Cochair; Senators Taylor, Ben Stevens. Signing no recommendation: Senators Olson, Bunde, Hoffman.

The following previously published fiscal information applies:

Fiscal Note No. 2, Department of Environmental Conservation

Fiscal Note No. 3, Department of Revenue

The bill was referred to the Rules Committee.

HB 61

The Finance Committee considered CS FOR HOUSE BILL NO. 61(FIN) "An Act establishing an exploration and development incentive tax credit for operators and working interest owners directly engaged in the exploration for and development of gas for sale and delivery without reference to volume from a lease or property in the state; and providing for an effective date" and recommended the adoption of the Resources Senate Committee Substitute offered on page 1270. Signing do pass: Senator Wilken, Cochair; Senators Taylor, Ben Stevens. Signing no recommendation: Senators Olson, Bunde, Hoffman.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Natural Resources

Fiscal Note No. 2, zero, Department of Revenue

The bill was referred to the Rules Committee.

HB 154

The Finance Committee considered CS FOR HOUSE BILL NO. 154(FIN) "An Act relating to advancement in public schools of children under school age; and providing for an effective date for the Act of July 1, 2004." Signing do pass: Senator Wilken, Cochair; Senators Taylor, Bunde, Ben Stevens. Signing do not pass: Senators Hoffman, Olson.

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

The bill was referred to the Rules Committee.

HB 171

The Finance Committee considered HOUSE BILL NO. 171 am "An Act repealing the charter school grant program; and providing for an effective date." Signing do pass: Senator Wilken, Cochair; Senators Bunde, Ben Stevens. Signing no recommendation: Senators Taylor, Hoffman, Olson.

The following previously published fiscal information applies:
Fiscal Note No. 1, Department of Education and Early
Development

The bill was referred to the Rules Committee.

HB 174

The Finance Committee considered CS FOR HOUSE BILL NO. 174(FIN) am "An Act relating to the state centralized correspondence study program, to funding for educational programs that occur primarily outside school facilities, and to the duties of school boards of borough and city school districts and regional educational attendance areas; and providing for an effective date." Signing do pass: Senator Wilken, Cochair; Senators Bunde, Ben Stevens. Signing no recommendation: Senators Hoffman, Taylor, Olson.

The following previously published fiscal information applies:
Fiscal Note No. 2, Department of Education and Early
Development
Fiscal Note No. 3, Department of Education and Early
Development

The bill was referred to the Rules Committee.

HB 210

The Finance Committee considered CS FOR HOUSE BILL NO. 210(RES) "An Act relating to the Chitina dip net fishery; and providing for an effective date." Signing do pass: Senator Wilken, Cochair; Senators Taylor, Bunde, Ben Stevens. Signing do not pass: Senators Hoffman, Olson.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Natural Resources
Fiscal Note No. 3, Department of Fish and Game

The bill was referred to the Rules Committee.

HB 225

The Finance Committee considered HOUSE BILL NO. 225 "An Act relating to certain civil actions brought by the attorney general under monopoly and restraint of trade statutes; relating to the award of damages in actions brought under those statutes; and providing for an effective date." Signing do pass: Senator Wilken, Cochair; Senators Taylor, Bunde, Ben Stevens. Signing no recommendation: Senators Hoffman, Olson.

The following previously published fiscal information applies:

Fiscal Note No. 1, indeterminate, Department of Law

The bill was referred to the Rules Committee.

HB 266

The Finance Committee considered CS FOR HOUSE BILL NO. 266(FIN) "An Act relating to questioned ballots and questioned voters, voter registration, training of election officials, preparation of election materials, provision of election materials, forms, and supplies for polling places, voter identification, absentee voting, and counting ballots; and providing for an effective date." Signing do pass: Senator Wilken, Cochair; Senators Taylor, Olson, Bunde, Ben Stevens, Hoffman.

The following previously published fiscal information applies:

Fiscal Note No. 2, zero, Department of Administration
Fiscal Note No. 3, Office of the Governor

The bill was referred to the Rules Committee

HB 313

The Labor and Commerce Committee considered HOUSE BILL NO. 313 "An Act authorizing a pilot program relating to state procurement and the use of electronic commerce tools; and providing for an effective date." Signing do pass: Senator Bunde, Chair; Senator Seekins. Signing no recommendation: Senators French, Gary Stevens.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Administration

The bill was referred to the Rules Committee.

SJR 3

The Judiciary Committee considered SENATE JOINT RESOLUTION NO. 3 Proposing amendments to the Constitution of the State of Alaska relating to an appropriation limit and a spending limit. Signing no recommendation: Senator Ogan, Vice Chair; Senators French, Therriault.

The following fiscal information was published today:

Fiscal Note No. 1, zero, Senate Judiciary Committee

The resolution was referred to the Finance Committee.

Special Committee Reports**HJR 28**

The World Trade and State/Federal Relations Committee considered HOUSE JOINT RESOLUTION NO. 28 am Urging the United States Congress to support the granting of official Observer Status to the Republic of China at the World Health Assembly Annual Conference to be held at Geneva, Switzerland, in May 2003, and to support negotiation of a free trade agreement with the Republic of China. Signing do pass: Senator Cowdery, Chair; Senators Guess, Therriault, Seekins.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Department of Community and Economic
Development

The resolution was referred to the State Affairs Committee.

Introduction and Reference of Senate Bills

SB 225

SENATE BILL NO. 225 BY SENATOR FRENCH, entitled:

"An Act placing the executive director of the Council on Domestic Violence and Sexual Assault in the partially exempt service and staff of the council in the classified service."

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

SB 226

SENATE BILL NO. 226 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to receipts of certain state agencies and the accounting for and disposition of those receipts; and providing for an effective date."

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

The following fiscal information was published today:

Fiscal Note No. 1, zero, Office of the Governor

Governor's transmittal letter dated May 14:

Dear President Therriault:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the receipts of certain state agencies and accounting for those receipts. The bill would eliminate authority for

the segregation of and separate accounting for program receipts. These receipts are collected principally under AS 37.10.050 in the form of fees, licenses, taxes, or other money generated by state agency activities. If these receipts were not statutorily designated as "program receipts", they would be considered assets of the unrestricted general fund. Under provisions of existing law, these receipts keep their identity even though they are deposited in the general fund of the state. Separate accounts are kept within the general fund from which the legislature appropriates for purposes usually related to sources from which the receipts are derived.

This bill would repeal the authority for the separate accounting of program receipts. The bill also would amend parts of the enabling statutes of state agencies that authorize separate accounting of specific receipts.

Separate accounting has the effect of segregating these receipts from other amounts in the general fund. It also tends to place artificial restrictions on the ability to expend from the general fund and is contrary to the spirit of the Alaska Constitution's prohibition against dedicated funds. The legislature retains the power to appropriate these receipts for any public purpose and it is this power that distinguishes the practice of designating program receipts from a legal dedication for a specific purpose. However, the designations made by law operate in the same manner as earmarking. It is inefficient fiscal policy and I hope that this bill will serve as a basis for reconsidering the treatment of these valuable state assets.

Finally, eliminating program receipts as a funding source in the various major appropriation bills would lead to a more easily understood and transparent budget. Designated program receipts are general fund assets. However, these receipts currently are declared to be a funding source apart from the general fund for budgeting purposes. By use of this device, funding sources in the budget bills have shifted from the general fund to program receipts. If this practice is eliminated, the public would have a full accounting of all the state's revenue that is earned by the state and appropriated for public purposes.

To avoid disrupting the process for the fiscal year 2004 budgets, the changes made by the bill would not take effect until July 1, 2004.

I urge your favorable consideration of this bill.

Sincerely,

/s/

Frank H. Murkowski
Governor

SB 227

SENATE BILL NO. 227 BY SENATOR GARY STEVENS, entitled:

"An Act relating to municipal initiative and referendum elections."

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

Consideration of the Calendar

Second Reading of Senate Bills

SB 8

SENATE BILL NO. 8 "An Act relating to tampering with public records" was read the second time.

Senator Seekins, Chair, moved and asked unanimous consent for the adoption of the Judiciary Committee Substitute offered on page 1199. Without objection, CS FOR SENATE BILL NO. 8(JUD) was adopted.

Senator Ben Stevens 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. 8(JUD) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 8(JUD) "An Act relating to tampering with public records" pass the Senate?" The roll was taken with the following result:

CSSB 8(JUD)

Third Reading - Final Passage

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Lincoln, Ogan, Olson, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

and so, CS FOR SENATE BILL NO. 8(JUD) passed the Senate.

Senators Lincoln, French, Bunde, Cowdery, Elton, Ellis, moved and asked unanimous consent to be shown as cosponsors on the bill. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 8(JUD) was referred to the Secretary for engrossment.

SB 26

SENATE BILL NO. 26 "An Act relating to state employees who are called to active duty as reserve or auxiliary members of the armed forces of the United States; and providing for an effective date" was read the second time.

Senator Gary Stevens, Chair, moved and asked unanimous consent for the adoption of the State Affairs Committee Substitute offered on page 589. Without objection, CS FOR SENATE BILL NO. 26(STA) was adopted.

Senator Ben Stevens 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. 26(STA) was read the third time.

Senator Ellis called the Senate. The call was satisfied.

The question being: "Shall CS FOR SENATE BILL NO. 26(STA) "An Act relating to state employees who are called to active duty as reserve or auxiliary members of the armed forces of the United States; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 26(STA)
Third Reading - Final Passage
Effective Date

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Lincoln, Ogan, Olson, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

and so, CS FOR SENATE BILL NO. 26(STA) passed the Senate.

Senator Ben Stevens 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.

Senators Ellis, Ben Stevens, Guess, Cowdery, Dyson, Gary Stevens, Wagoner, Seekins, Olson, Therriault, moved and asked unanimous consent to be shown as cosponsors on the bill. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 26(STA) was referred to the Secretary for engrossment.

Second Reading of House Bills

HB 120

CS FOR HOUSE BILL NO. 102(RLS) am "An Act excluding service contracts from regulation as insurance; relating to insurance licensing for motor vehicle service contracts and home warranties; and providing for an effective date" pass the Senate?" was read the second time.

Senator Ben Stevens 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. 120(RLS) am was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 120(RLS) am "An Act excluding service contracts from regulation as insurance; relating to insurance licensing for motor vehicle service contracts and home warranties; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 120(RLS) am
Third Reading - Final Passage
Effective Date

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Lincoln, Ogan, Olson, Seekins, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Taylor

and so, CS FOR HOUSE BILL NO. 120(RLS) am passed the Senate.

Senator Ben Stevens 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 250

CS FOR HOUSE BILL NO. 250(FIN) "An Act relating to protests of state contract awards, to claims on state contracts, to the arbitration of certain state construction contract claims, and to hearings and appeals under the State Procurement Code; making conforming amendments in the State Procurement Code; and providing for an effective date" was read the second time.

Senator Ben Stevens 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. 250(FIN) was read the third time.

Senators Wilken, Taylor, Wagoner, Dyson, Seekins, Ogan, moved and asked unanimous consent to be shown as cosponsors on the bill. Without objection, it was so ordered.

The question being: "Shall CS FOR HOUSE BILL NO. 250(FIN) "An Act relating to protests of state contract awards, to claims on state contracts, to the arbitration of certain state construction contract claims, and to hearings and appeals under the State Procurement Code; making conforming amendments in the State Procurement Code; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 250(FIN)

Third Reading - Final Passage

Effective Date

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Lincoln, Ogan, Olson, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

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

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

Recess

Senator Ben Stevens moved and asked unanimous consent that the Senate stand in recess to 4:00 p.m. Without objection, the Senate recessed at 12:54 p.m.

After Recess

The Senate reconvened at 4:30 p.m.

Third Reading of Senate Bills**SB 30**

CS FOR SENATE BILL NO. 30(JUD) am was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 30(JUD) am "An Act relating to information and services available to pregnant women and other persons; and ensuring informed consent before an abortion may be performed, except in cases of medical emergency" pass the Senate?" The roll was taken with the following result:

CSSB 30(JUD) am
Third Reading - Final Passage

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

Yeas: Cowdery, Dyson, Green, Hoffman, Ogan, Olson, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner

Nays: Bunde, Davis, Ellis, Elton, French, Guess, Lincoln, Wilken

and so, CS FOR SENATE BILL NO. 30(JUD) am passed the Senate.

Senator Lincoln gave notice of reconsideration.

SB 100

CS FOR SENATE BILL NO. 100(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 100(FIN) "An Act making capital appropriations, supplemental appropriations, and reappropriations; capitalizing funds; making other appropriations; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 100(FIN)
Third Reading - Final Passage

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

Yeas: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stevens B,
Stevens G, Taylor, Therriault, Wagoner, Wilken

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

and so, CS FOR SENATE BILL NO. 100(FIN) passed the Senate.

Senator Ben Stevens moved for the adoption of the effective date clauses.

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

CSSB 100(FIN)
Effective Date Clauses

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

Yeas: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stevens B,
Stevens G, Taylor, Therriault, Wagoner, Wilken

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

and so, the effective date clauses failed.

Senator Ben Stevens moved for the adoption of the constitutional budget reserve fund section 14(d).

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

CSSB 100(FIN)(efd fld)
Adopt Constitutional Budget Reserve Fund Sec. 14(d)?

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

Yeas: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stevens B,
Stevens G, Taylor, Therriault, Wagoner, Wilken

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

and so, the constitutional budget reserve fund section failed to be adopted.

Senator Ben Stevens moved for the adoption of the constitutional budget reserve fund section 14(a).

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

CSSB 100(FIN)(efd fld)

Adopt Constitutional Budget Reserve Fund Sec. 14(a)?

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

Yeas: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

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

and so, the constitutional budget reserve fund section failed to be adopted.

Senator Ben Stevens moved for the adoption of the constitutional budget reserve fund section 14(b).

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

CSSB 100(FIN)(efd fld)

Adopt Constitutional Budget Reserve Fund Sec. 14(b)?

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

Yeas: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

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

and so, the constitutional budget reserve fund section failed to be adopted.

Senator Ben Stevens moved for the adoption of the constitutional budget reserve fund section 14(c).

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

CSSB 100(FIN)(efd fld)

Adopt Constitutional Budget Reserve Fund Sec. 14(c)?

YEAS: 11 NAYS: 8 EXCUSED: 0 ABSENT: 1

Yeas: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stevens B, Stevens G, Therriault, Wagoner, Wilken

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

Absent: Taylor

and so, the constitutional budget reserve fund section failed to be adopted.

Senator Ellis gave notice of reconsideration on CS FOR SENATE BILL NO. 100(FIN)(brf sup maj fld)(efd fld) "An Act making capital appropriations, supplemental appropriations, and reappropriations; capitalizing funds; and making other appropriations."

SB 102

CS FOR SENATE BILL NO. 102(L&C) "An Act increasing the amount of revenue received by the state from charitable gaming activities; relating to taxes on pull-tabs; and providing for an effective date" was read the third time.

Senator Ellis called the Senate. The call was satisfied.

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

Senator Bunde offered Amendment No. 1:

Page 2, following line 5:

Insert new bill sections to read:

"* **Sec. 3.** AS 29.10.200(51) is amended to read:

(51) AS 29.45.650(c), (d), (e), [AND] (f), **and (i)** (sales and use tax);

* **Sec. 4.** AS 29.45.650 is amended by adding a new subsection to read:

(i) A borough may not levy or collect a sales or a use tax on pull-tabs used in charitable gaming. This subsection applies to home rule and general law municipalities.

* **Sec. 5.** AS 29.45.700(d) is amended to read:

(d) A city that levies and collects sales and use taxes under (a) of this section may not levy and collect a sales tax on a purchase made with (1) food coupons, food stamps, or other types of allotments issued under 7 U.S.C. 2011 - 2036 (Food Stamp Program); or (2) food instruments, food vouchers, or other type of certificate issued under 42 U.S.C. 1786 (Special Supplemental Food Program for Women, Infants, and Children). For purposes of this subsection, the value of a food stamp allotment paid in the form of a wage subsidy as authorized under AS 47.25.975(b) is not considered to be an allotment issued under 7 U.S.C. 2011 - 2036 (Food Stamp Program). **A city that levies and collects sales and use taxes under (a) of this section may not levy and collect a sales or use tax on pull-tabs used in charitable gaming.** This subsection applies to home rule and general law municipalities."

Renumber the following bill sections accordingly.

Page 2, line 8:

Delete "sec. 5"

Insert "sec. 8"

Page 2, line 11:

Delete "secs. 1 and 2"

Insert "secs. 1 - 5"

Page 2, line 12:

Delete "sec. 5"

Insert "sec. 8"

Delete "sec. 3"

Insert "sec. 6"

Page 2, line 14:

Delete "sec. 4"

Insert "sec. 7"

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

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

CSSB 102(L&C)
Second Reading
Amendment No. 1

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

Yeas: Bunde, Cowdery, Ellis, French, Green, Ogan, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

Nays: Davis, Dyson, Elton, Guess, Hoffman, Lincoln, Olson

and so, Amendment No. 1 was adopted.

CS FOR SENATE BILL NO. 102(L&C) am was automatically in third reading.

The question being: "Shall CS FOR SENATE BILL NO. 102(L&C) am "An Act increasing the amount of revenue received by the state from charitable gaming activities; relating to taxes on pull-tabs; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 102(L&C) am
Third Reading - Final Passage

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

Yeas: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

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

and so, CS FOR SENATE BILL NO. 102(L&C) am passed the Senate.

Senator Ben Stevens moved for the adoption of the effective date clauses.

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

CSSB 102(L&C) am
Effective Date Clauses

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

Yeas: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

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

and so, the effective date clauses failed.

Senator Elton gave notice of reconsideration on CS FOR SENATE BILL NO. 102(L&C) am(efd fld) "An Act increasing the amount of revenue received by the state from charitable gaming activities, and relating to taxes on pull-tabs."

SB 117

CS FOR SENATE BILL NO. 117(FIN) "An Act relating to the longevity bonus program; and providing for an effective date" was read the third time.

Senator Guess declared a conflict of interest.

The question being: "Shall CS FOR SENATE BILL NO. 117(FIN) "An Act relating to the longevity bonus program; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 117(FIN)
Third Reading - Final Passage

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

Yeas: Bunde, Cowdery, Dyson, Green, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

Nays: Davis, Ellis, Elton, French, Guess, Hoffman, Lincoln, Ogan, Olson

and so, CS FOR SENATE BILL NO. 117(FIN) passed the Senate.

Senator Ben Stevens moved for the adoption of the effective date clauses.

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

CSSB 117(FIN)
Effective Date Clauses

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

Yeas: Bunde, Cowdery, Dyson, Green, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

Nays: Davis, Ellis, Elton, French, Guess, Hoffman, Lincoln, Ogan, Olson

and so, the effective date clauses failed.

Senator Guess gave notice of reconsideration on CS FOR SENATE BILL NO. 117(FIN)(efd fld) "An Act relating to the longevity bonus program."

SB 119

CS FOR SENATE BILL NO. 119(FIN) was read the third time.

Senator Ben Stevens called the Senate. The call was satisfied.

The question being: "Shall CS FOR SENATE BILL NO. 119(FIN) "An Act authorizing the Alaska Public Offices Commission to issue advisory opinions; amending campaign financial disclosure and reporting requirements, campaign contribution limits, provisions related to contributions after elections, and provisions related to unused campaign contributions; providing for expedited consideration of, and modifying procedures for determining, violations of state election campaign laws; amending the time period within which to file an administrative complaint of a violation of state election campaign laws; amending the definitions of 'express communication' and 'political party' for state election campaigns; amending the registration fee for lobbyists; providing for increased use of electronic filing for reports to the Alaska Public Offices Commission; adding a definition of 'commission' in the regulation of lobbying laws; amending the

requirements for the reporting of financial interests by public officials; adding a definition of 'domestic partner' in the legislative ethics code and in the public official financial disclosure requirements; allowing classified employees to take an active part in political party management; making conforming amendments; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 119(FIN)

Third Reading - Final Passage

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

Yeas: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

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

and so, CS FOR SENATE BILL NO. 119(FIN) passed the Senate.

Senator Ben Stevens moved for the adoption of the effective date clauses.

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

CSSB 119(FIN)

Effective Date Clauses

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

Yeas: Bunde, Cowdery, Dyson, Green, Hoffman, Ogan, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

Nays: Davis, Ellis, Elton, French, Guess, Lincoln, Olson

and so, the effective date clauses failed.

Senator Ellis gave notice of reconsideration on CS FOR SENATE BILL NO. 119(FIN)(efd fld) "An Act authorizing the Alaska Public Offices Commission to issue advisory opinions; amending campaign financial disclosure and reporting requirements, campaign contribution limits, provisions related to contributions after elections, and provisions related to unused campaign contributions; providing for

expedited consideration of, and modifying procedures for determining, violations of state election campaign laws; amending the time period within which to file an administrative complaint of a violation of state election campaign laws; amending the definitions of 'express communication' and 'political party' for state election campaigns; amending the registration fee for lobbyists; providing for increased use of electronic filing for reports to the Alaska Public Offices Commission; adding a definition of 'commission' in the regulation of lobbying laws; amending the requirements for the reporting of financial interests by public officials; adding a definition of 'domestic partner' in the legislative ethics code and in the public official financial disclosure requirements; allowing classified employees to take an active part in political party management; and making conforming amendments."

Recess

Senator Ben Stevens moved and asked unanimous consent that the Senate stand in recess to 8:00 p.m. Without objection, the Senate recessed at 6:56 p.m.

After Recess

The Senate reconvened at 8:25 p.m.

Third Reading of Senate Bills (continued)

SB 185

CS FOR SENATE BILL NO. 185(FIN) "An Act providing for a reduction of royalty on certain oil produced from Cook Inlet submerged land, and for a credit for certain exploration expenses against oil and gas properties production taxes on oil and gas produced from a lease or property in the state" was read the third time.

Senator Ben Stevens called the Senate. The call was satisfied.

The question being: "Shall CS FOR SENATE BILL NO. 185(FIN) "An Act providing for a reduction of royalty on certain oil produced from Cook Inlet submerged land, and for a credit for certain exploration expenses against oil and gas properties production taxes on oil and gas produced from a lease or property in the state" pass the Senate?" The roll was taken with the following result:

CSSB 185(FIN)

Third Reading - Final Passage

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

Yeas: Bunde, Cowdery, Davis, Dyson, French, Green, Guess, Hoffman, Ogan, Olson, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

Nays: Ellis, Elton, Lincoln

and so, CS FOR SENATE BILL NO. 185(FIN) passed the Senate.

Senator Elton gave notice of reconsideration.

SB 202

CS FOR SENATE BILL NO. 202(FIN) "An Act relating to school transportation; relating to the base student allocation used in the formula for state funding of public education; and providing for an effective date" was read the third time.

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

Senator Guess offered Amendment No. 2 (Amendment No. 1 was not offered):

Page 1, line 1:

Delete "**the base student allocation used in**"

Page 2, following line 18:

Insert a new bill section to read:

"* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: FISCAL YEAR 2004 FUNDING FOR SCHOOL DISTRICTS. If, in fiscal year 2004, a city or borough school district or a regional educational attendance area would receive less public school funding under AS 14.17.410 than the district or area would have received under AS 14.17.410 and the department's fiscal year 2004 projected learning opportunity grants, the district or area is, only in fiscal year 2004, eligible to receive additional public school funding equal to the difference between the public school funding the district or area would be eligible to receive under AS 14.17.410 and the public school funding the district or area would have received under AS 14.17.410 and the department's fiscal year 2004 projected learning opportunity grants."

Renumber the following bill section accordingly.

Senator Guess moved for the adoption of Amendment No. 2. Senator Ben Stevens objected.

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

CSSB 202(FIN)
Second Reading
Amendment No. 2

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

Yeas: Davis, Ellis, Elton, French, Guess, Hoffman, Lincoln, Olson

Nays: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

and so, Amendment No. 2 failed.

CS FOR SENATE BILL NO. 202(FIN) was automatically in third reading.

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

Senator Taylor offered Amendment No. 3:

Page 1, line 1

Delete "relating to school transportation;"

Page 1, line 4 through page 2, line 4:

Delete entire Section 1 of the bill.

Re-number accordingly.

Senator Taylor moved for the adoption of Amendment No. 3. Senator Green objected.

Senator Wilken called the Senate. The call was satisfied.

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

CSSB 202(FIN)
Second Reading
Amendment No. 3

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

Yeas: Davis, Ellis, Elton, French, Guess, Hoffman, Lincoln, Olson, Taylor

Nays: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stevens B, Stevens G, Therriault, Wagoner, Wilken

and so, Amendment No. 3 failed.

CS FOR SENATE BILL NO. 202(FIN) was automatically in third reading.

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

Senator Hoffman offered Amendment No. 4:

Page 2, following line 7:

Insert a new bill section to read:

"* Sec. 3. AS 14.09.010 is repealed July 1, 2006."

Renumber the following bill section accordingly.

Senator Hoffman moved for the adoption of Amendment No. 4.
Senator Ben Stevens objected.

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

CSSB 202(FIN)
Second Reading
Amendment No. 4

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

Yeas: Davis, Ellis, Elton, French, Guess, Hoffman, Lincoln, Olson, Taylor

Nays: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stevens B, Stevens G, Therriault, Wagoner, Wilken

and so, Amendment No. 4 failed.

CS FOR SENATE BILL NO. 202(FIN) was automatically in third reading.

The question being: "Shall CS FOR SENATE BILL NO. 202(FIN) "An Act relating to school transportation; relating to the base student allocation used in the formula for state funding of public education; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 202(FIN)
Third Reading - Final Passage
Effective Date

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

Yeas: Bunde, Cowdery, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Ogan, Olson, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

Nays: Davis, Lincoln

and so, CS FOR SENATE BILL NO. 202(FIN) passed the Senate.

Senator Ben Stevens 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 Davis gave notice of reconsideration.

SB 213

CS FOR SENATE BILL NO. 213(FIN) "An Act establishing the Knik Arm Bridge and Toll Authority and relating to that authority; and providing for an effective date" was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 213(FIN) "An Act establishing the Knik Arm Bridge and Toll Authority and relating to that authority; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 213(FIN)
Third Reading - Final Passage
Effective Date

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

Yeas: Bunde, Cowdery, Davis, Dyson, French, Green, Guess, Hoffman, Ogan, Olson, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

Nays: Ellis, Elton, Lincoln

and so, CS FOR SENATE BILL NO. 213(FIN) passed the Senate.

Senator Ben Stevens 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.

Citations

Honoring – Pacific Northern Academy

Senator(s) Therriault, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Lincoln, Ogan, Olson, Seekins, Ben Stevens, Gary Stevens, Taylor, Wagoner, Wilken

Honoring – Annette M. DeLong, Wasilla Chamber of Commerce 2002
Business Person of the Year

Representative(s) Kohring

Senator(s) Green, Therriault, Cowdery, Davis, Dyson, Elton, Guess, Hoffman, Lincoln, Ogan, Olson, Seekins, Ben Stevens, Gary Stevens, Taylor, Wagoner, Wilken

Honoring – LitSite Alaska

Representative(s) Cissna

Senator(s) Davis, Therriault, Cowdery, Dyson, Elton, French, Green, Guess, Hoffman, Lincoln, Ogan, Seekins, Ben Stevens, Gary Stevens, Taylor, Wagoner, Wilken

Honoring – Susan Stitham

Representative(s) Guttenberg

Senator(s) Seekins, Therriault, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Green, Guess, Hoffman, Lincoln, Ogan, Ben Stevens, Gary Stevens, Taylor, Wagoner, Wilken

Honoring – Forrest A. Miles III, Eagle Scout

Representative(s) Masek

Senator(s) Ogan, Therriault, Cowdery, Davis, Dyson, Elton, Green, Guess, Hoffman, Lincoln, Olson, Seekins, Ben Stevens, Gary Stevens, Taylor, Wagoner, Wilken

Honoring – Cliff Gilmore, 30 Years Service to the CVFD
Representative(s) Stoltze, Dahlstrom
Senator(s) Ogan, Dyson, Therriault, Cowdery, Davis, Elton, Green,
Guess, Hoffman, Lincoln, Olson, Seekins, Ben Stevens, Gary Stevens,
Taylor, Wagoner, Wilken

Honoring – Stan Brown and Ed Bailey
Representative(s) Stoltze, Dahlstrom
Senator(s) Ogan, Dyson, Therriault, Cowdery, Davis, Elton, Green,
Guess, Hoffman, Lincoln, Olson, Seekins, Ben Stevens, Gary Stevens,
Taylor, Wagoner, Wilken

Honoring – Chugiak Girls' Basketball Team
Representative(s) Stoltze, Dahlstrom, Hawker
Senator(s) Ogan, Dyson, Therriault, Cowdery, Davis, Elton, Green,
Guess, Hoffman, Lincoln, Olson, Seekins, Ben Stevens, Gary Stevens,
Taylor, Wagoner, Wilken

Honoring – Mark Roberts
Representative(s) Stoltze, Dahlstrom
Senator(s) Ogan, Dyson, Therriault, Cowdery, Davis, Elton, Green,
Guess, Hoffman, Lincoln, Olson, Seekins, Ben Stevens, Gary Stevens,
Taylor, Wagoner, Wilken

Senator Ben Stevens 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

Reconsideration of House Bills

HB 191

Senator Elton requested that the reconsideration on CS FOR HOUSE BILL NO. 191(FIN) am be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR HOUSE BILL NO. 191(FIN) am "An Act relating to the Alaska coastal management program and to policies and procedures for consistency reviews and the rendering of consistency determinations under that program; eliminating the Alaska Coastal Policy Council; annulling certain regulations relating to the Alaska coastal management program; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 191(FIN) am
Third Reading - On Reconsideration

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

Yeas: Bunde, Cowdery, Dyson, Green, Ogan, Seekins, Stevens B, Taylor, Therriault, Wagoner, Wilken

Nays: Davis, Ellis, Elton, French, Guess, Hoffman, Lincoln, Olson, Stevens G

and so, CS FOR HOUSE BILL NO. 191(FIN) am passed the Senate on reconsideration.

Senator Ben Stevens moved for the adoption of the effective date clauses.

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

CSHB 191(FIN) am
Effective Date Clauses

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

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Lincoln, Ogan, Olson, Seekins, Stevens B, Stevens G, Taylor, Therriault, Wagoner, Wilken

and so, the effective date clauses were adopted.

CS FOR HOUSE BILL NO. 191(FIN) am was signed by the President and Secretary and returned to the House.

SB 183

The reconsideration on CS FOR SENATE BILL NO. 183(STA) "An Act authorizing certain boroughs to use revenue collected on an areawide or nonareawide basis for economic development" was not taken up this legislative day and the bill was referred to the Secretary for engrossment.

HJR 28

Senator Gary Stevens, Chair, moved and asked unanimous consent that the State Affairs Committee referral be waived on HOUSE JOINT RESOLUTION NO. 28 am Urging the United States Congress to support the granting of official Observer Status to the Republic of China at the World Health Assembly Annual Conference to be held at Geneva, Switzerland, in May 2003, and to support negotiation of a free trade agreement with the Republic of China. Without objection, the resolution was referred to the Rules Committee.

HB 205

Senator Gary Stevens, Chair, moved and asked unanimous consent that the State Affairs Committee referral be waived on HOUSE BILL NO. 205 "An Act relating to service in the peace corps as an allowable absence from the state for purposes of eligibility for permanent fund dividends and to the period for filing an application for a permanent fund dividend; authorizing the Department of Revenue to issue administrative orders imposing sanctions for certain misrepresentations or other actions concerning eligibility for a permanent fund dividend and providing for administrative appeal of those orders; and providing for an effective date." Without objection, the bill was referred to the Judiciary Committee.

HCR 5

Senator Wagoner, Chair, moved and asked unanimous consent that the Community and Regional Affairs Committee referral be waived on CS FOR HOUSE CONCURRENT RESOLUTION NO. 5(FIN) am Establishing a task force to make recommendations regarding a new design for the official seal of the State of Alaska. Without objection, the resolution was referred to the State Affairs Committee.

HB 14

Senator Wilken, Cochair, moved and asked unanimous consent that the Finance Committee referral be waived on HOUSE BILL NO. 14 am "An Act relating to an absence from the state while providing care for a terminally ill family member for purposes of determining eligibility for a permanent fund dividend; and providing for an effective date." Without objection, the bill was referred to the Rules Committee.

HB 210

Senators Wilken, Taylor, Ogan, Dyson, Seekins, Cowdery, moved and asked unanimous consent to be shown as cross sponsors on CS FOR HOUSE BILL NO. 210(RES) "An Act relating to the Chitina dip net fishery; and providing for an effective date." Without objection, it was so ordered.

HJR 22

Senator Ogan moved and asked unanimous consent to be shown as a cross sponsor on CS FOR HOUSE JOINT RESOLUTION NO. 22(RLS) Relating to the USA PATRIOT Act, the Bill of Rights, the Constitution of the State of Alaska, and the civil liberties, peace, and security of the citizens of our country. Without objection, it was so ordered.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 8**

CS FOR SENATE BILL NO. 8(JUD) "An Act relating to tampering with public records" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 26

CS FOR SENATE BILL NO. 26(STA) "An Act relating to state employees who are called to active duty as reserve or auxiliary members of the armed forces of the United States; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 183

CS FOR SENATE BILL NO. 183(STA) "An Act authorizing certain boroughs to use revenue collected on an areawide or nonareawide basis for economic development" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 124

HOUSE CS FOR SENATE BILL NO. 124(FIN)(efd fld) "An Act relating to grants for alcoholism and drug abuse programs" was engrossed and signed by the President and Secretary.

Adjournment

Senator Ben Stevens moved and asked unanimous consent that the Senate stand in adjournment until 8:30 a.m., May 16, 2003. Without objection, the Senate adjourned at 10:59 p.m.

Kirsten Waid
Secretary of the Senate

June 2003

Announcements

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

STANDING COMMITTEES

- + indicates teleconference
- = indicates bill previously heard/scheduled

FINANCE

May 15 Thursday Senate Finance 532 8:30 AM

-- Time Change --

- + = HB 61 OIL & GAS TAX CREDIT FOR EXPLORATION/DEV
- + = SB 58 PFD INELIGIBILITY/MOTOR VEHICLE INSURANCE
- + = SB 59 PERMANENT FUND INELIGIBILITY FOR DUI
- + = SB 220 STATE SALES AND USE TAX
- + HB 210 CHITINA DIP NET FISHERY
- + SB 215 SEAFOOD AND FOOD SAFETY LABORATORY
- Bills Previously Heard/Scheduled:
- + = HB 266 ELECTIONS
- + = HB 225 MONOPOLY AND RESTRAINT OF TRADE ACTIONS
- + = HB 165 COMMUNITY SCHOOLS
- + = HB 171 REPEAL CHARTER SCHOOL GRANTS
- + = HB 174 CORRESPONDENCE STUDY
- + = HB 154 UNDER SCHOOL AGE STUDENTS

May 16 Friday Senate Finance 532 1:00 PM

-- Time Change --

- + HB 104 PAYMENT OF FISHERY BUSINESS TAX
- + HB 155 PUBLIC CONSTRUCTION PROJECT REQUIREMENTS
- + HB 226 ORGANIC FOOD
- + HB 248 SALARY OF CHIEF PROCUREMENT OFFICER
- + HCR 21 ALASKA ENERGY POLICY TASK FORCE
- + SB 211 REGULATIONS: NOTICE AND DISTRIBUTION
- + Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

- May 16 Friday Butrovich 205 1:30 PM**
 += HB 270 PHARMACIST LICENSING
 <Above Bill Rescheduled from 5/14/03>
 + HB 25 HEALTH CARE SERVICES DIRECTIVES
 Bills Previously Heard/Scheduled
 + HB 18 PARENTAL LIABILITY FOR CHILD'S DAMAGE
 <Pending Referral>

JUDICIARY

- May 15 Thursday Beltz 211 8:45 AM**
 -- Meeting Rescheduled from 5/14/03 --
 + Confirmation Hearings:
 Board of Governors of the Alaska Bar -
 William Granger
 Select Committee on Legislative Ethics -
 Marianne Stillner
 += SB 170 CRIMINAL LAW/SENTENCING/ PROBATION/PAROLE
 += SB 171 SUITS & CLAIMS: MILITARY/FIRE/DEFENSE
 += SJR 18 CONST. AM: PF APPROPRIATION/INFLATION-PROOFING
 += SJR 3 CONST AM: APPROPRIATION/SPENDING LIMIT
 + Bills Previously Heard/Scheduled

- May 16 Friday Beltz 211 1:00 PM**
 + HJR 22 PATRIOT ACT AND DEFENDING CIVIL LIBERTIES
 + SJR 19 CONST. AM: PERMANENT FUND INCOME
 += SB 170 CRIMINAL LAW/SENTENCING/ PROBATION/PAROLE
 <Above Item Removed from Agenda>
 + HB 245 SUITS & CLAIMS: MILITARY/FIRE/DEFENSE
 += HB 86 INJUNCTIONS AGAINST PERMITTED PROJECTS
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

May 15 Thursday Butrovich 205 7:45 AM
 <Meeting recessed to 1:30pm in Beltz>
 -- Time and Location Change --
 Bills Previously Heard/Scheduled
 = HB 83 REVISED UNIFORM ARBITRATION ACT
 + HB 232 HOMER MERCURY CLASSIC
 + HB 313 STATE PROCUREMENT PILOT PROGRAM
 += SB 194 LIQUOR DELIVERED TO HOTELS/CRUISE SHIPS
 <Above Bill Rescheduled from 5/13/03>
 + HB 269 SAFETY CODE TASK FORCE
 + HB 195 INDIVIDUAL HEALTH CARE INSURANCE
 + HB 257 DISCLOSURES BY REAL ESTATE LICENSEES

RESOURCES

May 16 Friday Butrovich 205 3:30 PM
 += HB 283 COAL LEASES
 += HCR 10 RESTORATION OF RIPARIAN HABITAT
 + SB 172 LIMIT ON OIL & GAS LEASE ACREAGE
 + Bills Previously Heard/Scheduled

STATE AFFAIRS

May 15 Thursday Beltz 211 3:30 PM
 -- Meeting Postponed to 5/17/03 --
 + HB 209 MUNI.TAX: PROPERTY AFFECTED BY DISASTER
 + HB 10 GROUP HEALTH INSURANCE FOR PRIVATE GROUPS
 + HB 24 AGREEMENTS ON MANAGEMENT OF FISH AND GAME
 + SCR 13 CANNED SALMON FOR PRISONERS
 + SB 201 HOME & RESPITE CARE: CRIMINAL RECORDS
 + HB 215 ONE PERCENT FOR ART
 + HB 280 COMMERCIAL MOTOR VEHICLES:REGULATIONS
 + HJR 14 NATIONAL WHEELCHAIR GAMES
 + SJR 20 US COAST GUARD ROTC IN ALASKA
 Bills Previously Heard/Scheduled

STATE AFFAIRS (continued)

May 17 Saturday Beltz 211 1:00 PM
 -- Meeting Rescheduled from 5/15/03 --
 + HB 209 MUNI.TAX: PROPERTY AFFECTED BY DISASTER
 + HB 10 GROUP HEALTH INSURANCE FOR PRIVATE GROUPS
 + HB 24 AGREEMENTS ON MANAGEMENT OF FISH AND GAME
 + SCR 13 CANNED SALMON FOR PRISONERS
 + SB 201 HOME & RESPITE CARE: CRIMINAL RECORDS
 + HB 215 ONE PERCENT FOR ART
 + HB 280 COMMERCIAL MOTOR VEHICLES:REGULATIONS
 + HJR 14 NATIONAL WHEELCHAIR GAMES
 + SJR 20 US COAST GUARD ROTC IN ALASKA
 Bills Previously Heard/Scheduled

SPECIAL COMMITTEES

WORLD TRADE AND STATE/FEDERAL RELATIONS

May 15 Thursday Fahrenkamp 203 9:45 AM
 HJR 28 TAIWAN: TRADE & WORLD HEALTH ASSEMBLY

JOINT COMMITTEES

CONFERENCE COMMITTEE ON HB 75 & HB 76

May 15 Thursday Senate Finance 532 7:15 PM
 -- Time Change --
 -- Rescheduled from 5/14/03 --
 = HB 75 APPROP: OPERATING BUDGET/LOANS/FUNDS
 = HB 76 APPROP:MENTAL HEALTH BUDGET
 Dept of Health and Social Services

May 18 Sunday Senate Finance 532 12:00 PM
 = HB 75 APPROP: OPERATING BUDGET/LOANS/FUNDS
 = HB 76 APPROP:MENTAL HEALTH BUDGET
 Depts to be announced