

# SENATE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Thursday

April 29, 2004

#### One Hundred Ninth Day

Pursuant to adjournment the Senate was called to order by President Therriault at 10:45 a.m.

The roll showed eighteen members present. Senators Guess, Ogan were absent.

The prayer was offered by the Chaplain, The Venerable Ian MacKenzie, of the Holy Trinity Episcopal Church. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Almighty God, You have given us this good land as our heritage. May we prove ourselves a people mindful of Your generosity and glad to do Your will. Bless our land with honest industry, truthful education, and an honorable way of life. Save us from violence, discord, and confusion; from pride and arrogance; and from every evil course of action. Make us who come from many nations with many different languages a united people. Defend our liberties and give those whom we have entrusted with the authority of government the spirit of wisdom, that there may be justice and peace in our land. When times are prosperous, let our hearts be thankful; and, in troubled times, do not let our trust in You fail. Give to us now the peace and unity of that heavenly city where You live and reign now and forever.

Amen.

Senator Stedman led the Senate in the Pledge of Allegiance.

**Certification**

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

The presence of Senators Ogan, Guess was noted.

**Messages from the House**

Message dated April 28 was read, stating the House passed and transmitted for consideration:

**First Reading and Reference of  
House Resolutions****HCR 28**

CS FOR HOUSE CONCURRENT RESOLUTION NO. 28(FIN) am  
BY THE HOUSE FINANCE COMMITTEE,

Relating to the study of socioeconomic impacts of  
salmon harvesting cooperatives.

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

**First Reading and Reference of House Bills****HB 511**

CS FOR HOUSE BILL NO. 511(HES) am BY THE HOUSE  
HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE,  
entitled:

"An Act relating to the certificate of need program  
for health care facilities; and providing for an  
effective date."

was read the first time and referred to the Health, Education and Social  
Services and Finance Committees.

**HB 533**

CS FOR HOUSE BILL NO. 533(JUD) BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to the state's administrative procedures and to judicial oversight of administrative matters."

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

**HB 375**

Message dated April 28 was read, stating the House failed to concur in the Senate amendments to CS FOR HOUSE BILL NO. 375(FIN) am and respectfully requests the Senate to recede from its amendments, namely:

SENATE CS FOR CS FOR HOUSE BILL NO. 375(FIN) am S(brf sup maj fld S) "An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; and providing for an effective date."

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

Representative Harris, Chair  
Representative Williams  
Representative Croft

President Therriault previously appointed members to the Conference Committee (page 3082).

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

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

SCS CSHB 375(FIN)am S(brf sup maj fld S)  
Shall the Senate Recede from its Amendments  
to CSHB 375(FIN) am?

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

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

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

Absent: Hoffman

and so, the Senate failed to recede.

The Secretary was requested to notify the House.

**HB 377**

Message dated April 28 was read, stating the House failed to concur in the Senate amendment to CS FOR HOUSE BILL NO. 377(FIN) and respectfully requests the Senate to recede from its amendment, namely:

SENATE CS FOR CS FOR HOUSE BILL NO.  
377(FIN) "An Act making appropriations for the  
operating and capital expenses of the state's  
integrated comprehensive mental health program; and  
providing for an effective date."

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

Representative Harris, Chair  
Representative Williams  
Representative Croft

President Therriault previously appointed members to the Conference Committee (page 3083).

Senator Ben Stevens moved that the Senate recede from its amendment and recommended the body vote no.

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

SCS CSHB 377(FIN)

Shall the Senate Recede from its Amendment  
to CSHB 377(FIN)?

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

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

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

Davis changed from "Nay" to "Yea".

and so, the Senate failed to recede.

The Secretary was requested to notify the House.

### **Standing Committee Reports**

#### **SB 136**

Forthcoming fiscal information (page 3095) for the Finance Committee Substitute for SENATE BILL NO. 136 "An Act increasing an optional exclusion or exemption from municipal taxation for residential property" was published today:

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

Fiscal Note No. 4, indeterminate, Department of Revenue

The bill is on today's calendar.

#### **SB 224**

Forthcoming fiscal information (page 3119) for the State Affairs Committee Substitute for SENATE BILL NO. 224 "An Act relating to lowering the legal level of intoxication for operating a motor vehicle, aircraft, or watercraft to .02 percent or the equivalent for persons under 21 years of age; relating to implied consent for purposes of determining consumption of alcohol; and providing for an effective date" was published today:

Fiscal Note No. 8, zero, Department of Administration  
Fiscal Note No. 9, indeterminate, Department of Administration  
Fiscal Note No. 10, Department of Administration

**SB 231**

Forthcoming Finance Committee Substitute (page 3076) for SENATE BILL NO. 231 "An Act shortening the time periods after which certain unclaimed property is presumed to be abandoned; and providing for an effective date" was received today:

CS FOR SENATE BILL NO. 231(FIN) "An Act relating to unclaimed property; and providing for an effective date."

**SB 278**

Corrected fiscal note (page 3095) for the Finance Committee Substitute for SENATE BILL NO. 278 "An Act relating to fees for the inspection of recreational devices, for certificates of fitness for electrical wiring and plumbing, for filing voluntary flexible work hour plans, and for licenses for boiler operators; and providing for an effective date" was published today:

Fiscal Note No. 4, Department of Labor and Workforce Development

**SB 313**

The Finance Committee considered SENATE BILL NO. 313 "An Act making supplemental and other appropriations; amending appropriations; making an appropriation to capitalize a fund; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 313(FIN) "An Act making supplemental and other appropriations; amending and repealing appropriations; making appropriations to capitalize funds; and providing for an effective date."

Signing do pass: Senators Green, Wilken, Cochairs; Senator Dyson.  
Signing no recommendation: Senators Hoffman, Olson, Bunde.

The bill was referred to the Rules Committee.

**SB 369**

The Judiciary Committee considered SENATE BILL NO. 369 "An Act exempting a person who allows a student of the University of Alaska to gain practical work experience with the person while participating in a practicum from vicarious liability as an employer, and exempting the student participating in a practicum from the Alaska Wage and Hour Act and workers' compensation coverage" and recommended the adoption of the Labor and Commerce Committee Substitute offered on page 3121. Signing do pass: Senator Seekins, Chair. Signing no recommendation: Senators Therriault, Ogan, Ellis.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, University of Alaska

Fiscal Note No. 2, zero, Department of Labor and Workforce  
Development

The bill was referred to the Rules Committee.

**SB 392**

The Finance Committee considered SENATE BILL NO. 392 "An Act relating to the expenses of investigation, hearing, or public advocacy before the Regulatory Commission of Alaska, to calculation of the regulatory cost charge for public utilities and pipeline carriers to include the Department of Law's costs of its public advocacy function, to inspection of certain books and records by the attorney general when participating as a party in a matter before the Regulatory Commission of Alaska; and providing for an effective date." Signing do pass: Senators Green, Wilken, Cochairs; Senators Dyson, Bunde. Signing no recommendation: Senator Olson.

The following fiscal information was published today:

Fiscal Note No. 3, Department of Law

The bill was referred to the Rules Committee.

**HB 25**

The Judiciary Committee considered CS FOR HOUSE BILL NO. 25(JUD) "An Act relating to health care decisions, including do not resuscitate orders, anatomical gifts, and mental health treatment decisions, and to powers of attorney relating to health care, including anatomical gifts and mental health treatment decisions; and providing for an effective date" and recommended it be replaced with

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

Signing do pass: Senator Seekins, Chair; Senators Therriault, Ogan, Ellis.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

**HB 188**

The Judiciary Committee considered HOUSE BILL NO. 188 "An Act relating to the authority of the Department of Natural Resources to issue citations for certain skiing violations; relating to establishing a bail schedule for certain skiing violations and to procedures for issuing a citation for a skiing violation." Signing do pass: Senator Seekins, Chair. Signing no recommendation: Senators Therriault, Ogan, Ellis.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Alaska Court System

Fiscal Note No. 2, zero, Department of Natural Resources

The bill was referred to the Rules Committee.

**HB 409**

The Resources Committee considered CS FOR HOUSE BILL NO. 409(FSH) "An Act relating to the maximum length of salmon seine vessels; and providing for an effective date." Signing no recommendation: Senator Ogan, Chair; Senators Elton, Wagoner. Signing do pass: Senators Dyson, Seekins.



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

The bill was referred to the Rules Committee.

**HB 417**

The Resources Committee considered HOUSE BILL NO. 417 "An Act amending the definition of 'project' in the Act establishing the Alaska Natural Gas Development Authority; and providing for an effective date." Signing amend: Senator Ogan, Chair. Signing no recommendation: Senators Elton, Dyson, Wagoner, Seekins.

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

The bill was referred to the Finance Committee.

**Consideration of the Calendar**

**Second Reading of Senate Bills**

**SB 136**

SENATE BILL NO. 136 "An Act increasing an optional exclusion or exemption from municipal taxation for residential property" was read the second time.

Senator Wilken, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 3118. Without objection, CS FOR SENATE BILL NO. 136(FIN) "An Act relating to an optional exclusion or exemption from municipal taxation for residential property; and relating to an exemption from and deferral of municipal property taxes on certain types of deteriorated property" 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. Senator Ellis objected.

President Therriault stated CS FOR SENATE BILL NO. 136(FIN) will be on the May 1 calendar.

**SB 354**

SENATE BILL NO. 354 "An Act relating to complaints filed with, and investigations, hearings, and orders of, the State Commission for Human Rights; making conforming amendments; 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 2773. Senator Ellis objected, then withdrew his objection. There being no further objection, CS FOR SENATE BILL NO. 354(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. Senator Ellis objected.

President Therriault stated CS FOR SENATE BILL NO. 354(STA) will be on the May 1 calendar.

**Second Reading of House Bills****HB 347**

HOUSE BILL NO. 347 "An Act exempting taxicabs from the passenger vehicle rental tax; and providing for an effective date" was read the second time.

Senator Ben Stevens moved and asked unanimous consent that the bill be advanced to third reading and placed on final passage. Senator Ellis objected.

President Therriault stated HOUSE BILL NO. 347 will be on the May 1 calendar.

**HB 350**

CS FOR HOUSE BILL NO. 350(STA) "An Act adding personal injury and death from arson in the first degree to the injuries compensable by the Violent Crimes Compensation Board; and providing for an effective date" was read the second time.

Senator Ben Stevens 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. 350(STA) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 350(STA) "An Act adding personal injury and death from arson in the first degree to the injuries compensable by the Violent Crimes Compensation Board; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 350(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, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

and so, CS FOR HOUSE BILL NO. 350(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 and the bill was signed by the President and Secretary and returned to the House.

**Third Reading of Senate Bills****SB 311**

CS FOR SENATE BILL NO. 311(JUD) "An Act providing for a special deposit for workers' compensation insurers; relating to the board of governors of the Alaska Insurance Guaranty Association;

stating the intent of the legislature, and setting out limitations, concerning the interpretation, construction, and implementation of workers' compensation laws; relating to restructuring the Alaska workers' compensation system; eliminating the Alaska Workers' Compensation Board; establishing a division of workers' compensation within the Department of Labor and Workforce Development and assigning certain Alaska Workers' Compensation Board functions to the division and the Department of Labor and Workforce Development; establishing a Workers' Compensation Appeals Commission; assigning certain functions of the Alaska Workers' Compensation Board to the Workers' Compensation Appeals Commission and the Workers' Compensation Hearings Board; relating to agreements that discharge workers' compensation liability; providing for hearing examiners and hearing panels in workers' compensation proceedings; relating to workers' compensation awards; relating to an employer's failure to insure and keep insured or provide security; providing for appeals from compensation orders; relating to workers' compensation proceedings; providing for supreme court jurisdiction of appeals from the Workers' Compensation Appeals Commission; providing for a maximum amount for the cost-of-living adjustment for workers' compensation benefits; providing for administrative penalties for employers uninsured or without adequate security for workers' compensation; relating to assigned risk pools and insurers; and providing for an effective date" was read the third time.

Senator French moved and asked unanimous consent that the bill be returned to second reading for the purpose of a specific amendment, that being Amendment No. 6. Without objection, the bill was returned to second reading.

Senator French offered Amendment No. 6:

Page 10, line 3:

Delete "Step C, Range 29"

Insert "Step D, Range 25"

Page 10, line 4:

Delete "Step F, Range 30"

Insert "Step E, Range 26"

Senator French moved for the adoption of Amendment No. 6. Senator Ben Stevens objected.

The question being: "Shall Amendment No. 6 be adopted?" The roll was taken with the following result:

CSSB 311(JUD)  
Second Reading  
Amendment No. 6

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

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

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

Wagoner changed from "Nay" to "Yea".

and so, Amendment No. 6 failed.

CS FOR SENATE BILL NO. 311(JUD) was automatically in third reading.

The question being: "Shall CS FOR SENATE BILL NO. 311(JUD) "An Act providing for a special deposit for workers' compensation insurers; relating to the board of governors of the Alaska Insurance Guaranty Association; stating the intent of the legislature, and setting out limitations, concerning the interpretation, construction, and implementation of workers' compensation laws; relating to restructuring the Alaska workers' compensation system; eliminating the Alaska Workers' Compensation Board; establishing a division of workers' compensation within the Department of Labor and Workforce Development and assigning certain Alaska Workers' Compensation Board functions to the division and the Department of Labor and Workforce Development; establishing a Workers' Compensation Appeals Commission; assigning certain functions of the Alaska Workers' Compensation Board to the Workers' Compensation Appeals Commission and the Workers' Compensation Hearings Board; relating to agreements that discharge workers' compensation liability; providing for hearing examiners and hearing panels in workers'

compensation proceedings; relating to workers' compensation awards; relating to an employer's failure to insure and keep insured or provide security; providing for appeals from compensation orders; relating to workers' compensation proceedings; providing for supreme court jurisdiction of appeals from the Workers' Compensation Appeals Commission; providing for a maximum amount for the cost-of-living adjustment for workers' compensation benefits; providing for administrative penalties for employers uninsured or without adequate security for workers' compensation; relating to assigned risk pools and insurers; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 311(JUD)

Third Reading - Final Passage

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

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

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

and so, CS FOR SENATE BILL NO. 311(JUD) 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 311(JUD)

Effective Date Clauses

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

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

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

and so, the effective date clauses failed to be adopted.

Senator Ellis gave notice of reconsideration on CS FOR SENATE BILL NO. 311(JUD)(efd fld).

**SB 368**

CS FOR SENATE BILL NO. 368(FIN) am "An Act relating to taxes on cigarettes and tobacco products, to tax stamps on cigarettes, to forfeiture of cigarettes and of property used in the manufacture, transportation, or sale of unstamped cigarettes, and to licenses and licensees under the Cigarette Tax Act; and providing for an effective date" was read the third time.

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

Senator Hoffman offered Amendment No. 2:

ADD INTENT LANGUAGE:

It is the intent of the Legislature that twenty percent of the funds collected under this legislation is allocated to education/cessation programs.

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

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

CSSB 368(FIN) am  
Second Reading  
Amendment No. 2

**YEAS: 9 NAYS: 10 EXCUSED: 1 ABSENT: 0**

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

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

Excused: Seekins

and so, Amendment No. 2 failed.

CS FOR SENATE BILL NO. 368(FIN) am was automatically in third reading.

Senator Ellis called the Senate. The call was satisfied.

The question being: "Shall CS FOR SENATE BILL NO. 368(FIN) am "An Act relating to taxes on cigarettes and tobacco products, to tax stamps on cigarettes, to forfeiture of cigarettes and of property used in the manufacture, transportation, or sale of unstamped cigarettes, and to licenses and licensees under the Cigarette Tax Act; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 368(FIN) am  
Third Reading - Final Passage  
Effective Date

**YEAS: 14 NAYS: 5 EXCUSED: 1 ABSENT: 0**

Yeas: Bunde, Cowdery, Davis, Dyson, Ellis, Elton, French, Guess, Lincoln, Olson, Stedman, Stevens B, Stevens G, Wilken

Nays: Green, Hoffman, Ogan, Therriault, Wagoner

Excused: Seekins

and so, CS FOR SENATE BILL NO. 368(FIN) 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.

Senator Hoffman gave notice of reconsideration.

**SB 385**

CS FOR SENATE BILL NO. 385(JUD) am was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 385(JUD) am "An Act relating to homeland security, to civil defense, to emergencies and to disasters, including disasters in the event of attacks, outbreaks of disease, or threats of attack or outbreak of disease; establishing the Alaska division of homeland security and emergency management in the Department of Military and Veterans'



Affairs and relating to the functions of that division and that department; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 385(JUD) am  
Third Reading - Final Passage  
Effective Date

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

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

Excused: Seekins

and so, CS FOR SENATE BILL NO. 385(JUD) 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 referred to the Secretary for engrossment.

#### **Citations**

Honoring – Alaska Young Marines

Representative(s) Wolf

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

In Memoriam – Ronald Jay Swanson

Representative(s) Wolf

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

In Memoriam – Rick D. Swanson

Representative(s) Wolf

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

In Memoriam – Lawrence Landry

Representative(s) Gara

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

In Memoriam – Lawrence Lavon Thompson

Representative(s) Masek

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

In Memoriam – Roger A. Geglie

Representative(s) Seaton

Senator(s) Gary Stevens, Therriault, Bunde, Cowdery, Davis, Dyson, Elton, Green, Guess, Hoffman, Lincoln, Olson, Seekins, Stedman, Ben Stevens, 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**

#### **HB 367**

Senator Bunde, Chair, moved and asked unanimous consent that the Labor and Commerce Committee referral be waived on CS FOR HOUSE BILL NO. 367(FIN) am "An Act relating to the licensing and regulation of adult-oriented businesses; and providing for an effective date." Without objection, the bill was referred to the Judiciary Committee.

#### **HB 496**

Senator Ogan, Vice Chair, moved and asked unanimous consent that the Judiciary Committee referral be waived on CS FOR HOUSE BILL NO. 496(STA) "An Act creating the youth vote ambassador program and relating to that program; authorizing the members of the program to be appointed to serve on election boards; relating to qualifications for appointment to election boards; and providing for an effective date." Without objection, the bill was referred to the Rules Committee.

**HB 350**

Senators French, Dyson, Gary Stevens, Lincoln, Wagoner, Elton, Ellis, Ogan, Guess, Stedman, Cowdery, Bunde moved and asked unanimous consent to be shown as cross sponsors on CS FOR HOUSE BILL NO. 350(STA) "An Act adding personal injury and death from arson in the first degree to the injuries compensable by the Violent Crimes Compensation Board; and providing for an effective date." Without objection, it was so ordered.

**SB 297**

The reconsideration on CS FOR SENATE BILL NO. 297(RES) "An Act relating to bear predation management and the donation and sale of bear hides and skulls" was not taken up this legislative day and the bill was referred to the Secretary for engrossment.

**SB 303**

The reconsideration on CS FOR SENATE BILL NO. 303(FIN) am "An Act relating to the Big Game Commercial Services Board and to the regulation of big game hunting services and transportation services; and providing for an effective date" was not taken up this legislative day and the bill was referred to the Secretary for engrossment.

**Announcements**

Announcements are at the end of the journal.

**Reconsideration of Senate Bills****SB 340**

Senator Lincoln requested that the reconsideration on SENATE BILL NO. 340 be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall SENATE BILL NO. 340 "An Act relating to the detention of delinquent minors in correctional facilities; relating to emergency detention of minors for evaluation for involuntary admission for mental health treatment; relating to

detention of intoxicated minors and minors incapacitated by alcohol or drugs; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SB 340

Third Reading - On Reconsideration

Effective Date

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

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

Nays: Hoffman

Excused: Seekins

Absent: Wilken

and so, SENATE BILL NO. 340 passed the Senate on reconsideration.

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 referred to the Secretary for engrossment.

### **Engrossment**

#### **SB 297**

CS FOR SENATE BILL NO. 297(RES) "An Act relating to bear predation management and the donation and sale of bear hides and skulls" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

#### **SB 303**

CS FOR SENATE BILL NO. 303(FIN) am "An Act relating to the Big Game Commercial Services Board and to the regulation of big game hunting services and transportation services; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**SB 340**

SENATE BILL NO. 340 "An Act relating to the detention of delinquent minors in correctional facilities; relating to emergency detention of minors for evaluation for involuntary admission for mental health treatment; relating to detention of intoxicated minors and minors incapacitated by alcohol or drugs; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**SB 385**

CS FOR SENATE BILL NO. 385(JUD) am "An Act relating to homeland security, to civil defense, to emergencies and to disasters, including disasters in the event of attacks, outbreaks of disease, or threats of attack or outbreak of disease; establishing the Alaska division of homeland security and emergency management in the Department of Military and Veterans' Affairs and relating to the functions of that division and that department; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**Adjournment**

Senator Ben Stevens moved and asked unanimous consent that the Senate stand in adjournment until 1:00 p.m., May 1, 2004. Without objection, the Senate adjourned at 2:44 p.m.

Kirsten Waid  
Secretary of the Senate

April 2004

**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

**COMMUNITY & REGIONAL AFFAIRS**

**Apr 30      Friday                      Fahrenkamp 203              1:30 PM**  
 No Meeting Scheduled

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**FINANCE**

**Apr 29      Thursday                      Senate Finance 532              9:00 AM**  
 -- Recessed to 2:45 pm --

- = SB 313 FIRST SUPPLEMENTAL APPROPRIATION
- = SB 282 PREPARED FOOD: WILD/FARMED FISH DISCLOSURE
- = HB 486 MINING RECLAMATION ASSURANCES/FUND
- = SB 65 CORRECTIONAL FACILITY EXPANSION
- + SB 284 PF DIVIDEND APPLICATION RECORDS PRIVATE
- + SB 349 MIDWIFERY BIRTH CENTER LICENSING
- = SB 393 TAKE PERM FUND DIVIDEND FOR UNIV FEES  
 Bills Previously Heard/Scheduled

**Apr 30      Friday                      Senate Finance 532              9:00 AM**

- + SB 232 RETIREMENT: TEACHERS/JUDGES/PUB EMPLOYEES
- + HB 123 ALASKA WORKFORCE INVESTMENT BOARD
- + HB 503 TOBACCO MASTER SETTLEMENT AGREEMENT
- + SB 376 PUBLIC ASSISTANCE AND SUBPOENA POWER
- + SB 383 CHILDREN'S TRUST GRANTS  
 <Bill Hearing Canceled>
- + SB 371 POWERS/DUTIES DOTPF
- + SB 302 OATHS; NOTARIES PUBLIC; STATE SEAL  
 Bills Previously Heard/Scheduled

**HEALTH, EDUCATION & SOCIAL SERVICES**

**Apr 30 Friday Butrovich 205 1:30 PM**  
 + HB 425 SCHOOL FUNDS RELATED TO BOARDING SCHOOLS  
 + HB 500 MEDICAL REVIEW ORGANIZATION  
 + HB 511 CERTIFICATE OF NEED PROGRAM  
 + Bills Previously Heard/Scheduled

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**JUDICIARY**

**Apr 29 Thursday Butrovich 205 8:00 AM**  
 + SB 369 UNIV. STUDENT PRACTICUM LIABILITY/WAGES  
 + SJR 33 CONGRESSIONAL VOTE ON JUDICIAL NOMINATION  
 <Pending Referral>  
 += HB 188 BAIL SCHEDULE FOR SKIING VIOLATION  
 += HB 25 HEALTH CARE SERVICES DIRECTIVES  
 += HB 514 CHILD SUPPORT ENFORCEMENT/ CRIMES  
 Bills Previously Heard/Scheduled

**Apr 30 Friday Butrovich 205 8:00 AM**  
 -- Meeting Canceled --  
 -- Agenda to be Announced --  
 + Bills Previously Heard/Scheduled

**May 01 Saturday Butrovich 205 5:00 PM**  
 += SJR 33 CONGRESSIONAL VOTE ON JUDICIAL NOMINATION  
 <Pending Referral>  
 += HB 29 REAL PROPERTY TRANSACTIONS/LICENSEES  
 <Pending Referral>  
 += HB 15 SOLICITATIONS/CONSUMER PROTECTION  
 += HB 514 CHILD SUPPORT ENFORCEMENT/ CRIMES  
 Bills Previously Heard/Scheduled

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**LABOR & COMMERCE**

**Apr 29      Thursday                                      Beltz 211              2:45 PM**  
 -- Upon Adjournment --  
 Bills Previously Heard/Scheduled  
 Premera/Blue Cross Blue Shield Conversion  
 "An Overview So Far"  
 Confirmation Hearings:  
 Alcoholic Beverage Control Board  
 State Assessment Review Board  
 Board of Marine Pilots  
 Alaska Workers' Compensation Board  
 State Board of Registration for  
 Architects, Engineers and Land Surveyors  
 Board of Barbers and Hairdressers  
 + HB 430 EMPLOYEES UNDER 21 AT LICENSED PREMISES  
 + HB 423 TAXICAB DRIVER LIABILITY  
 + HB 418 REAL ESTATE COM'N/LICENSEE/HOME INSPECT  
 + HB 517 SECURITY ACCOUNT BENEFICIARY DESIGNATION

**RESOURCES**

**Apr 30      Friday    Butrovich 205              3:30 PM**  
 += SB 312 CONVENTIONAL & NONCONVENTIONAL GAS LEASES  
 + HB 522 SMALL CRUISE SHIP DISCHARGES  
 + Bills Previously Heard/Scheduled

**STATE AFFAIRS**

**Apr 29      Thursday    Beltz 211              3:30 PM**  
 + HJR 36 MITIGATING GLACIER BAY FISHING CLOSURES  
 + HB 273 PARENTS' WAIVER OF CHILD'S SPORTS CLAIM  
 + HB 467 COMMEMORATIVE QUARTERS COMMISSION  
 + HB 476 AK STATEHOOD CELEBRATION COMMISSION  
 + HB 353 JURY DUTY EXEMPTION FOR CERTAIN TEACHERS  
 Bills Previously Heard/Scheduled



**STATE AFFAIRS (continued)**

**May 01 Saturday Beltz 211**  
 \*\*\* Immediately Following Session \*\*\*  
 + SJR 34 TAIWAN STATUS AND PRESIDENT  
 + SCR 25 STATE CONSTRUCTION/MAINTENANCE CONTRACTS  
 + HB 379 OFFICE OF CITIZENSHIP ASSISTANCE  
 + HB 366 ANIMAL CLASSICS CHARITABLE GAMING  
 + HB 490 EMPLOYMENT SECURITY ACT AMENDMENTS  
 + HB 309 PROHIBIT RELEASE OF PREDATORY FISH  
 + HB 351 CARBON MONOXIDE DETECTION DEVICES  
 Bills Previously Heard/Scheduled

**TRANSPORTATION**

**Apr 29 Thursday Butrovich 205 2:45 PM**  
 -- Upon Adjournment --  
 SB 395 MUNICIPAL LAND USE REGULATION  
 Bills Previously Heard/Scheduled

**JOINT COMMITTEES**

**CONFERENCE COMMITTEE ON HB 375 & HB 377**

**Apr 29 Thursday Senate Finance 532 4:00 PM**  
 HB 375 APPROP: OPERATING BUDGET/LOANS/FUNDS  
 HB 377 APPROP: MENTAL HEALTH BUDGET

**LEGISLATIVE COUNCIL**

**May 05 Wednesday House Finance Room 5:00 PM**  
 Agenda To Be Announced

**JOINT COMMITTEES (continued)**

**SELECT COMMITTEE ON LEGISLATIVE ETHICS**

|               |                                      |                    |                |
|---------------|--------------------------------------|--------------------|----------------|
| <b>May 07</b> | <b>Friday</b>                        | <b>Capitol 120</b> | <b>8:00 AM</b> |
| +             | Full Committee Meeting: Open Session |                    |                |
|               | Advisory Opinion 04-03               |                    |                |
|               | <Public Comment by Invitation Only>  |                    |                |
|               | Open Meetings                        |                    |                |