

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Sunday

May 2, 2004

One Hundred Twelfth Day

Pursuant to adjournment the Senate was called to order by President Therriault at 1:58 p.m.

The roll showed eighteen members present. Senators Hoffman, Davis were absent.

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

God,
Grant me the serenity
to accept the things I cannot change,
the courage to change the things I can,
and the wisdom to know the difference.
Amen.

Senator Olson led the Senate in the Pledge of Allegiance.

Certification

Senator Ben Stevens moved and asked unanimous consent that the journal for the one hundred eleventh legislative day and Senate and House Joint Journal Supplement No. 18 be approved as certified by the Secretary. Without objection, it was so ordered.

The presence of Senator Hoffman was noted.

Messages from the House

Message dated May 1 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills**HB 342**

CS FOR HOUSE BILL NO. 342(FIN) am BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to driving while under the influence, to the definition of 'previously convicted,' to alcohol-related offenses, to ignition interlock devices, and to the issuance of limited driver's licenses; and providing for an effective date."

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

The presence of Senator Davis was noted.

HB 422

CS FOR HOUSE BILL NO. 422(STA) BY THE HOUSE STATE AFFAIRS COMMITTEE, entitled:

"An Act repealing the special subaccount established in the constitutional budget reserve fund; and providing for an effective date."

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

HB 459

CS FOR HOUSE BILL NO. 459(STA) BY THE HOUSE STATE AFFAIRS COMMITTEE, entitled:

"An Act relating to optically scanned and electronically generated ballots; and providing for an effective date."

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

HB 536

CS FOR HOUSE BILL NO. 536(MLV) BY THE HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS, entitled:

"An Act relating to applications for permanent fund dividends by certain individuals serving in the armed forces, and to payment of certain 2003 and 2004 dividends; and providing for an effective date."

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

HB 551

CS FOR HOUSE BILL NO. 551(JUD) am BY THE HOUSE JUDICIARY COMMITTEE, entitled:

"An Act relating to the issuance of teacher certificates to and revocation of teacher certificates of persons convicted of certain felony drug offenses and to the issuance of limited teacher certificates to persons convicted of certain crimes involving a minor and felony drug offenses."

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

HB 559

HOUSE BILL NO. 559 am BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act extending the termination of the state training and employment program; and providing for an effective date."

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

Recede Messages**HB 414**

Message dated May 1 was read, stating the House failed to concur in the Senate amendment to CS FOR HOUSE BILL NO. 414(JUD) "An Act relating to filling a vacancy in the office of United States senator, and to the definition of 'political party'" and respectfully requests the Senate to recede from its amendment, namely:

SENATE CS FOR CS FOR HOUSE BILL NO. 414(JUD) "An Act relating to filling a vacancy in the office of United States senator, and to the definition of 'political party'; and providing for an effective date." (technical title change)

President Therriault stated the message will be held on the Secretary's desk.

Standing Committee Reports**SB 284**

The Finance Committee considered SENATE BILL NO. 284 "An Act relating to an optional election to prevent the name and address of a permanent fund dividend applicant from being disclosed, except to a state or federal agency" and recommended it be replaced with

CS FOR SENATE BILL NO. 284(FIN) "An Act making information on a permanent fund dividend application, other than the applicant's name, confidential, and relating to disclosure of that confidential information; and relating to confidential information in voter registration records."

Signing do pass: Senators Green, Wilken, Cochairs; Senators Dyson, Bunde, Ben Stevens.

The following fiscal information was published today:

Fiscal Note No. 2, zero, Department of Revenue

The bill was referred to the Rules Committee.

HB 15

The Judiciary Committee considered CS FOR HOUSE BILL NO. 15(FIN) am "An Act relating to fair trade practices and consumer protection, to telephone solicitations, to charitable solicitations; and providing for an effective date" and recommended it be replaced with

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

Signing do pass: Senator Seekins, Chair; Senator French. Signing no recommendation: Senator Ogan.

The following previously published fiscal information applies:

Fiscal Note No. 4, zero, Department of Community and Economic
Development

Fiscal Note No. 5, Department of Law

President Therriault added a Finance Committee referral to the bill.

The bill was referred to the Finance Committee.

HB 29

The Judiciary Committee considered CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 29(JUD) am "An Act relating to real estate licensees and real estate transactions; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR SPONSOR
SUBSTITUTE FOR HOUSE BILL NO. 29(JUD)

Signing do pass: Senator Seekins, Chair. Signing no recommendation: Senators French, Ogan.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

HB 309

The State Affairs Committee considered CS FOR HOUSE BILL NO. 309(JUD) am "An Act relating to nonindigenous fish." Signing no recommendation: Senator Gary Stevens, Chair; Senators Cowdery, Stedman, Guess.

The following previously published fiscal information applies:

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

Fiscal Note No. 2, zero, Department of Public Safety

The bill was referred to the Resources Committee.

HB 351

The State Affairs Committee considered CS FOR HOUSE BILL NO. 351(JUD) "An Act relating to the devices, including carbon monoxide detection devices, required in dwellings; and providing for an effective date." Signing do pass: Senator Gary Stevens, Chair; Senators Cowdery, Stedman, Guess.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, House Labor and Commerce Committee

Fiscal Note No. 2, zero, Department of Law

Fiscal Note No. 3, zero, Department of Public Safety

The bill was referred to the Rules Committee.

HB 366

The State Affairs Committee considered CS FOR HOUSE BILL NO. 366(FIN) "An Act relating to animal classic charitable gaming; and providing for an effective date." Signing do pass: Senator Gary Stevens, Chair; Senators Cowdery, Stedman, Guess.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Revenue

The bill was referred to the Finance Committee.

HB 373

The State Affairs Committee considered HOUSE BILL NO. 373 "An Act requiring warrants drawn by the Department of Administration against the state treasury to be negotiable instruments." Signing do pass: Senator Gary Stevens, Chair; Senators Cowdery, Stedman. Signing no recommendation: Senator Guess.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Administration

The bill was referred to the Rules Committee.

HB 379

The State Affairs Committee considered HOUSE BILL NO. 379 "An Act establishing an office of citizenship assistance in the Department of Labor and Workforce Development." Signing do pass: Senator Gary Stevens, Chair; Senators Stedman, Guess. Signing no recommendation: Senator Cowdery.

The following previously published fiscal information applies:

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

The bill was referred to the Finance Committee.

HB 405

The State Affairs Committee considered CS FOR HOUSE BILL NO. 405(EDU) "An Act relating to reports on school and school district performance; and relating to accountability of public schools and school districts; and providing for an effective date." Signing no recommendation: Senator Gary Stevens, Chair; Senators Cowdery, Stedman. Signing amend: Senator Guess.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Education and Early Development

The bill was referred to the Health, Education and Social Services Committee.

HB 490

The State Affairs Committee considered CS FOR HOUSE BILL NO. 490(JUD) am "An Act relating to the release of employment security records, to the binding effect of determinations and decisions regarding unemployment compensation benefits, and to contributions, interest, penalties, and payments under the Alaska Employment Security Act; providing that property under the Alaska Employment Security Act is not subject to the Uniform Unclaimed Property Act; and providing for an effective date." Signing no recommendation: Senator Gary Stevens, Chair; Senators Cowdery, Stedman, Guess.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Labor and Workforce Development

The bill was referred to the Labor and Commerce Committee.

HB 514

The Judiciary Committee considered CS FOR HOUSE BILL NO. 514(FIN) am "An Act relating to child support modification and enforcement, to the establishment of paternity by the child support enforcement agency, and to the crimes of criminal nonsupport and aiding the nonpayment of child support; amending Rule 90.3, Alaska Rules of Civil Procedure; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.
514(JUD)
(forthcoming)

Signing do pass: Senator Seekins, Chair. Signing no recommendation: Senator French. Signing amend: Senator Ogan.

The following fiscal information was published today:

Fiscal Note No. 8, indeterminate, Department of Revenue
Fiscal Note No. 9, indeterminate, Department of Administration

The following previously published fiscal information applies:

- Fiscal Note No. 2, indeterminate, Alaska Court System
- Fiscal Note No. 3, indeterminate, Department of Law
- Fiscal Note No. 4, zero, Department of Administration
- Fiscal Note No. 5, zero, Department of Administration
- Fiscal Note No. 6, zero, Department of Public Safety
- Fiscal Note No. 7, Department of Revenue

The bill was referred to the Finance Committee.

SJR 34

The State Affairs Committee considered SENATE JOINT RESOLUTION NO. 34 Sending a message of goodwill to President Chen Shui-bian, and reaffirming the Alaska State Legislature's 2003 resolution urging the United States Congress to support the granting of official Observer Status to the Republic of China and to support negotiation of a free trade agreement with the Republic of China, and recommended the adoption of the Special Committee on World Trade and State/Federal Relations Committee Substitute offered on page 3100. Signing do pass: Senator Gary Stevens, Chair; Senators Cowdery, Stedman.

The following fiscal information was published today:

- Fiscal Note No. 2, zero, Office of the Governor

The following previously published fiscal information applies:

- Fiscal Note No. 1, zero, Senate Special Committee on World Trade and State/Federal Relations

The resolution was referred to the Rules Committee.

Introduction and Reference of Senate Bills

SB 396

SENATE BILL NO. 396 BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE, entitled:

"An Act relating to the establishment of the Interior Rivers Port Authority; and providing for an effective date."

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

SB 136

Senator Ben Stevens moved and asked unanimous consent that the reconsideration on 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" be held for one legislative day. Without objection, it was so ordered.

Consideration of the Calendar**Second Reading of Senate Bills****SB 231**

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 read the second time.

Senator Wilken, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 3160. Without objection, CS FOR SENATE BILL NO. 231(FIN) "An Act relating to unclaimed property; and providing for an effective date" 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. 231(FIN) will be on the May 3 calendar.

Reconsideration of Senate Bills**SB 132**

Senator Ellis requested that the reconsideration on CS FOR SENATE BILL NO. 132(RES) be taken up. The bill was before the Senate on reconsideration.

Senators Olson, Wilken, Guess, Hoffman, Cowdery, French, Ellis, Elton, Davis, Wagoner moved and asked unanimous consent to be shown as cosponsors on the bill. Without objection, it was so ordered.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 132(RES) "An Act removing the Old Minto townsite from the Minto Flats State Game Refuge; and authorizing the Department of Natural Resources to convey certain land at the historic Old Minto site to the Native Village of Minto" pass the Senate?" The roll was taken with the following result:

CSSB 132(RES)

Third Reading - On Reconsideration

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 SENATE BILL NO. 132(RES) passed the Senate on reconsideration and was referred to the Secretary for engrossment.

Consideration of the Calendar (continued)**Second Reading of Senate Bills****SB 278**

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 read the second time.

Senator Wilken, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 3120. Without objection, CS FOR SENATE BILL NO. 278(FIN) "An Act relating to fees for the inspection of recreational devices, including instructional devices, for certificates of fitness for electrical wiring and plumbing, and for licenses for boiler operators; relating to the building safety account; and providing for an effective date" 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. 278(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 278(FIN) "An Act relating to fees for the inspection of recreational devices, including instructional devices, for certificates of fitness for electrical wiring and plumbing, and for licenses for boiler operators; relating to the building safety account; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 278(FIN)

Third Reading - Final Passage

Effective Date

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

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

Nays: French, Guess

and so, CS FOR SENATE BILL NO. 278(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.

SB 349

SENATE BILL NO. 349 "An Act requiring licensure of midwifery birth centers; 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.

SENATE BILL NO. 349 was read the third time.

The question being: "Shall SENATE BILL NO. 349 "An Act requiring licensure of midwifery birth centers; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SB 349

Third Reading - Final Passage

Effective Dates

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, SENATE BILL NO. 349 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 clauses. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

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

Second Reading of House Bills**HB 25**

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" was read the second time.

Senator Seekins, Chair, moved and asked unanimous consent for the adoption of the Judiciary Senate Committee Substitute offered on page 3162. Senator Ellis objected, then withdrew his objection. There being no further objection, SENATE CS FOR CS FOR HOUSE BILL NO. 25(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.

SENATE CS FOR CS FOR HOUSE BILL NO. 25(JUD) was read the third time.

Senators Ellis, Gary Stevens, Seekins, Wagoner, Lincoln, French, Elton, Stedman, Guess, Cowdery, Olson, Ogan moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

The question being: "Shall SENATE CS FOR 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" pass the Senate?" The roll was taken with the following result:

SCS CSHB 25(JUD)
Third Reading - Final Passage
Effective Dates

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, SENATE CS FOR CS FOR HOUSE BILL NO. 25(JUD) 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 clauses. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

HB 428

CS FOR HOUSE BILL NO. 428(JUD) am "An Act relating to civil liability for acts related to obtaining alcohol for persons under 21 years of age or for persons under 21 years of age being on licensed premises" 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 CS FOR HOUSE BILL NO. 428(JUD) am will be on the May 3 calendar.

HB 447

CS FOR HOUSE BILL NO. 447(JUD) "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; 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. 447(JUD) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 447(JUD) "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 447(JUD)

Third Reading - Final Passage

Effective Dates

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

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

Nays: Green

and so, CS FOR HOUSE BILL NO. 447(JUD) 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 clauses. Without objection, it was so ordered and the bill was signed by the President and Secretary and returned to the House.

Reconsideration of Senate Bills

SB 354

Senator Seekins requested that the reconsideration on CS FOR SENATE BILL NO. 354(STA)(efd fld) "An Act relating to complaints filed with, and investigations, hearings, and orders of, the State Commission for Human Rights; and making conforming amendments" be taken up. The bill was before the Senate on reconsideration.

Amendment No. 4 was not offered.

Senator Seekins moved that the bill be returned to second reading for the purpose of a specific amendment, that being Amendment No. 5. Without objection, the bill was returned to second reading.

Senator Seekins offered Amendment No. 5:

Page 2, line 24:

Delete "**for administrative convenience**"

Insert "**of complaint without prejudice**"

Page 2, line 26:

Delete "for administrative convenience"

Senator Seekins moved for the adoption of Amendment No. 5. Senator Ellis objected, then withdrew his objection. There being no further objection, Amendment No. 5 was adopted.

CS FOR SENATE BILL NO. 354(STA) am was automatically in third reading on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 354(STA) am "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" pass the Senate?" The roll was taken with the following result:

CSSB 354(STA) am

Third Reading - On Reconsideration

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, CS FOR SENATE BILL NO. 354(STA) 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:

CSSB 354(STA) am
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 and CS FOR SENATE BILL NO. 354(STA) am(efd fld) was referred to the Secretary for engrossment.

Consideration of the Calendar (continued)

Third Reading of Senate Bills

SB 272

CS FOR SENATE BILL NO. 272(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 272(FIN) "An Act relating to certain monetary advances in which the deposit or other negotiation of checks to pay the advances is delayed until a later date; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 272(FIN)
Third Reading - Final Passage

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

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

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

Absent: Hoffman

and so, CS FOR SENATE BILL NO. 272(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 272(FIN)
Effective Date Clauses

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

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

Absent: Hoffman

and so, the effective date clauses were adopted.

Senator Ellis gave notice of reconsideration.

Third Reading of House Bills

HB 524

SENATE CS FOR HOUSE BILL NO. 524(RES) was read the third time.

The question being: "Shall SENATE CS FOR HOUSE BILL NO. 524(RES) "An Act relating to the protection of land and water from waste disposal; providing for the regulation of waste management; making conforming amendments; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS HB 524(RES)
Third Reading - Final Passage
Effective Date

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

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

Absent: Hoffman

and so, SENATE CS FOR HOUSE BILL NO. 524(RES) 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.

Second Reading of Senate Resolutions

SJR 33

SENATE JOINT RESOLUTION NO. 33 Urging our United States Senators to work to allow a timely vote on the floor on all judicial nominations, 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 3207. Without objection, CS FOR SENATE JOINT RESOLUTION NO. 33(STA) was adopted.

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

President Therriault stated CS FOR SENATE JOINT RESOLUTION NO. 33(STA) will be on the May 3 calendar.

Citations

Honoring – Lumen Christi High School, 2A Boys State Basketball Champions

Representative(s) Stoltze, Lynn

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

Honoring – Peter Christopher

Representative(s) Gatto

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

Honoring – Mary Combs

Representative(s) Gatto

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

Honoring – Sandra Dillon

Representative(s) Gatto

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

Honoring – Valley Hospital Women's Hockey Team

Representative(s) Gatto

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

Honoring – Dan Salmon, Igiugig Tribal Administrator

Representative(s) Ogg

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

Celebrating – First Presbyterian Church of Wrangell Alaska, 125 Years of Mission and Ministry

Representative(s) Wilson

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

In Memoriam – Mary Richards Sarvela
Senator(s) Stedman, Therriault, Bunde, Cowdery, Davis, Dyson, Elton, Green, Guess, Hoffman, Lincoln, Olson, Seekins, Ben Stevens, Gary Stevens, Wagoner, Wilken

In Memoriam – Priscilla Bacon
Representative(s) Gatto
Senator(s) Green, Therriault, Bunde, Cowdery, Davis, Dyson, Elton, Guess, Hoffman, Lincoln, Ogan, Olson, Seekins, Stedman, Ben Stevens, Gary Stevens, Wagoner, Wilken

In Memoriam – Alys Lucille Brewis
Representative(s) Harris
Senator(s) Therriault, Bunde, Cowdery, Davis, Dyson, Elton, Green, Guess, Hoffman, Lincoln, Olson, Seekins, Stedman, Ben Stevens, Gary Stevens, Wagoner, Wilken

In Memoriam – Henry Warren Brewis
Representative(s) Harris
Senator(s) Therriault, Bunde, Cowdery, Davis, Dyson, Elton, Green, Guess, Hoffman, Lincoln, Olson, Seekins, Stedman, Ben Stevens, Gary 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 467

Senator Dyson, Chair, moved and asked unanimous consent that the Health, Education and Social Services Committee referral be waived on CS FOR HOUSE BILL NO. 467(FIN) "An Act establishing an Alaska Commemorative Coin Commission to develop the design concepts and to make recommendations regarding the final design of the Alaska quarter under the 50 States Commemorative Coin Program Act; and providing for an effective date." Without objection, the bill was referred to the Rules Committee.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 349**

SENATE BILL NO. 349 "An Act requiring licensure of midwifery birth centers; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 354

CS FOR SENATE BILL NO. 354(STA) am(efd fld) "An Act relating to complaints filed with, and investigations, hearings, and orders of, the State Commission for Human Rights; and making conforming amendments" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

HB 25

SENATE CS FOR 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" was engrossed, signed by the President and Secretary and returned to the House for consideration.

Adjournment

Senator Ben Stevens moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., May 3, 2004. Without objection, the Senate adjourned at 3:00 p.m.

Kirsten Waid
Secretary of the Senate

May 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

May 03 Monday Fahrenkamp 203 1:30 PM
 + SB 396 INTERIOR RIVERS PORT AUTHORITY
 + HCR 28 STUDIES OF SALMON HARVESTING COOPERATIVES
 Bills Previously Heard/Scheduled
 = SB 335 EMERGENCY SERVICES DISPATCH/911 SURCHARGE

May 05 Wednesday Fahrenkamp 203 1:30 PM
 Bills Previously Heard/Scheduled

May 07 Friday Fahrenkamp 203 1:30 PM
 Bills Previously Heard/Scheduled

FINANCE

May 02 Sunday Senate Finance 532 12:00 PM
 -- Recessed to the Call of the Chair --
 -- Teleconference <Listen Only> --
 -- Time Change --

+ SB 284 PF DIVIDEND APPLICATION RECORDS PRIVATE
 + HB 298 DISTRIBUTIONS OF APPROPS FROM PERM FUND
 + HJR 9 CONST AM: APPROPRIATION/SPENDING LIMIT
 + HJR 26 CONST. AM: PF APPROPS/INFLATION-PROOFING
 + Bills Previously Heard/Scheduled
 Invited Testimony Only

FINANCE (continued)

May 03 Monday Senate Finance 532 9:00 AM
 += HB 233 INCREASE EDUCATION FUNDING
 += SB 282 PREPARED FOOD:WILD/FARMED FISH DISCLOSURE
 + SB 254 TOURISM & RECREATION ASSESSMENT
 + SB 395 MUNICIPAL LAND USE REGULATION
 + HB 10 GROUP HEALTH INSURANCE FOR PRIVATE GROUPS
 + HB 31 INITIATIVE/REFERENDUM PETITIONS
 + HB 337 ANATOMICAL GIFTS REGISTRY
 + HB 378 FOOD, DRUGS, COSMETICS, CERTAIN DEVICES
 + HB 546 POLLUTION DISCHARGE & WASTE TRMT/DISPOSAL
 + HB 451 THERAPEUTIC COURTS
 + HB 464 EXTEND BOARD OF REAL ESTATE APPRAISERS
 + HJR 5 CONST AM: INITIATIVE/REFERENDUM PETITIONS
 + Bills Previously Heard/Scheduled

HEALTH, EDUCATION & SOCIAL SERVICES

May 03 Monday Butrovich 205 1:30 PM
 += HB 511 CERTIFICATE OF NEED PROGRAM
 Bills Previously Heard/Scheduled
 If Necessary

May 05 Wednesday Butrovich 205 1:30 PM
 + Bills Previously Heard/Scheduled
 If Necessary

May 07 Friday Butrovich 205 1:30 PM
 + Bills Previously Heard/Scheduled
 If Necessary

JUDICIARY

May 02 Sunday Butrovich 205 3:30 PM
 -- Time Change --
 + HB 539 UNIV. STUDENT PRACTICUM LIABILITY/WAGES
 + HB 339 TRADE PRACTICES: FREE TRIAL/OPT-OUT PLANS
 + HB 336 MOTOR VEHICLE INS./ UNINSURED DRIVERS
 + HB 438 MOVE OVER LAW FOR DRIVERS
 + HB 423 TAXICAB DRIVER LIABILITY
 + Bills Previously Heard/Scheduled

JUDICIARY (continued)

May 03 Monday Butrovich 205 8:00 AM
 + HB 273 PARENTS' WAIVER OF CHILD'S SPORTS CLAIM
 + HB 275 ANIMALS AND CRUELTY TO ANIMALS
 + HB 427 GUARDIANS, CONSERVATORS, ETC
 + HB 549 UNSOLICITED COMMUNICATION:AIRCRAFT CRASH
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

May 04 Tuesday Beltz 211 1:30 PM
 + HCR 32 AK INFO INFRASTRUCTURE POLICY TASK FORCE
 + HB 490 EMPLOYMENT SECURITY ACT AMENDMENTS
 Bills Previously Heard/Scheduled
 Including, but Not Limited to:
 += HB 540 WORKERS' COMPENSATION INSURANCE RATES
 += HB 418 REAL ESTATE COM'N/LICENSEE/HOME INSPECT

RESOURCES

May 03 Monday Butrovich 205 3:30 PM
 + HB 319 REC.CABIN SITES/ LOTTERY SALE/RTS. RESERV
 + HJR 36 MITIGATING GLACIER BAY FISHING CLOSURES
 + HJR 41 LAND RECREATIONAL VISITOR PROTECTION ACT
 + Bills Previously Heard/Scheduled

TRANSPORTATION

May 03 Monday Beltz 211 2:00 PM
 + HB 272 MOTOR VEHICLE DEALERS

JOINT COMMITTEES

LEGISLATIVE COUNCIL

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

JOINT COMMITTEES (continued)

SELECT COMMITTEE ON LEGISLATIVE ETHICS

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