

**SENATE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-FOURTH LEGISLATURE**  
**FIRST SESSION**

**Juneau, Alaska**

**Tuesday**

**May 10, 2005**

**One Hundred Twenty-first Day**

Pursuant to adjournment the Senate was called to order by President Stevens at 6:21 p.m.

The roll showed nineteen members present. Senator Bunde was excused from a call of the Senate.

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

Our Dear Heavenly Father,

We thank You for this beautiful day. We thank You for the people in this room and the people in this building. Those who work hard and long, and deliberate diligently.

We ask You to give us strength. We ask for Your guidance. Make us wise so that we do the right thing at the right time.

We ask that You be with our families and that You keep us all in the safe protection of Your hands.

Amen.

Senator Stedman led the Senate in the Pledge of Allegiance.

President Stevens stated that under Rule 43(b) of the Uniform Rules, engrossment may be waived on all bills transmitted to the House on this legislative day.

### Concur Messages

#### SB 101

Senator Gary Stevens moved and asked unanimous consent that the concur message on HOUSE CS FOR CS FOR SENATE BILL NO. 101(JUD) "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date" which had been held on the Secretary's desk (page 1459) be taken up at this time. Without objection, it was so ordered.

Senator Gary 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 101(JUD)

Shall the Senate Concur in the House amendment  
to CSSB 101(JUD)?      Effective Date

**YEAS: 18   NAYS: 1   EXCUSED: 1   ABSENT: 0**

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

Nays: Green

Excused: Bunde

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 101(JUD).

Senator Gary 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.

**SB 104**

Senator Gary Stevens moved and asked unanimous consent that the concur message on HOUSE CS FOR CS FOR SENATE BILL NO. 104(JUD) "An Act relating to the crimes of unsworn falsification in the first degree involving an application for a permanent fund dividend and false information or report involving eligibility for a permanent fund dividend; requiring the establishment of a permanent fund dividend fraud investigation unit in the Department of Revenue; relating to service in the peace corps and as a member of the United States Olympic Team as allowable absences 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" which had been held on the Secretary's desk (page 1460) be taken up at this time. Without objection, it was so ordered.

Senator Gary 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 104(JUD)

Shall the Senate Concur in the House amendment  
to CSSB 104(JUD)?

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

Yeas: Davis, Dyson, Ellis, Elton, French, Guess, Hoffman, Kookesh,  
Olson

Nays: Cowdery, Green, Huggins, Seekins, Stedman, Stevens B,  
Stevens G, Therriault, Wagoner, Wilken

Excused: Bunde

and so, the Senate failed to concur.

The Secretary was requested to notify the House of the Senate's action and request the House to recede from its amendment. In the event the House fails to recede, the President appointed a Conference Committee to meet with a like committee from the House to consider the bills:

Senator Seekins, Chair  
Senator Therriault  
Senator French

**SB 124**

Senator Gary Stevens moved and asked unanimous consent that the concur message on HOUSE CS FOR CS FOR SENATE BILL NO. 124(FIN) am H "An Act relating to requirements to obtain and maintain a fisheries business license; relating to security required of fish processors and primary fish buyers; and providing for an effective date" which had been held on the Secretary's desk (page 1499) be taken up at this time. Without objection, it was so ordered.

Senator Gary Stevens moved that the Senate concur in the House amendments.

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

HCS CSSB 124(FIN) am H  
Shall the Senate Concur in the House Amendments  
to CSSB 124(L&C)? Effective Date

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

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

Excused: Bunde

and so, the Senate concurred in the House amendments, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 124(FIN) am H.

Senator Gary 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.

**SB 139**

Senator Gary Stevens moved and asked unanimous consent that the concur message on HOUSE CS FOR CS FOR SENATE BILL NO. 139(FIN) "An Act relating to termination and oversight of boards, commissions, and agency programs; extending the termination date of the Board of Marital and Family Therapy; and providing for an effective date" which had been held on the Secretary's desk (page 1503) be taken up at this time. Without objection, it was so ordered.

Senator Gary 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 139(FIN)

Shall the Senate Concur in the House Amendment  
to CSSB 139(L&C)? Effective Date

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

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

Excused: Bunde

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 139(FIN).

Senator Gary 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.

**SB 140**

Senator Gary Stevens moved and asked unanimous consent that the concur message on HOUSE CS FOR CS FOR SENATE BILL NO. 140(RLS) "An Act relating to computers, computer communications, and the Internet" (Title change authorized by HCR 17) which had been held on the Secretary's desk (page 1460) be taken up at this time. Without objection, it was so ordered.

Senator Gary 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 140(RLS)

Shall the Senate Concur in the House  
Amendment to CSSB 140(JUD)?

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

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

Excused: Bunde

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 140(RLS).

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

**HCR 17**

Senator Gary Stevens moved and asked unanimous consent that HOUSE CONCURRENT RESOLUTION NO. 17 which had been held on the Secretary's desk (page 1458) be taken up at this time. Without objection, the resolution 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. 140, relating to computers and the Internet, pass the Senate?" The roll was taken with the following result:

HCR 17

Final Passage

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

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

Excused: Bunde

and so, HOUSE CONCURRENT RESOLUTION NO. 17 passed the Senate, was signed by the President and Secretary and returned to the House.

**SB 154**

Senator Gary Stevens moved and asked unanimous consent that the concur message on HOUSE CS FOR CS FOR SENATE BILL NO. 154(JUD) "An Act relating to the jurisdiction for proceedings relating to delinquent minors and to telephonic and televised participation in those proceedings; amending Rules 2, 3, 4, 8, 12, 13, 14, 15, 16, 21, 22, 23, 24.1, and 25, Alaska Delinquency Rules; and providing for an effective date" which had been held on the Secretary's desk (page 1503) be taken up at this time. Without objection, it was so ordered.

Senator Gary 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 154(JUD)

Shall the Senate Concur in the House Amendment  
to CSSB 154(JUD)? Effective Date - Court Rules

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

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

Excused: Bunde

and so, the Senate concurred in the House amendment, thus adopting  
HOUSE CS FOR CS FOR SENATE BILL NO. 154(JUD).

Senator Gary Stevens moved and asked unanimous consent that the  
vote on concurrence be considered the vote on the Court Rule changes.  
Without objection, it was so ordered.

Senator Gary 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.

**SCR 14**

Senator Gary Stevens moved and asked unanimous consent that the  
concur message on SENATE CONCURRENT RESOLUTION NO. 14  
am H Relating to the Advisory Commission on Local Government,  
which had been held on the Secretary's desk (page 1505) be taken up  
at this time. Without objection, it was so ordered.

Senator Gary 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:



SCR 14 am H

Shall the Senate Concur in the House Amendment  
to SCR 14?

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

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

Excused: Bunde

and so, the Senate concurred in the House amendment, thus adopting  
SENATE CONCURRENT RESOLUTION NO. 14 am H.

The Secretary was requested to notify the House.

The resolution was referred to the Secretary for enrollment.

### **Reconsideration of Senate Bills**

#### **SB 157**

Senator Gary Stevens requested that the reconsideration on CS FOR  
SENATE BILL NO. 157(FIN) be taken up. The bill was before the  
Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO.  
157(FIN) "An Act relating to the maximum annual regulatory cost  
charge collected from certain regulated public utilities and pipeline  
carriers and to public utility liability associated with operating certain  
transmission lines under a Regulatory Commission of Alaska order for  
joint use and interconnection; and providing for an effective date" pass  
the Senate?" The roll was taken with the following result:

CSSB 157(FIN)

Third Reading - On Reconsideration

Effective Dates

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

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

Excused: Bunde

and so, CS FOR SENATE BILL NO. 157(FIN) passed the Senate on reconsideration.

Senator Gary 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.

### **Reconsideration of House Bills**

#### **HB 97**

Senator Gary Stevens requested that the reconsideration on SENATE CS FOR CS FOR HOUSE BILL NO. 97(FIN) be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 97(FIN) "An Act relating to the authority to take oaths, affirmations, and acknowledgments in the state, to notarizations, to verifications, to acknowledgments, to fees for issuing certificates with the seal of the state affixed, and to notaries public; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 97(FIN)

Third Reading - On Reconsideration  
Effective Dates

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

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

Excused: Bunde

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 97(FIN) passed the Senate on reconsideration.

Senator Gary 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 147**

Senator Gary Stevens requested that the reconsideration on SENATE CS FOR CS FOR HOUSE BILL NO. 147(FIN) be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 147(FIN) "An Act relating to notice of suspension or revocation of an insurer's certificate of authority and the effect of the suspension or revocation upon the authority of agents and managing general agents of the insurer; relating to certain deposits under AS 21; relating to the yielding of assets and securities held on deposit; relating to third-party administrators under AS 21; relating to insurance agents, managing general agents, reinsurance intermediary managers, and insurance producers; requiring the director of insurance to notify a licensee of a license renewal before the renewal date; defining the term 'appointment' as used in part of AS 21; relating to the eligibility to provide coverage by a nonadmitted insurer and alien insurer; relating to surplus lines insurance and brokers; relating to misrepresentations and false advertising concerning insurance; relating to health discount plans; providing for limitations on owner controlled and contractor controlled insurance programs and limiting the coverage of those programs; prohibiting excessive, inadequate, or unfairly discriminatory rate charges for health insurance; defining the term 'plan administrator' as used in part of AS 21; defining the term 'transact' as used in AS 21; authorizing the director of insurance to designate a person to receive annual reports from companies; reducing the period for filing a quarterly financial statement; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CS HB 147(FIN)

Third Reading - On Reconsideration

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

Yeas: Cowdery, Davis, Dyson, Green, Hoffman, Huggins, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Ellis, Elton, French, Guess, Kookesh, Olson

Excused: Bunde

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 147(FIN) passed the Senate on reconsideration.

Senator Gary 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:

SCS CS HB 147(FIN)

Effective Date Clauses

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

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

Excused: Bunde

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

### **HB 187**

Senator Gary Stevens requested that the reconsideration on CS FOR HOUSE BILL NO. 187(FIN)(efd fld) be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR HOUSE BILL NO. 187(FIN)(efd fld) "An Act relating to money deposited into the Alaska permanent fund as a result of the settlement of State v. Amerada Hess; relating to the Alaska capital income fund and to deposits of income from State v. Amerada Hess settlement money into the Alaska capital income fund" pass the Senate?" The roll was taken with the following result:

CSHB 187(FIN)(efd fld)

Third Reading - On Reconsideration

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

Yeas: Cowdery, Davis, Dyson, Green, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Ellis, Elton, French, Guess

Excused: Bunde

and so, CS FOR HOUSE BILL NO. 187(FIN)(efd fld) passed the Senate on reconsideration, was signed by the President and Secretary and returned to the House.

**HB 257**

Senator Gary Stevens requested that the reconsideration on SENATE CS FOR CS FOR HOUSE BILL NO. 257(FIN)(efd fld S) "An Act relating to and extending the pilot program for state procurement and electronic commerce tools" be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 257(FIN) "An Act relating to and extending the pilot program for state procurement and electronic commerce tools; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 257(FIN)

Third Reading - On Reconsideration

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

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

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

Excused: Bunde

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 257(FIN) passed the Senate on reconsideration.

Senator Gary 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:

SCS CSHB 257(FIN)  
Effective Date Clause

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

Yeas: Cowdery, Davis, Dyson, Green, Guess, Huggins, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Ellis, Elton, French, Hoffman, Kookesh, Olson

Excused: Bunde

Olson changed from "Yea" to "Nay".

and so, the effective date clause failed and SENATE CS FOR CS FOR HOUSE BILL NO. 257(FIN)(efd fld S) "An Act relating to and extending the pilot program for state procurement and electronic commerce tools" was referred to the Secretary for engrossment.

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

Message dated May 9 was read, stating the House passed and transmitted for consideration:

#### **First Reading and Reference of House Resolutions**

##### **HCR 22**

HOUSE CONCURRENT RESOLUTION NO. 22 BY  
REPRESENTATIVE HARRIS,

Suspending Rules 24(c), 35, 41(b), and 42(e),  
Uniform Rules of the Alaska State Legislature,  
concerning Senate Bill No. 158, prohibiting the  
imposition of sales and use taxes on state  
construction contracts and certain subcontracts.

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

Message dated May 9 was read, stating the House passed and transmitted for consideration:

### **First Reading and Reference of House Bills**

#### **HB 37**

CS FOR HOUSE BILL NO. 37(FIN) am BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to voluntary land trades and purchases to enhance public access to fishing streams."

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

### **Concur Messages**

#### **SB 102**

Message dated May 9 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 102(FIN) am "An Act repealing the Alaska coastal management program; relating to an extension for review and approval of revisions to the Alaska coastal management program; relating to reviews and modifications by the Department of Natural Resources; relating to coastal resource district policies; providing for an effective date by amending the effective date of sec. 45, ch. 24, SLA 2003; and providing for an effective date" with the following amendment:

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

Senator Gary 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 102(RES)

Shall the Senate Concur in the House Amendment  
to CSSB 102(FIN) am? Effective Dates

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

Yeas: Cowdery, Davis, Dyson, Elton, Green, Huggins, Kookesh,  
Olson, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner,  
Wilken

Nays: Ellis, French, Guess, Hoffman

Excused: Bunde

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 102(RES) "An Act repealing the Alaska coastal management program; relating to an extension for review and approval of revisions to the Alaska coastal management program; relating to reviews and modifications by the Department of Natural Resources; relating to coastal resource district policies; providing for an effective date by amending the effective date of sec. 45, ch. 24, SLA 2003; and providing for an effective date."

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

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

**SB 110**

Message dated May 9 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 110(FIN)(efd fld) "An Act relating to regulation of the discharge of pollutants under the National Pollutant Discharge Elimination System" with the following amendments:

HOUSE CS FOR CS FOR SENATE BILL NO.  
110(FIN) am H



Senator Gary Stevens moved that the Senate concur in the House amendments.

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

HCS CSSB 110(FIN) am H  
Shall the Senate Concur in the House Amendments  
to CSSB 110(FIN)(efd fld)?

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

Yeas: Cowdery, Davis, Dyson, Green, Hoffman, Huggins, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Ellis, Elton, French, Guess, Kookesh, Olson

Excused: Bunde

and so, the Senate concurred in the House amendments, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 110(FIN) am H "An Act relating to regulation of the discharge of pollutants under the National Pollutant Discharge Elimination System."

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

**SB 147**

Message dated May 10 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 147(FIN) "An Act providing for a sport fishing facility surcharge on sport fishing licenses; providing for the construction and renovation of state sport fishing facilities and for other projects beneficial to the sport fish resources of the state as a public enterprise; and authorizing the issuance of revenue bonds to finance those projects" with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL NO.  
147(RLS)

Senator Gary 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 147(RLS)

Shall the Senate Concur in the House Amendment  
to CSSB 147(FIN)?

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

Yeas: Cowdery, Dyson, Green, Huggins, Kookesh, Seekins, Stedman,  
Stevens B, Stevens G, Therriault, Wagoner, Wilken

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

Excused: Bunde

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 147(RLS) "An Act providing for a sport fishing facility surcharge on sport fishing licenses; providing for the construction and renovation of state sport fishing facilities and for other projects beneficial to the sport fish resources of the state as a public enterprise; and authorizing the issuance of revenue bonds to finance those projects."

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

**SB 158**

Message dated May 9 was read, stating the House passed SENATE BILL NO. 158 "An Act prohibiting the imposition of municipal sales and use taxes on state construction contracts and certain subcontracts; and providing for an effective date" with the following amendment:

SENATE BILL NO. 158 am H "An Act relating to the determination of full and true value of taxable municipal property for purposes of providing planning assistance to the Department of Education and Early Development and the legislature, calculating funding for education, calculating school district participating shares for school construction grants, and calculating tax resource equalization payments and excluding from that determination the value of property in certain areas

detached from a municipality and the value of certain property involved with oil and gas that is not taxed by a municipality; and prohibiting the imposition of municipal sales and use taxes on state construction contracts and certain subcontracts; and providing for an effective date."  
(Title change authorized by HCR 22)

Senator Gary Stevens moved that the Senate concur in the House amendment and recommended the body vote no.

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

SB 158 am H  
Shall the Senate Concur in the House  
Amendment to SB 158?

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

Yeas: Davis, Therriault

Nays: Cowdery, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Stevens B, Stevens G, Wagoner, Wilken

Excused: Bunde

Davis changed from "Nay" to "Yea".

and so, the Senate failed to concur.

The Secretary was requested to notify the House of the Senate's action and request the House to recede from its amendment. In the event the House fails to recede, the President appointed a Conference Committee to meet with a like committee from the House to consider the bills:

Senator Huggins, Chair  
Senator Wagoner  
Senator Olson

**Special Committee Reports****SB 125**

May 10, 2005

Mr. President:

Mr. Speaker:

The Conference Committee considering CS FOR SENATE BILL NO. 125(JUD) "An Act relating to the licensing, regulation, enforcement, and appeal rights of ambulatory surgical centers, assisted living homes, child care facilities, child placement agencies, foster homes, free-standing birth centers, home health agencies, hospices or agencies providing hospice services or operating hospice programs, hospitals, intermediate care facilities for the mentally retarded, maternity homes, nursing facilities, residential child care facilities, residential psychiatric treatment centers, runaway shelters, and rural health clinics; relating to possession of a firearm at licensed entities and facilities; relating to criminal history requirements, and a registry, regarding certain licenses, certifications, approvals, and authorizations by the Department of Health and Social Services; making conforming amendments; and providing for an effective date"

and

HOUSE CS FOR CS FOR SENATE BILL NO. 125(FIN) am H "An Act relating to the licensing, regulation, enforcement, and appeal rights of ambulatory surgical centers, assisted living homes, child care facilities, child placement agencies, foster homes, free-standing birth centers, home health agencies, hospices or agencies providing hospice services or operating hospice programs, hospitals, intermediate care facilities for the mentally retarded, maternity homes, nursing facilities, residential child care facilities, residential psychiatric treatment centers, runaway shelters, and rural health clinics; relating to possession of a firearm at licensed entities and facilities; relating to criminal history requirements, and a registry, regarding certain licenses, certifications, approvals, and authorizations by the Department of Health and Social Services; relating to public assistance for health facilities and assisted living homes, to rates charged by an assisted living home, and to the liability of recipients of home or

community-based services to pay for those services; making conforming amendments; and providing for an effective date" requests limited powers of free conference on the following specific points:

Adding uncodified law to relating to personal needs allowances for persons residing in assisted living facilities replacing section 20 and section 21 of HCS CSSB 125 (FIN) am H dealing with the same subject matter.

Signing the report: Senator Dyson, Chair, Senators Huggins, Davis; Representatives McGuire, Anderson, Gara

President Stevens granted the Senate members limited powers of free conference as requested.

The Secretary was requested to notify the House.

**SB 125**

The following report was received and distributed at 5:55 p.m., May 10:

May 10, 2005

Mr. President:

Mr. Speaker:

The CONFERENCE COMMITTEE with limited powers of free conference considered CS FOR SENATE BILL NO. 125(JUD) "An Act relating to the licensing, regulation, enforcement, and appeal rights of ambulatory surgical centers, assisted living homes, child care facilities, child placement agencies, foster homes, free-standing birth centers, home health agencies, hospices or agencies providing hospice services or operating hospice programs, hospitals, intermediate care facilities for the mentally retarded, maternity homes, nursing facilities, residential child care facilities, residential psychiatric treatment centers, runaway shelters, and rural health clinics; relating to possession of a firearm at licensed entities and facilities; relating to criminal history requirements, and a registry, regarding certain licenses, certifications, approvals, and authorizations by the Department of Health and Social Services; making conforming amendments; and providing for an effective date"

and

HOUSE CS FOR CS FOR SENATE BILL NO. 125(FIN) am H "An Act relating to the licensing, regulation, enforcement, and appeal rights of ambulatory surgical centers, assisted living homes, child care facilities, child placement agencies, foster homes, free-standing birth centers, home health agencies, hospices or agencies providing hospice services or operating hospice programs, hospitals, intermediate care facilities for the mentally retarded, maternity homes, nursing facilities, residential child care facilities, residential psychiatric treatment centers, runaway shelters, and rural health clinics; relating to possession of a firearm at licensed entities and facilities; relating to criminal history requirements, and a registry, regarding certain licenses, certifications, approvals, and authorizations by the Department of Health and Social Services; relating to public assistance for health facilities and assisted living homes, to rates charged by an assisted living home, and to the liability of recipients of home or community-based services to pay for those services; making conforming amendments; and providing for an effective date" (Title change authorized by HCR 21) and recommends

CONFERENCE CS FOR SENATE BILL NO. 125 "An Act relating to the licensing, regulation, enforcement, and appeal rights of ambulatory surgical centers, assisted living homes, child care facilities, child placement agencies, foster homes, free-standing birth centers, home health agencies, hospices or agencies providing hospice services or operating hospice programs, hospitals, intermediate care facilities for the mentally retarded, maternity homes, nursing facilities, residential child care facilities, residential psychiatric treatment centers, runaway shelters, and rural health clinics; relating to possession of a firearm at licensed entities and facilities; relating to criminal history requirements, and a registry, regarding certain licenses, certifications, approvals, and authorizations by the Department of Health and Social Services; relating to the personal needs allowance for assisted living home residents, and authorizing emergency regulations relating to the personal needs allowance; making conforming amendments; and providing for an effective date." (technical title change)

be adopted.

Signing the report: Senator Dyson, Chair, Senators Huggins, Davis; Representatives Anderson, McGuire, Gara

The following fiscal information was published today:

Fiscal Note No. 4, Department of Health and Social Services

The following previously published fiscal information applies:

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

Senator Gary Stevens moved that the Senate adopt the Conference Committee Report on CONFERENCE CS FOR SENATE BILL NO. 125.

The question being: "Shall the Senate adopt the Conference Committee Report on CONFERENCE CS FOR SENATE BILL NO. 125 "An Act relating to the licensing, regulation, enforcement, and appeal rights of ambulatory surgical centers, assisted living homes, child care facilities, child placement agencies, foster homes, free-standing birth centers, home health agencies, hospices or agencies providing hospice services or operating hospice programs, hospitals, intermediate care facilities for the mentally retarded, maternity homes, nursing facilities, residential child care facilities, residential psychiatric treatment centers, runaway shelters, and rural health clinics; relating to possession of a firearm at licensed entities and facilities; relating to criminal history requirements, and a registry, regarding certain licenses, certifications, approvals, and authorizations by the Department of Health and Social Services; relating to the personal needs allowance for assisted living home residents, and authorizing emergency regulations relating to the personal needs allowance; making conforming amendments; and providing for an effective date?" The roll was taken with the following result:

CCS SB 125

Adopt Conference Committee Report?

Effective Dates

**YEAS: 18 NAYS: 0 EXCUSED: 1 ABSENT: 1**

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

Excused: Bunde

Absent: Seekins

and so, the report was adopted.

Senator Gary Stevens moved and asked unanimous consent that the vote on the adoption of the Conference Committee Report be considered the vote on the effective date clauses. Without objection, it was so ordered.

The Secretary was requested to notify the House.

#### **HCR 21**

Senator Gary Stevens moved and asked unanimous consent that HOUSE CONCURRENT RESOLUTION NO. 21 which had been held on the Secretary's desk (page 1498) be taken up at this time. Without objection, the resolution was before the Senate on final passage.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 21 Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 125, relating to centralized licensing and regulation by the Department of Health and Social Services of certain facilities and programs, pass the Senate?" The roll was taken with the following result:

HCR 21

Final Passage

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

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

Excused: Bunde

and so, HOUSE CONCURRENT RESOLUTION NO. 21 passed the Senate, was signed by the President and Secretary and returned to the House.

#### **SB 141**

Message dated May 9 was received, stating the conference committee with limited powers of free conference considering CS FOR SENATE BILL NO. 141(FIN) "An Act relating to the teachers' and public employees' retirement systems and creating defined contribution and



health reimbursement plans for members of the teachers' retirement system and the public employees' retirement system who are first hired after July 1, 2005; relating to university retirement programs; establishing the Alaska Retirement Management Board to replace the Alaska State Pension Investment Board, the Alaska Teachers' Retirement Board, and the Public Employees' Retirement Board; adding appeals of the decisions of the administrator of the teachers' and public employees' retirement systems to the jurisdiction of the office of administrative hearings; providing for nonvested members of the teachers' retirement system defined benefit plans to transfer into the teachers' retirement system defined contribution plan and for nonvested members of the public employees' retirement system defined benefit plans to transfer into the public employees' retirement system defined contribution plan; providing for political subdivisions and public organizations to request to participate in the public employees' defined contribution retirement plan; and providing for an effective date"

and

HOUSE CS FOR CS FOR SENATE BILL NO. 141(FIN) am H did not come to agreement, and requested that a Free Conference Committee be appointed.

The Speaker discharged the conference committee and appointed the following members to a free conference committee to meet with the like committee from the Senate to consider the bills:

Representative Kelly  
Representative Hawker  
Representative Kerttula

The Speaker granted the committee powers of free conference.

Senate members appointed May 9, 2005:

Senator Stedman, Chair  
Senator Wilken  
Senator Elton

**SB 36**

Message dated May 9 was received, stating the House has failed to recede from its amendments to CS FOR SENATE BILL NO. 36(JUD), namely:

HOUSE CS FOR CS FOR SENATE BILL NO.  
36(JUD) am H "An Act relating to absentee ballots."

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 Seaton  
Representative Holm  
Representative Gruenberg

Senate members appointed May 9, 2005:

Senator Therriault, Chair  
Senator Huggins  
Senator Kookesh

**SB 125**

Message dated May 9 was received, stating the House has failed to recede from its amendments to CS FOR SENATE BILL NO. 125(JUD) "An Act relating to the licensing, regulation, enforcement, and appeal rights of ambulatory surgical centers, assisted living homes, child care facilities, child placement agencies, foster homes, free-standing birth centers, home health agencies, hospices or agencies providing hospice services or operating hospice programs, hospitals, intermediate care facilities for the mentally retarded, maternity homes, nursing facilities, residential child care facilities, residential psychiatric treatment centers, runaway shelters, and rural health clinics; relating to possession of a firearm at licensed entities and facilities; relating to criminal history requirements, and a registry, regarding certain licenses, certifications, approvals, and authorizations by the Department of Health and Social Services; making conforming amendments; and providing for an effective date,"

namely:

HOUSE CS FOR CS FOR SENATE BILL NO. 125(FIN) am H "An Act relating to the licensing, regulation, enforcement, and appeal rights of ambulatory surgical centers, assisted living homes, child care facilities, child placement agencies, foster homes, free-standing birth centers, home health agencies, hospices or agencies providing hospice services or operating hospice programs, hospitals, intermediate care facilities for the mentally retarded, maternity homes, nursing facilities, residential child care facilities, residential psychiatric treatment centers, runaway shelters, and rural health clinics; relating to possession of a firearm at licensed entities and facilities; relating to criminal history requirements, and a registry, regarding certain licenses, certifications, approvals, and authorizations by the Department of Health and Social Services; relating to public assistance for health facilities and assisted living homes, to rates charged by an assisted living home, and to the liability of recipients of home or community-based services to pay for those services; making conforming amendments; and providing for an effective date."

(Title change authorized by HCR 21)

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 Anderson  
Representative McGuire  
Representative Gara

Senate members appointed May 9, 2005:

Senator Dyson, Chair  
Senator Huggins  
Senator Davis

**SB 130**

Message dated May 9 was received, stating the House has failed to recede from its amendments to CS FOR SENATE BILL NO. 130(FIN) am "An Act relating to a special deposit for workers' compensation and employers' liability insurers; relating to assigned risk pools; relating to workers' compensation insurers; stating the

intent of the legislature, and setting out limitations, concerning the interpretation, construction, and implementation of workers' compensation laws; relating to the Alaska Workers' Compensation Board; assigning certain Alaska Workers' Compensation Board functions to the division of workers' compensation in the Department of Labor and Workforce Development and to that department, and authorizing the board to delegate administrative and enforcement duties to the division; providing for workers' compensation hearing officers in workers' compensation proceedings; establishing a Workers' Compensation Appeals Commission; relating to workers' compensation medical benefits and to charges for and payment of fees for the medical benefits; relating to agreements that discharge workers' compensation liability; relating to workers' compensation awards; relating to reemployment benefits and job dislocation benefits; relating to coordination of workers' compensation and certain disability benefits; relating to division of workers' compensation records; relating to release of treatment records; 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; relating to attorney fees with respect to workers' compensation; providing for the department to enter into contracts with nonprofit organizations to provide information services and legal representation to injured employees; providing for administrative penalties for employers uninsured or without adequate security for workers' compensation; relating to fraudulent acts or false or misleading statements in workers' compensation and penalties for the acts or statements; providing for members of a limited liability company to be included as an employee for purposes of workers' compensation; establishing a workers' compensation benefits guaranty fund; making conforming amendments; providing for a study and report by the medical services review committee; establishing the Task Force on Workers' Compensation; and providing for an effective date,"

namely:

HOUSE CS FOR CS FOR SENATE BILL NO. 130(JUD) am H "An Act relating to workers' compensation and to assigned risk pools; relating to the Alaska Insurance Guaranty Association; establishing the Task Force on Workers' Compensation; amending Rule 45, Alaska Rules of Civil Procedure; and providing for an effective date."

(Title change authorized by HCR 19)

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  
Representative Coghill  
Representative Guttenberg

Senate members appointed May 9, 2005:

Senator Ben Stevens, Chair  
Senator Seekins  
Senator Guess

**SB 144**

Message dated May 9 was received, stating the House passed and returned:

CS FOR SENATE BILL NO. 144(RES) "An Act relating to regulations, definitions, and permits under the emission control permit program; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

**Introduction and Reference of  
Senate Resolutions**

**SCR 19**

SENATE CONCURRENT RESOLUTION NO. 19 BY THE  
SENATE FINANCE COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 161, relating to reemployment of and benefits for or on behalf of retired teachers and public employees and to employees who participated in retirement incentive programs and are subsequently reemployed as a commissioner; and repealing secs. 5, 7, and 9, ch. 58, SLA 2001.

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

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

#### **SB 179**

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 179 BY SENATOR THERRIAULT, entitled:

"An Act relating to the taxation of minerals and mining property; relating to contracts approved by municipalities for payments in lieu of taxes; and providing for an effective date."

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

#### **SB 200**

SENATE BILL NO. 200 BY SENATOR THERRIAULT, entitled:

"An Act relating to defense of self, other persons, and property."

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

#### **SB 201**

SENATE BILL NO. 201 BY SENATOR DYSON, entitled:

"An Act relating to justifications, presumptions, and

liability for use of defensive force."  
was read the first time and referred to the Judiciary Committee.

**SB 202**

SENATE BILL NO. 202 BY SENATOR HUGGINS, entitled:

"An Act relating to immunity from tort claims arising out of the use of a boating access facility constructed, operated, or maintained by the state on land owned or managed by the state; and providing for an effective date."

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

**Consideration of the Calendar****Second Reading of House Bills****HB 33**

CS FOR HOUSE BILL NO. 33(FIN) "An Act relating to required notification of the Department of Commerce, Community, and Economic Development, economic effect statements, and regulatory flexibility analyses regarding the adoption of regulations that may govern the conduct of small businesses; relating to a private cause of action, regulation invalidation, and judicial review related to required notification, economic effect statements, and regulatory flexibility analyses for the adoption of regulations that may govern the conduct of small businesses; and providing for an effective date" was read the second time.

Senator Green, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 1538. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 33(FIN) was adopted.

Senator Gary 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. 33(FIN) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 33(FIN) "An Act relating to required notification of the Department of Commerce, Community, and Economic Development, economic effect statements, and regulatory flexibility analyses regarding the adoption of regulations that may govern the conduct of small businesses; relating to a private cause of action, regulation invalidation, and judicial review related to required notification, economic effect statements, and regulatory flexibility analyses for the adoption of regulations that may govern the conduct of small businesses; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 33(FIN)

Third Reading - Final Passage

Effective Date

**YEAS: 18 NAYS: 1 EXCUSED: 1 ABSENT: 0**

Yeas: Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner

Nays: Wilken

Excused: Bunde

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 33(FIN) passed the Senate.

Senator Gary 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.

**HB 88**

CS FOR HOUSE BILL NO. 88(RLS) "An Act relating to certain weapons offenses involving minors; relating to the definition of 'recreation or youth center' for purposes of misconduct involving a controlled substance; to aggravating factors in sentencing for certain



offenses committed on school grounds, on a school bus, at a school-sponsored event, or in administrative offices of a school district; to mitigating factors in sentencing for a defendant's assistance to authorities to detect, apprehend, or prosecute other persons who committed an offense; 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 1126. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 88(JUD) was adopted.

Senator Gary 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. 88(JUD) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 88(JUD) "An Act relating to certain weapons offenses involving minors; relating to the definition of 'recreation or youth center' for purposes of misconduct involving a controlled substance; to aggravating factors in sentencing for certain offenses committed on school grounds, on a school bus, at a school-sponsored event, or in administrative offices of a school district; to mitigating factors in sentencing for a defendant's assistance to authorities to detect, apprehend, or prosecute other persons who committed an offense; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 88(JUD)  
Third Reading - Final Passage  
Effective Date

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

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

Excused: Bunde

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 88(JUD) passed the Senate.

Senator Gary 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.

**HB 120**

HOUSE BILL NO. 120 "An Act relating to safety devices and sharp instruments for the prevention of the spread of bloodborne pathogens in health care employees; and providing for an effective date" was read the second time.

Senator Gary 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.

HOUSE BILL NO. 120 was read the third time.

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

The question being: "Shall HOUSE BILL NO. 120 "An Act relating to safety devices and sharp instruments for the prevention of the spread of bloodborne pathogens in health care employees; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

**HB 120**

Third Reading - Final Passage

Effective Date

**YEAS: 18 NAYS: 0 EXCUSED: 1 ABSENT: 1**

Yeas: Cowdery, Davis, Dyson, Ellis, Elton, French, Green, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Excused: Bunde

Absent: Guess

and so, HOUSE BILL NO. 120 passed the Senate.

Senator Gary 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 161**

CS FOR HOUSE BILL NO. 161(STA) am "An Act relating to reemployment of and benefits for or on behalf of retired teachers and public employees and to teachers or employees who participated in retirement incentive programs and are subsequently reemployed as a commissioner; repealing secs. 5, 7, and 9, ch. 58, SLA 2001; providing for an effective date by amending the delayed effective date for secs. 3, 5, 9, and 12, ch. 57, SLA 2001, and repealing sec. 13, ch. 58, SLA 2001, which is the delayed effective date for secs. 5, 7, and 9, ch. 58, SLA 2001; and providing for an effective date" was read the second time.

Senator Green, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 1509. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 161(FIN) "An Act relating to reemployment of and benefits for retired teachers and public employees and to teachers or employees who participated in retirement incentive programs and are subsequently reemployed as a commissioner; repealing secs. 5, 7, and 9, ch. 58, SLA 2001; providing for an effective date by amending the delayed effective date for secs. 3, 5, 9, and 12, ch. 57, SLA 2001, and repealing sec. 13, ch. 58, SLA 2001, which is the delayed effective date for secs. 5, 7, and 9, ch. 58, SLA 2001; and providing for an effective date" was adopted.

Senator Green offered Amendment No. 1:

Page 1, line 1, following "**benefits for**":  
Insert "**or on behalf of**"

Page 9, line 7:  
Delete "January 1, 2007"

Insert "July 1, 2005"

Senator Green moved for the adoption of Amendment No. 1. Without objection, Amendment No. 1 was adopted.

Senator Gary 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. 161(FIN) am S was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 161(FIN) am S "An Act relating to reemployment of and benefits for or on behalf of retired teachers and public employees and to teachers or employees who participated in retirement incentive programs and are subsequently reemployed as a commissioner; repealing secs. 5, 7, and 9, ch. 58, SLA 2001; providing for an effective date by amending the delayed effective date for secs. 3, 5, 9, and 12, ch. 57, SLA 2001, and repealing sec. 13, ch. 58, SLA 2001, which is the delayed effective date for secs. 5, 7, and 9, ch. 58, SLA 2001; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 161(FIN) am S  
Third Reading - Final Passage

**YEAS: 11 NAYS: 7 EXCUSED: 1 ABSENT: 1**

Yeas: Cowdery, Dyson, Elton, Green, Hoffman, Huggins, Olson, Stedman, Stevens B, Stevens G, Wilken

Nays: Davis, Ellis, French, Guess, Seekins, Therriault, Wagoner

Excused: Bunde

Absent: Kookesh

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 161(FIN) am S passed the Senate.

Senator Gary 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:

SCS CSHB 161(FIN) am S  
Effective Date Clauses

**YEAS: 18 NAYS: 0 EXCUSED: 1 ABSENT: 1**

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

Excused: Bunde

Absent: Kookesh

and so, the effective date clauses were adopted.

In accordance with Uniform Rule 43, engrossment was waived on SENATE CS FOR CS FOR HOUSE BILL NO. 161 (FIN) am S and the bill was returned to the House for consideration with a certified amendment.

**HB 178**

CS FOR HOUSE BILL NO. 178(STA) am "An Act relating to special motor vehicle registration plates; and providing for an effective date" was read the second time.

Senator Gary 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. 178(STA) am was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 178(STA) am "An Act relating to special motor vehicle registration plates; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 178(STA) am  
Third Reading - Final Passage  
Effective Date

**YEAS: 18 NAYS: 0 EXCUSED: 1 ABSENT: 1**

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

Excused: Bunde

Absent: Kookesh

and so, CS FOR HOUSE BILL NO. 178(STA) am passed the Senate.

Senator Gary 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 197**

CS FOR HOUSE BILL NO. 197(RLS) "An Act exempting certain natural gas exploration and production facilities from oil discharge prevention and contingency plans and proof of financial responsibility, and amending the powers and duties of the Alaska Oil and Gas Conservation Commission with respect to those plans; and providing for an effective date" was read the second time.

Senator Gary 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. 197(RLS) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 197(RLS) "An Act exempting certain natural gas exploration and production facilities from oil discharge prevention and contingency plans and proof of financial responsibility, and amending the powers and duties of the Alaska Oil and Gas Conservation Commission with respect to those plans; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 197(RLS)  
Third Reading - Final Passage  
Effective Date

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

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

Excused: Bunde

and so, CS FOR HOUSE BILL NO. 197(RLS) passed the Senate.

Senator Gary 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 House Bills**

#### **HB 94**

SENATE CS FOR CS FOR HOUSE BILL NO. 94(STA) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 94(STA) "An Act relating to qualifications of voters, requirements and procedures regarding independent candidates for President and Vice-President of the United States, voter registration, voter residence, precinct boundary and polling place designation and modification, political parties, voters unaffiliated with a political party, early voting, absentee voting, ballot design, ballot counting, voting by mail, voting machines, vote tally systems, qualifications for elected office, initiative, referendum, recall, and definitions in the Alaska Election Code; and relating to incorporation elections" pass the Senate?" The roll was taken with the following result:

SCS CSHB 94(STA)  
Third Reading - Final Passage

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

Yeas: Cowdery, Dyson, Green, Hoffman, Huggins, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

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

Excused: Bunde

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 94(STA) passed the Senate and was referred to the Secretary for engrossment.

**HB 98**

SENATE CS FOR CS FOR HOUSE BILL NO. 98(FIN) "An Act relating to the compensation of legislators, the governor, the lieutenant governor, and certain public officials, officers, and employees not covered by collective bargaining agreements; and providing for an effective date" was read the third time.

Senator Green 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 Green offered Amendment No. 1:

Delete

Page 1, line 5 thru

Page 1, line 9

Re-number accordingly.

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

SENATE CS FOR CS FOR HOUSE BILL NO. 98(FIN) am S was automatically in third reading.



The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 98(FIN) am S "An Act relating to the compensation of the governor, the lieutenant governor, and certain public officials, officers, and employees not covered by collective bargaining agreements; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 98(FIN) am S  
Third Reading - Final Passage  
Effective Dates

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

Yeas: Cowdery, Davis, Dyson, Elton, French, Green, Guess, Hoffman, Huggins, Kookesh, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Ellis, Olson

Excused: Bunde

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 98(FIN) am S passed the Senate.

Senator Gary 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.

In accordance with Uniform Rule 43, engrossment was waived on SENATE CS FOR CS FOR HOUSE BILL NO. 98(FIN) am S and the bill was returned to the House for consideration with a certified amendment.

**HB 130**

SENATE CS FOR CS FOR HOUSE BILL NO. 130(FIN) "An Act relating to the grant of certain state land to the University of Alaska; relating to the duties of the Board of Regents; establishing the university research forest; and providing for an effective date" was read the third time.

Senator Gary Stevens moved for the adoption of the House Letter of Intent.

The question being: "Shall the House Letter of Intent be adopted?"  
The roll was taken with the following result:

SCS CSHB 130(FIN)  
Adopt Letter of Intent?

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

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

Nays: Davis, Ellis, Elton, French, Guess, Hoffman, Kookesh, Olson, Stedman

Excused: Bunde

and so, the Legislative Letter of Intent was adopted.

Senator Ellis objected, stating the adoption of a Letter of Intent requires an affirmative vote of the majority of the full membership of the body.

President Stevens ruled that the adoption of a Letter of Intent requires an affirmative vote of the majority of the members present. (Mason's Manual Section 503)

SENATE CS FOR CS FOR HOUSE BILL NO. 130(FIN) was before the Senate on final passage.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 130(FIN) "An Act relating to the grant of certain state land to the University of Alaska; relating to the duties of the Board of Regents; establishing the university research forest; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 130(FIN)  
Third Reading - Final Passage

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

Yeas: Cowdery, Davis, Dyson, Green, Hoffman, Huggins, Seekins, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Ellis, Elton, French, Guess, Kookesh, Olson, Stedman

Excused: Bunde

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 130(FIN) passed the Senate.

Senator Gary 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:

SCS CS HB 130(FIN)  
Effective Date Clause

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

Yeas: Cowdery, Davis, Dyson, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Ellis, Elton, French

Excused: Bunde

and so, the effective date clause was adopted and the bill was referred to the Secretary for engrossment with a Legislative Letter of Intent.

**HB 279**

SENATE CS FOR CS FOR HOUSE BILL NO. 279(FIN) was read the third time.

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 279(FIN) "An Act relating to encroachments in the right-of-way of a highway" pass the Senate?" The roll was taken with the following result:

SCS CS HB 279(FIN)  
Third Reading - Final Passage

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

Yeas: Cowdery, Davis, Dyson, Elton, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Stevens B, Stevens G, Therriault, Wagoner, Wilken

Nays: Ellis, French

Excused: Bunde

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 279(FIN) passed the Senate and was referred to the Secretary for engrossment.

### **Citations**

Honoring – Mark Chapman

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

Honoring – Dorcas Lutz, 35 Years of Public Service

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

Honoring – The North Pole Patriots, 2004 Alaska Football Champions  
Representative(s) Coghill

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

Honoring – National Correctional Officers' Week, May 1 – 7, 2005

Representative(s) Harris

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

Honoring – The Library

Representative(s) Weyhrauch, Kerttula

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

Honoring – Bilingual Tutors at Mountain View Elementary School, Williwaw Elementary School, Creekside Park Elementary School, Wonder Park Elementary School, Ptarmigan Elementary School, and William Tyson Elementary School

Representative(s) Gruenberg

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

Honoring – Jessica Hendricks

Representative(s) Salmon

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

Honoring – Richard Champion

Representative(s) Seaton

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

In Memoriam – Gertrude “Helen” Brown

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

In Memoriam - Simeon Nick Askoak

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

Representative(s) Salmon

In Memoriam - Roberta Fraser Johnson

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

Representative(s) Kerttula, Weyhrauch

In Memoriam - Marvin “Marv” Weatherly

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

In Memoriam – William V. Graves

Representative(s) Weyhrauch, Kerttula

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

In Memoriam - George A. Hall

Representative(s) Samuels

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

In Memoriam - Sally Ann Kabisch Kizzia

Representative(s) Seaton

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

In Memoriam - Kate Lauren Kuhns

Representative(s) Seaton

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

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

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

### **Special Order of Business**

Honoring – Coach Randy Magner

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

Representative(s) Gatto, Stoltze

Honoring – The Strawberry Road Committee

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

Honoring – Jr. Iditarod Champion Melissa Owens

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

Honoring – Dr. Henry I. Akiyama

Representative(s) Kerttula, Weyhrauch  
Senator(s) Elton, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

Honoring – Josh Dean

Representative(s) Kohring, Kerttula, Gatto, Neuman, Stoltze  
Senator(s) Green, Huggins, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Guess, Hoffman, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

Honoring – Kenny Hughes

Representative(s) Gatto, Stoltze, Kohring, Neuman  
Senator(s) Green, Huggins, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Guess, Hoffman, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

Honoring – Margaret Sanders

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

Honoring – Sherri Baktuit

Representative(s) Chenault  
Senator(s) Wagoner, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Green, Guess, Hoffman, Huggins, Kookesh, Olson,

Seekins, Stedman, Gary Stevens, Therriault, Wilken

Honoring – Steve Heinrick

Representative(s) Neuman

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

Honoring – Stacy Borgman, Champion Rower

Representative(s) Seaton

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

Honoring – Tela O'Donnell

Representative(s) Seaton

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

In Memoriam - Lt. Col. Harold F. "Alex" Alexander

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

Representative(s) Rokeberg, Hawker, Samuels, Kerttula

In Memoriam - Isabelle Goldthorpe Rogan

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

In Memoriam - Robert "Bob" Maynard Piatt, Sr.

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

In Memoriam - Darlene Virginia "Twete" Kackman

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



In Memoriam - Jacqueline S. Lawton

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

In Memoriam - Lois L. Kepler

Senator(s) Huggins, Green, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Guess, Hoffman, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken  
Representative(s) Gatto, Stoltze

In Memoriam - George Danner, Jr.

Representative(s) Kerttula, Weyhrauch  
Senator(s) Elton, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

In Memoriam - Albert Christian Swalling

Representative(s) Kerttula, Weyhrauch  
Senator(s) Elton, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

In Memoriam - Harriet H. Roberts

Representative(s) Kerttula, Weyhrauch  
Senator(s) Elton, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

In Memoriam - Peter Barrett

Representative(s) Kerttula, Weyhrauch  
Senator(s) Elton, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins, Stedman, Gary Stevens, Therriault, Wagoner, Wilken

In Memoriam - Evan Duane Belnap

Representative(s) Seaton  
Senator(s) Gary Stevens, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Green, Guess, Hoffman, Huggins, Kookesh,

Olson, Seekins, Stedman, Therriault, Wagoner, Wilken

In Memoriam - Floyd Joseph Gonzales

Representative(s) Seaton

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

In Memoriam - Alfred (Rodney) Ewing, Sr.

Representative(s) Kohring, Gatto, Neuman, Stoltze

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

In Memoriam - Barbara Poetzsch

Representative(s) Kohring, Gatto, Neuman, Stoltze

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

In Memoriam - Lorena "Rena" Baty

Representative(s) Wilson

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

In Memoriam - Thomas Kendall Young

Representative(s) Wilson

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

In Memoriam - James Lee Asnin

Representative(s) Wilson

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

In Memoriam - Molly O. Ahlgren, Ph.D.

Representative(s) Wilson

Senator(s) Stedman, Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Green, Guess, Hoffman, Huggins, Kookesh, Olson,

Seekins, Gary Stevens, Therriault, Wagoner, Wilken  
In Memoriam - Lareta Gabriel Lare  
Representative(s) Croft  
Senator(s) Ben Stevens, Bunde, Cowdery, Davis, Dyson, Ellis, Elton,  
French, Green, Guess, Hoffman, Huggins, Kookesh, Olson, Seekins,  
Stedman, Gary Stevens, Therriault, Wagoner, Wilken

In Memoriam - Dr. Douglas L. Schamel  
Representative(s) Guttenberg  
Senator(s) Seekins, Ben Stevens, Bunde, Cowdery, Davis, Dyson,  
Ellis, Elton, Green, Guess, Hoffman, Huggins, Kookesh, Olson,  
Stedman, Gary Stevens, Therriault, Wagoner, Wilken

In Memoriam - Geraldine Ruth Rouswell  
Representative(s) Chenault  
Senator(s) Wagoner, Ben Stevens, Bunde, Cowdery, Davis, Dyson,  
Ellis, Elton, Green, Guess, Hoffman, Huggins, Kookesh, Olson,  
Seekins, Stedman, Gary Stevens, Therriault, Wilken

Senator Gary 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**

Senator Davis moved and asked unanimous consent to be excused from a call of the Senate from 6:00 p.m., May 11 to May 14. Without objection, Senator Davis was excused.

#### **Announcements**

Announcements are at the end of the journal.

Rule 23(d) of the Alaska State Legislature Uniform Rules is currently in effect.

**Engrossment****SB 157**

CS FOR SENATE BILL NO. 157(FIN) "An Act relating to the maximum annual regulatory cost charge collected from certain regulated public utilities and pipeline carriers and to public utility liability associated with operating certain transmission lines under a Regulatory Commission of Alaska order for joint use and interconnection; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**HB 33**

SENATE CS FOR CS FOR HOUSE BILL NO. 33(FIN) "An Act relating to required notification of the Department of Commerce, Community, and Economic Development, economic effect statements, and regulatory flexibility analyses regarding the adoption of regulations that may govern the conduct of small businesses; relating to a private cause of action, regulation invalidation, and judicial review related to required notification, economic effect statements, and regulatory flexibility analyses for the adoption of regulations that may govern the conduct of small businesses; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 88**

SENATE CS FOR CS FOR HOUSE BILL NO. 88(JUD) "An Act relating to certain weapons offenses involving minors; relating to the definition of 'recreation or youth center' for purposes of misconduct involving a controlled substance; to aggravating factors in sentencing for certain offenses committed on school grounds, on a school bus, at a school-sponsored event, or in administrative offices of a school district; to mitigating factors in sentencing for a defendant's assistance to authorities to detect, apprehend, or prosecute other persons who committed an offense; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 94**

SENATE CS FOR CS FOR HOUSE BILL NO. 94(STA) "An Act relating to qualifications of voters, requirements and procedures regarding independent candidates for President and Vice-President of the United States, voter registration, voter residence, precinct boundary and polling place designation and modification, political parties, voters unaffiliated with a political party, early voting, absentee voting, ballot design, ballot counting, voting by mail, voting machines, vote tally systems, qualifications for elected office, initiative, referendum, recall, and definitions in the Alaska Election Code; and relating to incorporation elections" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 97**

SENATE CS FOR CS FOR HOUSE BILL NO. 97(FIN) "An Act relating to the authority to take oaths, affirmations, and acknowledgments in the state, to notarizations, to verifications, to acknowledgments, to fees for issuing certificates with the seal of the state affixed, and to notaries public; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 130**

SENATE CS FOR CS FOR HOUSE BILL NO. 130(FIN) "An Act relating to the grant of certain state land to the University of Alaska; relating to the duties of the Board of Regents; establishing the university research forest; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration with a Legislative Letter of Intent.

**HB 147**

SENATE CS FOR CS FOR HOUSE BILL NO. 147(FIN) "An Act relating to notice of suspension or revocation of an insurer's certificate of authority and the effect of the suspension or revocation upon the authority of agents and managing general agents of the insurer; relating to certain deposits under AS 21; relating to the yielding of assets and securities held on deposit; relating to third-party administrators under AS 21; relating to insurance agents, managing general agents, reinsurance intermediary managers, and insurance producers; requiring the director of insurance to notify a licensee of a

license renewal before the renewal date; defining the term 'appointment' as used in part of AS 21; relating to the eligibility to provide coverage by a nonadmitted insurer and alien insurer; relating to surplus lines insurance and brokers; relating to misrepresentations and false advertising concerning insurance; relating to health discount plans; providing for limitations on owner controlled and contractor controlled insurance programs and limiting the coverage of those programs; prohibiting excessive, inadequate, or unfairly discriminatory rate charges for health insurance; defining the term 'plan administrator' as used in part of AS 21; defining the term 'transact' as used in AS 21; authorizing the director of insurance to designate a person to receive annual reports from companies; reducing the period for filing a quarterly financial statement; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 257**

SENATE CS FOR CS FOR HOUSE BILL NO. 257(FIN)(efd fld S) "An Act relating to and extending the pilot program for state procurement and electronic commerce tools" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 279**

SENATE CS FOR CS FOR HOUSE BILL NO. 279(FIN) "An Act relating to encroachments in the right-of-way of a highway" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**Adjournment**

Senator Guess moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., January 9, 2006. Without objection, the Senate adjourned at 9:51 p.m.

Kirsten Waid  
Secretary of the Senate

May 2005

**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 10      Tuesday                      Senate Finance 532**  
 +              Bills Previously Heard/Scheduled

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**HEALTH, EDUCATION & SOCIAL SERVICES**

**May 10      Tuesday                      Location Tba**  
 -- Recessed to a Call of the Chair --  
 Time and Location TBA  
 Bills Previously Heard/Scheduled

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**JOINT COMMITTEES**

**CONFERENCE COMMITTEE ON HB 1**

**May 12      Thursday                      Location Tba**  
 = HB 1      INCREASE AMT OF BASE STUDENT ALLOCATION

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**CONFERENCE COMMITTEE ON HB 66 & HB 67**

**May 10      Tuesday                      Location Tba**  
 = HB 66      APPROP: MENTAL HEALTH BUDGET  
 = HB 67      APPROP: OPERATING BUDGET/LOANS/FUNDS/BRF

**CONFERENCE COMMITTEE ON HB 66 & HB 67 (continued)**

**May 11      Wednesday                      To Be Announced**  
 -- Location to be Announced --  
 = HB 66    APPROP: MENTAL HEALTH BUDGET  
 = HB 67    APPROP: OPERATING BUDGET/LOANS/FUNDS/BRF  
 All open items.

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**CONFERENCE COMMITTEE ON SB 125**

**May 10      Tuesday                              Butrovich 205              8:30 AM**  
 SB 125    LICENSING MEDICAL OR CARE FACILITIES

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**CONFERENCE COMMITTEE ON SB 130**

**May 10      Tuesday                              Butrovich 205              11:00 AM**  
 SB 130    WORKERS' COMPENSATION/ INSURANCE

**May 11      Wednesday                              Butrovich 205              5:00 PM**  
 -- Time Change --  
 = SB 130    WORKERS' COMPENSATION/ INSURANCE

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**FREE CONFERENCE COMMITTEE ON SB 141**

**May 10      Tuesday                              Senate Finance 532              2:30 PM**  
 -- Rescheduled to 5/11/05 10:00 am --  
 = SB 141    PUBLIC EMPLOYEE/TEACHER RETIREMENT/BOARDS  
 Free Conference Committee Meeting

**May 11      Wednesday                              Senate Finance 532              6:00 PM**  
 -- Time Change --  
 = SB 141    PUBLIC EMPLOYEE/TEACHER RETIREMENT/BOARDS

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**LEGISLATIVE BUDGET & AUDIT**

**May 11      Wednesday                              House Finance 519              1:00 PM**  
 Committee Business  
 Executive Session  
 Panel Discussion with Federal Officials  
 regarding Gas Pipeline Issues