

# SENATE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Saturday

May 8, 2004

#### One Hundred Eighteenth Day

Pursuant to adjournment the Senate was called to order by President Therriault at 1:20 p.m.

The roll showed sixteen members present. Senators Davis, Dyson, Hoffman, Lincoln were absent.

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

Thank You Lord. We ask for Your divine wisdom and guidance as we have been put in a place of great stewardship over the land, the resources and the finances of the state.

May we seek Your help in doing what is best for our constituents and taking care of the wonderful resources that You have blessed us with.

I ask this in Jesus' name,

Amen.

Senator Elton led the Senate in the Pledge of Allegiance.

#### Certification

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

The presence of Senators Davis, Dyson was noted.

**Messages from the House**

**SJR 25**

Message dated May 7 was read, stating the House passed and returned:

SENATE JOINT RESOLUTION NO. 25  
Recommending that certain federal funding restrictions be eased so that more villages in Alaska would qualify for assistance relating to flooding and erosion.

The resolution was referred to the Secretary for enrollment.

**SB 31**

Message dated May 7 was read, stating the House passed and returned:

CS FOR SENATE BILL NO. 31(RES) am "An Act relating to a transportation corridor for extension of the Alaska Railroad to Canada and to extension of the Alaska Railroad to connect with the North American railroad system."

The bill was referred to the Secretary for enrollment.

**SB 231**

Message dated May 7 was read, stating the House passed and returned:

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

The bill was referred to the Secretary for enrollment.

**SB 278**

Message dated May 7 was read, stating the House passed and returned:

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."

The bill was referred to the Secretary for enrollment.

**SB 349**

Message dated May 7 was read, stating the House passed and returned:

SENATE BILL NO. 349 "An Act requiring licensure of midwifery birth centers; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

Message dated May 7 was read, stating the House passed and transmitted for consideration:

**First Reading and Reference of  
House Resolutions**

**HCR 39**

CS FOR HOUSE CONCURRENT RESOLUTION NO. 39(RLS) am  
BY THE HOUSE RULES COMMITTEE,

Establishing the Alaska Royalty and Revenue  
Committee.

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

**Concur Messages****SB 273**

Message dated May 7 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 273(FIN) "An Act amending the size, membership, and powers of the board of directors of the Alaska Seafood Marketing Institute and making a corresponding change in the quorum requirement; authorizing the establishment of the seafood marketing assessment at a rate of 0.5 percent or 0.6 percent of the value of seafood products produced; providing for an election to retain, terminate, or increase the seafood marketing assessment; providing for the repeal of the salmon marketing tax and provisions related to the salmon marketing tax; and providing for an effective date" with the following amendment:

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

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

**SB 365**

Message dated May 7 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 365(FIN) "An Act relating to the regulation of speech-language pathologist assistants; and providing for an effective date" with the following amendment:

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

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

**Standing Committee Reports**

Report dated May 7 was read stating:

In accordance with AS 39.05.080, the Senate Health, Education and Social Services Committee reviewed the following and recommends the appointments be forwarded to a Joint Session for consideration:

**Board of Nursing**

James E. Jurrens - Juneau

**Professional Teaching Practices Commission**

Kimberly (Kim) Jockusch - Anchorage

Dr. Donna Peterson - Soldotna

**Board of Social Work Examiners**

Darrell Allman - Anchorage

Mildred D. (Tammy) Townsend - Anchorage

**Board of Certified Direct-Entry Midwives**

Dana L. Brown – Fairbanks

Sharon K. Evans – Palmer

**Board of Examiners in Optometry**

Dr. Jill Geering Matheson – Juneau

Dr. Jeff Gonnason – Anchorage

**Board of Dispensing Opticians**

Larry E. Harper – Anchorage

There were no stated objections to the confirmation of the named individuals by committee members. This does not reflect intent by any of the members to vote for or against the individuals during any further sessions.

Signing the report: Senator Dyson, Chair; Senators Davis, Wilken.

**SB 308**

The Finance Committee considered SENATE BILL NO. 308 "An Act increasing the duration of certain provisions of domestic violence protective orders from six months to one year" and recommended the adoption of the Judiciary Committee Substitute offered on page 2847, and further recommended the adoption of the Judiciary Committee Letter of Intent offered on page 2848.

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

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

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

The bill was referred to the Rules Committee.

**HB 56**

The Finance Committee considered CS FOR HOUSE BILL NO. 56(L&C) "An Act relating to the award to the state of actual reasonable attorney fees and costs, including costs of investigation, in certain court actions relating to unfair trade practices; and amending Rules 54(d), 79, and 82, Alaska Rules of Civil Procedure." Signing do pass: Senator Wilken, Cochair; Senators Dyson, Hoffman, Bunde, Ben Stevens. Signing no recommendation: Senator Green, Cochair; Senator Olson.

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

The bill was referred to the Rules Committee.

**HB 255**

The Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 255(FIN)(title am) "An Act amending the Alaska Wage and Hour Act as it relates to the scope of administrative regulations defining a person employed in a bona fide executive, administrative, or professional capacity as it pertains to minimum salaries to require that the minimum salary for that individual be two times the minimum wage for the first forty hours of employment each week." Signing do pass: Senator Bunde, Chair. Signing no recommendation: Senators French, Gary Stevens.

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

The bill was referred to the Rules Committee.

**HB 309**

The Resources Committee considered CS FOR HOUSE BILL NO. 309(JUD) am "An Act relating to nonindigenous fish" and recommended it be replaced with

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

Signing do pass: Senator Ogan, Chair, Senators Ben Stevens, Seekins.  
Signing no recommendation: Senator Wagoner.

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 Rules Committee.

**HB 319**

The Resources Committee considered CS FOR HOUSE BILL NO. 319(FIN) am "An Act relating to the disposal of state land by lottery; relating to the reservation of rights by the state in land contracts and deeds; relating to the disposal, including sale or lease, of remote recreational cabin sites; and providing for an effective date" and recommended it be replaced with

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

Signing no recommendation: Senator Ogan, Chair; Senator Wagoner.  
Signing do pass: Senators Seekins, Ben Stevens.

The following fiscal information was published today:

Fiscal Note No. 4, zero, Department of Natural Resources

Fiscal Note No. 5, Department of Natural Resources

The bill was referred to the Finance Committee.

**HB 338**

The Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 338(HES) "An Act relating to attendance at public school; and providing for an effective date." Signing do pass: Senator Dyson, Chair; Senator Davis. Signing no recommendation: Senators Guess, Wilken.

The following previously published fiscal information applies:

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

The bill was referred to the Finance Committee.

**HB 353**

The Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 353(JUD) "An Act exempting certain teachers at certain schools from jury service during school terms; and amending Rule 15(k), Alaska Rules of Administration." Signing do pass: Senator Dyson, Chair; Senators Guess, Davis. Signing no recommendation: Senator Wilken.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Alaska Court System  
Fiscal Note No. 2, zero, Department of Education and Early Development

The bill was referred to the Rules Committee.

**HB 381**

The Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 381(RLS) "An Act relating to child endangerment." Signing do pass: Senator Dyson, Chair; Senators Guess, Davis. Signing no recommendation: Senator Wilken.

The following fiscal information was published today:

Fiscal Note No. 6, zero, Department of Public Safety



The following previously published fiscal information applies:

- Fiscal Note No. 1, zero, Alaska Court System
- Fiscal Note No. 4, zero, House Rules Committee
- Fiscal Note No. 5, zero, House Rules Committee

The bill was referred to the Judiciary Committee.

**HB 405**

The Health, Education and Social Services 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" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.  
405(HES) "An Act relating to reports on school and  
school district performance; relating to accountability  
of public schools and school districts; and providing  
for an effective date." (technical title change)

Signing do pass: Senator Dyson, Chair; Senators Guess, Davis.

The following previously published fiscal information applies:

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

The bill was referred to the Rules Committee.

The presence of Senator Hoffman was noted.

**HB 443**

The Health, Education and Social Services Committee considered HOUSE BILL NO. 443 "An Act relating to eligibility of nurses for the teachers' and nurses' housing loan program of the Alaska Housing Finance Corporation." Signing do pass: Senator Dyson, Chair; Senator Davis. Signing no recommendation: Senators Guess, Wilken.

The following previously published fiscal information applies:

- Fiscal Note No. 1, zero, Department of Revenue

The bill was referred to the Finance Committee.

**HB 452**

The Finance Committee considered CS FOR HOUSE BILL NO. 452(FIN) am "An Act relating to licensing and regulation of sport fishing operators and sport fishing guides; authorizing the Department of Fish and Game and the Alaska Commercial Fisheries Entry Commission to release records and reports to the Department of Natural Resources and the Department of Public Safety; and providing for an effective date" and recommended the adoption of the Resources Senate Committee Substitute offered on page 3416.

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

The following previously published fiscal information applies:

- Fiscal Note No. 2, Department of Fish and Game
- Fiscal Note No. 3, zero, Department of Public Safety
- Fiscal Note No. 4, Department of Fish and Game

The bill was referred to the Rules Committee.

**HB 511**

The Finance Committee considered CS FOR HOUSE BILL NO. 511(HES) am "An Act relating to the certificate of need program for health care facilities; and providing for an effective date" and recommended it be replaced with

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

and further and recommended the adoption of a Senate Health, Education and Social Services Committee Letter of Intent (page 3418).

Signing do pass: Senator Wilken, Cochair. Signing no recommendation: Senator Green, Cochair; Senators Hoffman, Olson, Bunde, Ben Stevens. Signing amend: Senator Dyson.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Health and Social Services  
Fiscal Note No. 2, zero, Department of Health and Social Services  
The bill was referred to the Rules Committee.

**HB 561**

The Community and Regional Affairs Committee considered CS FOR HOUSE BILL NO. 561(FIN) "An Act providing for and relating to the issuance of general obligation bonds in a principal amount of not more than \$93,280,000 for the purpose of paying the cost of state transportation projects; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO. 561(CRA) "An Act providing for and relating to the issuance of general obligation bonds in a principal amount of not more than \$88,555,000 for the purpose of paying the cost of state transportation projects; and providing for an effective date."

Signing no recommendation: Senator Stedman, Chair. Signing do pass: Senator Gary Stevens. Signing do not pass: Senator Wagoner.

Fiscal information forthcoming.

The bill was referred to the Finance Committee.

**Special Committee Reports****HB 414**

The following report was received at 2:40 p.m., May 8:

May 8, 2004

Mr. President:

Mr. Speaker:

The CONFERENCE COMMITTEE with limited powers of free conference considered 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 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) and recommends

CONFERENCE CS FOR HOUSE BILL NO. 414  
"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."

be adopted.

Signing the report: Senator Seekins, Chair, Senators Wagoner, French;  
Representative McGuire, Chair, Representatives Anderson, Crawford

The following previously published fiscal information applies:  
Fiscal Note No. 2, zero, Office of the Governor

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

#### **Introduction and Reference of Senate Resolutions**

##### **SCR 28**

SENATE CONCURRENT RESOLUTION NO. 28 BY THE  
SENATE RULES COMMITTEE,

Suspending Rules 24(c), 35, 41(b), and 42(e),  
Uniform Rules of the Alaska State Legislature,  
concerning House Bill No. 459, relating to optically  
scanned and electronically generated ballots.

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

**Consideration of the Calendar****Second Reading of House Bills****HB 10**

CS FOR HOUSE BILL NO. 10(HES) "An Act relating to pooling by employers and self-employed individuals for purposes of group health insurance; 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 Senate Committee Substitute offered on page 3322. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 10(FIN) 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. 10(FIN) was read the third time.

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

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 10(FIN) "An Act relating to pooling by employers and self-employed individuals for purposes of group health insurance; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 10(FIN)  
Third Reading - Final Passage  
Effective Date

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

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

Absent: Bunde, Lincoln

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 10(FIN) passed the Senate.

Senator Ben Stevens moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

**HB 51**

CS FOR HOUSE BILL NO. 51(HES) "An Act requiring pharmacists to include generic drug information on containers in which brand-name prescription drug orders are dispensed" 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. 51(HES) was read the third time.

Senators Elton, French, Gary Stevens, Olson moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

The question being: "Shall CS FOR HOUSE BILL NO. 51(HES) "An Act requiring pharmacists to include generic drug information on containers in which brand-name prescription drug orders are dispensed" pass the Senate?" The roll was taken with the following result:

CSHB 51(HES)

Third Reading - Final Passage

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

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

Absent: Lincoln

and so, CS FOR HOUSE BILL NO. 51(HES) passed the Senate.

Senator Wagoner gave notice of reconsideration.

**HB 93**

CS FOR HOUSE BILL NO. 93(FIN) "An Act relating to boating safety, registration, and numbering; extending the sunset date of changes in ch. 28, SLA 2000; and providing for an effective date" was read the second time.

Senator Cowdery, Cochair, moved and asked unanimous consent for the adoption of the Transportation Senate Committee Substitute offered on page 2758. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 93(TRA) 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 SENATE CS FOR CS FOR HOUSE BILL NO. 93(TRA) will be on the May 9 calendar.

**HB 123**

CS FOR HOUSE BILL NO. 123(FIN) "An Act relating to the allocation of money appropriated to the Alaska Workforce Investment Board; 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 Senate Committee Substitute offered on page 3367. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 123(FIN) 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. 123(FIN) was read the third time.

Senators Wilken, Cowdery, Hoffman, Gary Stevens, Dyson, Seekins, Ben Stevens, Bunde, Therriault, Olson 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. 123(FIN) "An Act relating to the allocation of money appropriated to the Alaska Workforce Investment Board; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 123(FIN)  
Third Reading - Final Passage  
Effective Date

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

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

Nays: Green

Absent: Lincoln

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 123(FIN) passed the Senate.

Senator Ben Stevens moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

**HB 227**

CS FOR HOUSE BILL NO. 227(JUD) "An Act increasing the jurisdictional limit for small claims and for magistrates from \$7,500 to \$10,000; increasing the jurisdictional limit of district courts in certain civil cases from \$50,000 to \$100,000; expanding the jurisdiction of district courts; limiting magistrates from hearing certain small claims cases; and amending Rule 11(a)(4), Alaska District Court Rules of Civil Procedure, relating to service of process for small claims" 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. 227(JUD) will be on the May 9 calendar.

**HB 252**

CS FOR HOUSE BILL NO. 252(STA) "An Act relating to the terms and duties of the members of the State Board of Registration for Architects, Engineers and Land Surveyors" 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 2820. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 252(JUD) "An Act relating to the terms and duties of the members of the State Board of Registration for Architects, Engineers and Land Surveyors; and relating to the employment and classification of an executive secretary for the board" (title change authorized by 24) 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 SENATE CS FOR CS FOR HOUSE BILL NO. 252(JUD) will be on the May 9 calendar.

**HB 273**

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 273(JUD) am "An Act relating to the right of a parent to waive an unemancipated child's claim of negligence against a provider of sports or recreational activities" 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 3324. Without objection, SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 273(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. Senator Ellis objected.

President Therriault stated SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 273(JUD) will be on the May 9 calendar.

**HB 285**

CS FOR HOUSE BILL NO. 285(JUD) "An Act adopting the Uniform Electronic Transactions Act; repealing certain statutes relating to electronic records and electronic signatures; amending Rule 402, Alaska Rules of Evidence; and providing for an effective date" was read the second time.

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

President Therriault stated CS FOR HOUSE BILL NO. 285(JUD) will be on the May 9 calendar.

**HB 288**

2d CS FOR HOUSE BILL NO. 288(RLS) "An Act changing the name of the Department of Community and Economic Development to the Department of Commerce and Community and Economic Development" was read the second time.

Senator Gary Stevens, Chair, moved and asked unanimous consent for the adoption of the State Affairs Senate Committee Substitute offered on page 2067. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 288(STA) "An Act changing the name of the Department of Community and Economic Development to the Department of Commerce, Community, and Economic Development" (title change authorized by SCR 20) 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 SENATE CS FOR CS FOR HOUSE BILL NO. 288(STA) will be on the May 9 calendar.

The presence of Senator Lincoln was noted.

**HB 334**

CS FOR HOUSE BILL NO. 334(RLS) "An Act relating to unlawful exploitation of a minor and to distribution of child pornography" 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. 334(RLS) was read the third time.

Senators Wilken, Olson, Ogan, French, Elton, Gary Stevens, Ellis, Therriault moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

The question being: "Shall CS FOR HOUSE BILL NO. 334(RLS) "An Act relating to unlawful exploitation of a minor and to distribution of child pornography" pass the Senate?" The roll was taken with the following result:

CSHB 334(RLS)

Third Reading - Final Passage

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

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

Absent: Green, Hoffman

and so, CS FOR HOUSE BILL NO. 334(RLS) passed the Senate, was signed by the President and Secretary and returned to the House.

**HB 366**

CS FOR HOUSE BILL NO. 366(FIN) "An Act relating to animal classic charitable gaming; and providing for an effective date" was read the second time.

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

President Therriault stated CS FOR HOUSE BILL NO. 366(FIN) will be on the May 9 calendar.

**HB 51**

Senator Lincoln moved and asked unanimous consent to be shown as a cross sponsor on CS FOR HOUSE BILL NO. 51(HES) "An Act requiring pharmacists to include generic drug information on containers in which brand-name prescription drug orders are dispensed." Without objection, it was so ordered.

**HB 379**

HOUSE BILL NO. 379 "An Act establishing an office of citizenship assistance in the Department of Labor and Workforce Development" 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.

HOUSE BILL NO. 379 was read the third time.

The question being: "Shall HOUSE BILL NO. 379 "An Act establishing an office of citizenship assistance in the Department of Labor and Workforce Development" pass the Senate?" The roll was taken with the following result:

HB 379

Third Reading - Final Passage

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

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

Nays: Ogan

Absent: Green, Hoffman

Ogan changed from "Yea" to "Nay".

and so, HOUSE BILL NO. 379 passed the Senate, was signed by the President and Secretary and returned to the House.

**HB 417**

HOUSE BILL NO. 417 "An Act amending the definition of 'project' in the Act establishing the Alaska Natural Gas Development Authority; and providing for an effective date" 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.

HOUSE BILL NO. 417 was read the third time.

The question being: "Shall HOUSE BILL NO. 417 "An Act amending the definition of 'project' in the Act establishing the Alaska Natural Gas Development Authority; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

HB 417

Third Reading - Final Passage

Effective Date

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

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

Absent: Dyson, Hoffman, Ogan

and so, HOUSE BILL NO. 417 passed the Senate.

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

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

**HB 418**

CS FOR HOUSE BILL NO. 418(FIN) "An Act extending the termination date of the Real Estate Commission; relating to real estate; relating to home inspectors; relating to real estate licensees; 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 Senate Committee Substitute offered on page 3369. Senator Ellis objected, then withdrew his objection. There being no further objection, SENATE CS FOR CS FOR HOUSE BILL NO. 418(FIN) 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 SENATE CS FOR CS FOR HOUSE BILL NO. 418(FIN) will be on the May 9 calendar.

**HB 419**

CS FOR HOUSE BILL NO. 419(RES) "An Act relating to regional seafood development associations and to regional seafood development taxes" was read the second time.

Senator Wilken, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 3327. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 419(FIN) 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 Elton objected.

President Therriault stated SENATE CS FOR CS FOR HOUSE BILL NO. 419(FIN) will be on the May 9 calendar.

**HB 424**

CS FOR HOUSE BILL NO. 424(JUD) "An Act relating to review by the Legislative Affairs Agency of certain state agency regulations proposed for adoption, amendment, or repeal under the Administrative Procedure Act; repealing provisions relating to annulment of regulations; and providing for an effective date" was read the second time.

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

President Therriault stated CS FOR HOUSE BILL NO. 424(JUD) will be on the May 9 calendar.

**HB 531**

CS FOR HOUSE BILL NO. 531(FIN) am "An Act relating to natural gas exploration and development and to nonconventional gas, and amending the section under which shallow natural gas leases may be issued; 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 Senate Committee Substitute offered on page 3370. Senator Elton objected, then withdrew his objection. There being no further objection, SENATE CS FOR CS FOR HOUSE BILL NO. 531(FIN) 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 Elton objected.

President Therriault stated SENATE CS FOR CS FOR HOUSE BILL NO. 531(FIN) will be on the May 9 calendar.

**HB 533**

CS FOR HOUSE BILL NO. 533(JUD) "An Act relating to the state's administrative procedures and to judicial oversight of administrative matters" was read the second time.

Senator Wilken, Cochair, moved and asked unanimous consent for the adoption of the Finance Senate Committee Substitute offered on page 3330. Without objection, SENATE CS FOR CS FOR HOUSE BILL NO. 533(FIN) 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 Elton objected.

President Therriault stated SENATE CS FOR CS FOR HOUSE BILL NO. 533(FIN) will be on the May 9 calendar.

### **Third Reading of Senate Bills**

#### **SB 376**

CS FOR SENATE BILL NO. 376(HES) "An Act relating to public assistance and subpoena powers; and relating to the permanent fund dividend and subpoena powers" was read the third time.

Senator Guess called the Senate. The call was satisfied.

Amendment No. 1 was not offered.

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

Senator French offered Amendment No. 2:

Page 1, line 6, following "designee":  
Insert "at the director level"

Page 2, line 8, following "designee":  
Insert "at the director level"

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



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

CSSB 376(HES)  
Second Reading  
Amendment No. 2

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

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

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

and so, Amendment No. 2 was adopted.

CS FOR SENATE BILL NO. 376(HES) am was automatically in third reading.

The question being: "Shall CS FOR SENATE BILL NO. 376(HES) am "An Act relating to public assistance and subpoena powers; and relating to the permanent fund dividend and subpoena powers" pass the Senate?" The roll was taken with the following result:

CSSB 376(HES) am  
Third Reading - Final Passage

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

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

Nays: French

and so, CS FOR SENATE BILL NO. 376(HES) am passed the Senate and was referred to the Secretary for engrossment.

### **Reconsideration of Senate Bills**

#### **SB 302**

Senator Stedman requested that the reconsideration on CS FOR SENATE BILL NO. 302(FIN) be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 302(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:

CSSB 302(FIN)

Third Reading - On Reconsideration

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, CS FOR SENATE BILL NO. 302(FIN) passed the Senate on reconsideration.

Senator Ben Stevens moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clauses. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

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

**SB 395**

Senator Ben Stevens requested that the reconsideration on CS FOR SENATE BILL NO. 395(FIN) am be taken up. The bill was before the Senate on reconsideration.

The question to be reconsidered: "Shall CS FOR SENATE BILL NO. 395(FIN) am "An Act authorizing the Alaska Railroad Corporation to extend its rail line to Fort Greely, Alaska, and relating to that extension; authorizing the corporation to issue bonds to finance the cost of the extension and necessary facilities and equipment; relating to the Railroad Planning, Platting, and Land Use Regulation Task Force; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 395(FIN) am  
Third Reading - On Reconsideration  
Effective Date

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

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

Nays: Ellis, Elton, French, Lincoln

and so, CS FOR SENATE BILL NO. 395(FIN) am passed the Senate on reconsideration.

Senator Ben Stevens moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

### **Reconsideration of House Bills**

#### **HB 260**

Senator Ben Stevens requested that the reconsideration on SENATE CS FOR CS FOR HOUSE BILL NO. 260(JUD) 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. 260(JUD) "An Act relating to immunity for free health care services provided by certain health care providers; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 260(JUD)  
Third Reading - On Reconsideration  
Effective Date

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

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

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 260(JUD) passed the Senate on reconsideration.

Senator Ben Stevens moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

**HB 336**

Senator Ben Stevens requested that the reconsideration on SENATE CS FOR CS FOR HOUSE BILL NO. 336(JUD)(efd fld S) 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. 336(JUD) "An Act relating to motor vehicle insurance; limiting recovery of civil damages by an uninsured driver; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS CSHB 336(JUD)

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, SENATE CS FOR CS FOR HOUSE BILL NO. 336(JUD) passed the Senate on reconsideration.

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

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

SCS CSHB 336(JUD)  
Effective Date Clause

**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 clause failed to be adopted and SENATE CS FOR CS FOR HOUSE BILL NO. 336(JUD)(efd fld S) "An Act relating to motor vehicle insurance; and limiting recovery of civil damages by an uninsured driver" was referred to the Secretary for engrossment.

**HB 438**

Senator Ben Stevens requested that the reconsideration on SENATE CS FOR CS FOR HOUSE BILL NO. 438(STA) be taken up. The bill was before the Senate on reconsideration.

Senator Ben Stevens called the Senate. Senator Ben Stevens lifted the call.

The question to be reconsidered: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 438(STA) "An Act relating to motorists moving over or slowing down for emergency vehicles" pass the Senate?" The roll was taken with the following result:

SCS CSHB 438(STA)  
Third Reading - On Reconsideration

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

Yeas: Davis, Ellis, Elton, French, Green, Guess, Hoffman, Ogan, Olson, Seekins, Stedman, Stevens B, Therriault, Wagoner, Wilken

Absent: Bunde, Cowdery, Dyson, Lincoln, Stevens G

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 438(STA) passed the Senate on reconsideration, and was referred to the Secretary for engrossment.

**Consideration of the Calendar****Third Reading of Senate Bills (continued)****SB 393**

CS FOR SENATE BILL NO. 393(FIN) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 393(FIN) "An Act relating to default on tuition, fees, and other charges of the University of Alaska and to claims on permanent fund dividends for tuition, fees, and other charges of the University of Alaska that are in default" pass the Senate?" The roll was taken with the following result:

CSSB 393(FIN)

Third Reading - Final Passage

**YEAS: 12 NAYS: 3 EXCUSED: 0 ABSENT: 5**

Yeas: Davis, Green, Guess, Hoffman, Ogan, Olson, Seekins, Stedman, Stevens B, Therriault, Wagoner, Wilken

Nays: Ellis, Elton, French

Absent: Bunde, Cowdery, Dyson, Lincoln, Stevens G

and so, CS FOR SENATE BILL NO. 393(FIN) passed the Senate and was referred to the Secretary for engrossment.

**Third Reading of House Bills****HB 31**

HOUSE BILL NO. 31 was read the third time.

Senator Guess called the Senate. The call was satisfied.

The question being: "Shall HOUSE BILL NO. 31 "An Act relating to initiative and referendum petitions; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

HB 31

Third Reading - Final Passage

Effective Date

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

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

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

and so, HOUSE BILL NO. 31 passed the Senate.

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

Senators Wagoner, Gary Stevens, Green, Ogan moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

Senator Ellis gave notice of reconsideration.

**HB 272**

SENATE CS FOR CS FOR HOUSE BILL NO. 272(L&C) "An Act relating to the advertising of motor vehicles, including trailers, for sale by motor vehicle dealers; relating to the financing of motor vehicle purchases; relating to motor vehicle sales contracts; relating to the disclosures required to be made by motor vehicle dealers when selling motor vehicles, including trailers, or when their service employees work on commission; relating to a motor vehicle dealer's selling as a new or current model vehicle, a motor vehicle required to be registered under AS 28.10; relating to a motor vehicle dealer's advertising an offer for the sale, lease, or purchase of a motor vehicle, including a trailer; relating to a motor vehicle dealer's conditioning the sale and delivery of a motor vehicle, including a trailer, on the buyer's purchase of other items; and relating to the return of a buyer's trade-in by a motor vehicle dealer" was read the third time.

Senator Elton 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 Elton offered Amendment No. 1:

Page 6, line 2:

Change "may" to "shall" and after "a" insert "conspicuous"

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

SENATE CS FOR CS FOR HOUSE BILL NO. 272(L&C) am S was automatically in third reading.

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

The question being: "Shall SENATE CS FOR CS FOR HOUSE BILL NO. 272(L&C) am S "An Act relating to the advertising of motor vehicles, including trailers, for sale by motor vehicle dealers; relating to the financing of motor vehicle purchases; relating to motor vehicle sales contracts; relating to the disclosures required to be made by motor vehicle dealers when selling motor vehicles, including trailers, or when their service employees work on commission; relating to a motor vehicle dealer's selling as a new or current model vehicle, a motor vehicle required to be registered under AS 28.10; relating to a motor vehicle dealer's advertising an offer for the sale, lease, or purchase of a motor vehicle, including a trailer; relating to a motor vehicle dealer's conditioning the sale and delivery of a motor vehicle, including a trailer, on the buyer's purchase of other items; and relating to the return of a buyer's trade-in by a motor vehicle dealer" pass the Senate?" The roll was taken with the following result:



SCS CSHB 272(L&C) am S  
Third Reading - Final Passage

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

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

and so, SENATE CS FOR CS FOR HOUSE BILL NO. 272(L&C) am S passed the Senate.

Senator Ellis gave notice of reconsideration.

**HB 351**

CS FOR HOUSE BILL NO. 351(JUD) was read the third time.

Senator French declared a conflict of interest.

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

CSHB 351(JUD)  
Third Reading - Final Passage  
Effective Date

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

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

Nays: Green, Ogan, Olson, Seekins, Therriault, Wilken

and so, CS FOR HOUSE BILL NO. 351(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 clause. Without objection, it was so ordered and the bill was signed by the President and Secretary and returned to the House.

**HB 467**

CS FOR HOUSE BILL NO. 467(FIN) was read the third time.

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

CSHB 467(FIN)

Third Reading - Final Passage

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

Yeas: Cowdery, Davis, Elton, French, Green, Guess, Hoffman, Stedman, Stevens B, Stevens G, Wagoner, Wilken

Nays: Bunde, Dyson, Ellis, Lincoln, Ogan, Olson, Seekins, Therriault

and so, CS FOR HOUSE BILL NO. 467(FIN) passed the Senate.

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

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

CSHB 467(FIN)

Effective Date Clause

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

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

Nays: Ogan, Therriault

and so, the effective date clause was adopted.

Senator Ben Stevens moved and asked unanimous consent that the House Letter of Intent (House Journal page 3050) be adopted as a Senate Letter of Intent. Without objection, the Legislative Letter of Intent was adopted.

Senator Wilken gave notice of reconsideration.

**HB 476**

CS FOR HOUSE BILL NO. 476(STA) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 476(STA) "An Act establishing the Alaska Statehood Celebration Commission; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 476(STA)  
Third Reading - Final Passage  
Effective Date

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

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

Nays: Ogan, Olson, Stedman

and so, CS FOR HOUSE BILL NO. 476(STA) passed the Senate.

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

Senator Wilken gave notice of reconsideration.

**Second Reading of House Resolutions****HJR 44**

CS FOR HOUSE JOINT RESOLUTION NO. 44(RES) am Relating to research into the decline of the Southwest Alaska population of the Northern Sea Otter in the western Gulf of Alaska, was read the second time.

Senator Ben Stevens moved and asked unanimous consent that the resolution be advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR HOUSE JOINT RESOLUTION NO. 44(RES) am was read the third time.

The question being: "Shall CS FOR HOUSE JOINT RESOLUTION NO. 44(RES) am Relating to research into the decline of the Southwest Alaska population of the Northern Sea Otter in the western Gulf of Alaska, pass the Senate?" The roll was taken with the following result:

CSHJR 44(RES) am  
Third Reading - Final Passage

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

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

and so, CS FOR HOUSE JOINT RESOLUTION NO. 44(RES) am passed the Senate, was signed by the President and Secretary and returned to the House.

### **Third Reading of House Resolutions**

#### **HJR 5**

HOUSE JOINT RESOLUTION NO. 5 was read the third time.

The question being: "Shall HOUSE JOINT RESOLUTION NO. 5 Proposing an amendment to the Constitution of the State of Alaska relating to initiative and referendum petitions, pass the Senate?" The roll was taken with the following result:

HJR 5  
Third Reading - Final Passage

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

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

Nays: Davis, Ellis, French

and so, HOUSE JOINT RESOLUTION NO. 5 passed the Senate.

Senators Ogan, Green, Gary Stevens, Wagoner, Seekins, Therriault moved and asked unanimous consent to be shown as cross sponsors on the resolution. Without objection, it was so ordered.

Senator Ellis gave notice of reconsideration.

**HJR 48**

CS FOR HOUSE JOINT RESOLUTION NO. 48(RLS) was read the third time.

The question being: "Shall CS FOR HOUSE JOINT RESOLUTION NO. 48(RLS) Sending a message of goodwill to President Chen Shui-bian and to the people of Taiwan, 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 on Taiwan and to support negotiation of a free trade agreement with the Republic of China on Taiwan, pass the Senate?" The roll was taken with the following result:

CSHJR 48(RLS)

Third Reading - Final Passage

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

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

Nays: Stevens B

and so, CS FOR HOUSE JOINT RESOLUTION NO. 48(RLS) passed the Senate.

**Citations**

Honoring – Mike’s Place

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

Representative(s) Weyhrauch, Kerttula

Honoring – Luke Hopkins for 30 Years of Service to UAF

Representative(s) Guttenberg

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

Honoring – Senator E.L. Bob Bartlett's 100<sup>th</sup> Birthday Anniversary

Representative(s) Berkowitz

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

Honoring – Verdie A. Bowen

Representative(s) Kohring, Harris, Masek, Stoltze

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

Honoring – Kelly Marre 2003 Greater Wasilla Chamber of Commerce Citizen of the Year

Representative(s) Kohring, Harris, Masek, Stoltze

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

Honoring – Judy Youngquist, 2003 Greater Wasilla Chamber of Commerce Educator of the Year

Representative(s) Kohring, Harris, Masek, Stoltze

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

Honoring – 2003 Colony High School Girls Soccer Team, Region III Champions

Representative(s) Kohring, Harris, Masek, Stoltze

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

Honoring – 2003 Colony High School Boys Soccer Team, Region III  
Champions

Representative(s) Kohring, Harris, Masek, Stoltze

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

Honoring – Howdie, Incorporated, 2003 Greater Wasilla Chamber of  
Commerce Business of the Year

Representative(s) Kohring, Harris, Masek, Stoltze

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

In Memoriam – Weston O. Van Loon

Representative(s) Kohring, Harris, Masek, Stoltze

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

In Memoriam – Paul E. Nichols

Representative(s) Kohring, Harris, Masek, Stoltze

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

In Memoriam – James “Jim” Hermon

Representative(s) Kohring, Harris, Masek, Stoltze

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

In Memoriam – Rose Eda Seller Palmquist

Representative(s) Kohring, Harris, Masek, Stoltze

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

In Memoriam – Robert W. “Bob” Pippel  
Representative(s) Kohring, Harris, Masek, Stoltze  
Senator(s) Green, Ogan, Therriault, Bunde, Cowdery, Davis, Dyson,  
Elton, Guess, Hoffman, Lincoln, Olson, Seekins, Stedman, Ben  
Stevens, Gary Stevens, Wagoner, Wilken

In Memoriam – Elsie May Philo  
Representative(s) Kohring, Harris, Masek, Stoltze  
Senator(s) Green, Ogan, Therriault, Bunde, Cowdery, Davis, Dyson,  
Elton, Guess, Hoffman, Lincoln, Olson, Seekins, Stedman, Ben  
Stevens, Gary Stevens, Wagoner, Wilken

In Memoriam – Tracy L. Shelden  
Representative(s) Kohring, Harris, Masek, Stoltze  
Senator(s) Green, Ogan, Therriault, Bunde, Cowdery, Davis, Dyson,  
Elton, 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 381**

Senator Seekins, Chair, moved and asked unanimous consent that the Judiciary Committee referral be waived on CS FOR HOUSE BILL NO. 381(RLS) "An Act relating to child endangerment." Without objection, the bill was referred to the Rules Committee.

#### **HB 430**

Senator Wilken, Cochair, moved and asked unanimous consent that the Finance Committee referral be waived on HOUSE BILL NO. 430 "An Act relating to employees under 21 years of age in the premises of hotels, restaurants, and eating places that are licensed to sell, serve, deliver, or dispense alcoholic beverages." Without objection, the bill was referred to the Rules Committee.



**HB 503**

Senator Wilken, Cochair, moved and asked unanimous consent that the Finance Committee referral be waived on HOUSE BILL NO. 503 "An Act relating to the tobacco product Master Settlement Agreement; and providing for an effective date." Without objection, the bill was referred to the Rules Committee.

**HJR 26**

Senator Ben Stevens moved and asked unanimous consent that the reconsideration on CS FOR HOUSE JOINT RESOLUTION NO. 26(FIN) am S(fld S) Proposing amendments to the Constitution of the State of Alaska relating to the Alaska permanent fund, establishing the earnings account, and permitting deposits to the principal of the permanent fund; and providing for an effective date for the amendments, be held to the next legislative day. Without objection, it was so ordered.

**SB 366**

Senator Ben Stevens moved and asked unanimous consent that the reconsideration on CS FOR SENATE BILL NO. 366(FIN)(fld S) "An Act relating to the levy and collection of sales and use taxes, and to the levy, collection, and expenditure of municipal taxes; and providing for an effective date" be held to the next legislative day. Without objection, it was so ordered.

**HB 56**

Senator Dyson moved and asked unanimous consent to be shown as a cross sponsor on CS FOR HOUSE BILL NO. 56(L&C) "An Act relating to the award to the state of actual reasonable attorney fees and costs, including costs of investigation, in certain court actions relating to unfair trade practices; and amending Rules 54(d), 79, and 82, Alaska Rules of Civil Procedure." Without objection, it was so ordered.

**SB 308**

Senator Dyson moved and asked unanimous consent to be shown as a cosponsor on SENATE BILL NO. 308 "An Act increasing the duration of certain provisions of domestic violence protective orders from six months to one year." Without objection, it was so ordered.

Senator French moved and asked unanimous consent to be excused from the Senate, not subject to a call, from May 25 through May 31. Senator Ben Stevens objected. Senator French withdrew his motion.

**HB 484**

The reconsideration on CS FOR HOUSE BILL NO. 484(JUD) am "An Act imposing a correctional facility surcharge on persons convicted of a crime under state law and on persons whose probation is revoked; relating to fees and expenses for interstate transfer of probation or parole; and providing for an effective date" was not taken up this legislative day and the bill was signed by the President and Secretary and returned to the House.

**HB 539**

The reconsideration on CS FOR HOUSE BILL NO. 539(L&C) "An Act exempting a person who allows a student of the University of Alaska to gain practical work experience with the person while participating in a practicum from vicarious liability as an employer, and exempting the student participating in a practicum from the Alaska Wage and Hour Act; and providing for an effective date" was not taken up this legislative day and the bill was signed by the President and Secretary and returned to the House.

**HB 556**

The reconsideration on CS FOR HOUSE BILL NO. 556(FIN) "An Act relating to a port development project on Lynn Canal, providing legislative approval for the Alaska Industrial Development and Export Authority to issue bonds for the project; and providing for an effective date" was not taken up this legislative day and the bill was signed by the President and Secretary and returned to the House.

**Announcements**

Announcements are at the end of the journal.

**Engrossment****SB 302**

CS FOR SENATE BILL NO. 302(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 transmitted to the House for consideration.

**SB 376**

CS FOR SENATE BILL NO. 376(HES) am "An Act relating to public assistance and subpoena powers; and relating to the permanent fund dividend and subpoena powers" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**SB 393**

CS FOR SENATE BILL NO. 393(FIN) "An Act relating to default on tuition, fees, and other charges of the University of Alaska and to claims on permanent fund dividends for tuition, fees, and other charges of the University of Alaska that are in default" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**SB 395**

CS FOR SENATE BILL NO. 395(FIN) am "An Act authorizing the Alaska Railroad Corporation to extend its rail line to Fort Greely, Alaska, and relating to that extension; authorizing the corporation to issue bonds to finance the cost of the extension and necessary facilities and equipment; relating to the Railroad Planning, Platting, and Land Use Regulation Task Force; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

**HB 10**

SENATE CS FOR CS FOR HOUSE BILL NO. 10(FIN) "An Act relating to pooling by employers and self-employed individuals for purposes of group health insurance; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 123**

SENATE CS FOR CS FOR HOUSE BILL NO. 123(FIN) "An Act relating to the allocation of money appropriated to the Alaska Workforce Investment Board; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 260**

SENATE CS FOR CS FOR HOUSE BILL NO. 260(JUD) "An Act relating to immunity for free health care services provided by certain health care providers; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 336**

SENATE CS FOR CS FOR HOUSE BILL NO. 336(JUD)(efd fld S) "An Act relating to motor vehicle insurance; and limiting recovery of civil damages by an uninsured driver" was engrossed, signed by the President and Secretary and returned to the House for consideration.

**HB 438**

SENATE CS FOR CS FOR HOUSE BILL NO. 438(STA) "An Act relating to motorists moving over or slowing down for emergency vehicles" 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 1:00 p.m., May 9, 2004. Without objection, the Senate adjourned at 6:06 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

**FINANCE**

**May 08      Saturday                      Senate Finance 532              9:00 AM**

-- Time Change --

- + SB 308 DOMESTIC VIOLENCE PROTECTIVE ORDERS
- + HB 56 UNFAIR TRADE PRACTICES ATTY FEES/COSTS
- + HB 341 DIVE FISHERY MANAGEMENT ASSESSMENT
- + HB 342 DRIVING UNDER INFLUENCE/ALCOHOL OFFENSES
- + HB 425 SCHOOL FUNDS RELATED TO BOARDING SCHOOLS
- + HB 452 GUIDED SPORT FISHING/ ADFG & CFEC RECORDS
- + HCR 32 AK INFO INFRASTRUCTURE POLICY TASK FORCE
- + HB 511 CERTIFICATE OF NEED PROGRAM
- + HB 91 RETIRED PEACE OFFICER'S MEDICAL BENEFITS  
<Invited testimony Only on HB 511>
- + Bills Previously Heard/Scheduled

**May 08      Saturday                      Senate Finance 532              10:00 AM**

- + HB 534 MAKE OFFICE OF VICTIMS RIGHTS PERMANENT  
<Bill Hearing Postponed to 5/9/04>
- + HB 275 ANIMALS AND CRUELTY TO ANIMALS  
<Bill Hearing Postponed to 5/9/04>
- + Bills Previously Heard/Scheduled

**FINANCE (continued)**

**May 09 Sunday Senate Finance 532 12:00 PM**  
 += HB 422 BUDGET RESERVE FUND INVESTMENT  
 += HCR 32 AK INFO INFRASTRUCTURE POLICY TASK FORCE  
 + SB 396 INTERIOR RIVERS PORT AUTHORITY  
 += HB 275 ANIMALS AND CRUELTY TO ANIMALS  
 + HB 295 REGULATIONS: NOTICE AND DISTRIBUTION  
 + HB 495 4 DAM POOL JOINT ACTION AGENCY  
 += HB 534 MAKE OFFICE OF VICTIMS RIGHTS PERMANENT  
 + HB 536 PFUND APPLICATION DEADLINES: MILITARY  
 + Bills Previously Heard/Scheduled

**May 10 Monday Senate Finance 532 9:00 AM**  
 += HB 341 DIVE FISHERY MANAGEMENT ASSESSMENT  
 + HB 319 REC.CABIN SITES/ LOTTERY SALE/RTS. RESERV  
 + HB 338 ATTENDANCE AT PUBLIC SCHOOL  
 + HB 461 EMERGENCY SERVICES DISPATCH/911 SURCHARGE  
 <Pending Referral>  
 + Bills Previously Heard/Scheduled

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**HEALTH, EDUCATION & SOCIAL SERVICES**

**May 10 Monday Butrovich 205 1:30 PM**  
 + Bills Previously Heard/Scheduled

**May 12 Wednesday Butrovich 205 1:30 PM**  
 -- Meeting Canceled --  
 + Bills Previously Heard/Scheduled

**May 14 Friday Butrovich 205 1:30 PM**  
 -- Meeting Canceled --  
 + Bills Previously Heard/Scheduled

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**JUDICIARY**

**May 08 Saturday Butrovich 205 9:00 AM**  
 -- Recessed to Call of Chair --  
 + HB 563 LEGISLATIVE PROCEDURE & ETHICS GUIDELINES  
 <Pending Referral>  
 += SB 397 LEGISLATIVE PROCEDURE & ETHICS GUIDELINES  
 + Bills Previously Heard/Scheduled

**JUDICIARY (continued)**

**May 09 Sunday Butrovich 205 10:00 AM**  
 += HB 563 LEGISLATIVE PROCEDURE & ETHICS GUIDELINES  
 <Pending Referral>  
 += HB 503 TOBACCO MASTER SETTLEMENT AGREEMENT  
 <Above Bill Hearing Canceled>  
 Bills Previously Heard/Scheduled

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**LABOR & COMMERCE**

**May 08 Saturday Fahrenkamp 203 10:00 AM**  
 + HB 255 WAGE AND HOUR ACT

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**JOINT COMMITTEES****CONFERENCE COMMITTEE FOR HOUSE BILL 414**

**May 08 Saturday Capitol 120 8:30 AM**  
 = HB 414 U.S.SENATE VACANCY/DEF OF POLITICAL PARTY

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**CONFERENCE COMMITTEE ON SB 283**

**May 09 Sunday Senate Finance 532 4:00 PM**  
 = SB 283 APPROP: EDUC/CBR/COURTS/GRANTS/PCE

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**OTHER MEETINGS****JOINT SESSION**

**May 10 Monday House Chamber 3:00 PM**  
 Governor's Appointees