

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Thursday

April 18, 2002

Ninety-fifth Day

Pursuant to adjournment the House was called to order by Speaker Porter at 10:08 a.m.

Roll call showed 31 members present. Representatives Kookesh, Morgan, Mulder, and Ogan had been previously excused from a call of the House today. Representatives Hayes and Masek were excused from a call of the House today because of illness. Representatives Davies, Kapsner, and Kott were absent and their presence was noted later.

The invocation was offered by the Chaplain Designee, Representative Hudson. Representative Bunde moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Heavenly Father,

We are gathered here today seeking Your wise counsel and divine guidance. We are mindful of the special trust we enjoy from those we serve and we are struggling to find our way through the complex maze our democracy requires.

Lord, we get tired and impatient and we need Your steady hand to help us chart the course our task demands. When I was at sea I used to pray, "Lord, Your sea is so large and my boat is so small. Please guide us through the storm safely and to our destination on time!"

Today, Lord, we in this body are adrift and having trouble finding the right course through this fiscal quagmire. And so, we ask again, humbly and with love, that You lead us through to a just and responsible end - an end we can honestly say is fair for everyone we serve.

And Father, help every one of us learn that life is tough, but we are tougher; that if we harbor bitterness, happiness will dock somewhere else; that we should keep our words both soft and tender, for tomorrow we may have to eat them; and finally, Lord, that to ignore the facts does not change the facts!

We ask these things in the Name of Jesus. Amen.

The Pledge of Allegiance was led by Representative Harris.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 94th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

HCR 4

A message dated April 17, 2002, was received stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 4(STA)
am
Declaring February 2002 to be African-American Citizen Recognition Month.

Legislative Resolve No. 40

HCR 12

A message dated April 17, 2002, was received stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 12

Relating to the preservation of employment opportunities for United States longshoremen with respect to unloading and loading of foreign vessels.

Legislative Resolve No. 43

HCR 20

A message dated April 17, 2002, was received stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

SENATE CS FOR CS FOR HOUSE CONCURRENT
RESOLUTION NO. 20(STA)

Relating to declaring September 11, 2002, as a Day of Remembrance.

Legislative Resolve No. 49

HCR 22

A message dated April 17, 2002, was received stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 22

Authorizing a recess by the Senate and the House of Representatives for a period of more than three days.

Legislative Resolve No. 41

HCR 29

A message dated April 17, 2002, was received stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 29

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 208, relating to the labeling of, the advertising of, and the disclosure of certain information about halibut, salmon, halibut products, and salmon products.

Legislative Resolve No. 45

HJR 33

A message dated April 12, 2002, was received stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE JOINT RESOLUTION NO. 33(MLV) am

Expressing gratitude to President George W. Bush, to the President's cabinet, to the men and women of the United States armed forces, and to the United States Congress and declaring support for the war on terrorism and for the President's effort to support democracies and promote peace worldwide.

Legislative Resolve No. 48

HJR 37

A message dated April 12, 2002, was received stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

HOUSE JOINT RESOLUTION NO. 37

Congratulating Alaska Airlines on its 70th Anniversary.

Legislative Resolve No. 46

SCR 22

A message dated April 17, 2002, was received stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 22
Relating to declaring March 2002 as Sobriety Awareness Month.

Legislative Resolve No. 42

SCR 23

A message dated April 17, 2002, was received stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 23 am H
Relating to declaring April 6, 2002, as Alaska Tartan Day.

Legislative Resolve No. 47

SCR 27

A message dated April 17, 2002, was received stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 27
Authorizing a recess by the Senate for a period of more than three days.

Legislative Resolve No. 44

SB 343

The following letter dated April 17, 2002, was received:

"Dear Speaker Porter:

On this date I have signed the following bill passed by the second session of the Twenty-second Alaska State Legislature and am transmitting the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR SENATE BILL NO. 343(RES)

"An Act clarifying the term 'best technology' required for use in oil discharge prevention and contingency plans; affirming existing Department of Environmental Conservation regulations defining 'best technology' and oil discharge prevention and contingency plans approved using those regulations; and providing for an effective date."

Chapter No. 9, SLA 2002
[Effective Date: See Chapter]

This bill clarifies the legislative intent of AS 46.04.030(e) requiring the use of best available technology (BAT) in oil spill contingency plans. A recent Alaska Supreme Court decision identified ambiguity in the statute, requiring the clarification provided in this bill.

Alaska has a proven success record in ensuring that oil spill contingency plans provide for the use of BAT. Senate Bill 343 confirms that the BAT requirement remains an important element of managing oil exploration, development, and transportation. In passing this bill, the Legislature upheld the efforts of the 1997 BAT task force, which developed the existing BAT regulations. Those regulations are thoughtful, effective, and responsibly apply the BAT requirement to our oil spill contingency plan program.

The 1997 regulations represent a consensus of a cross-section of Alaska stakeholders, including representatives from the government, industry, regional citizens' advisory councils, and the conservation community. Significant technological advances have been made under the existing regulations, including the positioning of state-of-the-art tractor tugs to assist tankers in Prince William Sound; improved well-head source control techniques; more accurate gauging of oil storage tanks; improved leak detection technologies; and enhanced response communication systems.

The current regulations as supported by this bill provide for an "evergreen" process to ensure that BAT requirements keep up with evolving technology. Critical to this process is a regulatorily-required conference on new technologies to be held every five years with formal findings published by the Department of Environmental

Conservation. Industry, government, the regional citizens' advisory councils, and the environmental community have endorsed this conference, and I urge the Legislature to approve the FY 03 funding request now before it.

Sincerely,
/s/
Tony Knowles
Governor"

**The presence of Representatives Davies and Kott was noted.

MESSAGES FROM THE SENATE

HB 390

A message dated April 17, 2002, was read stating the Senate has passed:

HOUSE BILL NO. 390

"An Act extending the termination dates of certain activities and salmon marketing programs of the Alaska Seafood Marketing Institute and of the salmon marketing tax; expanding the allowable use of that tax for the salmon marketing programs of the Alaska Seafood Marketing Institute; relating to the Alaska Seafood Marketing Institute's salmon marketing committee; and providing for an effective date."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR HOUSE BILL NO. 390(RLS)

"An Act delaying the repeal of the salmon marketing tax; expanding the allowable use of that tax for the salmon marketing programs of the Alaska Seafood Marketing Institute; relating to the Alaska Seafood Marketing Institute's salmon marketing committee; and providing for an effective date."

(SCR 32 - title change resolution)

HB 390 is under Unfinished Business.

**The presence of Representative Kapsner was noted.

A message dated April 17, 2002, was read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS**

SCR 32

SENATE CONCURRENT RESOLUTION NO. 32 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. 390, relating to the Alaska Seafood Marketing Institute and the salmon marketing tax.

was read the first time and referred to the Rules Committee for placement on the calendar.

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 295

SENATE BILL NO. 295 by Senators Kelly, Halford, Leman, Cowdery, and Austerman, entitled:

"An Act relating to the disclosure of information regarding delinquent minors to certain licensing agencies; and providing for an effective date."

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

SB 302

CS FOR SENATE BILL NO. 302(JUD) by the Senate Judiciary Committee, entitled:

"An Act defining the term 'mental health professional' for the purpose of statutes relating to the evaluation of prisoners who may need psychological or psychiatric treatment, for the purpose of statutes relating to the evaluation of children in need of aid and delinquent minors who may need to be confined in a secure residential psychiatric treatment center or who should be released from such a center, for the purpose of statutes requiring certain professionals to report the possibility that a vulnerable adult has been abused or neglected, and for the purpose of statutes relating to mental health civil commitments."

was read the first time and referred to the Health, Education & Social Services Committee.

SB 340

CS FOR SENATE BILL NO. 340(FIN)(efd fld) by the Senate Finance Committee, entitled:

"An Act relating to public notice of information relating to permanent fund dividends, and to treatment of permanent fund dividends for purposes of determining eligibility for certain benefits."

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

REPORTS OF STANDING COMMITTEES

HJR 32

The Resources Committee has considered:

HOUSE JOINT RESOLUTION NO. 32

Encouraging the United States Board on Geographic Names to adopt place name changes proposed by the Alaska Historical Commission.

The report was signed by Representative Scalzi, Co-chair, with the following individual recommendations:

Do pass (5): Fate, Chenault, Kerttula, Kapsner, Scalzi

The following fiscal note(s) apply:

1. Zero, House Community & Regional Affairs Committee

HJR 32 was referred to the Rules Committee for placement on the calendar.

HJR 47

The Rules Committee has considered:

HOUSE JOINT RESOLUTION NO. 47

Urging the United States Environmental Protection Agency and the Alaska Department of Environmental Conservation to provide maximum possible flexibility in application of low sulfur diesel fuel requirements to Alaska.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 47(RLS)

Urging the United States Environmental Protection Agency and the Alaska Department of Environmental Conservation to provide maximum possible flexibility in application of ultra low sulfur diesel fuel requirements to Alaska.

The report was signed by Representative Kott, Chair, with the following individual recommendations:

Do pass (5): McGuire, Kohring, Kott, Porter, Berkowitz

The following fiscal note(s) apply to CSHJR 47(RLS):

2. Zero, House Rules Committee/All Depts.

HJR 47 was returned to the Rules Committee for placement on the calendar.

HB 304

The Rules Committee has considered:

HOUSE BILL NO. 304

"An Act relating to disposition of income of the permanent fund; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 304(RLS)

"An Act relating to the education fund and the infrastructure and economic development fund, to the market value of the permanent fund, to distribution of the income of the permanent fund, and to the determination of net income of the mental health trust fund."

The report was signed by Representative Kott, Chair, with the following individual recommendations:

Do pass (2): Kott, Porter

Do not pass (2): Kohring, Berkowitz

No recommendation (1): McGuire

The following fiscal note(s) apply to CSHB 304(RLS):

2. Zero, Dept. of Revenue (This was previously identified as a fiscal-impact note on page 2719.)

HB 304 was returned to the Rules Committee for placement on the calendar.

HB 333

The Finance Committee has considered:

HOUSE BILL NO. 333

"An Act extending the termination date of the Regulatory Commission of Alaska; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 333(FIN)

"An Act setting timelines for issuance of final orders by the Regulatory Commission of Alaska, amending the authority of the commission to enter compromise settlement orders, and extending the commission's termination date to June 30, 2006; and providing for an effective date."

The report was signed by Representatives Mulder and Williams, Co-chairs, with the following individual recommendations:

Do pass (10): Bunde, Whitaker, Harris, Croft, Davies, Lancaster, Hudson, Foster, Mulder, Williams

The following fiscal note(s) apply to CSHB 333(FIN):

1. Fiscal, Dept. of Community & Economic Development

HB 333 was referred to the Rules Committee for placement on the calendar.

HB 350

The Judiciary Committee has considered:

HOUSE BILL NO. 350

"An Act relating to terroristic threatening."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 350(JUD)

"An Act relating to murder, conspiracy, criminal mischief, and terroristic threatening; and providing for an effective date."

The report was signed by Representative Rokeberg, Chair, with the following individual recommendations:

Do pass (1): James

No recommendation (3): Coghill, Meyer, Rokeberg

Amend (1): Berkowitz

The following fiscal note(s) apply to CSHB 350(JUD):

1. Zero, Alaska Court System
3. Indeterminate, Dept. of Law
4. Indeterminate, Dept. of Administration
5. Indeterminate, Dept. of Corrections

HB 350 was referred to the Finance Committee.

HB 460

The Labor and Commerce Committee has considered:

HOUSE BILL NO. 460

"An Act relating to actions for monopolies and restraint of trade, including proof of damages; amending Rule 82, Alaska Rules of Civil Procedure; and providing for an effective date."

The report was signed by Representative Murkowski, Chair, with the following individual recommendations:

Do pass (3): Crawford, Hayes, Murkowski

No recommendation (3): Rokeberg, Meyer, Halcro

The following fiscal note(s) apply:

1. Indeterminate, Dept. of Law

HB 460 was referred to the Judiciary Committee.

HB 505

The Labor and Commerce Committee has considered:

HOUSE BILL NO. 505

"An Act defining the term 'mental health professional' for the purpose of statutes relating to the evaluation of prisoners who may need psychological or psychiatric treatment, for the purpose of statutes relating to the evaluation of children in need of aid and delinquent minors who may need to be confined in a secure residential psychiatric treatment center or who should be released

from such a center, for the purpose of statutes requiring certain professionals to report the possibility that a vulnerable adult has been abused or neglected, and for the purpose of statutes relating to mental health civil commitments."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 505(L&C)
(same title)

The report was signed by Representative Murkowski, Chair, with the following individual recommendations:

Do pass (4): Rokeberg, Meyer, Crawford, Murkowski

No recommendation (2): Hayes, Halcro

The following fiscal note(s) apply to CSHB 505(L&C):

1. Zero, Dept. of Health & Social Services

HB 505 was referred to the Health, Education and Social Services Committee.

REPORTS OF SPECIAL COMMITTEES

SB 291

The Conference Committee considering:

HOUSE CS FOR CS FOR SENATE BILL NO. 291(FIN) am H
"An Act making supplemental and other appropriations; amending appropriations; and providing for an effective date."

and

CS FOR SENATE BILL NO. 291(RLS)
(same title)

requests limited powers of free conference on the following specific point(s):

Section 9

The request was signed by Representatives Mulder, Williams, Croft; and Senators Donley (Chair), Wilken, Hoffman.

The Speaker granted the limited powers of free conference as requested.

The Chief Clerk was instructed to so notify the Senate.

HB 326

The House Special Committee on Military and Veterans' Affairs has considered:

HOUSE BILL NO. 326

"An Act relating to state plans and programs for the safety and security of facilities and systems in the state; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 326(MLV)

"An Act relating to the security of certain state airports and to state security plans, programs, and procedures; exempting certain records and information from the category of public records; and providing for an effective date."

The report was signed by Representative Chenault, Chair, with the following individual recommendations:

Do pass (3): Green, Hayes, Cissna

No recommendation (2): Kott, Chenault

The following fiscal note(s) apply to CSHB 326(MLV):

1. Zero, Department of Transportation and Public Facilities

HB 326 was referred to the State Affairs Committee

HB 478

The House Special Committee on Education has considered:

HOUSE BILL NO. 478

"An Act relating to the Alaska teacher recruitment loan assumption program; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 478(EDU)
(same title)

The report was signed by Representative Bunde, Chair, with the following individual recommendations:

Do pass (5): Wilson, Porter, Stevens, Green, Bunde

The following fiscal note(s) apply to CSHB 478(EDU):

1. Indeterminate, Dept. of Education & Early Development

HB 478 was referred to the Health, Education and Social Services Committee.

SB 291

The Conference Committee with limited powers of free conference considering HCS CSSB 291(FIN) am H and CSSB 291(RLS) recommends the following be adopted:

CONFERENCE CS FOR SENATE BILL NO. 291

"An Act making supplemental and other appropriations; amending appropriations; and providing for an effective date."

The report was signed by Representatives Mulder, Williams, Croft; and Senators Donley (Chair), Wilken, Hoffman.

Representative James moved that the House adopt the Conference Committee with limited powers of free conference report, thus adopting CCS SB 291, and recommended that the members vote yes.

The question being: "Shall the House adopt the Conference Committee with limited powers of free conference report?" The roll was taken with the following result:

CCS SB 291

Adopt Conference Committee Report

YEAS: 33 NAYS: 0 EXCUSED: 6 ABSENT: 1

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Halcro, Harris, Hudson, James, Joule, Kapsner, Kerttula, Kott, Lancaster, McGuire, Meyer, Moses, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Hayes, Kookesh, Masek, Morgan, Mulder, Ogan

Absent: Kohring

And so, the House adopted the Conference Committee with limited powers of free conference report, thus adopting:

CONFERENCE CS FOR SENATE BILL NO. 291

"An Act making supplemental and other appropriations; amending appropriations; and providing for an effective date."

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

The Chief Clerk was instructed to so notify the Senate.

INTRODUCTION OF CITATIONS

The following citations were introduced and referred to the Rules Committee for placement on the calendar:

Honoring - 4-H Program 100th Anniversary
By Representative Kerttula

Honoring - Bartlett High School Boys State 4A Basketball Champions
By Senators Leman, Phillips; Representative Crawford

Honoring - Shiloh Missionary Baptist Church 50th Anniversary
By Senator Davis

In Memoriam - James "Qugpuk" Guy, Sr.
By Representative Kapsner

In Memoriam - William "Bill" Thompson
By Representatives Lancaster, Chenault

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS**

HB 522

HOUSE BILL NO. 522 by the House Health, Education & Social
Services Committee, entitled:

"An Act relating to medical services under the state Medicaid
program."

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 27

The following was read the second time:

HOUSE BILL NO. 27

"An Act relating to the licensure and registration of individuals
who perform home inspections; relating to home inspection
requirements for residential loans purchased or approved by the
Alaska Housing Finance Corporation; relating to civil actions by
and against home inspectors; and providing for an effective date."

with the:	Journal Page
L&C RPT CS(L&C) 4DP 3NR	311
FN1: ZERO(REV)	311
FN2: (CED)	311
JUD RPT CS(JUD) 2DP 3NR	457
FN3: ZERO(REV)	457
FN4: (CED)	457
FIN RPT CS(FIN) NT 4DP 3NR	2734
FN5: ZERO(REV)	2735
FN6: (CED)	2735

Representative James moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 27(FIN)

"An Act relating to the registration of individuals who perform home inspections; relating to regulation of contractors; relating to registration fees for specialty contractors, home inspectors, and associate home inspectors; relating to home inspection requirements for residential loans purchased or approved by the Alaska Housing Finance Corporation; relating to civil actions by and against home inspectors and to civil actions arising from residential unit inspections; and providing for an effective date."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Berkowitz:

Page 10, line 5:
Delete "not"

Representative Berkowitz moved and asked unanimous consent that Amendment No. 1 be adopted.

Representative Rokeberg objected.

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

CSHB 27(FIN)
Second Reading
Amendment No. 1

YEAS: 12 NAYS: 21 EXCUSED: 6 ABSENT: 1

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Dyson, Guess, Halcro, Joule, Kapsner, Kerttula, Moses

Nays: Bunde, Chenault, Coghill, Fate, Foster, Green, Harris, Hudson, James, Kott, Lancaster, McGuire, Meyer, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Hayes, Kookesh, Masek, Morgan, Mulder, Ogan

Absent: Kohring

And so, Amendment No. 1 was not adopted.

Representative James moved and asked unanimous consent that CSHB 27(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 27(FIN) was read the third time.

The question being: "Shall CSHB 27(FIN) pass the House?" The roll was taken with the following result:

CSHB 27(FIN)
Third Reading
Final Passage

YEAS: 31 NAYS: 3 EXCUSED: 6 ABSENT: 0

Yeas: Berkowitz, Bunde, Chenault, Cissna, Crawford, Croft, Davies, Fate, Foster, Green, Guess, Halcro, Harris, Hudson, James, Joule, Kapsner, Kerttula, Kott, Lancaster, McGuire, Meyer, Moses, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Nays: Coghill, Dyson, Kohring

Excused: Hayes, Kookesh, Masek, Morgan, Mulder, Ogan

And so, CSHB 27(FIN) passed the House.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSHB 27(FIN) was referred to the Chief Clerk for engrossment.

HB 300

The Speaker stated that, without objection, the following would be moved to the bottom of the calendar:

HOUSE BILL NO. 300

"An Act relating to the procurement of certain travel services."

HB 319

The following was read the second time:

HOUSE BILL NO. 319

"An Act relating to civil liability for commercial recreational activities; and providing for an effective date."

with the:

Journal Page

L&C RPT CS(L&C) NT 1DP 6NR	2542
FN1: ZERO(CRT)	2542
JUD RPT CS(JUD) NT 3DP 1DNP 2NR	2943
FN1: ZERO(CRT)	2944

Representative James moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 319(JUD)

"An Act relating to civil liability for commercial recreational activities and for guest passengers on an aircraft or watercraft; and providing for an effective date."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 319(JUD) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that CSHB 319(JUD) will be in third reading on tomorrow's calendar.

HB 408

The following was read the second time:

HOUSE BILL NO. 408

"An Act relating to questionnaires and surveys administered in the public schools."

with the:	Journal Page
EDU RPT 6DP	2338
FN1: ZERO(EED)	2338
HES RPT CS(HES) 4DP 3DNP	2881
FN1: ZERO(EED)	2882

Representative James moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 408(HES)
(same title)

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 408(HES) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Dyson objected.

The Speaker stated that CSHB 408(HES) will be in third reading on tomorrow's calendar.

HB 458

The following was read the second time:

HOUSE BILL NO. 458

"An Act relating to periods of probation for state employees; and providing for an effective date."

with the:	Journal Page
STA RPT 7DP	2945
FN1: ZERO(ADM/ALL DEPTS)	2946

Representative James moved and asked unanimous consent that HB 458 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 458 was read the third time.

The question being: "Shall HB 458 pass the House?" The roll was taken with the following result:

HB 458
Third Reading
Final Passage

YEAS: 31 NAYS: 0 EXCUSED: 6 ABSENT: 3

Yeas: Berkowitz, Bunde, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Halcro, Harris, Hudson, James, Joule, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Moses, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Wilson

Excused: Hayes, Kookesh, Masek, Morgan, Mulder, Ogan

Absent: Chenault, Kapsner, Williams

And so, HB 458 passed the House.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

HB 458 was referred to the Chief Clerk for engrossment.

HB 508

The following was read the second time:

HOUSE BILL NO. 508

"An Act relating to publication of results of testing for paralytic shellfish poisoning by the Department of Environmental Conservation and to participation of the Department of Environmental Conservation in the development of operating plans of qualified regional dive fishery associations."

with the:	Journal Page
RES RPT 7DP	2682
FN1: ZERO(DEC)	2682
RLS RPT CS(RLS) NT 3DP 2NR	2946
FN1: ZERO(DEC)	2947

Representative James moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 508(RLS)

"An Act relating to results of testing for paralytic shellfish poisoning and to participation of the Department of Environmental Conservation in the development of operating plans of qualified regional dive fishery development associations."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 508(RLS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 508(RLS) was read the third time.

The question being: "Shall CSHB 508(RLS) pass the House?" The roll was taken with the following result:

CSHB 508(RLS)
Third Reading
Final Passage

YEAS: 32 NAYS: 0 EXCUSED: 6 ABSENT: 2

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Harris, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Moses, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Hayes, Kookesh, Masek, Morgan, Mulder, Ogan

Absent: Crawford, Halcro

And so, CSHB 508(RLS) passed the House and was referred to the Chief Clerk for engrossment.

HB 509

The following was read the second time:

HOUSE BILL NO. 509

"An Act relating to Alaska children's trust registration plates; and providing for an effective date."

with the:	Journal Page
STA RPT CS(STA) 5DP	2813
FN1: (ADM)	2814
FIN RPT CS(STA) 8DP	2947
FN2: (ADM)	2948

Representative James moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 509(STA)
(same title)

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 509(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 509(STA) was read the third time.

The question being: "Shall CSHB 509(STA) pass the House?" The roll was taken with the following result:

CSHB 509(STA)
Third Reading
Final Passage

YEAS: 33 NAYS: 0 EXCUSED: 6 ABSENT: 1

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Halcro, Harris, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Moses, Murkowski, Porter, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Hayes, Kookesh, Masek, Morgan, Mulder, Ogan

Absent: Rokeberg

And so, CSHB 509(STA) passed the House.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSHB 509(STA) was referred to the Chief Clerk for engrossment.

THIRD READING OF HOUSE BILLS

HB 504

The following, which was advanced to third reading from the April 17, 2002, calendar (page 2975), was read the third time:

CS FOR HOUSE BILL NO. 504(FIN) am
"An Act relating to the wages of people working in the fisheries business."

The question being: "Shall CSHB 504(FIN) am pass the House?" The roll was taken with the following result:

CSHB 504(FIN) am
 Third Reading
 Final Passage

YEAS: 21 NAYS: 13 EXCUSED: 6 ABSENT: 0

Yeas: Bunde, Chenault, Coghill, Dyson, Foster, Halcro, Hudson, James, Joule, Kapsner, Kohring, Kott, McGuire, Meyer, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Williams, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Davies, Fate, Green, Guess, Harris, Kerttula, Lancaster, Moses, Whitaker

Excused: Hayes, Kookesh, Masek, Morgan, Mulder, Ogan

And so, CSHB 504(FIN) am passed the House.

Representative Berkowitz gave notice of reconsideration of the vote on CSHB 504(FIN) am.

Representative James, who had been previously excused (page 2935), left the Chamber.

SECOND READING OF SENATE RESOLUTIONS

SJR 31

The following was read the second time:

CS FOR SENATE JOINT RESOLUTION NO. 31(STA)
 Urging the United States Congress to permit the use of tax exempt bonds to fund loans for veterans who served after 1976.

with the:	Journal Page
MLV RPT 6DP	2546
FN1: ZERO(S.STA)	2546
STA RPT 6DP	2882
FN1: ZERO(S.STA)	2882

Representative Foster, Acting Majority Leader, moved and asked unanimous consent that CSSJR 31(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSJR 31(STA) was read the third time.

The question being: "Shall CSSJR 31(STA) pass the House?" The roll was taken with the following result:

CSSJR 31(STA)

Third Reading

Final Passage

YEAS: 30 NAYS: 0 EXCUSED: 7 ABSENT: 3

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Dyson, Fate, Foster, Green, Halcro, Harris, Hudson, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Hayes, James, Kookesh, Masek, Morgan, Mulder, Ogan

Absent: Davies, Guess, Moses

And so, CSSJR 31(STA) passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

LEGISLATIVE CITATIONS

Representative Foster moved and asked unanimous consent that the House approve the citations on the calendar. There being no objection, the following citations were approved and sent to enrolling:

Honoring - Lee Eglund

By Representatives Bunde, Porter, Berkowitz, Chenault, Cissna, Crawford, Croft, Davies, Dyson, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Ogan, Rokeberg, Stevens, Williams, Wilson

Honoring - Prince William Sound Community College, 10th Anniversary, Last Frontier Theatre Conference

By Representatives Harris, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Green, Guess, Halcro, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Ogan, Rokeberg, Stevens, Whitaker, Williams, Wilson

Honoring - The 2001 State Swimming and Diving Champions, The Dimond High Lynx

By Representatives McGuire, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, Meyer, Mulder, Murkowski, Ogan, Rokeberg, Stevens, Williams, Wilson

Honoring - Ping Tung Chang, 2001 Professor of the Year

By Representatives Kohring, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Ogan, Rokeberg, Stevens, Williams, Wilson

Honoring - Captain Warren R. Thompson

By Representatives Joule, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Foster, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Ogan, Rokeberg, Stevens, Williams, Wilson; Senator Olson

Honoring - Mr. Charlie Curtis, 2002 NANA Shareholder of the Year

By Representatives Joule, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Foster, Guess, Halcro, Harris, Hayes, Hudson, James, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Ogan, Rokeberg, Stevens, Williams, Wilson; Senator Olson

Honoring - John and Judy Stenford

By Senator Taylor; Representatives Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Ogan, Rokeberg, Stevens, Williams, Wilson

In Memoriam - Violet Vera McDaniel

By Representatives Harris, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Foster, Guess, Halcro, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Ogan, Rokeberg, Scalzi, Stevens, Williams, Wilson; Senator Lincoln

In Memoriam - William Adair Jardel Sr.

By Senators Halford, Phillips; Representatives Dyson, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Foster, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Ogan, Rokeberg, Scalzi, Stevens, Williams, Wilson

In Memoriam - Robert Louis Jernberg, February 22, 1907 - April 4, 2002

By Senator Taylor; Representatives Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Foster, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Ogan, Rokeberg, Scalzi, Stevens, Williams, Wilson

SECOND READING OF HOUSE BILLS

(continued)

HB 300

The Speaker stated that, without objection, the following, which had been moved to the bottom of the calendar (page 3009), will be held to tomorrow's calendar:

HOUSE BILL NO. 300

"An Act relating to the procurement of certain travel services."

UNFINISHED BUSINESS

Representative Foster moved and asked unanimous consent that the following member be excused from a call of the House. There being no objection, the member was excused as noted:

Representative Cissna - from 12:20 p.m. to 2:00 p.m., April 23, 2002

HB 460

The Speaker added a Finance Committee referral to follow the Judiciary Committee referral for the following:

HOUSE BILL NO. 460

"An Act relating to actions for monopolies and restraint of trade, including proof of damages; amending Rule 82, Alaska Rules of Civil Procedure; and providing for an effective date."

HB 460 is in the Judiciary Committee.

HB 300

Representative Rokeberg added his name as cosponsor to:

HOUSE BILL NO. 300

"An Act relating to the procurement of certain travel services."

SJR 31

Representatives McGuire, Rokeberg, Harris, Lancaster, Cissna, Murkowski, and Bunde added their names as cross sponsors to:

CS FOR SENATE JOINT RESOLUTION NO. 31(STA)

Urging the United States Congress to permit the use of tax exempt bonds to fund loans for veterans who served after 1976.

ENGROSSMENT**HB 27**

CSHB 27(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 458

HB 458 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 474

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration:

CS FOR HOUSE BILL NO. 474(CRA) am

"An Act relating to public rights-of-way and easements for surface transportation affecting the Anchorage Coastal Wildlife Refuge."

HB 508

CSHB 508(RLS) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 509

CSHB 509(STA) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

Majority Caucus Speaker's Chamber upon adj., 4/18

The following meeting today has been changed as indicated:

Transportation Committee

CANCELED:

1:00 p.m., 4/18

ADJOURNMENT

Representative Foster moved and asked unanimous consent that the House adjourn until 10:00 a.m., April 19, 2002. There being no objection, the House adjourned at 12:25 p.m.

Suzi Lowell

Chief Clerk