

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Friday

April 23, 2004

One Hundred Third Day

Pursuant to adjournment the House was called to order by Speaker Kott at 10:47 a.m.

Roll call showed 38 members present. Representatives Cissna and Dahlstrom had been previously excused from a call of the House today.

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

With thanks to the Alaska Humanities Forum whose Leadership series inspired this.

As Sir Ernest Shackleton said, "Leadership is a fine thing, but it has its penalties. And the greatest penalty is loneliness."

As we begin the final days of this session I pray for courage for each and every one of us. And I'm not talking about just the big decisions, I'm talking about the little ones, the ones where you lose your temper or not, the ones where you have the courage to show patience or not, the ones where you admit your loneliness and reach out.

Tim O'Brien, in his book about Vietnam, *The Things They Carried*, talks about courage, "If the stakes ever became high enough - if the evil were evil enough, if the good were good enough - I would simply tap a secret reservoir of courage that

had been accumulating inside me over the years ... it was a comforting theory. It dispensed with all those bothersome little acts of daily courage."

When the buck is stopping here, it's hard to face it, so I pray for all of us to reach inside ourselves, to our humanity, to have courage.

In closing, I share two thoughts on courage. First, from the Dalai Lama, "Controlled energy comes not only from a compassionate attitude but also from reason and patience. These are the most powerful antidotes to anger. Many people misjudge these qualities as signs of weakness. I believe just the opposite - they are the true signs of inner strength."

Finally, from the book of Matthew, "Love thy neighbor as thyself." Amen.

The Pledge of Allegiance was led by Representative Samuels.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 102nd legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

HB 377

A message dated April 22, 2004, was read stating the Senate has passed CSHB 377(FIN) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 377(FIN)

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

CSHB 377(FIN) is under Unfinished Business.

HB 414

A message dated April 22, 2004, was read stating the Senate has passed CSHB 414(JUD) with the following amendment and it is transmitted for consideration:

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."

CSHB 414(JUD) is under Unfinished Business.

REPORTS OF STANDING COMMITTEES**HB 338**

The Finance Committee has considered:

HOUSE BILL NO. 338

"An Act relating to attendance at public school; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 338(HES)
(same title)

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

Do pass (7): Hawker, Croft, Moses, Chenault, Fate, Foster, Meyer

No recommendation (1): Stoltze

The following fiscal note(s) apply to CSHB 338(HES):

1. Indeterminate, Dept. of Education & Early Development

HB 338 was referred to the Rules Committee for placement on the calendar.

HB 512

The Finance Committee has considered:

HOUSE BILL NO. 512

"An Act establishing the Hydrogen Energy Partnership in the Department of Community and Economic Development; requiring the commissioner of community and economic development to seek public and private funding for the partnership; providing for the contingent repeal of an effective date; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 512(FIN)
(same title)

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

Do pass (6): Joule, Moses, Chenault, Fate, Foster, Williams

The following fiscal note(s) apply to CSHB 512(FIN):

1. Zero, University of Alaska
3. Fiscal, Dept. of Community & Economic Development

HB 512 was referred to the Rules Committee for placement on the calendar.

HB 515

The Finance Committee has considered:

HOUSE BILL NO. 515

"An Act relating to the regulation of municipal water and sewer utilities not in competition with other water and sewer utilities."

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

April 23, 2004

3479

Do pass (1): Williams

Do not pass (1): Meyer

No recommendation (6): Hawker, Stoltze, Moses, Chenault, Fate, Foster

The following fiscal note(s) apply:

1. Fiscal, Dept. of Community & Economic Development
2. Fiscal, Dept. of Community & Economic Development

HB 515 was referred to the Rules Committee for placement on the calendar.

HB 540

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 540

"An Act relating to workers' compensation insurance rates; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 540(L&C)
(same title)

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

Do pass (3): Gatto, Rokeberg, Anderson

No recommendation (4): Crawford, Lynn, Dahlstrom, Guttenberg

The following fiscal note(s) apply to CSHB 540(L&C):

1. Zero, House Labor & Commerce Committee/Dept. of Community & Economic Development

HB 540 was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

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

Honoring - Christopher Partridge
By Senator Gary Stevens; Representative Ogg

In Memoriam - Troy Davis
By Representative Crawford; Senator Ellis

CONSIDERATION OF THE DAILY CALENDAR

HOUSE BILLS IN SECOND READING

HB 298

The Speaker stated that, without objection, the following, which had been held in second reading to today's calendar (page 3462), will be held in second reading to the April 26, 2004, calendar:

CS FOR HOUSE BILL NO. 298(FIN)

"An Act relating to the income of and appropriations from the Alaska permanent fund under art. IX, sec. 15(b), Constitution of the State of Alaska, and making conforming amendments; relating to the determination of net income of the mental health trust fund; and providing for an effective date."

THIRD READING OF HOUSE RESOLUTIONS

HJR 26

The Speaker stated that, without objection, the following, which was advanced to third reading from the April 22, 2004, calendar (page 3462), will be held to the April 26, 2004, calendar:

CS FOR HOUSE JOINT RESOLUTION NO. 26(FIN)
 Proposing amendments to the Constitution of the State of Alaska relating to and limiting appropriations from the Alaska permanent fund based on an averaged percent of the fund market value.

RECONSIDERATION

HJR 9

The Speaker stated that, without objection, reconsideration (page 3457) of the following will be held to April 26, 2004:

CS FOR HOUSE JOINT RESOLUTION NO. 9(FIN) am
 Proposing amendments to the Constitution of the State of Alaska relating to an appropriation limit.

CONSIDERATION OF THE FIRST SUPPLEMENTAL CALENDAR

Representative Coghill moved and asked unanimous consent that the House adopt the First Supplemental Calendar. There being no objection, the following was adopted:

HB 319 REMOTE REC.CABIN SITE SALES/LOTTERY SALE
 HB 425 BOARDING SCHOOL FUNDING
 HB 452 GUIDED SPORT FISHING
 HB 511 CERTIFICATE OF NEED PROGRAM
 HB 517 SECURITY ACCOUNT BENEFICIARY DESIGNATION
 HB 533 IF UNREAS. AGENCY DELAY, COURT DECIDES
 HCR 32 AK INFO INFRASTRUCTURE POLICY TASK FORCE

SECOND READING OF HOUSE BILLS

HB 319

The following was read the second time:

HOUSE BILL NO. 319
 "An Act relating to the disposal of state land by lottery; and relating to the disposal, including sale or lease, of remote recreational cabin sites."

HOUSE JOURNAL

3482

April 23, 2004

with the:	Journal Page
STA RPT CS(STA) 2DP 4NR 1AM	2682
FN1: (DNR)	2683
RES RPT CS(RES) NT 3DP 3NR	2921
FN1: (DNR)	2921
FIN RPT CS(FIN) NT 4DP 3NR 1AM	3395
FN2: (DNR)	3395
FN3: (DNR)	3395

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

CS FOR HOUSE BILL NO. 319(FIN)

"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."

There being no objection, it was so ordered.

Representative Fate placed a call of the House.

The call was satisfied.

Amendment No. 1 was offered by Representatives Gara and Fate:

Page 4, following line 16:

Insert a new subsection to read:

"(i) Nothing in this section shall impede the state's authority under existing law to reserve a public easement allowing public access to, or along, a river, lake, or other water described in this section."

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

Objection was heard and withdrawn. There being no further objection, Amendment No. 1 was adopted.

Representative Coghill moved and asked unanimous consent that CSHB 319(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 319(FIN) am was read the third time.

The question being: "Shall CSHB 319(FIN) am pass the House?" The roll was taken with the following result:

CSHB 319(FIN) am
Third Reading
Final Passage

YEAS: 35 NAYS: 3 EXCUSED: 2 ABSENT: 0

Yeas: Anderson, Berkowitz, Chenault, Coghill, Crawford, Croft, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Heinze, Holm, Joule, Kapsner, Kohring, Kookesh, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Williams, Wilson, Wolf

Nays: Hawker, Kerttula, Weyhrauch

Excused: Cissna, Dahlstrom

And so, CSHB 319(FIN) am passed the House.

Representative Coghill 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 319(FIN) am was referred to the Chief Clerk for engrossment.

HB 425

The following was read the second time:

HOUSE BILL NO. 425

"An Act relating to funding for school districts operating secondary school boarding programs, to funding for school districts from which boarding students come, and to inoperative school districts; and providing for an effective date."

HOUSE JOURNAL

3484

April 23, 2004

with the:	Journal Page
EDU RPT CS(EDU) NT 1DP 2NR 3AM	2988
FN1: (EED)	2988
HES RPT CS(EDU) NT 6DP 1NR	3200
FN1: (EED)	3201
FIN RPT CS(EDU) NT 4DP 4NR	3396
FN2: (EED)	3397

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

CS FOR HOUSE BILL NO. 425(EDU)

"An Act relating to funding for school districts operating secondary school boarding programs and to funding for school districts from which boarding students come; and providing for an effective date."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 425(EDU) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 425(EDU) was read the third time.

The question being: "Shall CSHB 425(EDU) pass the House?" The roll was taken with the following result:

CSHB 425(EDU)

Third Reading

Final Passage

YEAS: 38 NAYS: 0 EXCUSED: 2 ABSENT: 0

Yeas: Anderson, Berkowitz, Chenault, Coghill, Crawford, Croft, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Excused: Cissna, Dahlstrom

And so, CSHB 425(EDU) passed the House.

Representative Coghill 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 425(EDU) was referred to the Chief Clerk for engrossment.

HB 452

The following was read the second time:

HOUSE BILL NO. 452

"An Act relating to licensing and regulation of sport fishing services operators and fishing guides; and providing for an effective date."

with the:	Journal Page
L&C RPT CS(L&C) NT 1DP 3NR 1AM	3019
FN1: ZERO(DPS)	3020
FN2: (DFG)	3020
JUD RPT CS(JUD) NT 1DP 5NR	3201
FN2: (DFG)	3201
FN3: ZERO(DPS)	3201
FIN RPT CS(FIN) NT 4DP 6NR	3330
FN2: (DFG)	3331
FN3: ZERO(DPS)	3331

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

CS FOR HOUSE BILL NO. 452(FIN)

"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."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that Representative Chenault be excused from a call of the House from noon today to 9:30 p.m., April 25, 2004 (amended from page 3471). There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Heinze:

Page 2, lines 21 - 23:

Delete all material and insert:

"(3) any of the records and reports to the Department of Revenue to assist the department [DEPARTMENT OF REVENUE] in carrying out its statutory responsibilities;"

Page 3, line 18:

Delete "and"

Insert "[AND]"

Page 3, line 21, following "law":

Insert "**; and**

(12) any of the records and reports to the Department of Natural Resources to assist the department in carrying out its statutory responsibilities in regard to sport fishing operations and sport fishing guides within the Kenai River Special Management Area under AS 41.21.500 - 41.21.514"

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

Objection was heard and withdrawn. There being no further objection, Amendment No. 1 was adopted.

Amendment No. 2 was offered by Representative Stoltze:

Page 8, following line 5:

Insert a new bill section to read:

"* **Sec. 5.** AS 16.05.340(a)(26); AS 16.40.260, 16.40.270, 16.40.280, 16.40.290, 16.40.299; AS 25.27.244(s)(2)(A)(xviii), and 25.27.244(s)(2)(A)(xix) are repealed January 1, 2010."

Renumber the following bill sections accordingly.

Page 8, line 12:

Delete "Section 5"

Insert "Section 6"

Page 8, line 13:

Delete "sec. 6"

Insert "sec. 7"

Representative Stoltze moved and asked unanimous consent that Amendment No. 2 be adopted.

Objection was heard and withdrawn. There being no further objection, Amendment No. 2 was adopted.

Representative Coghill moved and asked unanimous consent that CSHB 452(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 452(FIN) am was read the third time.

Representative Heinze placed a call of the House.

Representative Gara moved and asked unanimous consent that the following letter dated April 5, 2004, from Representative Heinze be spread on the journal. There being no objection, it follows:

"Dear Representative Gara,

You recently asked me a question in the House Judiciary Committee regarding HB 452's effect on the state's ability to limit guides. I would like to reaffirm my earlier statement that nothing in this bill shall limit the state's ability to decide the number of guides to allow in any particular area of the state. I hope that this letter will address the concerns you had on this matter. I would also like to take this opportunity to thank you for your help in getting HB 452 passed out of committee. If you have any further comments or concerns please don't hesitate to bring them to my attention."

Representative Heinze lifted the call.

The question being: "Shall CSHB 452(FIN) am pass the House?" The roll was taken with the following result:

CSHB 452(FIN) am
Third Reading
Final Passage

YEAS: 33 NAYS: 2 EXCUSED: 3 ABSENT: 2

Yeas: Berkowitz, Coghill, Crawford, Croft, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Joule, Kapsner, Kerttula, Kookesh, Kott, Lynn, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Nays: Kohring, Masek

Excused: Chenault, Cissna, Dahlstrom

Absent: Anderson, Holm

Weyhrauch changed from "Nay" to "Yea".

And so, CSHB 452(FIN) am passed the House.

Representative Coghill 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 452(FIN) am was referred to the Chief Clerk for engrossment.

HB 511

The following was read the second time:

HOUSE BILL NO. 511

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

with the:	Journal Page
HES RPT CS(HES) 3DP 1DNP 2NR	3051
FN1: ZERO(HSS)	3052
FN2: ZERO(HSS)	3052
FIN RPT CS(HES) 4DP 2NR 2AM	3164
FN1: ZERO(HSS)	3164
FN2: ZERO(HSS)	3164

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

CS FOR HOUSE BILL NO. 511(HES)
(same title)

There being no objection, it was so ordered.

Representative McGuire moved and asked unanimous consent that she be allowed to abstain from voting because of a conflict of interest. Objection was heard, and Representative McGuire was required to vote.

Amendment No. 1 was offered by Representatives McGuire and Samuels:

Page 2, following line 5:

Insert a new bill section to read:

** **Sec. 3.** AS 18.07.035 is amended by adding new subsections to read:

(b) The department may require a person who intends to submit an application under (a) of this section to submit a letter of intent to the department, except in the case of an application for an emergency or temporary certificate of need authorized under AS 18.07.071.

(c) The department shall notify the applicant in writing when the application is complete under this chapter."

Renumber the following bill sections accordingly.

Page 3, following line 18:

Insert a new bill section to read:

**** Sec. 5.** AS 18.07 is amended by adding a new section to read:

Sec. 18.07.045. Time standards for review of applications for certificates of need. (a) The following time standards apply for a review by the department of an application for a certificate of need under this chapter:

(1) the department may defer commencement of the review process under this chapter for an application for a period not to exceed 60 days after the determination that the application is complete in order to allow the department to receive and consider concurrent applications from each person who has submitted a letter of intent to submit an application proposing an activity that is similar to the activity proposed by the application in the geographic area;

(2) the department shall review the application made under this chapter and submit an analysis and recommendation to the commissioner within 60 days after the date that notification under AS 18.07.035(c) is sent to the applicant stating that the application is complete.

(b) The commissioner may extend the time periods set out in (a) of this section for not more than 30 days for any of the following reasons:

(1) the applicant amends the application under this chapter;

(2) the department requests an extension of time within which to prepare its findings and recommendations on the application; the commissioner may grant only one extension under this paragraph."

Renumber the following bill sections accordingly.

Page 4, line 14, following "APPLICABILITY.":

Insert "(a)"

Page 4, following line 16:

Insert a new subsection to read:

"(b) AS 18.07.035(b) and (c) and 18.07.045, enacted by secs. 3 and 5 of this Act, respectively, apply to a certificate of need application filed with the Department of Health and Social Services after the effective date of this Act."

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

Representative Berkowitz objected and withdrew the objection. There being no further objection, Amendment No. 1 was adopted.

Representative Coghill moved and asked unanimous consent that CSHB 511(HES) am be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

CSHB 511(HES) am will advance to third reading on the April 26, 2004, calendar.

HB 517

The following was read the second time:

HOUSE BILL NO. 517

"An Act relating to registration in beneficiary form of certain security accounts, including certain reinvestment, investment management, and custody accounts."

with the:	Journal Page
L&C RPT 4DP 1NR	2810
FN1: ZERO(CED)	2811
JUD RPT 5DP 1NR	3080
FN1: ZERO(CED)	3080

Representative Coghill moved and asked unanimous consent that HB 517 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 517 was read the third time.

Amendment No. 1 (title amendment) was offered by Representative Berkowitz:

Page 1, line 1:

Delete "**registration in beneficiary form**"
Insert "**the definition**"

There being no objection, Amendment No. 1 was adopted and the new title follows:

HOUSE BILL NO. 517(title am)
"An Act relating to the definition of certain security accounts, including certain reinvestment, investment management, and custody accounts."

The question being: "Shall HB 517(title am) pass the House?" The roll was taken with the following result:

HB 517(title am)
Third Reading
Final Passage

YEAS: 29 NAYS: 0 EXCUSED: 3 ABSENT: 8

Yeas: Anderson, Berkowitz, Coghill, Crawford, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Joule, Kerttula, Kohring, Kookesh, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Williams, Wilson, Wolf

Excused: Chenault, Cissna, Dahlstrom

Absent: Croft, Heinze, Holm, Kapsner, Moses, Stepovich, Stoltze, Weyhrauch

And so, HB 517(title am) passed the House.

Representative Gatto gave notice of reconsideration of the vote on HB 517(title am) and it was taken up later.

HB 533

The following was read the second time:

HOUSE BILL NO. 533
"An Act relating to the state's administrative procedures and to judicial oversight of administrative matters."

April 23, 2004

3493

with the:	Journal Page
JUD RPT CS(JUD) 5DP 1NR	3107
FN1: INDETERMINATE(CRT)	3108
FN2: INDETERMINATE(DFG)	3108
FN3: INDETERMINATE(HSS)	3108
FIN RPT CS(JUD) 7DP 2NR	3361
FN1: INDETERMINATE(CRT)	3362
FN2: INDETERMINATE(DFG)	3362
FN3: INDETERMINATE(HSS)	3362
FN4: (LAW)	3362

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

CS FOR HOUSE BILL NO. 533(JUD)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 533(JUD) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

CSHB 533(JUD) will advance to third reading on the April 26, 2004 calendar.

SECOND READING OF HOUSE RESOLUTIONS

HCR 32

The following was read the second time:

HOUSE CONCURRENT RESOLUTION NO. 32
Relating to information infrastructure and establishing the Alaska
Information Infrastructure Policy Task Force.

HOUSE JOURNAL

3494

April 23, 2004

with the:	Journal Page
EDT RPT CS(EDT) 5DP	2811
FN1: ZERO(UA)	2811
FN2: (LEG)	2811
FIN RPT CS(EDT) 5DP 4NR	3391
FN1: ZERO(UA)	3392
FN3: (LEG)	3392

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

CS FOR HOUSE CONCURRENT RESOLUTION NO. 32(EDT)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Berkowitz:

Page 2, lines 26 - 27:

Delete "jointly by of the Speaker of the House of Representatives and the President of the Senate from a list of three names proposed"

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

Objection was heard and withdrawn. There being no further objection, Amendment No. 1 was adopted.

The question being: "Shall CSHCR 32(EDT) am pass the House?"
The roll was taken with the following result:

CSHCR 32(EDT) am
Second Reading
Final Passage

YEAS: 33 NAYS: 0 EXCUSED: 3 ABSENT: 4

Yeas: Anderson, Berkowitz, Coghill, Crawford, Croft, Fate, Foster, Gara, Gatto, Gruenberg, Harris, Hawker, Heinze, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Excused: Chenault, Cissna, Dahlstrom

Absent: Guttenberg, Holm, Moses, Stepovich

And so, CSHCR 32(EDT) am passed the House and was referred to the Chief Clerk for engrossment.

CONSIDERATION OF THE DAILY CALENDAR
(continued)

LEGISLATIVE CITATIONS

Representative Coghill 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 - May Carter

By Representatives Stoltze, Gatto, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, McGuire, Meyer, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Weyhrauch, Williams, Wilson, Wolf; Senators Ogan, Green

Honoring - Beatrice Larsen, 100 Years Old

By Representatives Ogg, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, McGuire, Meyer, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Honoring - Brad Oleson, Basketball Player of the Year

By Representatives Guttenberg, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Gara, Gatto, Gruenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, Lynn, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Honoring - Jane Peterson, Employer of the Year

By Representatives Ogg, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Honoring - Brian Rogers and Information Insights for Their Brilliant Work in Organizing the Conference of Alaskans

By Representatives Guttenberg, Kott, Anderson, Berkowitz, Chenault, Cissna, Crawford, Croft, Gara, Gatto, Gruenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, McGuire, Meyer, Morgan, Ogg, Samuels, Seaton, Stepovich, Weyhrauch, Williams, Wilson, Wolf

Honoring - Saint Anthony Parish Community Organizing Ministry

By Representatives Gruenberg, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gatto, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, Lynn, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Honoring - The University of Alaska Fairbanks Rifle Team, 2004 NCAA National Champions

By Representatives Guttenberg, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Gara, Gatto, Gruenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, Lynn, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Honoring - Alaska Airlines and Juneau Pilots

By Representatives Heinze, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, Lynn, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Williams, Wilson, Wolf

Honoring - Ellie Claus

By Senator Lincoln; Representatives Kott, Anderson, Berkowitz, Chenault, Cissna, Crawford, Croft, Dahlstrom, Fate, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Honoring - The Western Interstate Commission on Higher Education

By Senators Wagoner, Wilken; Representatives Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

In Memoriam - Peter George Bailey

By Representatives Ogg, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf; Senator Gary Stevens

In Memoriam - Beatrice Geddes

By Representatives Ogg, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf; Senator Gary Stevens

In Memoriam - Neil Heitman

By Representatives Harris, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

In Memoriam - James Guilmet

By Representatives Ogg, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf; Senator Gary Stevens

In Memoriam - Franklin Maus

By Representatives Stoltze, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Weyhrauch, Williams, Wilson, Wolf; Senator Dyson

In Memoriam - Rudy Sundberg, Jr.

By Representatives Ogg, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf; Senator Gary Stevens

CONCUR IN SENATE AMENDMENTS

HCR 31

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 3389) on the following at this time:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 31(HES)
Proclaiming April 2004 as Traumatic Brain Injury Awareness
Month.

and

SCS FOR CS FOR HOUSE CONCURRENT RESOLUTION NO.
31(HES) am S
Proclaiming June 2004 as Traumatic Brain Injury Awareness
Month.

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHCR 31(HES), thus adopting SCS CSHCR 31 (HES) am S, and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHCR 31(HES)?" The roll was taken with the following result:

SCS CSHCR 31(HES) am S

Concur

YEAS: 33 NAYS: 0 EXCUSED: 3 ABSENT: 4

Yeas: Anderson, Berkowitz, Coghill, Crawford, Fate, Foster, Gara, Gatto, Gruenberg, Harris, Hawker, Heinze, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Excused: Chenault, Cissna, Dahlstrom

Absent: Croft, Guttenberg, Holm, Moses

And so, the House concurred in the Senate amendment, thus adopting SCS CSHCR 31(HES) am S.

The Chief Clerk notified the Senate.

SCS CSHCR 31(HES) am S was referred to the Chief Clerk for enrollment.

RECONSIDERATION**HB 517**

Representative Anderson moved and asked unanimous consent that reconsideration of HB 517(title am) (page 3492) be taken up on the same day. There being no objection, it was so ordered.

**Representative Williams, who had been previously excused (page 3471), left the Chamber.

The following was again before the House in third reading:

HOUSE BILL NO. 517(title am)

"An Act relating to the definition of certain security accounts, including certain reinvestment, investment management, and custody accounts."

The question to be reconsidered: "Shall HB 517(title am) pass the House?" The roll was taken with the following result:

HB 517(title am)--RECONSIDERATION

Third Reading

Final Passage

YEAS: 33 NAYS: 0 EXCUSED: 4 ABSENT: 3

Yeas: Anderson, Berkowitz, Coghill, Crawford, Croft, Fate, Foster, Gara, Gatto, Gruenberg, Harris, Hawker, Heinze, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Wilson, Wolf

Excused: Chenault, Cissna, Dahlstrom, Williams

Absent: Guttenberg, Holm, Moses

And so, HB 517(title am) passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

UNFINISHED BUSINESS**HB 427**

The Speaker waived the Finance Committee referral for the following at the request of Representative Harris, Co-chair:

HOUSE BILL NO. 427

"An Act relating to guardianships and conservatorships, to the public guardian and the office of public advocacy, to private professional guardians and private professional conservators, to court visitors, court-appointed attorneys, guardians ad litem, and fiduciaries, and to the protection of the person or property of certain individuals, including minors; amending Rules 16(f) and 17(e), Alaska Rules of Probate Procedure; and providing for an effective date."

HB 427 was removed from the Finance Committee and referred to the Rules Committee for placement on the calendar.

HCR 32

Representative Lynn added his name as cosponsor to:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 32(EDT)
am

Relating to information infrastructure and establishing the Alaska Information Infrastructure Policy Task Force.

HB 319

Representatives Ogg and Lynn added their names as cosponsors to:

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."

HB 366

Representative Croft added his name as cosponsor to:

HOUSE BILL NO. 366

"An Act relating to rat racing charitable gaming; and providing for an effective date."

HB 425

Representatives Gara, Joule, and Lynn added their names as cosponsors to:

CS FOR HOUSE BILL NO. 425(EDU)

"An Act relating to funding for school districts operating secondary school boarding programs and to funding for school districts from which boarding students come; and providing for an effective date."

HB 427

Representative McGuire added her name as cosponsor to:

HOUSE BILL NO. 427

"An Act relating to guardianships and conservatorships, to the public guardian and the office of public advocacy, to private professional guardians and private professional conservators, to court visitors, court-appointed attorneys, guardians ad litem, and fiduciaries, and to the protection of the person or property of certain individuals, including minors; amending Rules 16(f) and 17(e), Alaska Rules of Probate Procedure; and providing for an effective date."

HB 452

Representative Lynn added his name as cosponsor to:

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."

ENGROSSMENT**HCR 32**

CSHCR 32(EDT) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 319

CSHB 319(FIN) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 425

CSHB 425(EDU) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 452

CSHB 452(FIN) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 517

HB 517(title am) 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.

The following meetings today have been changed as indicated:

Finance Committee

CANCELED:

1:30 p.m., 4/23

Judiciary Committee

CHANGED TO:

1:45 p.m., 4/23

Resources Committee

CHANGED TO:

2:00 p.m., 4/23

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 11:00 a.m., April 26, 2004. There being no objection, the House adjourned at 1:34 p.m.

Suzi Lowell
Chief Clerk