

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Thursday

May 6, 2004

#### One Hundred Sixteenth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 2:09 p.m.

Roll call showed 37 members present. Representatives Chenault, Kapsner, and Williams were absent and their presence was noted later.

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

Heavenly Father,

Today is the National Day of Prayer and we thank all of those who just participated in the program on our Capitol steps.

Lord, we bow before You this beautiful day that You have made and humbly give You thanks for all Your gifts to us. Lord, let us ever be mindful of Your care for us, knowing that we do not know what the future will bring but that You do. Lord, we ask for Your inspiration and guidance to do Your work these final days. Help us listen to Your plan for us. Help us listen to each other, though we may be tired and grumpy. God, help us show respect for one another regardless of our disagreements. God, we thank You for Your opportunity for us to serve You and the people of Alaska.

Representative Holm sang the following from "Hymn of Promise":

In the bulb there is a flower,  
in the seed, an apple tree;  
in cocoons, a hidden promise:  
butterflies will soon be free!  
In the cold of snow and winter  
there's a spring that waits to be,  
unrevealed until its season,  
something God alone can see.  
Amen.

The Pledge of Allegiance was led by Representative Moses.

#### **CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the 115th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

#### **MESSAGES FROM THE SENATE**

##### **HB 486**

A message dated May 5, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 486(FIN)

"An Act relating to reclamation bonding and financial assurance for certain mines; relating to financial assurance limits for lode mines; establishing the mine reclamation trust fund; and providing for an effective date."

CSHB 486(FIN) was referred to the Chief Clerk for enrollment.

##### **HB 414**

A message dated May 5, 2004, was read stating the President has granted limited powers of free conference to the Senate members of the Conference Committee considering:

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)

The Speaker had previously granted the limited powers of free conference as requested (page 3839).

**SB 299**

A message dated May 5, 2004, was read stating the Senate has concurred in the House amendment to SB 299, thus adopting:

HOUSE CS FOR SENATE BILL NO. 299(JUD) am H

"An Act relating to a charge for a bad check."

**SB 300**

A message dated May 5, 2004, was read stating the Senate has concurred in the House amendment to CSSB 300(FIN), thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 300(JUD)

"An Act relating to an attorney's lien, to court actions, and to other proceedings where attorneys are employed; and providing for an effective date."

**SB 309**

A message dated May 5, 2004, was read stating the Senate has concurred in the House amendment to CSSB 309(JUD) am, thus adopting:

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

"An Act relating to testing the blood of prisoners and those in custody for bloodborne pathogens."

**SB 344**

A message dated May 5, 2004, was read stating the Senate has concurred in the House amendment to SB 344, thus adopting:

HOUSE CS FOR SENATE BILL NO. 344(JUD) am H

"An Act relating to the Uniform Probate Code and trusts, including pleadings, orders, nonprobate assets, estates of decedents, minors, protected persons, incapacitated persons, guardians, conservators, trustees, foreign trusts, principal and income, and transfer restrictions; relating to corporate voting trusts; and providing for an effective date."

A message dated May 5, 2004, was read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE BILLS**

**SB 282**

CS FOR SENATE BILL NO. 282(RES) by the Senate Resources Committee, entitled:

"An Act relating to the identification of finfish in food products and to the misbranding of food products consisting of or containing finfish."

was read the first time and referred to the House Special Committee on Fisheries and the Labor & Commerce Committee.

**SB 379**

CS FOR SENATE BILL NO. 379(FIN) by the Senate Finance Committee, entitled:

"An Act providing that public members of the Board of Trustees of the Alaska Permanent Fund Corporation may be removed only for cause; and providing for an effective date."

(HB 544 - similar bill)

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

**REPORTS OF STANDING COMMITTEES**

The Judiciary Committee has reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Mr. Thomas G. Nave, Esq.

as a member of the Commission on Judicial Conduct.

The report was signed by Representative McGuire, Chair; and Representatives Samuels, Holm, Gara, Gruenberg, and Ogg.

The Labor & Commerce Committee has reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Mr. Gary P. Bader

as a member of the Alaska Labor Relations Agency.

The report was signed by Representative Anderson, Chair; and Representatives Rokeberg, Dahlstrom, Gatto, and Lynn.

The Resources Committee has reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Mr. Michael R. Fleagle

as a member of the Board of Game.

The report was signed by Representatives Dahlstrom and Masek, Co-chairs; and Representatives Wolf, Lynn, Gatto, and Heinze.

The Resources Committee has reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Mr. Ben Grussendorf

as a member of the Board of Game.

The report was signed by Representatives Masek and Dahlstrom, Co-chairs; and Representatives Wolf, Lynn, and Gatto.

The State Affairs Committee has reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Mr. Roger E. Holl

as a member of the Alaska Public Offices Commission.

The report was signed by Representative Weyhrauch, Chair; and Representatives Holm, Lynn, Coghill, Seaton, and Gruenberg.

The State Affairs Committee has reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Mr. Ray Matiashowski

as Commissioner of the Department of Administration.

The report was signed by Representative Weyhrauch, Chair; and Representatives Seaton, Holm, Lynn, Coghill, Gruenberg, and Berkowitz.

\*\*The presence of Representative Chenault was noted.

**HB 255**

The Finance Committee has considered:

## HOUSE BILL NO. 255

"An Act amending the Alaska Wage and Hour Act as it relates to flexible work hour plans, the provision of training wages, and the definitions of certain terms; and repealing the exemption in the Act from the payment of minimum wages for learners."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 255(FIN)

"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."

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

Do pass (4): Meyer, Joule, Fate, Foster

No recommendation (5): Hawker, Croft, Chenault, Harris, Williams

The following fiscal note(s) apply to CSHB 255(FIN):

2. Zero, Dept. of Labor & Workforce Development

HB 255 is on today's calendar.

**HB 466**

The Finance Committee has considered:

## HOUSE BILL NO. 466

"An Act relating to investments of Alaska permanent fund assets; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 466(FIN)  
(same title)

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

Do pass (9): Meyer, Hawker, Joule, Croft, Moses, Fate, Chenault, Foster, Williams

No recommendation (1): Stoltze

The following fiscal note(s) apply to CSHB 466(FIN):

1. Zero, Dept. of Revenue

HB 466 was referred to the Rules Committee for placement on the calendar.

**HB 544**

The State Affairs Committee has considered:

HOUSE BILL NO. 544

"An Act providing that public members of the Board of Trustees of the Alaska Permanent Fund Corporation may be removed only for cause; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 544(STA)  
(same title)

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

Do pass (6): Seaton, Gruenberg, Holm, Lynn, Coghill, Weyhrauch

The following fiscal note(s) apply to CSHB 544(STA):

1. Zero, Dept. of Law
2. Zero, Dept. of Revenue
3. Zero, Dept. of Revenue

HB 544 was referred to the Rules Committee for placement on the calendar.



**HB 563**

The Judiciary Committee has considered:

## HOUSE BILL NO. 563

"An Act relating to open meetings guidelines applicable to legislators, to the confidentiality of complaints and proceedings involving alleging violations of AS 24.60, and to hearings on formal charges by the Select Committee on Legislative Ethics or its subcommittees."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 563(JUD)

"An Act relating to legislative branch ethics, to open meetings guidelines applicable to legislators, to the confidentiality of complaints and proceedings involving alleged violations of AS 24.60, and to hearings on formal charges by the Select Committee on Legislative Ethics or its subcommittees."

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

Do pass (2): Gruenberg, McGuire

No recommendation (4): Holm, Gara, Samuels, Ogg

The following fiscal note(s) apply to CSHB 563(JUD):

1. Zero, Legislative Affairs Agency

HB 563 is on today's calendar.

**SB 30**

The Finance Committee has considered:

## CS FOR SENATE BILL NO. 30(JUD) am

"An Act relating to information and services available to pregnant women and other persons; and ensuring informed consent before an abortion may be performed, except in cases of medical emergency."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 30(FIN)

"An Act relating to information and services available to pregnant women and other persons; ensuring informed consent before an abortion may be performed; and providing exceptions to informed consent in certain cases."

(HCR 36 - title change resolution)

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

Do pass (2): Meyer, Williams

Do not pass (1): Croft

No recommendation (5): Hawker, Stoltze, Chenault, Fate, Foster

The following fiscal note(s) apply to HCS CSSB 30(FIN):

3. Fiscal, Dept. of Health & Social Services
4. Fiscal, Dept. of Health & Social Services

CSSB 30(JUD) am was referred to the Rules Committee for placement on the calendar.

**SB 132**

The Community & Regional Affairs Committee has considered:

CS FOR SENATE BILL NO. 132(RES)

"An Act removing the Old Minto townsite from the Minto Flats State Game Refuge; and authorizing the Department of Natural Resources to convey certain land at the historic Old Minto site to the Native Village of Minto."

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

Do pass (4): Kott, Wolf, Cissna, Morgan

The following fiscal note(s) apply:

1. Zero, Dept. of Natural Resources

CSSB 132(RES) was referred to the Resources Committee.

**SB 170**

The Finance Committee has considered:

CS FOR SENATE BILL NO. 170(JUD)

"An Act relating to murder in the second degree, the justification of defense of self or others, immunity from prosecution, sentencing, probation, discretionary parole, and the right to representation in certain criminal proceedings; relating to violation of a custodian's duty; relating to sexual abuse of a minor; relating to release of information concerning certain cases involving a minor; relating to local options regarding alcoholic beverages, the offense of furnishing or delivery of alcoholic beverages to a person under 21 years of age, and forfeiture of property used in, and money or other items of value used in financial transactions derived from, violation of certain laws relating to alcoholic beverages; relating to assault by means of a dangerous instrument; relating to operating or driving a motor vehicle, aircraft, or watercraft while under the influence of an alcoholic beverage, inhalant, or controlled substance, to the refusal to submit to a chemical test, and to the presumptions concerning the chemical analysis of breath or blood; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 170(FIN)

"An Act relating to the justification of defense of self or others, immunity from prosecution, sentencing, probation, discretionary parole, and the right to representation in certain criminal proceedings; relating to violation of a custodian's duty; relating to sexual abuse of a minor; relating to release of information

concerning certain cases involving a minor; relating to local options regarding alcoholic beverages, the offense of furnishing or delivery of alcoholic beverages to a person under 21 years of age, and forfeiture of property used in, and money or other items of value used in financial transactions derived from, violation of certain laws relating to alcoholic beverages; relating to assault by means of a dangerous instrument; relating to operating or driving a motor vehicle, aircraft, or watercraft while under the influence of an alcoholic beverage, inhalant, or controlled substance, to the refusal to submit to a chemical test, and to the presumptions concerning the chemical analysis of breath or blood; and providing for an effective date."

(HCR 40 - title change resolution)

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

Do pass (2): Hawker, Foster

No recommendation (9): Meyer, Stoltze, Joule, Croft, Moses, Chenault, Fate, Harris, Williams

The following fiscal note(s) apply to HCS CSSB 170(FIN):

3. Fiscal, Dept. of Corrections
4. Fiscal, Dept. of Administration
5. Zero, Dept. of Law

CSSB 170(JUD) was referred to the Rules Committee for placement on the calendar.

**SB 190**

The Resources Committee has considered:

CS FOR SENATE BILL NO. 190(STA)

"An Act adding certain state-owned land and water to the Kenai River Special Management Area; relating to the mineral estate of the state-owned land and water in the Kenai River Special

Management Area; relating to the Kenai River Special Management Area advisory board; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 190(CRA)  
(same title)

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

Do pass (2): Heinze, Lynn

No recommendation (4): Gatto, Wolf, Masek, Dahlstrom

The following fiscal note(s) apply to HCS CSSB 190(CRA):

1. Zero, Dept. of Natural Resources
2. Zero, Dept. of Fish & Game

CSSB 190(STA) was referred to the Rules Committee for placement on the calendar.

### **SB 231**

The Finance Committee has considered:

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

The report was signed by Representatives Harris, Co-chair, and Meyer, Vice Chair, with the following individual recommendations:

Do pass (2): Hawker, Meyer

No recommendation (5): Stoltze, Chenault, Croft, Fate, Harris

The following fiscal note(s) apply:

2. Fiscal, Dept. of Revenue

CSSB 231(FIN) was referred to the Rules Committee for placement on the calendar.

\*\*The presence of Representative Williams was noted.

**SB 260**

The Community & Regional Affairs Committee has considered:

CS FOR SENATE BILL NO. 260(TRA) am

"An Act relating to metropolitan planning organizations and to the policy board of the metropolitan planning organization for the Anchorage metropolitan area; relating to transportation planning in federally recognized metropolitan planning areas; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 260(TRA)  
(same title)

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

Do pass (4): Kott, Anderson, Samuels, Wolf

Do not pass (2): Cissna, Kookesh

The following fiscal note(s) apply:

1. Zero, Dept. of Transportation & Public Facilities

CSSB 260(TRA) am was referred to the Rules Committee for placement on the calendar.

**SB 272**

The Labor & Commerce Committee has considered:

## CS FOR SENATE BILL NO. 272(FIN)

"An Act relating to certain monetary advances in which the deposit or other negotiation of checks to pay the advances is delayed until a later date; and providing for an effective date."

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

Do pass (5): Gatto, Rokeberg, Dahlstrom, Lynn, Anderson

The following fiscal note(s) apply:

2. Fiscal, Dept. of Community & Economic Development

CSSB 272(FIN) was referred to the Finance Committee.

**SB 276**

The Finance Committee has considered:

## CS FOR SENATE BILL NO. 276(FIN)

"An Act relating to the Alaska Insurance Guaranty Association; relating to the powers of the Alaska Industrial Development and Export Authority concerning the association; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 276(JUD)  
(same title)

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

Do pass (4): Hawker, Croft, Foster, Williams

No recommendation (7): Meyer, Stoltze, Joule, Moses, Chenault, Fate, Harris

The following fiscal note(s) apply to HCS CSSB 276(JUD):

7. Zero, Dept. of Administration
8. Zero, Dept. of Community & Economic Development
9. Zero, Dept. of Community & Economic Development

CSSB 276(FIN) is on today's calendar.

**SB 278**

The Finance Committee has considered:

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

Do pass (3): Meyer, Foster, Williams

No recommendation (5): Hawker, Stoltze, Croft, Chenault, Fate

The following fiscal note(s) apply:

3. Zero, Dept. of Labor & Workforce Development
4. Fiscal, Dept. of Labor & Workforce Development

CSSB 278(FIN) was referred to the Rules Committee for placement on the calendar.

**SB 288**

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 288(JUD)

"An Act relating to temporary custody hearings, and to certain determinations concerning placement of a child in child-in-need-of-aid proceedings; and providing for an effective date."



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

Do pass (7): Samuels, Holm, Gara, Gruenberg, Ogg, Anderson, McGuire

The following fiscal note(s) apply:

1. Fiscal, Dept. of Health & Social Services

CSSB 288(JUD) was referred to the Finance Committee.

**SB 316**

The Judiciary Committee has considered:

SENATE BILL NO. 316

"An Act relating to motor vehicle safety belt violations."

and recommends it be replaced with:

HOUSE CS FOR SENATE BILL NO. 316(TRA)

(same title)

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

Do pass (1): McGuire

Do not pass (1): Holm

No recommendation (3): Anderson, Ogg, Gruenberg

Amend (2): Samuels, Gara

The following fiscal note(s) apply to HCS SB 316(TRA):

1. Zero, Dept. of Public Safety

2. Zero, Dept. of Transportation & Public Facilities

SB 316 was referred to the Rules Committee for placement on the calendar.

**SB 349**

The Finance Committee has considered:

SENATE BILL NO. 349

"An Act requiring licensure of midwifery birth centers; and providing for an effective date."

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

Do pass (8): Meyer, Hawker, Joule, Croft, Moses, Fate, Foster, Williams

No recommendation (1): Stoltze

The following fiscal note(s) apply:

1. Fiscal, Dept. of Health & Social Services

SB 349 was referred to the Rules Committee for placement on the calendar.

**SB 351**

The Finance Committee has considered:

CS FOR SENATE BILL NO. 351(FIN)

"An Act requiring the Alaska Public Offices Commission to accept documents by nonelectronic means, and specifying the manner of preparing the forms that are provided by the commission."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 351(STA)  
(same title)

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

Do pass (7): Meyer, Hawker, Moses, Fate, Foster, Harris, Williams

No recommendation (1): Croft

The following fiscal note(s) apply to HCS CSSB 351(STA):

1. Indeterminate, Dept. of Administration

CSSB 351(FIN) was referred to the Rules Committee for placement on the calendar.

**SB 365**

The Finance Committee has considered:

CS FOR SENATE BILL NO. 365(FIN)

"An Act relating to the regulation of speech-language pathologist assistants; and providing for an effective date."

and recommends it be replaced with:

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

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

Do pass (10): Meyer, Hawker, Joule, Croft, Moses, Chenault, Fate, Foster, Harris, Williams

The following fiscal note(s) apply to HCS CSSB 365(FIN):

1. Fiscal, Dept. of Community & Economic Development

CSSB 365(FIN) was referred to the Rules Committee for placement on the calendar.

**SB 382**

The Community & Regional Affairs Committee has considered:

CS FOR SENATE BILL NO. 382(CRA) am

"An Act relating to replat approval; relating to the platting of right-of-way acquired through eminent domain proceedings; and providing for an effective date."

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

Do pass (2): Kott, Morgan

Do not pass (1): Wolf

No recommendation (1): Cissna

The following fiscal note(s) apply:

1. Zero, Dept. of Transportation & Public Facilities

CSSB 382(CRA) am was referred to the Transportation Committee.

**SB 387**

The Community & Regional Affairs Committee has considered:

SENATE BILL NO. 387 am

"An Act authorizing the making of certain commercial fishing loans to eligible community quota entities for the purchase of certain fishing quota shares; and providing for an effective date."

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

Do pass (6): Kott, Anderson, Samuels, Cissna, Kookesh, Morgan

No recommendation (1): Wolf

The following fiscal note(s) apply:

1. Zero, Dept. of Community & Economic Development
2. Zero, Dept. of Fish & Game

SB 387 am was referred to the Finance Committee.

**SB 389**

The Finance Committee has considered:

SENATE BILL NO. 389

"An Act relating to the conversion of certain corporations to limited liability companies; and providing for an effective date."

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

Do pass (7): Meyer, Joule, Croft, Moses, Fate, Foster, Williams

No recommendation (4): Hawker, Stoltze, Chenault, Harris

The following fiscal note(s) apply:

1. Zero, Dept. of Community & Economic Development
2. Zero, Dept. of Revenue

SB 389 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:

In Memoriam - Sonya Dora Ivanoff  
By Senator Olson; Representative Foster

In Memoriam - W.W. "Bud" Kasulka  
By Senator Gary Stevens; Representative Seaton

In Memoriam - Joseph Maxwell "Max" Hamilton  
By Senator Gary Stevens; Representative Seaton

In Memoriam - Susan Tanape  
By Senator Gary Stevens; Representative Seaton

In Memoriam - Betty Lorensen  
By Senator Gary Stevens; Representative Ogg

In Memoriam - Mike Tunahon  
By Senator Gary Stevens; Representative Ogg

### **INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS**

#### **HCR 39**

HOUSE CONCURRENT RESOLUTION NO. 39 by the House Rules Committee by request of the House Special Committee on Economic Development, International Trade, and Tourism:

Establishing the Alaska Royalty and Revenue Task Force.

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

#### **HCR 40**

HOUSE CONCURRENT RESOLUTION NO. 40 by the House Finance Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 170, relating to criminal law.

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

\*\*The presence of Representative Kapsner was noted.

**CONSIDERATION OF THE DAILY CALENDAR****SECOND READING OF HOUSE BILLS****HB 255**

The following was read the second time:

## HOUSE BILL NO. 255

"An Act amending the Alaska Wage and Hour Act as it relates to flexible work hour plans, the provision of training wages, and the definitions of certain terms; and repealing the exemption in the Act from the payment of minimum wages for learners."

with the:	Journal Page
L&C RPT CS(L&C) 4DP 2AM	1090
FN1: ZERO(LWF)	1091
FIN RPT CS(FIN) NT 4DP 5NR	3880
FN2: ZERO(LWF)	3881

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. 255(FIN)

"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."

Amendment No. 1 (title amendment) was offered by Representatives Rokeberg and Croft:

Page 1, line 3, following "**salaries**":

Insert "**to require that the minimum salary for that individual be two times the minimum wage for the first forty hours of employment each week**"

Representative Rokeberg moved and asked unanimous consent that Amendment No. 1 be adopted. There being no objection, Amendment No. 1 was adopted and the new title follows:

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."

Representative Coghill moved and asked unanimous consent that CSHB 255(FIN)(title am) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 255(FIN)(title am) was read the third time.

The question being: "Shall CSHB 255(FIN)(title am) pass the House?" The roll was taken with the following result:

CSHB 255(FIN)(title am)

Third Reading

Final Passage

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

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

Absent: Cissna, Masek

And so, CSHB 255(FIN)(title am) passed the House and was referred to the Chief Clerk for engrossment.

### **HB 563**

The following was read the second time:

HOUSE BILL NO. 563

"An Act relating to open meetings guidelines applicable to legislators, to the confidentiality of complaints and proceedings



involving alleging violations of AS 24.60, and to hearings on formal charges by the Select Committee on Legislative Ethics or its subcommittees."

with the:	Journal Page
JUD RPT CS(JUD) NT 2DP 4NR	3883
FN1: ZERO(LEG)	3883

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. 563(JUD)

"An Act relating to legislative branch ethics, to open meetings guidelines applicable to legislators, to the confidentiality of complaints and proceedings involving alleged violations of AS 24.60, and to hearings on formal charges by the Select Committee on Legislative Ethics or its subcommittees."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 563(JUD) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSHB 563(JUD) will advance to third reading on tomorrow's calendar.

## SECOND READING OF SENATE BILLS

### SB 31

The following was read the second time:

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."

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with the:

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TRA RPT 3DP 4NR	3828
FN2: ZERO(DOT)	3828
FN3: ZERO(CED)	3828
FN4: ZERO(DNR)	3828

Representative Coghill moved and asked unanimous consent that CSSB 31(RES) am be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSSB 31(RES) am will advance to third reading on tomorrow's calendar.

**SB 239**

The following was read the second time:

CS FOR SENATE BILL NO. 239(HES) am  
"An Act relating to the required number of days or hours in session in a school year; and providing for an effective date."

with the:

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HES RPT 1DP 4NR	3830
FN1: ZERO(EED)	3831

Representative Coghill moved and asked unanimous consent that CSSB 239(HES) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 239(HES) am was read the third time.

The question being: "Shall CSSB 239(HES) am pass the House?"  
The roll was taken with the following result:

CSSB 239(HES) am  
 Third Reading  
 Final Passage

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

Yeas: Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, 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

And so, CSSB 239(HES) 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.

CSSB 239(HES) am was signed by the Speaker and Chief Clerk and returned to the Senate.

**SB 255**

The following was read the second time:

CS FOR SENATE BILL NO. 255(FIN)  
 "An Act relating to traffic preemption devices."

with the:	Journal Page
TRA RPT 6DP	3579
FN1: ZERO(DPS); FN2: ZERO(DPS)	3580
FN3: ZERO(LAW)	3580
FN4: INDETERMINATE(ADM)	3580
JUD RPT 7DP	3787
FN1: ZERO(DPS); FN2: ZERO(DPS)	3788
FN3: ZERO(LAW)	3788
FN4: INDETERMINATE(ADM)	3788

Representative Coghill moved and asked unanimous consent that CSSB 255(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 255(FIN) was read the third time.

The question being: "Shall CSSB 255(FIN) pass the House?" The roll was taken with the following result:

CSSB 255(FIN)

Third Reading

Final Passage

**YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0**

Yeas: Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, 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

And so, CSSB 255(FIN) passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

The Speaker stated that, without objection, the House would recess; and so, the House recessed at 3:01 p.m.

#### **AFTER RECESS**

The Speaker called the House back to order at 7:12 p.m.

#### **SECOND READING OF SENATE BILLS**

(continued)

#### **SB 276**

The following was read the second time:

CS FOR SENATE BILL NO. 276(FIN)

"An Act relating to the Alaska Insurance Guaranty Association; relating to the powers of the Alaska Industrial Development and Export Authority concerning the association; and providing for an effective date."

with the:	Journal Page
L&C REFERRAL WAIVED	3265
JUD RPT HCS(JUD) 7DP	3445
FN7: ZERO(ADM)	3446
FN8: ZERO(CED)	3446
FN9: ZERO(CED)	3446
FIN RPT HCS(JUD) 4DP 7NR	3889
FN7: ZERO(ADM)	3890
FN8: ZERO(CED)	3890
FN9: ZERO(CED)	3890

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

HOUSE CS FOR CS FOR SENATE BILL NO. 276(JUD)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS CSSB 276(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 276(JUD) was read the third time.

The question being: "Shall HCS CSSB 276(JUD) pass the House?"  
The roll was taken with the following result:

HCS CSSB 276(JUD)  
Third Reading  
Final Passage

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

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

Nays: Kohring

Absent: Anderson, Chenault, Guttenberg, Holm, Joule, Seaton

And so, HCS CSSB 276(JUD) 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.

HCS CSSB 276(JUD) was referred to the Chief Clerk for engrossment.

### RECONSIDERATION

#### **SB 286**

Representative Kohring brought up reconsideration of the vote on CSSB 286(FIN) (page 3852).

The following was again before the House in third reading:

CS FOR SENATE BILL NO. 286(FIN)

"An Act relating to direct marketing fisheries businesses, to the fisheries business tax, and to liability for payment of taxes and assessments on the sale or transfer of fishery resources; and providing for an effective date."

The question to be reconsidered: "Shall CSSB 286(FIN) pass the House?" The roll was taken with the following result:

CSSB 286(FIN)--RECONSIDERATION

Third Reading

Final Passage

**YEAS: 37 NAYS: 0 EXCUSED: 0 ABSENT: 3**

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

Absent: Chenault, Holm, Joule

And so, CSSB 286(FIN) passed the House on reconsideration.

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.

CSSB 286(FIN) was signed by the Speaker and Chief Clerk and returned to the Senate.

### CONSIDERATION OF THE DAILY CALENDAR

#### SECOND READING OF SENATE BILLS

(continued)

#### SB 328

The following was read the second time:

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO.  
328(FIN)

"An Act relating to the national forest income program in the Department of Community and Economic Development and to the authority of the department to adopt regulations; making conforming amendments; and providing for an effective date."

with the:

Journal Page

CRA RPT HCS(CRA) 3DP 1NR	3619
FN1: ZERO(CED)	3620
FIN RPT HCS(CRA) 5DP 3NR	3788
FN1: ZERO(CED)	3789

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

HOUSE CS FOR CS FOR SS FOR SENATE BILL NO.  
328(CRA)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS CSSSSB 328(CRA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSSSB 328(CRA) was read the third time.

The question being: "Shall HCS CSSSSB 328(CRA) pass the House?" The roll was taken with the following result:

HCS CSSSSB 328(CRA)  
Third Reading  
Final Passage

**YEAS: 39 NAYS: 0 EXCUSED: 0 ABSENT: 1**

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

Absent: Holm

And so, HCS CSSSSB 328(CRA) 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.

HCS CSSSSB 328(CRA) was referred to the Chief Clerk for engrossment.

**SB 337**

The following was read the second time:



## CS FOR SENATE BILL NO. 337(L&amp;C)

"An Act relating to the powers of the Alaska Energy Authority to make grants and loans, to enter into contracts, and to improve, equip, operate, and maintain bulk fuel, waste energy, energy conservation, energy efficiency, and alternative energy facilities and equipment; relating to the bulk fuel revolving loan fund; relating to the Alaska Energy Authority's liability for the provision of technical assistance to rural utilities; relating to the Alaska Energy Authority's investment of the power development fund; repealing the electrical service extension fund; and providing for an effective date."

with the:	Journal Page
CRA REFERRAL WAIVED	3717
FIN RPT HCS(FIN) NT 2DP 4NR	3832
FN1: ZERO(REV)	3833
FN2: ZERO(CED)	3833

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

## HOUSE CS FOR CS FOR SENATE BILL NO. 337(FIN)

"An Act relating to the powers of the Alaska Energy Authority to make grants and loans, to enter into contracts, and to improve, equip, operate, and maintain bulk fuel, waste energy, energy conservation, energy efficiency, and alternative energy facilities and equipment; relating to the bulk fuel revolving loan fund; relating to the Alaska Energy Authority's liability for the provision of technical assistance to rural utilities; relating to the continuation of the motor fuel tax rate for fuel produced from the processing of lignocellulose from wood or waste seafood; relating to the Alaska Energy Authority's investment of the power development fund; repealing the electrical service extension fund; and providing for an effective date."

(HCR 38 - title change resolution)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS CSSB 337(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 337(FIN) was read the third time.

The question being: "Shall HCS CSSB 337(FIN) pass the House?"  
The roll was taken with the following result:

HCS CSSB 337(FIN)

Third Reading

Final Passage

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

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

Absent: Holm, Seaton

And so, HCS CSSB 337(FIN) 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.

HCS CSSB 337(FIN) was referred to the Chief Clerk for engrossment.

### **THIRD READING OF SENATE BILLS**

#### **SB 194**

The Speaker stated that, without objection, the following, which was advanced to third reading from the May 5, 2004, calendar (page 3846), would be moved to the bottom of the calendar:

HOUSE CS FOR CS FOR SENATE BILL NO. 194(L&C)

"An Act authorizing delivery of up to two bottles of distilled spirits or 72 ounces of beer to a cruise ship passenger or hotel guest."

**SB 322**

The following, which was advanced to third reading from the May 5, 2004, calendar (page 3846), was read the third time:

SENATE BILL NO. 322

"An Act relating to the rate of the salmon enhancement tax."

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

Representative Fate - from 7:45 p.m. tonight to 8:00 a.m., May 7, 2004

Representative Holm - remainder of the evening

The question being: "Shall SB 322 pass the House?" The roll was taken with the following result:

SB 322

Third Reading

Final Passage

**YEAS: 36 NAYS: 1 EXCUSED: 1 ABSENT: 2**

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

Nays: Kohring

Excused: Holm

Absent: Anderson, Rokeberg

And so, SB 322 passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

**SB 273**

The following, which was advanced to third reading from the May 5, 2004, calendar (page 3849), was read the third time:

## HOUSE CS FOR 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."

The question being: "Shall HCS CSSB 273(FIN) pass the House?"  
The roll was taken with the following result:

HCS CSSB 273(FIN)

Third Reading

Final Passage

**YEAS: 28 NAYS: 10 EXCUSED: 1 ABSENT: 1**

Yeas: Chenault, Croft, Dahlstrom, Fate, Foster, Gara, Gatto, Harris, Hawker, Heinze, Joule, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Nays: Berkowitz, Cissna, Coghill, Crawford, Gruenberg, Guttenberg, Kapsner, Kerttula, Kohring, Kookesh

Excused: Holm

Absent: Anderson

Cissna changed from "Yea" to "Nay".

Crawford changed from "Yea" to "Nay".

Gruenberg changed from "Yea" to "Nay".

And so, HCS CSSB 273(FIN) 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.

Representative Berkowitz objected.

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

HCS CSSB 273(FIN)  
Third Reading  
Effective Date

**YEAS: 38 NAYS: 0 EXCUSED: 1 ABSENT: 1**

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

Excused: Holm

Absent: Anderson

And so, the effective date clause was adopted.

Representative Gruenberg gave notice of reconsideration of the vote on HCS CSSB 273(FIN).

\*\*Representative Fate, who had been previously excused (page 3909), left the Chamber.

## **SECOND READING OF HOUSE RESOLUTIONS**

### **HR 10**

The following was read the second time:

HOUSE RESOLUTION NO. 10  
Relating to the National Day of Prayer.

Amendment No. 1 was offered by Representatives Coghill and Kerttula:

Page 1, lines 7 - 9:

Delete all material and insert:

**"WHEREAS** the vision of the National Day of Prayer is to encourage every person, regardless of religion, to express their faith through prayer, particularly on behalf of our nation and its leaders; and"

Representative Coghill moved and asked unanimous consent that Amendment No. 1 be adopted. There being no objection, it was so ordered.

The question being: "Shall HR 10 am pass the House?" The roll was taken with the following result:

HR 10 am  
Second Reading  
Final Passage

**YEAS: 37 NAYS: 0 EXCUSED: 2 ABSENT: 1**

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

Excused: Fate, Holm

Absent: Heinze

And so, HR 10 am passed the House and was referred to the Chief Clerk for engrossment and enrollment.

### **RECONSIDERATION**

#### **SB 327**

Representative Stoltze brought up reconsideration of the vote on CSSB 327(STA)(fld H) (page 3861).

The following was again before the House in third reading:

CS FOR SENATE BILL NO. 327(STA)

"An Act relating to pedestrians using rollerblades, roller skates, and rollerskis."

Representative Stoltze moved and asked unanimous consent that CSSB 327(STA) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Stoltze, Holm, and Stepovich:

Page 1, lines 4 - 11:

Delete all material and insert:

"(9) The department shall allow pedestrians to use wheeled adjuncts, such as roller blades, roller skates, and rollerskis on roadways and vehicular ways or areas available for use by bicycles."

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

Representative Guttenberg objected.

Amendment to Amendment No. 1 was offered by Representative Guttenberg:

Delete "or"  
Insert "and"

Representative Guttenberg moved and asked unanimous consent that Amendment to Amendment No. 1 be adopted. There being no objection, it was so ordered.

There being no further objection, Amendment No. 1 as amended was adopted.

Representative Gara moved and asked unanimous consent that CSSB 327(STA) am H be returned to second reading for the specific purpose of considering Amendment No. 2. There being no objection, it was so ordered.

Amendment No. 2 (to CSSB 327(STA) am H) was offered by Representative Gara:

Following "allow" (in Amendment No. 1):

Insert ", unless prohibited by an ordinance of a governmental subdivision of the state,"

Representative Gara 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.

Amendment No. 3 was not offered.

The question to be reconsidered: "Shall CSSB 327(STA) am H pass the House?" The roll was taken with the following result:

CSSB 327(STA) am H--RECONSIDERATION

Third Reading

Final Passage

**YEAS: 36 NAYS: 1 EXCUSED: 2 ABSENT: 1**

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

Nays: Kohring

Excused: Fate, Holm

Absent: Heinze

And so, CSSB 327(STA) am H passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

### **CONSIDERATION OF THE DAILY CALENDAR**

### **SECOND READING OF HOUSE RESOLUTIONS**

(continued)

#### **HCR 38**

The following was read the second time:



## HOUSE CONCURRENT RESOLUTION NO. 38

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 337, relating to the powers of the Alaska Energy Authority to make grants and loans, to enter into contracts, and to improve, equip, operate, and maintain bulk fuel, waste energy, energy conservation, energy efficiency, and alternative energy facilities and equipment; relating to the bulk fuel revolving loan fund; relating to the Alaska Energy Authority's liability for the provision of technical assistance to rural utilities; relating to the Alaska Energy Authority's investment of the power development fund; and repealing the electrical service extension fund.

The question being: "Shall HCR 38 pass the House?" The roll was taken with the following result:

HCR 38

Second Reading

Final Passage

**YEAS: 36 NAYS: 0 EXCUSED: 2 ABSENT: 2**

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

Excused: Fate, Holm

Absent: McGuire, Wolf

And so, HCR 38 passed the House and was referred to the Chief Clerk for engrossment.

**HCR 39**

The Speaker stated that, without objection, the following, which is in the Rules Committee, would be moved to the bottom of the calendar:

## HOUSE CONCURRENT RESOLUTION NO. 39

Establishing the Alaska Royalty and Revenue Task Force.

**SECOND READING OF SENATE RESOLUTIONS****SJR 25**

The following was read the second time:

## 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.

with the:	Journal Page
CRA RPT 5DP	3536
FN1: ZERO(CED)	3536
STA RPT 5DP	3731
FN1: ZERO(CED)	3732

Representative Coghill moved and asked unanimous consent that SJR 25 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SJR 25 was read the third time.

The question being: "Shall SJR 25 pass the House?" The roll was taken with the following result:

SJR 25

Third Reading

Final Passage

**YEAS: 34 NAYS: 0 EXCUSED: 2 ABSENT: 4**

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

Excused: Fate, Holm

Absent: Gara, McGuire, Seaton, Wolf

And so, SJR 25 passed the House.

Representative Stoltze gave notice of reconsideration of the vote on SJR 25.

\*\*The presence of Representative Holm, who had been previously excused from a call of the House (page 3909), was noted.

### **THIRD READING OF SENATE BILLS**

(continued)

#### **SB 194**

The following, which had been moved to the bottom of the calendar (page 3908), was read the third time:

HOUSE CS FOR CS FOR SENATE BILL NO. 194(L&C)

"An Act authorizing delivery of up to two bottles of distilled spirits or 72 ounces of beer to a cruise ship passenger or hotel guest."

The Speaker stated that, without objection, HCS CSSB 194(L&C) would be held to tomorrow's calendar.

### **SECOND READING OF HOUSE RESOLUTIONS**

(continued)

#### **HCR 39**

The following, which had been moved to the bottom of the calendar (page 3916), was in the Rules Committee:

HOUSE CONCURRENT RESOLUTION NO. 39

Establishing the Alaska Royalty and Revenue Task Force.

### **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 - June Liebing

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

## Honoring - Sondra Markwardt

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

## Honoring - Charles H. Benson, Jr. and Celeste Haimbach Benson

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

## Honoring - Joan Hamilton

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

## Honoring - 25th Anniversary, Snowshoe Elementary School

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

## Honoring - Peter Bullock

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

## Honoring - Cecilia Kunz

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

## Honoring - Benjamin D. Coronell Upon His Retirement

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

## Honoring - Ninilchik Lady Wolverines, Girls Basketball Team - 2003-2004 District III Class ~ 2A State Champions

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

## In Memoriam - Charles Henry "Hank" Rosenthal

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

## In Memoriam - Eva Renate Asbury

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

In Memoriam - Peter Ivor Elvsaas, Sr.

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

In Memoriam - Emil V. Nelson

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

In Memoriam - Robert Lawrence Pelkey, Sr.

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

In Memoriam - Edward Edson Schofield

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

### UNFINISHED BUSINESS

#### **HB 468**

The Speaker stated that, without objection, reconsideration of the following, which had been held to today (page 3867), will be held to May 7, 2004:

CS FOR HOUSE BILL NO. 468(JUD)(ct rule fld)

"An Act relating to the amount of the bond required to stay execution of a judgment in civil litigation involving a signatory, a successor of a signatory, or an affiliate of a signatory to the tobacco product Master Settlement Agreement during an appeal; and providing for an effective date."

**HB 255**

Representative Lynn added his name as cosponsor to:

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."

**SB 31**

Representative Lynn added his name as cross sponsor to:

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."

**SB 327**

Representative Lynn added his name as cross sponsor to:

CS FOR SENATE BILL NO. 327(STA) am H

"An Act relating to pedestrians using rollerblades, roller skates, and rollerskis."

**SB 328**

Representative Lynn added his name as cross sponsor to:

HOUSE CS FOR CS FOR SS FOR SENATE BILL NO.  
328(CRA)

"An Act relating to the national forest income program in the Department of Community and Economic Development and to the

authority of the department to adopt regulations; making conforming amendments; and providing for an effective date."

### ENGROSSMENT

**HCR 38**

HCR 38 was engrossed and signed by the Speaker and Chief Clerk.

**HB 255**

C SHB 255(FIN)(title am) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**SB 276**

HCS CSSB 276(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**SB 327**

CSSB 327(STA) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**SB 328**

HCS CSSSSB 328(CRA) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**SB 337**

HCS CSSB 337(FIN) was engrossed and signed by the Speaker and Chief Clerk.

### ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

### ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., May 7, 2004. There being no objection, the House adjourned at 8:44 p.m.

Suzi Lowell  
Chief Clerk