

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Monday

May 10, 2004

#### One Hundred Twentieth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 1:43 p.m.

Roll call showed 35 members present. Representatives Anderson, Fate, Heinze, McGuire, and Wilson were absent and their presence was noted later.

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

Lord, we pray to You everyday to help us in many ways. We want to thank You, Lord, for all the help we receive. So, as the trials and tribulations continue, I ask You, Lord, to give this House of Representatives and all Alaskans the wisdom, strength, and courage to do what is honest and fair to help steady the course of this great state. Help us, Lord, to do Your will. Help us, Lord, to help Alaskans. Amen.

The Pledge of Allegiance was led by Representative Morgan.

#### CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 118th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

**MESSAGES FROM THE SENATE****HCR 37**

A message dated May 9, 2004, was read stating the Senate has passed:

## HOUSE CONCURRENT RESOLUTION NO. 37

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 194, relating to delivery of distilled spirits and beer.

HCR 37 was referred to the Chief Clerk for enrollment.

**HJR 5**

A message dated May 9, 2004, was read stating the Senate has passed:

## HOUSE JOINT RESOLUTION NO. 5

Proposing an amendment to the Constitution of the State of Alaska relating to initiative and referendum petitions.

HJR 5 was referred to the Chief Clerk for enrollment.

**HJR 48**

A message dated May 9, 2004, was read stating the Senate has passed:

## CS FOR HOUSE JOINT RESOLUTION NO. 48(RLS)

Sending a message of goodwill to President Chen Shui-bian and to the people of Taiwan, and reaffirming the Alaska State Legislature's 2003 resolution urging the United States Congress to support the granting of official Observer Status to the Republic of China on Taiwan and to support negotiation of a free trade agreement with the Republic of China on Taiwan.

CSHJR 48(RLS) was referred to the Chief Clerk for enrollment.

**HB 31**

A message dated May 9, 2004, was read stating the Senate has passed:

## HOUSE BILL NO. 31

"An Act relating to initiative and referendum petitions; and providing for an effective date."

HB 31 was referred to the Chief Clerk for enrollment.

**HB 51**

A message dated May 9, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 51(HES)

"An Act requiring pharmacists to include generic drug information on containers in which brand-name prescription drug orders are dispensed."

CSHB 51(HES) was referred to the Chief Clerk for enrollment.

**HB 56**

A message dated May 9, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 56(L&C)

"An Act relating to the award to the state of actual reasonable attorney fees and costs, including costs of investigation, in certain court actions relating to unfair trade practices; and amending Rules 54(d), 79, and 82, Alaska Rules of Civil Procedure."

CSHB 56(L&C) was referred to the Chief Clerk for enrollment.

**HB 424**

A message dated May 9, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 424(JUD)

"An Act relating to review by the Legislative Affairs Agency of certain state agency regulations proposed for adoption, amendment, or repeal under the Administrative Procedure Act; repealing provisions relating to annulment of regulations; and providing for an effective date."

with a technical title change:

CS FOR HOUSE BILL NO. 424(JUD)(efd fld S)

"An Act relating to review by the Legislative Affairs Agency of certain state agency regulations proposed for adoption, amendment, or repeal under the Administrative Procedure Act; and repealing provisions relating to annulment of regulations."

CASHB 424(JUD)(efd fld S) was referred to the Chief Clerk for enrollment.

**SB 194**

A message dated May 9, 2004, was read stating the Senate has concurred in the House amendment to:

CS FOR SENATE BILL NO. 194(FIN)

"An Act authorizing delivery of up to two bottles of distilled spirits and 40 ounces of beer to a cruise ship passenger or hotel guest."

thus adopting:

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."

(HCR 37 - title change resolution)

**SB 273**

A message dated May 9, 2004, was read stating the Senate has concurred in the House amendment to CSSB 273(FIN), thus adopting:

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."

**SB 276**

A message dated May 9, 2004, was read stating the Senate has concurred in the House amendment to CSSB 276(FIN), thus adopting:

## HOUSE CS FOR CS FOR SENATE BILL NO. 276(JUD)

"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."

**SB 351**

A message dated May 9, 2004, was read stating the Senate has concurred in the House amendment to CSSB 351(FIN), thus adopting:

## HOUSE CS FOR CS FOR SENATE BILL NO. 351(STA)

"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."

**SB 365**

A message dated May 9, 2004, was read stating the Senate has concurred in the House amendment to CSSB 365(FIN), thus adopting:

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

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

**SB 30**

A message dated May 9, 2004, was read stating the Senate has failed to concur in the House amendment to:

## 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."

namely:

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

"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)

and respectfully requests the House to recede from its amendment.

In the event the House fails to recede, the President appointed the following members to a Conference Committee to meet with the like committee from the House to consider the bills:

Senator Dyson, Chair  
Senator Seekins  
Senator Lincoln

HCS CSSB 30(JUD) is under Unfinished Business.

A message dated May 9, 2004, was read stating the Senate has passed the following and it is transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE RESOLUTIONS**

**SCR 28**

SENATE CONCURRENT RESOLUTION NO. 28 by the Senate Rules Committee:

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

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

**REPORTS OF STANDING COMMITTEES****SB 224**

The Finance Committee has considered:

CS FOR SENATE BILL NO. 224(STA)

"An Act relating to a minor operating a vehicle after consuming alcohol, to a minor refusing to submit to chemical tests, and to driving during the 24 hours after being cited for one of those offenses; and providing for an effective date."

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

Do pass (4): Meyer, Joule, Croft, Williams

Do not pass (1): Fate

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

The following fiscal note(s) apply:

5. Zero, Dept. of Public Safety
6. Indeterminate, Alaska Court System
7. Zero, Dept. of Health & Social Services
8. Zero, Dept. of Administration
9. Indeterminate, Dept. of Administration
11. Zero, House Finance Committee/Dept. of Administration

CSSB 224(STA) is on today's calendar.

**SB 232**

The Finance Committee has considered:

CS FOR SENATE BILL NO. 232(FIN)

"An Act relating to federal tax requirements for and other provisions of the teachers' retirement system, the public employees' retirement system, and the judicial retirement system;

removing village public safety officers from the public employees' retirement system; eliminating the public employees' retirement system conditional duty to refund contributions under \$1,000 to inactive employees; limiting service credit for village public safety officer service in the public employees' retirement system to five years; and providing for an effective date."

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

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

No recommendation (5): Hawker, Stoltze, Croft, Moses, Harris

The following fiscal note(s) apply:

2. Zero, Dept. of Administration/Various Depts.

CSSB 232(FIN) is on today's calendar.

#### **SB 254**

The Labor & Commerce Committee has considered:

CS FOR SENATE BILL NO. 254(FIN)(efd fld)  
"An Act relating to tourism marketing contracts."

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

Do pass (2): Rokeberg, Anderson

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

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue

CSSB 254(FIN)(efd fld) is on today's calendar.



**SB 302**

The State Affairs Committee has considered:

CS FOR SENATE BILL NO. 302(FIN)

"An Act relating to the authority to take oaths, affirmations, and acknowledgments in the state, to notarizations, to verifications, to acknowledgments, to fees for issuing certificates with the seal of the state affixed, and to notaries public; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 302(STA)  
(same title)

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

Do pass (4): Lynn, Seaton, Gruenberg, Weyhrauch

The following fiscal note(s) apply to HCS CSSB 302(STA):

1. Fiscal, Office of the Governor

CSSB 302(FIN) was referred to the Finance Committee.

**SB 376**

The Finance Committee has considered:

CS FOR SENATE BILL NO. 376(HES) am

"An Act relating to public assistance and subpoena powers; and relating to the permanent fund dividend and subpoena powers."

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

Do pass (2): Meyer, Williams

No recommendation (8): Hawker, Stoltze, Joule, Croft, Chenault, Fate, Foster, Harris

The following fiscal note(s) apply:

1. Fiscal, Dept. of Health & Social Services
2. Fiscal, Dept. of Health & Social Services
3. Zero, Dept. of Revenue
4. Fiscal, Dept. of Health & Social Services

CSSB 376(HES) am is on today's calendar.

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

**SB 392**

The Finance Committee has considered:

SENATE BILL NO. 392

"An Act relating to the expenses of investigation, hearing, or public advocacy before the Regulatory Commission of Alaska, to calculation of the regulatory cost charge for public utilities and pipeline carriers to include the Department of Law's costs of its public advocacy function, to inspection of certain books and records by the attorney general when participating as a party in a matter before the Regulatory Commission of Alaska; and providing for an effective date."

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

Do pass (3): Fate, Foster, Williams

No recommendation (8): Meyer, Hawker, Stoltze, Joule, Croft, Moses, Chenault, Harris

The following fiscal note(s) apply:

3. Fiscal, Dept. of Law

SB 392 is on today's calendar.

**SB 393**

The Finance Committee has considered:

## CS FOR SENATE BILL NO. 393(FIN)

"An Act relating to default on tuition, fees, and other charges of the University of Alaska and to claims on permanent fund dividends for tuition, fees, and other charges of the University of Alaska that are in default."

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

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

No recommendation (4): Meyer, Stoltze, Joule, Croft

The following fiscal note(s) apply:

1. Fiscal, University of Alaska
2. Fiscal, Dept. of Revenue

CSSB 393(FIN) is on today's calendar.

**SB 395**

The Finance Committee has considered:

## CS FOR SENATE BILL NO. 395(FIN) am

"An Act authorizing the Alaska Railroad Corporation to extend its rail line to Fort Greely, Alaska, and relating to that extension; authorizing the corporation to issue bonds to finance the cost of the extension and necessary facilities and equipment; relating to the Railroad Planning, Platting, and Land Use Regulation Task Force; and providing for an effective date."

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

Do pass (5): Meyer, Fate, Foster, Harris, Williams

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

The following fiscal note(s) apply:

2. Fiscal, Dept. of Community & Economic Development

CSSB 395(FIN) am is on today's calendar.

### INTRODUCTION OF CITATIONS

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

Honoring - Rear Admiral James Underwood  
By Representatives Weyhrauch, Kerttula; Senator Elton

Honoring - KTOO-FM's 30th and KTOO-TV's 25th Anniversary of  
Broadcasting  
By Representatives Weyhrauch, Kerttula; Senator Elton

Honoring - Sgt. Alvin Cates  
By Representative Stepovich

Honoring - Spc. Phillip Pitts  
By Representative Stepovich

Honoring - Betty & Abner Nelson  
By Representative Ogg

Honoring - Max C. Brewer  
By Representative Joule

Honoring - Kevin Ferry  
By Representatives Gatto, Stoltze

Honoring - George V. Larson, II  
By Representatives Gatto, Stoltze

Honoring - Dana Phillips  
By Representative Gatto

Honoring - Don Skewis  
By Representatives Anderson, McGuire, Rokeberg

Honoring - SAIL, Southeast Alaska Independent Living  
By Representatives Weyhrauch, Kerttula; Senator Elton

Honoring - Big Brothers and Big Sisters of Southeast Alaska  
By Representatives Weyhrauch, Kerttula; Senator Elton

Honoring - The Filipino Heritage in Juneau and Alaska  
By Representatives Weyhrauch, Kerttula; Senator Elton

Honoring - Mountain View School  
By Representative Gruenberg; Senator Guess

Honoring - Donald and Christina Gregory  
By Senator Elton; Representatives Weyhrauch, Kerttula

Honoring - Wilhelmenia and Reverend William Greene  
By Senator Davis

Honoring - James N. Wanamaker  
By Senator Davis

Honoring - Melody Douglas  
By Senator Wagoner

Honoring - Fred Miller, Nikiski Chamber of Commerce 2004  
Community Service Award  
By Senator Wagoner; Representative Chenault

Honoring - Mayor John J. Williams, City of Kenai  
By Senator Wagoner

Honoring - John R. Kito, William Tyson Elementary School Principal  
By Senators Guess, Ben Stevens; Representative Gruenberg

Honoring - Sigrid Aas  
By Senators Seekins, Wilken

Honoring - UAF Men's Basketball Team  
By Senator Seekins

Honoring - Soldotna Chamber of Commerce 2003 Community Awards  
By Senator Wagoner

Commemorating - National Correctional Officers' Week, May 2-8, 2004  
By Senator Wagoner; Representative Stoltze

In Memoriam - Jack L. Rhines  
By Representative Ogg; Senator Gary Stevens

In Memoriam - Joseph Graham  
By Representatives Weyhrauch, Kerttula; Senator Elton

In Memoriam - Phil Anderson  
By Representative Ogg; Senator Gary Stevens

In Memoriam - Joshua Alexander Boycott  
By Senator Seekins

In Memoriam - James Magoffin, Sr.  
By Senator Seekins; Representative Hawker

In Memoriam - Dottie Magoffin  
By Senator Seekins; Representative Hawker

In Memoriam - Veronica Stromile  
By Senator Davis

In Memoriam - James C. Parson  
By Senator Davis

In Memoriam - Alpine Nichols Kameroff  
By Senator Lincoln

In Memoriam - Michael Joseph Fenster  
By Senator Elton; Representatives Weyhrauch, Kerttula

In Memoriam - Patricia N. Stevens  
 By Senator Elton; Representatives Weyhrauch, Kerttula

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF SENATE BILLS**

**SB 97**

The following, which is on today's calendar, is in the Judiciary Committee:

CS FOR SENATE BILL NO. 97(JUD) am(ct rule fld)(efd fld)  
 "An Act relating to public interest litigants and to attorney fees and costs and the posting of bonds or other security."

**SB 132**

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

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."

**SB 224**

The following was read the second time:

CS FOR SENATE BILL NO. 224(STA)  
 "An Act relating to a minor operating a vehicle after consuming alcohol, to a minor refusing to submit to chemical tests, and to driving during the 24 hours after being cited for one of those offenses; and providing for an effective date."

with the:

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JUD RPT 2DP 3NR

4044

FN5: ZERO(DPS)

4045

FN6: INDETERMINATE(CRT)	4045
FN7: ZERO(HSS)	4045
FN8: ZERO(ADM)	4045
FN9: INDETERMINATE(ADM)	4045
FN10: (ADM)	4045
FIN RPT 4DP 1DNP 6NR	4111
FN5: ZERO(DPS)	4111
FN6: INDETERMINATE(CRT)	4111
FN7: ZERO(HSS)	4111
FN8: ZERO(ADM)	4111
FN9: INDETERMINATE(ADM)	4111
FN11: ZERO(H.FIN/ADM)	4111

Representative Coghill moved and asked unanimous consent that CSSB 224(STA) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSSB 224(STA) will advance to third reading on tomorrow's calendar.

#### **SB 227**

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

CS FOR SENATE BILL NO. 227(STA) am  
 "An Act relating to municipal runoff elections and to municipal initiative and referendum elections."

\*\*The presence of Representatives Anderson and Heinze was noted.

#### **SB 232**

The following was read the second time:

CS FOR SENATE BILL NO. 232(FIN)  
 "An Act relating to federal tax requirements for and other provisions of the teachers' retirement system, the public employees' retirement system, and the judicial retirement system; removing village public safety officers from the public employees' retirement system; eliminating the public employees' retirement



system conditional duty to refund contributions under \$1,000 to inactive employees; limiting service credit for village public safety officer service in the public employees' retirement system to five years; and providing for an effective date."

with the:	Journal Page
FIN RPT 4DP 5NR	4111
FN2: (ADM/VARIOUS DEPTS)	4112

Representative Coghill moved and asked unanimous consent that CSSB 232(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 232(FIN) was read the third time.

The question being: "Shall CSSB 232(FIN) pass the House?" The roll was taken with the following result:

CSSB 232(FIN)  
Third Reading  
Final Passage

**YEAS: 35 NAYS: 0 EXCUSED: 0 ABSENT: 5**

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

Absent: Croft, Fate, Gara, McGuire, Moses

And so, CSSB 232(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.

Representative Berkowitz gave notice of reconsideration of the vote on CSSB 232(FIN).

**SB 254**

The following was read the second time:

CS FOR SENATE BILL NO. 254(FIN)(efd fld)  
"An Act relating to tourism marketing contracts."

with the:	Journal Page
L&C RPT CS 2DP 4NR	4112
FN1: ZERO(REV)	4112

Representative Coghill moved and asked unanimous consent that CSSB 254(FIN)(efd fld) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSSB 254(FIN)(efd fld) will advance to third reading on tomorrow's calendar.

**SB 269**

The following, which is on today's calendar, is in the Judiciary Committee:

CS FOR SENATE BILL NO. 269(CRA)  
"An Act relating to access to library records, including access to the library records of a child by a parent or guardian."

**SB 277**

The following was read the second time:

CS FOR SENATE BILL NO. 277(FIN)  
"An Act relating to the Alaska Commission on Postsecondary Education; relating to the Alaska Student Loan Corporation; relating to bonds of the corporation; relating to loan and grant programs of the commission; relating to an exemption from the State Procurement Code regarding certain contracts of the commission or corporation; making conforming changes; and providing for an effective date."

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with the:	Journal Page
EDU REFERRAL WAIVED (HB 404 COMP. BILL)	3180
HES REFERRAL WAIVED (HB 404 COMP. BILL)	3181
FIN RPT 4DP 3NR	3224
FN1: ZERO(ADM)	3225
FN2: ZERO(CED)	3225
FN5: (EED)	3225

Representative Coghill moved and asked unanimous consent that CSSB 277(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSSB 277(FIN) will advance to third reading on tomorrow's calendar.

\*\*The presence of Representatives Fate and McGuire was noted.

**SB 297**

The following, which is on today's calendar, is in the Resources Committee:

CS FOR SENATE BILL NO. 297(RES)

"An Act relating to bear predation management and the donation and sale of bear hides and skulls."

**SB 306**

The following, which is on today's calendar, is in the Judiciary Committee:

CS FOR SENATE BILL NO. 306(FIN) am

"An Act relating to the practice of naturopathic medicine; and providing for an effective date."

**SB 311**

The following, which is on today's calendar, is in the Labor & Commerce Committee:

CS FOR SENATE BILL NO. 311(JUD)(efd fld)

"An Act providing for a special deposit for workers' compensation insurers; relating to the board of governors of the Alaska Insurance Guaranty Association; stating the intent of the legislature, and setting out limitations, concerning the interpretation, construction, and implementation of workers' compensation laws; relating to restructuring the Alaska workers' compensation system; eliminating the Alaska Workers' Compensation Board; establishing a division of workers' compensation within the Department of Labor and Workforce Development and assigning certain Alaska Workers' Compensation Board functions to the division and the Department of Labor and Workforce Development; establishing a Workers' Compensation Appeals Commission; assigning certain functions of the Alaska Workers' Compensation Board to the Workers' Compensation Appeals Commission and the Workers' Compensation Hearings Board; relating to agreements that discharge workers' compensation liability; providing for hearing examiners and hearing panels in workers' compensation proceedings; relating to workers' compensation awards; relating to an employer's failure to insure and keep insured or provide security; providing for appeals from compensation orders; relating to workers' compensation proceedings; providing for supreme court jurisdiction of appeals from the Workers' Compensation Appeals Commission; providing for a maximum amount for the cost-of-living adjustment for workers' compensation benefits; providing for administrative penalties for employers uninsured or without adequate security for workers' compensation; and relating to assigned risk pools and insurers."

**SB 364**

The following, which is on today's calendar, is in the Finance Committee:

CS FOR SENATE BILL NO. 364(HES)(efd fld)

"An Act relating to liability for expenses of placement in certain mental health facilities; and relating to the mental health treatment assistance program."

**SB 368**

The following, which is on today's calendar, is in the Finance Committee:

CS FOR SENATE BILL NO. 368(FIN) am

"An Act relating to taxes on cigarettes and tobacco products, to tax stamps on cigarettes, to forfeiture of cigarettes and of property used in the manufacture, transportation, or sale of unstamped cigarettes, and to licenses and licensees under the Cigarette Tax Act; and providing for an effective date."

**SB 376**

The following was read the second time:

CS FOR SENATE BILL NO. 376(HES) am

"An Act relating to public assistance and subpoena powers; and relating to the permanent fund dividend and subpoena powers."

with the:

Journal Page

FIN RPT 2DP 8NR	4113
FN1: (HSS); FN2: (HSS)	4114
FN3: ZERO(REV)	4114
FN4: (HSS)	4114

Representative Coghill moved and asked unanimous consent that CSSB 376(HES) am be considered engrossed, advanced to third reading, and placed on final passage

Objection was heard.

CSSB 376(HES) am will advance to third reading on tomorrow's calendar.

**SB 392**

The following was read the second time:

## SENATE BILL NO. 392

"An Act relating to the expenses of investigation, hearing, or public advocacy before the Regulatory Commission of Alaska, to calculation of the regulatory cost charge for public utilities and pipeline carriers to include the Department of Law's costs of its public advocacy function, to inspection of certain books and records by the attorney general when participating as a party in a matter before the Regulatory Commission of Alaska; and providing for an effective date."

with the:	Journal Page
FIN RPT 3DP 8NR	4114
FN3: (LAW)	4114

Representative Coghill moved and asked unanimous consent that SB 392 be considered engrossed, advanced to third reading, and placed on final passage

Objection was heard.

SB 392 will advance to third reading on tomorrow's calendar.

**SB 393**

The following was read the second time:

## CS FOR SENATE BILL NO. 393(FIN)

"An Act relating to default on tuition, fees, and other charges of the University of Alaska and to claims on permanent fund dividends for tuition, fees, and other charges of the University of Alaska that are in default."

with the:	Journal Page
FIN RPT 7DP 4NR	4114
FN1: (UA)	4115
FN2: (REV)	4115

Representative Coghill moved and asked unanimous consent that CSSB 393(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSSB 393(FIN) will advance to third reading on tomorrow's calendar.

**SB 395**

The following was read the second time:

CS FOR SENATE BILL NO. 395(FIN) am

"An Act authorizing the Alaska Railroad Corporation to extend its rail line to Fort Greely, Alaska, and relating to that extension; authorizing the corporation to issue bonds to finance the cost of the extension and necessary facilities and equipment; relating to the Railroad Planning, Platting, and Land Use Regulation Task Force; and providing for an effective date."

with the:

Journal Page

FIN RPT 5DP 5NR

4115

FN2: (CED)

4116

Representative Coghill moved and asked unanimous consent that CSSB 395(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 395(FIN) am was read the third time.

The question being: "Shall CSSB 395(FIN) am pass the House?" The roll was taken with the following result:

CSSB 395(FIN) am

Third Reading

Final Passage

**YEAS: 32 NAYS: 4 EXCUSED: 0 ABSENT: 4**

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

Nays: Dahlstrom, Kott, Masek, Stoltze

Absent: Anderson, Gatto, Joule, McGuire

Dahlstrom changed from "Yea" to "Nay".

And so, CSSB 395(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.

Representative Holm gave notice of reconsideration of the vote on CSSB 395(FIN) am.

### RECONSIDERATION

#### **SB 395**

Representative Holm moved and asked unanimous consent that reconsideration of CSSB 395(FIN) am be taken up on the same day. There being no objection, it was so ordered.

CSSB 395(FIN) am was again before the House in third reading.

The question to be reconsidered: "Shall CSSB 395(FIN) am pass the House?" The roll was taken with the following result:

CSSB 395(FIN) am--RECONSIDERATION

Third Reading

Final Passage

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



Yeas: Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Fate, Foster, Gara, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Kapsner, Kerttula, Kookesh, Lynn, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Weyhrauch, Williams, Wilson, Wolf

Nays: Dahlstrom, Gatto, Kohring, Kott, Masek, Stoltze

Absent: Anderson, Joule, McGuire

And so, CSSB 395(FIN) am 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 395(FIN) am was signed by the Speaker and Chief Clerk and returned to the Senate.

The Speaker stated that, without objection, the House would recess to a joint session; and so, the House recessed at 2:43 p.m.

#### **AFTER RECESS**

The Speaker called the House back to order at 3:14 p.m.

#### **JOINT SESSION IN THE HOUSE**

In accordance with Uniform Rule 51, Speaker Kott turned the gavel over to President Therriault who called the joint session to order at 3:14 p.m.

The purpose of the joint session was to consider confirmation of the Governor's appointments.

Senator Ben Stevens moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that the roll call of the House be waived and all members be shown as present. There being no objection, it was so ordered.

**SPECIAL PRESENTATION**

The House and Senate honored Patty Lewis for her years of dedicated service as Chief Cook of the Legislative Lounge. A commemorative plaque and Special Order of Business Citation were presented.

**2004 CONFIRMATION OF GOVERNOR'S APPOINTMENTS**

The commissioner appointment is as follows:

**Commissioner - Department of Administration**

Mr. Ray Matiashowski

Appointed: 5/2/2004

The boards and commissions appointments are as follows:

**Alcoholic Beverage Control Board**

Mr. Billy (William) G. Andrews - Anchorage

Appointed: 7/29/2003      Reappointed: 11/19/2003

Term Expires: 3/1/2006

Ms. Gail M. Niemi - Juneau

Appointed: 12/10/2003

Term Expires: 3/1/2006

Mr. Duane S. Udland - Anchorage

Appointed: 3/27/2001      Reappointed: 4/6/2004

Term Expires: 3/1/2007

**State Board of Registration for Architects, Engineers, and Land Surveyors**

Mr. Clifford E. Baker - Kenai

Appointed: 3/24/2004

Term Expires: 3/1/2008

Mr. Boyd J. Brownfield - Anchorage

Appointed: 3/24/2004

Term Expires: 3/1/2008

Mr. Craig Fredeen - Eagle River  
Appointed: 4/22/2004  
Term Expires: 3/1/2008

Mr. Richard A. Hughes - Fairbanks  
Appointed: 3/24/2004  
Term Expires: 3/1/2008

Mr. Kenneth D. Maynard - Anchorage  
Appointed: 3/24/2004  
Term Expires: 3/1/2008

**State Assessment Review Board**

Mr. Allen S. Black - Palmer  
Appointed: 4/6/2004

Mr. Patrick S. Carlson - Kodiak  
Appointed: 4/6/2004

**Board of Governors of the Alaska Bar**

Mr. Joseph N. Faulhaber - Fairbanks  
Appointed: 7/29/2003  
Term Expires: 3/1/2005

Mr. Michael J. Hurley - Anchorage  
Appointed: 4/22/2004  
Term Expires: 3/1/2007

**Board of Barbers and Hairdressers**

Ms. Debra Long - Fairbanks  
Appointed: 4/22/2004  
Term Expires: 3/1/2008

Ms. Joylene Marrs - Anchorage  
Appointed: 4/25/2003      Reappointed: 4/22/2004  
Term Expires: 3/1/2008

Ms. Angela J. Rosas - Houston  
Appointed: 4/22/2004  
Term Expires: 3/1/2008

Mr. Larry Allen Ungerecht - Anchorage  
Appointed: 11/29/2000      Reappointed: 4/22/2004  
Term Expires: 3/1/2008

**Board of Chiropractic Examiners**

Dr. R. Clark Davis - Ketchikan  
Appointed: 11/14/2001      Reappointed: 1/16/2004  
Term Expires: 3/1/2008

**Alaska Commercial Fisheries Entry Commission**

Commissioner Frank M. Homan - Juneau  
Appointed: 9/2/2003  
Term Expires: 3/1/2007

**Board of Dental Examiners**

Ms. Mary Ann Cerney - Fairbanks  
Appointed: 8/3/1999      Reappointed: 7/29/2003  
Term Expires: 3/1/2007

Dr. Arne R. Pihl - Ketchikan  
Appointed: 5/28/2003  
Term Expires: 3/1/2007

**Board of Dispensing Opticians**

Mr. Larry E. Harper - Anchorage  
Appointed: 6/14/2000      Reappointed: 4/30/2004  
Term Expires: 3/1/2008

**Board of Education and Early Development**

Ms. Sylvia J. Reynolds - Soldotna  
Reappointed: 3/24/2004  
Term Expires: 3/1/2009

Ms. Carol (Bunny) J. Schaeffer - Kotzebue  
Appointed: 3/24/2004  
Term Expires: 3/1/2009

**Board of Fisheries**

Mr. Robert Heyano - Dillingham  
Appointed: 7/1/2004 (by law, terms begin July 1)  
Term Expires: 6/30/2007

Mr. Art N. Nelson - Anchorage  
Reappointed: 3/25/2004  
Term Expires: 6/30/2007

**Board of Game**

Mr. Michael R. Fleagle - McGrath  
Appointed: 1/21/2003      Reappointed: 4/30/2004  
Term Expires: 3/1/2007

Mr. Ben Grussendorf - Sitka  
Appointed: 1/31/2001      Reappointed: 5/4/04  
Term Expires: 3/1/2007

**Commission on Judicial Conduct**

Mr. Peter J. Aschenbrenner - Fairbanks  
Appointed: 3/24/2004  
Term Expires: 3/1/2008

Mr. Thomas G. Nave, Esq. - Juneau  
Appointed: 3/24/2004  
Term Expires: 3/1/2008

**Alaska Labor Relations Agency**

Mr. Gary P. Bader - Anchorage  
Appointed: 3/24/2004  
Term Expires: 3/1/2007

Mr. Randall C. Frank - Fairbanks  
Appointed: 7/16/2003  
Term Expires: 3/1/2006

Mr. Dennis S. Niedermeyer - Eagle River  
Appointed: 3/24/2004  
Term Expires: 3/1/2006

**Board of Marine Pilots**

Mr. Robert J. Arts - Anchorage

Appointed: 10/31/2002      Reappointed: 3/24/2004

Term Expires: 3/1/2004

Mr. Anthony (Tony) J. Joslyn - Anchor Point

Appointed: 12/29/2000      Reappointed: 7/29/2003

Term Expires: 3/1/2007

Mr. Jack G. Poulson, Esq. - Juneau

Appointed: 6/7/2001      Reappointed: 3/24/2004

Term Expires: 3/1/2008

Mr. Robert (Tiny) Schasteen - Dutch Harbor

Appointed: 1/16/2004

Term Expires: 3/1/2007

**State Medical Board**

Dr. Robert A. Breffleilh - Juneau

Appointed: 4/25/2003      Reappointed: 1/16/2004

Term Expires: 3/1/2008

Dr. John T. Duddy - Anchorage

Appointed: 3/1/2004

Term Expires: 3/1/2008

Dr. G. Bert Flaming - Glennallen

Appointed: 2/12/2003      Reappointed: 1/16/2004

Term Expires: 3/1/2008

Dr. David M. Head - Nome

Appointed: 3/27/2001      Reappointed: 1/16/2004

Term Expires: 3/1/2008

Mr. Michael J. Tauriainen - Soldotna

Appointed: 5/28/2003      Reappointed: 1/16/2004

Term Expires: 3/1/2008

**Alaska Mental Health Trust Authority Board of Trustees**

Dr. William H. Doolittle - Fairbanks

Appointed: 3/24/2004

Term Expires: 3/1/2009

Mr. Tom J. Hawkins - Anchorage

Reappointed: 3/24/2004

Term Expires: 3/1/2009

**Board of Certified Direct-Entry Midwives**

Ms. Dana L. Brown - Fairbanks

Appointed: 1/19/2000      Reappointed: 4/30/2004

Term Expires: 3/1/2008

Ms. Sharon K. Evans - Palmer

Appointed: 3/27/2001      Reappointed: 4/30/2004

Term Expires: 3/1/2008

Dr. Mark E. Richey - Anchorage

Appointed: 2/20/1997      Reappointed: 1/19/2000

Reappointed: 8/25/2003      Term Expires: 3/1/2007

**Board of Nursing**

Mr. James E. Jurrens - Juneau

Appointed: 3/25/2003      Reappointed: 4/22/2004

Term Expires: 3/1/2007

Ms. Patricia M. Swenson - Anchorage

Appointed: 1/16/2004

Term Expires: 3/1/2007

**Occupational Safety and Health Review Board**

Mr. Thor R. Christianson - Sitka

Appointed: 3/5/2004

Term Expires: 3/1/2008

**Alaska Oil and Gas Conservation Commission**

Mr. John K. Norman - Anchorage

Appointed: 1/23/2004

Term Expires: 3/1/2009

**Board of Examiners in Optometry**

Dr. Jill Geering Matheson - Juneau  
Appointed: 4/30/2004  
Term Expires: 3/1/2008

Dr. Jeff Gonnason - Anchorage  
Appointed: 4/30/2004  
Term Expires: 3/1/2007

**Personnel Board**

Ms. Debra E. English - Anchorage  
Appointed: 1/8/2004  
Term Expires: 3/1/2008

Ms. Laura Plenert - Ketchikan  
Appointed: 3/10/2004  
Term Expires: 3/1/2010

**Board of Pharmacy**

Ms. Cindy Bueler - Anchorage  
Appointed: 6/5/2000      Reappointed: 1/16/2004  
Term Expires: 3/1/2008

Captain Gary M. Givens - Anchorage  
Appointed: 3/1/2004  
Term Expires: 3/1/2008

Mr. Michael Pauley - Eagle River  
Appointed: 3/25/2003      Reappointed: 1/16/2004  
Term Expires: 3/1/2008

**Professional Teaching Practices Commission**

Ms. Kimberly (Kim) Jockusch - Anchorage  
Appointed: 4/22/2004  
Term Expires: 3/1/2007

Dr. Donna Peterson - Soldotna  
Appointed: 4/22/2004  
Term Expires: 3/1/2007



**Alaska Public Offices Commission (APOC)**

Mr. Roger E. Holl - Anchorage  
Appointed: 3/24/2004  
Term Expires: 3/1/2009

**Board of Certified Real Estate Appraisers**

Ms. Nelida Irvine - Anchorage  
Appointed: 5/28/2003  
Term Expires: 3/1/2007

Mr. Gene H. Shafer - Fairbanks  
Appointed: 3/1/2004  
Term Expires: 3/1/2008

**Real Estate Commission**

Mr. Lawrence (Larry) J. Bauer - Juneau  
Appointed: 11/24/2003  
Term Expires: 3/1/2005

Mr. Glenn Clary - Anchorage  
Appointed: 12/10/2003      Reappointed: 3/1/2004  
Term Expires: 3/1/2008

Ms. Rita C. Stuckart - Anchorage  
Appointed: 11/24/2003      Reappointed: 3/1/2004  
Term Expires: 3/1/2008

**Alaska Royalty Oil and Gas Development Advisory Board**

Mr. Charles E. Cole - Fairbanks  
Appointed: 6/2/2003  
Term Expires: 3/1/2007

Mr. Kenneth O. Stout - Anchorage  
Appointed: 6/5/2003  
Term Expires: 3/1/2005

**Board of Social Work Examiners**

Mr. Darrell Allman - Anchorage  
Appointed: 4/22/2004  
Term Expires: 3/1/2008

Ms. Mildred D. (Tammy) Townsend - Anchorage  
Appointed: 4/22/2004  
Term Expires: 3/1/2007

**Board of Veterinary Examiners**

Dr. David J. Hunt - Sitka  
Appointed: 5/28/2003  
Term Expires: 3/1/2007

**Violent Crimes Compensation Board**

Mr. Gerad Godfrey - Valdez  
Appointed: 2/19/2003      Reappointed: 4/6/2004  
Term Expires: 3/1/2007

Dr. David G. Ingraham - Anchorage  
Appointed: 7/16/2003  
Term Expires: 3/1/2006

**Alaska Workers' Compensation Board**

Ms. Valarie L. Allmon - Anchorage  
Appointed: 4/12/2004  
Term Expires: 3/1/2007

Mr. Chris N. Johansen - Fairbanks  
Appointed: 4/12/2004  
Term Expires: 3/1/2007

Mr. David Kester - Anchorage  
Appointed: 4/12/2004      Reappointment: 3/1/2005  
Term Expires: 3/1/2008

Mr. James (Jay) N. Rhodes - Ketchikan  
Appointed: 9/11/2001      Reappointed: 4/12/2004  
Term Expires: 3/1/2007

Ms. Patricia A. Vollendorf - Anchorage  
Appointed: 4/12/2004  
Term Expires: 3/1/2006

Senator Ben Stevens moved and asked unanimous consent that the following appointment as commissioner be confirmed:

**Commissioner - Department of Administration**

Mr. Ray Matiashowski

Appointed: 5/2/2004

The question being: "Shall Ray Matiashowski be confirmed as Commissioner of the Department of Administration?" The roll of the Senate was called with the following result:

Commissioner - Dept. of Administration

Confirm - Matiashowski

SENATE

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

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

Excused: Guess

The roll of the House was taken with the following result:

Commissioner - Dept. of Administration

Confirm - Matiashowski

HOUSE

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

**TOTAL: YEAS: 59 NAYS: 0 EXCUSED: 1 ABSENT: 0**

And so, Ray Matiashowski was confirmed as Commissioner of the Department of Administration.

Senator Ben Stevens moved and asked unanimous consent that the following appointments be confirmed:

**Alcoholic Beverage Control Board**

Mr. Billy (William) G. Andrews - Anchorage  
Appointed: 7/29/2003      Reappointed: 11/19/2003  
Term Expires: 3/1/2006

Ms. Gail M. Niemi - Juneau  
Appointed: 12/10/2003  
Term Expires: 3/1/2006

Mr. Duane S. Udland - Anchorage  
Appointed: 3/27/2001      Reappointed: 4/6/2004  
Term Expires: 3/1/2007

**State Board of Registration for Architects, Engineers, and Land Surveyors**

Mr. Clifford E. Baker - Kenai  
Appointed: 3/24/2004  
Term Expires: 3/1/2008

Mr. Boyd J. Brownfield - Anchorage  
Appointed: 3/24/2004  
Term Expires: 3/1/2008

Mr. Craig Fredeen - Eagle River  
Appointed: 4/22/2004  
Term Expires: 3/1/2008

Mr. Richard A. Hughes - Fairbanks  
Appointed: 3/24/2004  
Term Expires: 3/1/2008

Mr. Kenneth D. Maynard - Anchorage  
Appointed: 3/24/2004  
Term Expires: 3/1/2008

**State Assessment Review Board**

Mr. Allen S. Black - Palmer  
Appointed: 4/6/2004

Mr. Patrick S. Carlson - Kodiak  
Appointed: 4/6/2004

**Board of Governors of the Alaska Bar**

Mr. Joseph N. Faulhaber - Fairbanks  
Appointed: 7/29/2003  
Term Expires: 3/1/2005

Mr. Michael J. Hurley - Anchorage  
Appointed: 4/22/2004  
Term Expires: 3/1/2007

There being no objection, the appointments were confirmed.

Senator Ben Stevens moved and asked unanimous consent that the following appointments be confirmed:

**Board of Barbers and Hairdressers**

Ms. Debra Long - Fairbanks  
Appointed: 4/22/2004  
Term Expires: 3/1/2008

Ms. Joylene Marrs - Anchorage  
Appointed: 4/25/2003      Reappointed: 4/22/2004  
Term Expires: 3/1/2008

Ms. Angela J. Rosas - Houston  
Appointed: 4/22/2004  
Term Expires: 3/1/2008

Mr. Larry Allen Ungerecht - Anchorage  
Appointed: 11/29/2000      Reappointed: 4/22/2004  
Term Expires: 3/1/2008

**Board of Chiropractic Examiners**

Dr. R. Clark Davis - Ketchikan

Appointed: 11/14/2001      Reappointed: 1/16/2004

Term Expires: 3/1/2008

**Alaska Commercial Fisheries Entry Commission**

Commissioner Frank M. Homan - Juneau

Appointed: 9/2/2003

Term Expires: 3/1/2007

**Board of Dental Examiners**

Ms. Mary Ann Cerney - Fairbanks

Appointed: 8/3/1999      Reappointed: 7/29/2003

Term Expires: 3/1/2007

Dr. Arne R. Pihl - Ketchikan

Appointed: 5/28/2003

Term Expires: 3/1/2007

**Board of Dispensing Opticians**

Mr. Larry E. Harper - Anchorage

Appointed: 6/14/2000      Reappointed: 4/30/2004

Term Expires: 3/1/2008

**Board of Education and Early Development**

Ms. Sylvia J. Reynolds - Soldotna

Reappointed: 3/24/2004

Term Expires: 3/1/2009

Ms. Carol (Bunny) J. Schaeffer - Kotzebue

Appointed: 3/24/2004

Term Expires: 3/1/2009

**Board of Fisheries**

Mr. Robert Heyano - Dillingham

Appointed: 7/1/2004 (by law, terms begin July 1)

Term Expires: 6/30/2007

Mr. Art N. Nelson - Anchorage

Reappointed: 3/25/2004

Term Expires: 6/30/2007

**Board of Game**

Mr. Michael R. Fleagle - McGrath

Appointed: 1/21/2003

Reappointed: 4/30/2004

Term Expires: 3/1/2007

Mr. Ben Grussendorf - Sitka

Appointed: 1/31/2001

Reappointed: 5/4/04

Term Expires: 3/1/2007

Objection was heard to the confirmation of Michael R. Fleagle and Ben Grussendorf to the Board of Game.

Representative Weyhrauch moved and asked unanimous consent that he be allowed to abstain from voting on the appointments to the Alaska Commercial Fisheries Entry Commission and the Board of Fisheries because of a conflict of interest. Objection was heard, and Representative Weyhrauch was required to vote.

Senator Ben Stevens restated the motion to confirm the appointments with the exception of Michael R. Fleagle and Ben Grussendorf and asked unanimous consent. There being no objection, the appointments were confirmed.

Senator Ben Stevens moved and asked unanimous consent that the following appointments be confirmed:

**Commission on Judicial Conduct**

Mr. Peter J. Aschenbrenner - Fairbanks

Appointed: 3/24/2004

Term Expires: 3/1/2008

Mr. Thomas G. Nave, Esq. - Juneau

Appointed: 3/24/2004

Term Expires: 3/1/2008

**Alaska Labor Relations Agency**

Mr. Gary P. Bader - Anchorage

Appointed: 3/24/2004

Term Expires: 3/1/2007

Mr. Randall C. Frank - Fairbanks  
Appointed: 7/16/2003  
Term Expires: 3/1/2006

Mr. Dennis S. Niedermeyer - Eagle River  
Appointed: 3/24/2004  
Term Expires: 3/1/2006

**Board of Marine Pilots**

Mr. Robert J. Arts - Anchorage  
Appointed: 10/31/2002      Reappointed: 3/24/2004  
Term Expires: 3/1/2004

Mr. Anthony (Tony) J. Joslyn - Anchor Point  
Appointed: 12/29/2000      Reappointed: 7/29/2003  
Term Expires: 3/1/2007

Mr. Jack G. Poulson, Esq. - Juneau  
Appointed: 6/7/2001      Reappointed: 3/24/2004  
Term Expires: 3/1/2008

Mr. Robert (Tiny) Schasteen - Dutch Harbor  
Appointed: 1/16/2004  
Term Expires: 3/1/2007

**State Medical Board**

Dr. Robert A. Breffeilh - Juneau  
Appointed: 4/25/2003      Reappointed: 1/16/2004  
Term Expires: 3/1/2008

Dr. John T. Duddy - Anchorage  
Appointed: 3/1/2004  
Term Expires: 3/1/2008

Dr. G. Bert Flaming - Glennallen  
Appointed: 2/12/2003      Reappointed: 1/16/2004  
Term Expires: 3/1/2008



Dr. David M. Head - Nome  
Appointed: 3/27/2001      Reappointed: 1/16/2004  
Term Expires: 3/1/2008

Mr. Michael J. Tauriainen - Soldotna  
Appointed: 5/28/2003      Reappointed: 1/16/2004  
Term Expires: 3/1/2008

**Alaska Mental Health Trust Authority Board of Trustees**

Dr. William H. Doolittle - Fairbanks  
Appointed: 3/24/2004  
Term Expires: 3/1/2009

Mr. Tom J. Hawkins - Anchorage  
Reappointed: 3/24/2004  
Term Expires: 3/1/2009

Representative Weyhrauch moved and asked unanimous consent that he be allowed to abstain from voting on the appointments to the Alaska Labor Relations Agency and the Board of Marine Pilots because of a conflict of interest. Objection was heard, and Representative Weyhrauch was required to vote.

There being no objection, the appointments were confirmed.

Senator Ben Stevens moved and asked unanimous consent that the following appointments be confirmed:

**Board of Certified Direct-Entry Midwives**

Ms. Dana L. Brown - Fairbanks  
Appointed: 1/19/2000      Reappointed: 4/30/2004  
Term Expires: 3/1/2008

Ms. Sharon K. Evans - Palmer  
Appointed: 3/27/2001      Reappointed: 4/30/2004  
Term Expires: 3/1/2008

Dr. Mark E. Richey - Anchorage  
Appointed: 2/20/1997      Reappointed: 1/19/2000  
Reappointed: 8/25/2003      Term Expires: 3/1/2007

**Board of Nursing**

Mr. James E. Jurrens - Juneau

Appointed: 3/25/2003      Reappointed: 4/22/2004

Term Expires: 3/1/2007

Ms. Patricia M. Swenson - Anchorage

Appointed: 1/16/2004

Term Expires: 3/1/2007

**Occupational Safety and Health Review Board**

Mr. Thor R. Christianson - Sitka

Appointed: 3/5/2004

Term Expires: 3/1/2008

**Alaska Oil and Gas Conservation Commission**

Mr. John K. Norman - Anchorage

Appointed: 1/23/2004

Term Expires: 3/1/2009

**Board of Examiners in Optometry**

Dr. Jill Geering Matheson - Juneau

Appointed: 4/30/2004

Term Expires: 3/1/2008

Dr. Jeff Gonnason - Anchorage

Appointed: 4/30/2004

Term Expires: 3/1/2007

**Personnel Board**

Ms. Debra E. English - Anchorage

Appointed: 1/8/2004

Term Expires: 3/1/2008

Ms. Laura Plenert - Ketchikan

Appointed: 3/10/2004

Term Expires: 3/1/2010

**Board of Pharmacy**

Ms. Cindy Bueler - Anchorage  
Appointed: 6/5/2000      Reappointed: 1/16/2004  
Term Expires: 3/1/2008

Captain Gary M. Givens - Anchorage  
Appointed: 3/1/2004  
Term Expires: 3/1/2008

Mr. Michael Pauley - Eagle River  
Appointed: 3/25/2003      Reappointed: 1/16/2004  
Term Expires: 3/1/2008

Objection was heard to the confirmation of Laura Plenert to the Personnel Board.

Representative Weyhrauch moved and asked unanimous consent that he be allowed to abstain from voting on the appointment to the Occupational Safety and Health Review Board because of a conflict of interest. Objection was heard, and Representative Weyhrauch was required to vote.

Senator Ben Stevens restated his motion to confirm the appointments with the exception of Laura Plenert and asked unanimous consent. There being no objection, the appointments were confirmed.

Senator Ben Stevens moved and asked unanimous consent that the following appointments be confirmed:

**Professional Teaching Practices Commission**

Ms. Kimberly (Kim) Jockusch - Anchorage  
Appointed: 4/22/2004  
Term Expires: 3/1/2007

Dr. Donna Peterson - Soldotna  
Appointed: 4/22/2004  
Term Expires: 3/1/2007

**Alaska Public Offices Commission (APOC)**

Mr. Roger E. Holl - Anchorage  
Appointed: 3/24/2004  
Term Expires: 3/1/2009

**Board of Certified Real Estate Appraisers**

Ms. Nelida Irvine - Anchorage  
Appointed: 5/28/2003  
Term Expires: 3/1/2007

Mr. Gene H. Shafer - Fairbanks  
Appointed: 3/1/2004  
Term Expires: 3/1/2008

**Real Estate Commission**

Mr. Lawrence (Larry) J. Bauer - Juneau  
Appointed: 11/24/2003  
Term Expires: 3/1/2005

Mr. Glenn Clary - Anchorage  
Appointed: 12/10/2003      Reappointed: 3/1/2004  
Term Expires: 3/1/2008

Ms. Rita C. Stuckart - Anchorage  
Appointed: 11/24/2003      Reappointed: 3/1/2004  
Term Expires: 3/1/2008

**Alaska Royalty Oil and Gas Development Advisory Board**

Mr. Charles E. Cole - Fairbanks  
Appointed: 6/2/2003  
Term Expires: 3/1/2007

Mr. Kenneth O. Stout - Anchorage  
Appointed: 6/5/2003  
Term Expires: 3/1/2005

**Board of Social Work Examiners**

Mr. Darrell Allman - Anchorage  
Appointed: 4/22/2004  
Term Expires: 3/1/2008

Ms. Mildred D. (Tammy) Townsend - Anchorage  
Appointed: 4/22/2004  
Term Expires: 3/1/2007

**Board of Veterinary Examiners**

Dr. David J. Hunt - Sitka  
Appointed: 5/28/2003  
Term Expires: 3/1/2007

There being no objection, the appointments were confirmed.

Senator Ben Stevens moved and asked unanimous consent that the following appointments be confirmed:

**Violent Crimes Compensation Board**

Mr. Gerad Godfrey - Valdez  
Appointed: 2/19/2003      Reappointed: 4/6/2004  
Term Expires: 3/1/2007

Dr. David G. Ingraham - Anchorage  
Appointed: 7/16/2003  
Term Expires: 3/1/2006

**Alaska Workers' Compensation Board**

Ms. Valarie L. Allmon - Anchorage  
Appointed: 4/12/2004  
Term Expires: 3/1/2007

Mr. Chris N. Johansen - Fairbanks  
Appointed: 4/12/2004  
Term Expires: 3/1/2007

Mr. David Kester - Anchorage  
Appointed: 4/12/2004      Reappointment: 3/1/2005  
Term Expires: 3/1/2008

Mr. James (Jay) N. Rhodes - Ketchikan  
Appointed: 9/11/2001      Reappointed: 4/12/2004  
Term Expires: 3/1/2007

Ms. Patricia A. Vollendorf - Anchorage  
Appointed: 4/12/2004  
Term Expires: 3/1/2006

There being no objection, the appointments were confirmed.

Senator Ben Stevens moved that Michael R. Fleagle be confirmed to the Board of Game.

The question being: "Shall Michael R. Fleagle be confirmed to the Board of Game?" The roll of the Senate was called with the following result:

Board of Game  
Confirm - Fleagle  
SENATE

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

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

Nays: Ellis, Elton, French

Excused: Guess

The roll of the House was taken with the following result:

Board of Game  
Confirm - Fleagle  
HOUSE

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

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

Nays: Gara

**TOTAL: YEAS: 55 NAYS: 4 EXCUSED: 1 ABSENT: 0**

And so, Michael R. Fleagle was confirmed to the Board of Game.

Senator Ben Stevens moved that Ben Grussendorf be confirmed to the Board of Game.

The question being: "Shall Mr. Ben Grussendorf be confirmed to the Board of Game?" The roll of the House was taken with the following result:

Board of Game  
Confirm - Grussendorf  
HOUSE

YEAS: 32 NAYS: 8 EXCUSED: 0 ABSENT: 0

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

Nays: Coghill, Fate, Gatto, Holm, McGuire, Stepovich, Stoltze, Wolf

Anderson changed from "Nay" to "Yea".

Gatto changed from "Yea" to "Nay".

The roll of the Senate was called with the following result:

Board of Game  
Confirm - Grussendorf  
SENATE

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

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

Nays: Ogan, Seekins

Excused: Guess

**TOTAL: YEAS: 49 NAYS: 10 EXCUSED: 1 ABSENT: 0**

And so, Ben Grussendorf was confirmed to the Board of Game.

Senator Ben Stevens moved that Laura Plenert be confirmed to the Personnel Board.

The question being: "Shall Laura Plenert be confirmed to the Personnel Board?" The roll of the Senate was called with the following result:

Personnel Board  
Confirm - Plenert  
SENATE

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

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

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

Excused: Guess

The roll of the House was taken with the following result:

Personnel Board  
Confirm - Plenert  
HOUSE

YEAS: 36 NAYS: 4 EXCUSED: 0 ABSENT: 0

Yeas: Anderson, Berkowitz, Chenault, Coghill, Croft, Dahlstrom, Fate, Foster, Gatto, Gruenberg, 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

Nays: Cissna, Crawford, Gara, Guttenberg

**TOTAL: YEAS: 49 NAYS: 10 EXCUSED: 1 ABSENT: 0**  
And so, Laura Plenert was confirmed to the Personnel Board.

Senator Ben Stevens moved and asked unanimous consent that the



joint session adjourn. There being no objection, President Therriault adjourned the joint session at 3:39 p.m.

The House recessed at 3:39 p.m.

#### **AFTER RECESS**

The Speaker called the House back to order at 5:06 p.m.

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

(continued)

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

##### **SB 65**

The following, which was advanced to third reading from the May 9, 2004, calendar (page 4096), was read the third time:

##### HOUSE CS FOR CS FOR SENATE BILL NO. 65(FIN)

"An Act relating to the qualifications of correctional officers, parole officers, and probation officers; authorizing the Department of Corrections to enter into lease- purchase agreements with municipalities for new or expanded public correctional facilities in the Fairbanks North Star Borough, the Matanuska-Susitna Borough, Bethel, the Municipality of Anchorage, and the City of Seward; relating to the development and financing of privately operated correctional facility space and services; authorizing the Department of Corrections to enter into a lease-purchase agreement with the City of Whittier for the confinement and care of prisoners in privately operated correctional facility space if the state cannot provide the same level of services required in state law or regulation for the same or less cost; giving notice of and approving, and authorizing the entry into and issuance of certificates of participation for, the upgrade, expansion, and replacement of certain jails in Dillingham and Kodiak; and providing for an effective date."

Representative Coghill moved and asked unanimous consent that HCS

CSSB 65(FIN) be moved to the bottom of the calendar. There being no objection, it was so ordered.

**RECEDE**

**SB 30**

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4109) on the following at this time:

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

"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)

and

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."

There being no objection, it was so ordered.

Representative Coghill moved that the House recede from its amendment to CSSB 30(JUD) am, namely HCS CSSB 30(JUD), and recommended that the members vote no.

The question being: "Shall the House recede from its amendment to CSSB 30(JUD) am?" The roll was taken with the following result:

HCS CSSB 30(JUD)

Recede

**YEAS: 5 NAYS: 27 EXCUSED: 0 ABSENT: 8**

Yeas: Chenault, Dahlstrom, Hawker, Heinze, Stoltze

Nays: Anderson, Berkowitz, Cissna, Coghill, Crawford, Foster, Gara, Gatto, Holm, Joule, Kapsner, Kerttula, Kohring, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Weyhrauch, Wilson, Wolf

Absent: Croft, Fate, Gruenberg, Guttenberg, Harris, Kookesh, Moses, Williams

And so, the House failed to recede.

The Speaker appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the above bills:

Representative Dahlstrom, Chair  
Representative Coghill  
Representative Cissna

The Chief Clerk notified the Senate.

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

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

(continued)

#### **SB 179**

The following, which was advanced to third reading from the May 9, 2004, calendar (page 4055), was read the third time:

CS FOR SENATE BILL NO. 179(FIN)

"An Act relating to criminal history records and background checks; allowing persons to teach in the public schools for up to five months without a teaching certificate if the person has applied for a certificate and the application has not been acted upon by the Department of Education and Early Development due to a delay in receiving criminal history records; allowing teacher certification for certain persons based on a criminal history background check without fingerprints; and providing for an effective date."

The question being: "Shall CSSB 179(FIN) pass the House?" The roll was taken with the following result:

CSSB 179(FIN)  
Third Reading  
Final Passage

**YEAS: 30 NAYS: 4 EXCUSED: 0 ABSENT: 6**

Yeas: Anderson, Berkowitz, Chenault, Cissna, Crawford, Dahlstrom, Foster, Gatto, Gruenberg, Hawker, Heinze, Holm, Joule, Kapsner, Kohring, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Seaton, Stepovich, Stoltze, Weyhrauch, Wilson, Wolf

Nays: Coghill, Gara, Kerttula, Samuels

Absent: Croft, Fate, Guttenberg, Harris, Kookesh, Williams

Gara changed from "Yea" to "Nay".

And so, CSSB 179(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.

Representative Kerttula gave notice of reconsideration of the vote on CSSB 179(FIN).

### **SB 279**

The following, which was advanced to third reading from the May 9, 2004, calendar (page 4097), was read the third time:

#### CS FOR SENATE BILL NO. 279(FIN)

"An Act authorizing and relating to the issuance of bonds by the Alaska Housing Finance Corporation for safe and clean water and hygienic sewage disposal facility capital projects and other capital projects; providing for the repayment of the bonds and bond costs; relating to the dividend paid to the state by the Alaska Housing Finance Corporation; and providing for an effective date."

The question being: "Shall CSSB 279(FIN) pass the House?" The roll was taken with the following result:

CSSB 279(FIN)  
Third Reading  
Final Passage

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

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

Nays: Kohring

Absent: Berkowitz, Croft, Fate, Harris, Kookesh, Williams

And so, CSSB 279(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.

CSSB 279(FIN) was signed by the Speaker and Chief Clerk and returned to the Senate.

**SB 326**

The following, which was advanced to third reading from the May 9, 2004, calendar (page 4061), was read the third time:

CS FOR SENATE BILL NO. 326(STA)

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

The question being: "Shall CSSB 326(STA) pass the House?" The roll was taken with the following result:

CSSB 326(STA)  
Third Reading  
Final Passage

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

Yeas: Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Foster, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Heinze, Joule, Kapsner, Kerttula, Kookesh, Kott, Lynn, McGuire, Meyer, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Wilson, Wolf

Nays: Kohring, Stoltze, Weyhrauch

Absent: Croft, Fate, Harris, Holm, Masek, Morgan, Moses, Williams

And so, CSSB 326(STA) 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 326(STA) was signed by the Speaker and Chief Clerk and returned to the Senate.

### **SB 329**

The following, which was advanced to third reading from the May 9, 2004, calendar (page 4066), was read the third time:

CS FOR SENATE BILL NO. 329(RES) am H  
"An Act relating to control of nuisance moose."

Representatives Dahlstrom, Kapsner, and Coghill moved and asked unanimous consent that they be allowed to abstain from voting because of a conflict of interest. Objection was heard, and the members were required to vote.

The question being: "Shall CSSB 329(RES) am H pass the House?"  
The roll was taken with the following result:

CSSB 329(RES) am H  
Third Reading  
Final Passage

**YEAS: 25 NAYS: 9 EXCUSED: 0 ABSENT: 6**

Yeas: Anderson, Chenault, Cissna, Coghill, Dahlstrom, Foster, Gatto, Gruenberg, Heinze, Holm, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Masek, McGuire, Morgan, Moses, Ogg, Rokeberg, Stepovich, Weyhrauch, Wilson

Nays: Crawford, Gara, Guttenberg, Hawker, Lynn, Meyer, Seaton, Stoltze, Wolf

Absent: Berkowitz, Croft, Fate, Harris, Samuels, Williams

And so, CSSB 329(RES) am H passed the House.

Representative Stoltze gave notice of reconsideration of the vote on CSSB 329(RES) am H and the reconsideration was taken up later.

**SB 357**

The following, which was advanced to third reading from the May 9, 2004, calendar (page 4072), was read the third time:

HOUSE CS FOR CS FOR SENATE BILL NO. 357(FIN)

"An Act relating to the regulation of insurance, insurance licenses, qualifications of insurance producers, surplus lines, fraud investigations, electronic transactions, and compliance with federal law and national standards; and providing for an effective date."

Representative Gruenberg moved and asked unanimous consent that HCS CSSB 357(FIN) 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 Gruenberg and Rokeberg:

Page 30, following line 30:

Insert a new bill section to read:

"\* **Sec. 56.** The uncodified law of the State of Alaska is amended by adding a new section to read:

REVIEW OF THE STATE'S REGULATION OF INSURANCE.  
The director of the division of insurance shall appoint seven members to a task force to study alternative methods for regulating insurance rates and forms and to develop proposals for changing the state's insurance regulatory system in order to achieve the goals of consumer protection and fostering a highly competitive insurance market in the

state. The members appointed to the task force shall be representative of a cross-section of consumers and the insurance industry. The task force shall prepare a report containing recommendations for improvement to the state's insurance regulatory system and submit the report to the legislature before January 15, 2005."

Renumber the following bill sections accordingly.

Page 31, line 13:

Delete "Section 56"

Insert "Section 57"

Page 31, line 14:

Delete "secs. 58 and 59"

Insert "secs. 59 and 60"

Representative Gruenberg 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 HCS CSSB 357(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 357(FIN) am H

Third Reading

Final Passage

**YEAS: 32 NAYS: 0 EXCUSED: 0 ABSENT: 8**

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

Absent: Cissna, Croft, Fate, Harris, Hawker, Samuels, Weyhrauch, Williams

And so, HCS CSSB 357(FIN) am H 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.

Representative Coghill moved and asked unanimous consent that the House adopt the House Finance Committee letter of intent (page 4049). There being no objection, it was so ordered.

Representative Crawford gave notice of reconsideration of the vote on HCS CSSB 357(FIN) am H.

**SB 379**

The following, which was advanced to third reading from the May 9, 2004, calendar (page 4072), was read the third time:

CS FOR SENATE BILL NO. 379(FIN)

"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."

The question being: "Shall CSSB 379(FIN) pass the House?" The roll was taken with the following result:

CSSB 379(FIN)

Third Reading

Final Passage

**YEAS: 27 NAYS: 1 EXCUSED: 0 ABSENT: 12**

Yeas: Berkowitz, Chenault, Coghill, Crawford, Dahlstrom, Foster, Gatto, Gruenberg, Heinze, Holm, Kapsner, Kerttula, Kohring, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Seaton, Stepovich, Stoltze, Wilson, Wolf

Nays: Guttenberg

Absent: Anderson, Cissna, Croft, Fate, Gara, Harris, Hawker, Joule, Kookesh, Samuels, Weyhrauch, Williams

And so, CSSB 379(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.

CSSB 379(FIN) was signed by the Speaker and Chief Clerk and returned to the Senate.

### **RECONSIDERATION**

#### **SB 170**

Representative Rokeberg brought up reconsideration of the following:

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

"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; increasing the duration of certain provisions of domestic violence protective orders from six months to one year; and providing for an effective date."

Representative Rokeberg withdrew the request to bring up reconsideration of HCS CSSB 170 (FIN) am H.

**CONSIDERATION OF THE DAILY CALENDAR****THIRD READING OF SENATE BILLS**

(continued)

**SB 382**

The following, which was advanced to third reading from the May 9, 2004, calendar (page 4073), was read the third time:

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."

Representative Wolf moved and asked unanimous consent that CSSB 382(CRA) am 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 Representative Wolf:

Page 2, line 4:

Delete "such as"

Page 2, line 4:

Delete "and State of Alaska"

Page 2, line 5:

Delete all material.

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

Representative McGuire objected.

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

Add to the amendment:

"Page 2, line 3:  
Delete "and"

Page 2, lines 3 - 4:  
Delete all material.

Page 2, line 5:  
Delete "v. Hinkel, 3AN-04-4768 CI"

Page 2, lines 20 - 22:  
Delete all material."

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

There being no objection, Amendment to Amendment No. 1 was adopted.

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

CSSB 382(CRA) am  
Second Reading  
Amendment No. 1 as amended

**YEAS: 18 NAYS: 16 EXCUSED: 0 ABSENT: 6**

Yeas: Berkowitz, Cissna, Coghill, Crawford, Croft, Gara, Gatto, Gruenberg, Guttenberg, Kapsner, Kerttula, Kohring, Kookesh, Moses, Ogg, Seaton, Wilson, Wolf

Nays: Anderson, Dahlstrom, Fate, Foster, Heinze, Holm, Kott, Lynn, Masek, McGuire, Morgan, Samuels, Stepovich, Stoltze, Weyhrauch, Williams

Absent: Chenault, Harris, Hawker, Joule, Meyer, Rokeberg

Wilson changed from "Nay" to "Yea".

And so, Amendment No. 1 as amended was adopted.

The question being: "Shall CSSB 382(CRA) am H pass the House?"  
The roll was taken with the following result:

CSSB 382(CRA) am H  
Third Reading  
Final Passage

**YEAS: 31 NAYS: 4 EXCUSED: 0 ABSENT: 5**

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

Nays: Coghill, Kerttula, Kohring, Stoltze

Absent: Chenault, Harris, Hawker, Joule, Meyer

And so, CSSB 382(CRA) am H 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.

Representative McGuire gave notice of reconsideration of the vote on CSSB 382(CRA) am H.

### **RECONSIDERATION**

#### **SB 382**

Representative McGuire moved and asked unanimous consent that reconsideration of CSSB 382(CRA) am H be taken up on the same day. There being no objection, it was so ordered.

CSSB 382(CRA) am H was again before the House in third reading.

The question to be reconsidered: "Shall CSSB 382(CRA) am H pass the House?" The roll was taken with the following result:

CSSB 382(CRA) am H--RECONSIDERATION

Third Reading

Final Passage

**YEAS: 31 NAYS: 7 EXCUSED: 0 ABSENT: 2**

Yeas: Anderson, Berkowitz, Chenault, Cissna, Crawford, Croft, Dahlstrom, Fate, Foster, Gruenberg, Guttenberg, Hawker, Heinze, Holm, Kapsner, Kookesh, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Weyhrauch, Williams, Wolf

Nays: Coghill, Gara, Gatto, Kerttula, Kohring, Stoltze, Wilson

Absent: Harris, Joule

Wilson changed from "Yea" to "Nay".

Gatto changed from "Yea" to "Nay".

And so, CSSB 382(CRA) am H 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 382(CRA) am H was referred to the Chief Clerk for engrossment.

### **SB 170**

Representative Rokeberg brought up reconsideration of the vote on the following, which had been held to today (page 4066):

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

"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; increasing the duration of certain provisions of domestic violence protective orders from six months to one year; and providing for an effective date."

The House recessed at 6:32 p.m.

#### **AFTER RECESS**

The Speaker called the House back to order at 12:44 a.m., May 11, 2004.

#### **RECONSIDERATION**

(continued)

#### **SB 170**

HCS CSSB 170(FIN) was again before the House in third reading.

Representative Rokeberg placed a call of the House on the calendar and lifted the call.

\*\*Representative Coghill moved and asked unanimous consent that Representative Moses be excused from a call of the House for the remainder of this legislative day. There being no objection, it was so ordered.

Representative Rokeberg placed a call of the House.

The Speaker stated the call was satisfied.

Representative Rokeberg lifted the call.

\*\*Representative Coghill moved and asked unanimous consent that Representative Fate be excused from a call of the House for the remainder of this legislative day. There being no objection, it was so ordered.

Representative Berkowitz moved and asked unanimous consent that HCS CSSB 170(FIN) be returned to second reading for the specific purpose of considering Amendment No. 4. There being no objection, it was so ordered.

Amendment No. 4 was offered by Representatives Berkowitz and McGuire:

Page 1, line 12, following "**blood;**" (title amendment):

Insert "**increasing the duration of certain provisions of domestic violence protective orders from six months to one year;**"

Page 14, following line 4:

Insert a new bill section to read:

**\*\* Sec. 25.** AS 18.66.100(b) is amended to read:

(b) When a petition for a protective order is filed, the court shall schedule a hearing and provide at least 10 days' notice to the respondent of the hearing and of the respondent's right to appear and be heard, either in person or by an attorney. If the court finds by a preponderance of evidence that the respondent has committed a crime involving domestic violence against the petitioner, regardless of whether the respondent appears at the hearing, the court may order any relief available under (c) of this section. The provisions of a protective order issued under

(1) (c)(1) of this section are effective until further order of the court;

(2) (c)(2) - (16) of this section are effective for **one year** [SIX MONTHS] unless earlier dissolved by court order."

Re-number the following bill sections accordingly.

Page 18, lines 19 - 20:

Delete "26, 31, 32, and 34(b)"

Insert "27, 32, 33, and 35(b)"



Page 18, line 22:

Delete "Sections 27 and 29"  
Insert "Sections 28 and 30"

Page 18, line 24:

Delete "sec. 27"  
Insert "sec. 28"  
Delete "sec. 29"  
Insert "sec. 30"

Page 18, line 25:

Delete "secs. 27 and 29"  
Insert "secs. 28 and 30"

Page 18, line 30:

Delete "25, 28, and 30"  
Insert "26, 29, and 31"

Page 19, line 1:

Delete "Section 33"  
Insert "Section 34"

Page 19, line 3:

Delete "This Act takes"  
Insert "Sections 1 - 24 and 26 - 36 of this Act take"

Representative Berkowitz moved and asked unanimous consent that Amendment No. 4 be adopted. There being no objection, it was so ordered and the new title follows:

HOUSE CS FOR CS FOR SENATE BILL NO. 170(FIN) am H  
"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; increasing the duration of certain provisions of domestic violence protective orders from six months to one year; and providing for an effective date."

Representative Gruenberg moved and asked unanimous consent that HCS CSSB 170(FIN) am H be returned to second reading for the specific purpose of considering Amendment No. 6. There being no objection, it was so ordered.

The Speaker stated that, without objection, the rules would be suspended and the bill would be returned to second reading for all amendments.

Amendment No. 6 was offered by Representatives Gruenberg, Weyhrauch, Gatto, Masek, and Berkowitz:

Page 1, line 2 (title amendment):

Delete "**sentencing**"

Page 12, line 12, through page 14, line 4:

Delete all material.

Renumber the following bill sections accordingly.

Page 17, line 20, through page 18, line 9:

Delete all material.

Renumber the following bill sections accordingly.

Page 18, line 15:

Delete "(a)"

Page 18, line 16:

Delete all material.

May 10, 2004

4171

Page 18, lines 19 - 20:

Delete "23, 24, 26, 31, 32, and 34(b)"  
Insert "and 24"

Page 18, line 22:

Delete "Sections 27 and 29"  
Insert "Sections 25 and 27"

Page 18, line 24:

Delete "sec. 27"  
Insert "sec. 25"  
Delete "sec. 29"  
Insert "sec. 27"

Page 18, line 25:

Delete "secs. 27 and 29"  
Insert "secs. 25 and 27"

Page 18, line 30:

Delete "25, 28, 30"  
Insert "23, 26, 28"

Page 19, line 1:

Delete "Section 33"  
Insert "Section 29"

Representative Gruenberg moved and asked unanimous consent that Amendment No. 6 be adopted.

Representative Samuels objected.

Representative McGuire placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall Amendment No. 6 be adopted?" The roll was taken with the following result:

HCS CSSB 170(FIN) am H--RECONSIDERATION

Second Reading

Amendment No. 6

**YEAS: 20 NAYS: 18 EXCUSED: 2 ABSENT: 0**

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Gatto, Gruenberg, Guttenberg, Heinze, Joule, Kerttula, Kohring, Kookesh, Masek, Morgan, Ogg, Seaton, Weyhrauch, Wilson, Wolf

Nays: Anderson, Chenault, Coghill, Dahlstrom, Foster, Harris, Hawker, Holm, Kapsner, Kott, Lynn, McGuire, Meyer, Rokeberg, Samuels, Stepovich, Stoltze, Williams

Excused: Fate, Moses

And so, Amendment No. 6 was adopted and the new title follows:

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

"An Act relating to the justification of defense of self or others, immunity from prosecution, 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; increasing the duration of certain provisions of domestic violence protective orders from six months to one year; and providing for an effective date."

Amendment No. 3 was offered by Representative Weyhrauch:

Page 18, following line 16:

Insert a new bill section to read:

" \* **Sec. 35.** The uncodified law of the State of Alaska is amended by adding a new section to read:

REPORT ON IMPLEMENTATION OF SECS. 24 AND 27 OF THIS ACT. The Department of Law, in consultation with the Department of Corrections, Department of Public Safety, Department of Administration, Public Defender Agency, Office of Public Advocacy, and the Alaska Court System shall prepare a report on the implementation of secs. 24 and 27 of the Act. The report shall be submitted by February 1, 2006 to the governor and the legislature."

Renumber the following bill sections accordingly.

Representative Weyhrauch moved and asked unanimous consent that Amendment No. 3 be adopted.

Objection was heard.

Amendment to Amendment No. 3 was offered by Representative Gruenberg:

Delete "the implementation of secs. 24 and 27 of this Act"  
Insert "mandatory consecutive sentences"

Representative McGuire objected.

The question being: "Shall Amendment to Amendment No. 3 be adopted?" The roll was taken with the following result:

HCS CSSB 170(FIN) am H--RECONSIDERATION

Second Reading

Amendment to Amendment No. 3

**YEAS: 18 NAYS: 20 EXCUSED: 2 ABSENT: 0**

Yeas: Berkowitz, Cissna, Coghill, Crawford, Croft, Gara, Gatto, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kohring, Kookesh, Masek, Ogg, Weyhrauch, Wilson

Nays: Anderson, Chenault, Dahlstrom, Foster, Harris, Hawker, Heinze, Holm, Kott, Lynn, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Williams, Wolf

Excused: Fate, Moses

And so, Amendment to Amendment No. 3 was not adopted.

Representative Weyhrauch moved and asked unanimous consent to withdraw Amendment No. 3. There being no objection, it was so ordered.

Amendment No. 5 was offered by Representative Weyhrauch:

Page 14, line 30:

Delete "20"

Insert "10"

Page 16, line 13:

Delete "20"

Insert "10"

Representative Weyhrauch moved and asked unanimous consent that Amendment No. 5 be adopted.

Representative Berkowitz objected.

The question being: "Shall Amendment No. 5 be adopted?" The roll was taken with the following result:

HCS CSSB 170(FIN) am H--RECONSIDERATION

Second Reading

Amendment No. 5

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

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

Nays: Berkowitz, Kerttula, Lynn

Excused: Fate, Moses

And so, Amendment No. 5 was adopted.

HCS CSSB 170(FIN) am H was automatically in third reading.

The question to be reconsidered: "Shall HCS CSSB 170(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 170(FIN) am H--RECONSIDERATION

Third Reading

Final Passage

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

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

Excused: Fate, Moses

And so, HCS CSSB 170(FIN) am H 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.

HCS CSSB 170(FIN) am H was referred to the Chief Clerk for engrossment.

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

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

(continued)

#### **SB 385**

The following, which was advanced to third reading from the May 9, 2004, calendar (page 4078), was read the third time:

HOUSE CS FOR CS FOR SENATE BILL NO. 385(RLS) am H  
"An Act relating to homeland security, to civil defense, to emergencies and to disasters, including disasters in the event of

attacks, outbreaks of disease, or threats of attack or outbreak of disease; establishing the Alaska division of homeland security and emergency management in the Department of Military and Veterans' Affairs and relating to the functions of that division and that department; and providing for an effective date."

Representative Dahlstrom moved and asked unanimous consent that HCS CSSB 385(RLS) 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, which amends Amendment No. 1 (page 4074), was offered by Representative Dahlstrom:

Under **Sec 24.20.680(b)**:

Delete "four to six"

Insert "six to eight"

Under **Sec 24.20.680(b)**:

Insert a new paragraph to read:

"(1) the president of the senate and the speaker of the house of representatives;"

Renumber the paragraphs and internal references accordingly.

Representative Dahlstrom 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.

The question being: "Shall HCS CSSB 385(RLS) am H pass the House?" The roll was taken with the following result:

HCS CSSB 385(RLS) am H

Third Reading

Final Passage

**YEAS: 35 NAYS: 1 EXCUSED: 2 ABSENT: 2**



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

Nays: Kohring

Excused: Fate, Moses

Absent: Kookesh, Wolf

And so, HCS CSSB 385(RLS) am H 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 385(RLS) am H was referred to the Chief Clerk for engrossment.

**SB 387**

The following, which was advanced to third reading from the May 9, 2004, calendar (page 4097), was read the third time:

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 question being: "Shall SB 387 am pass the House?" The roll was taken with the following result:

SB 387 am

Third Reading

Final Passage

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

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

Nays: Kohring

Excused: Fate, Moses

And so, SB 387 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.

SB 387 am was signed by the Speaker and Chief Clerk and returned to the Senate.

**SB 389**

The following, which was advanced to third reading from the May 9, 2004, calendar (page 4078), was read the third time:

SENATE BILL NO. 389

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

The question being: "Shall SB 389 pass the House?" The roll was taken with the following result:

SB 389

Third Reading

Final Passage

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

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

Excused: Fate, Moses

And so, SB 389 passed the House.

Representative Joule declared a conflict of interest for his vote on SB 389.

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.

SB 389 was signed by the Speaker and Chief Clerk and returned to the Senate.

### RECONSIDERATION

#### **SB 260**

Representative Meyer brought up reconsideration of the vote on HCS CSSB 260(TRA)(efd fld) (page 4080).

The following was again before the House in third reading:

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

"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."

The question to be reconsidered: "Shall HCS CSSB 260(TRA) pass the House?" The roll was taken with the following result:

HCS CSSB 260(TRA)--RECONSIDERATION

Third Reading

Final Passage

**YEAS: 26 NAYS: 12 EXCUSED: 2 ABSENT: 0**

Yeas: Anderson, Chenault, Coghill, Dahlstrom, Foster, Gatto, Harris, Hawker, Heinze, Holm, Kohring, Kott, Lynn, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

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Nays: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kookesh, Masek

Excused: Fate, Moses

And so, HCS CSSB 260(TRA) passed the House on reconsideration.

Representative Coghill moved the effective date clause.

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

HCS CSSB 260(TRA)--RECONSIDERATION

Third Reading

Effective Date

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

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

Excused: Fate, Moses

And so, the effective date clause was adopted.

HCS CSSB 260(TRA) was referred to the Chief Clerk for engrossment.

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF SENATE BILLS**

(continued)

**SB 132**

The following, which had been moved down the calendar (page 4119), was read the second time:

## 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."

with the:	Journal Page
CRA RPT 4DP	3884
FN1: ZERO(DNR)	3885
RES RPT HCS(RES) 3DP 2NR 2AM	4044
FN1: ZERO(DNR)	4044

Representative Coghill moved and asked unanimous consent that CSSB 132(RES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 132(RES) was read the third time.

The question being: "Shall CSSB 132(RES) pass the House?" The roll was taken with the following result:

CSSB 132(RES)  
Third Reading  
Final Passage

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

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

Excused: Fate, Moses

And so, CSSB 132(RES) passed the House.

Representative Masek gave notice of reconsideration of the vote on CSSB 132(RES).

**SB 227**

The following, which had been moved down the calendar (page 4120), was read the second time:

CS FOR SENATE BILL NO. 227(STA) am

"An Act relating to municipal runoff elections and to municipal initiative and referendum elections."

with the:	Journal Page
CRA RPT 1DP 4NR 1AM	3536
FN1: ZERO(CED)	3537
STA RPT HCS(STA) 1DP 1NR 3AM	3733
FN1: ZERO(CED)	3733

Amendment No. 1 was not offered.

Representative Coghill moved and asked unanimous consent that CSSB 227(STA) am be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSSB 227(STA) am will advance to third reading on tomorrow's calendar.

### THIRD READING OF SENATE BILLS

**SB 65**

The following, which had been read a third time and moved to the bottom of the calendar (page 4154), was before the House in third reading:

HOUSE CS FOR CS FOR SENATE BILL NO. 65(FIN)

"An Act relating to the qualifications of correctional officers, parole officers, and probation officers; authorizing the Department of Corrections to enter into lease- purchase agreements with municipalities for new or expanded public correctional facilities in the Fairbanks North Star Borough, the Matanuska-Susitna Borough, Bethel, the Municipality of Anchorage, and the City of

Seward; relating to the development and financing of privately operated correctional facility space and services; authorizing the Department of Corrections to enter into a lease-purchase agreement with the City of Whittier for the confinement and care of prisoners in privately operated correctional facility space if the state cannot provide the same level of services required in state law or regulation for the same or less cost; giving notice of and approving, and authorizing the entry into and issuance of certificates of participation for, the upgrade, expansion, and replacement of certain jails in Dillingham and Kodiak; and providing for an effective date."

Representative Croft moved and asked unanimous consent that HCS CSSB 65(FIN) be returned to second reading for the specific purpose of considering Amendment No. 3.

Objection was heard and withdrawn. There being no further objection, HCS CSSB 65(FIN) was returned to second reading.

Amendment No. 3 was offered by Representative Croft:

Page 4, lines 27 - 31:

Delete "In an agreement with the City of Whittier, the commissioner of corrections shall require that the city procure one or more private third-party operators through a competitive bid process. The City of Whittier shall follow state procurement procedures for procurement of land, design, construction, and operation of a facility."

Page 4, line 31, following "shall":

Insert "select the third-party contractor under the procedures established in AS 36.30 (State Procurement Code), other than AS 36.30.300, to construct and operate the facility by providing custody, care, and discipline services similar to those required by the laws of the state for persons held by the commissioner under the authority of state law and shall"

Representative Croft moved and asked unanimous consent that Amendment No. 3 be adopted.

Representative Hawker objected.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

HCS CSSB 65(FIN)  
Second Reading  
Amendment No. 3

**YEAS: 14 NAYS: 24 EXCUSED: 2 ABSENT: 0**

Yeas: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gatto, Gruenberg, Joule, Kapsner, Kerttula, Kookesh, Masek, Stoltze

Nays: Anderson, Chenault, Coghill, Foster, Guttenberg, Harris, Hawker, Heinze, Holm, Kohring, Kott, Lynn, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Weyhrauch, Williams, Wilson, Wolf

Excused: Fate, Moses

And so, Amendment No. 3 was not adopted.

The question being: "Shall HCS CSSB 65(FIN) pass the House?"  
The roll was taken with the following result:

HCS CSSB 65(FIN)  
Third Reading  
Final Passage

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

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

Excused: Fate, Moses

And so, HCS CSSB 65(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.



Representative Harris gave notice of reconsideration of the vote on HCS CSSB 65(FIN).

### RECONSIDERATION

#### SB 65

Representative Harris moved and asked unanimous consent that reconsideration of HCS CSSB 65(FIN) be taken up on the same day. There being no objection, it was so ordered.

HCS CSSB 65(FIN) was again before the House in third reading.

The question to be reconsidered: "Shall HCS CSSB 65(FIN) pass the House?" The roll was taken with the following result:

#### HCS CSSB 65(FIN)--RECONSIDERATION

Third Reading

Final Passage

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

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

Excused: Fate, Moses

And so, HCS CSSB 65(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.

And so, HCS CSSB 65(FIN) was referred to the Chief Clerk for engrossment.

Without objection, the House reverted to:

### **REPORTS OF STANDING COMMITTEES**

#### **SB 269**

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 269(CRA)

"An Act relating to access to library records, including access to the library records of a child by a parent or guardian."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 269(JUD)  
(same title)

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

Do pass (1): Gruenberg

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

Amend (1): Anderson

The following fiscal note(s) apply to HCS CSSB 269(JUD):

1. Zero, Dept. of Law
2. Zero, Dept. of Education & Early Development

CSSB 269(CRA) is on today's first supplemental calendar.

### **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:

SB 269 PARENT ACCESS TO CHILD'S LIBRARY RECORDS

**SECOND READING OF SENATE BILLS**

**SB 269**

The following was read the second time:

CS FOR SENATE BILL NO. 269(CRA)

"An Act relating to access to library records, including access to the library records of a child by a parent or guardian."

with the:	Journal Page
HES RPT 4DP 1DNP 1NR	3135
FN1: ZERO(LAW)	3135
FN2: ZERO(EED)	3135
JUD RPT HCS(JUD) 1DP 4NR 1AM	4186
FN1: ZERO(LAW)	4186
FN2: ZERO(EED)	4186

Amendment No. 1 was offered by Representatives Gruenberg, Ogg, and Seaton:

Page 1, line 4, through page 2, line 5:

Delete all material and insert a new bill section to read:

**\*\* Section 1.** AS 40.25.140 is amended to read:

**Sec. 40.25.140. Confidentiality of library records.** (a) Except as provided in (b) **and (c)** of this section, the names, addresses, or other personal identifying information of people who have used materials made available to the public by a library shall be kept confidential, except upon court order, and are not subject inspection under AS 40.25.110 or 40.25.120. This **subsection** [SECTION] applies to libraries operated by the state, a municipality, [OR] a public school, including the University of Alaska, **and by a public library nonprofit corporation.**

(b) Records of a public elementary or secondary school library identifying a [MINOR] child **under 18 years of age** shall be made available on request to a parent or guardian of that child."

\* **Sec. 2.** AS 40.25.140 is amended by adding a new subsection to read:

(c) Records of a library operated by the state, a municipality, the University of Alaska, or by a public library nonprofit corporation identifying a child under 16 years of age who is unemancipated shall be made available on request to a parent or guardian of that child."

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

Representative Coghill objected.

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

Under (b), following "library identifying":

Delete "a [MINOR]"

Insert "**an unemancipated** [A MINOR]"

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

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

CSSB 269(CRA)

Second Reading

Amendment No. 1 as amended

**YEAS: 17 NAYS: 21 EXCUSED: 2 ABSENT: 0**

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Hawker, Joule, Kapsner, Kerttula, Kookesh, Kott, Ogg, Samuels, Seaton, Wilson

Nays: Anderson, Chenault, Coghill, Dahlstrom, Foster, Gatto, Harris, Heinze, Holm, Kohring, Lynn, Masek, McGuire, Meyer, Morgan, Rokeberg, Stepovich, Stoltze, Weyhrauch, Williams, Wolf

Excused: Fate, Moses

And so, Amendment No. 1 as amended was not adopted.

Amendment No. 2 was offered by Representative Berkowitz:

Page 1, line 13:

Delete "a [MINOR]"

Insert "**an unemancipated** [A MINOR]"

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

Objection was heard.

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

CSSB 269(CRA)

Second Reading

Amendment No. 2

**YEAS: 30 NAYS: 8 EXCUSED: 2 ABSENT: 0**

Yeas: Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gruenberg, Guttenberg, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kookesh, Kott, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Williams, Wilson, Wolf

Nays: Chenault, Gatto, Harris, Kohring, Lynn, Stepovich, Stoltze, Weyhrauch

Excused: Fate, Moses

And so, Amendment No. 2 was adopted.

Representative Coghill moved and asked unanimous consent that CSSB 269(CRA) am H be considered engrossed, advanced to third reading, and placed on final passage

Objection was heard.

CSSB 269(CRA) am H will advance to third reading on tomorrow's calendar.

**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 - The House Chief Clerk and Staff

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

Honoring - The House Records Staff

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

Honoring - The House Floor Staff, 2004 Legislative Staff

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

Honoring - The Legislative Affairs Agency Staff

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

Honoring - The Sexy Senior Dumpster Cleaners of Cooper Landing  
By Representatives Seaton, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Joule, Kapsner, Kerttula, Kohring, Kookesh, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

In Memoriam - Leetus L. George

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

In Memoriam - Sherry Hagen

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

In Memoriam - Robert E. (Bob) Keys

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

In Memoriam - Clayton Earl Richardson

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

## In Memoriam - Robert Serge

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

## In Memoriam - Richard Dean Allen

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

## In Memoriam - Ronald Earl Cunningham

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

## In Memoriam - Eleanor Rose Lochner

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

## In Memoriam - Carl Rentschler

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



## In Memoriam - Mary McManamin

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

## In Memoriam - Ralph Sorensen

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

## In Memoriam - John "Datu" Samuelson

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

## In Memoriam - Marjorie (Anstey) Hughes

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

**RECONSIDERATION****SB 329**

Representative Kapsner moved and asked unanimous consent that reconsideration of the vote (page 4159) on the following be taken up on the same day:

CS FOR SENATE BILL NO. 329(RES) am H  
"An Act relating to control of nuisance moose."

Objection was heard.

The question being: "Shall reconsideration of CSSB 329(RES) am H be taken up on the same day?" The roll was taken with the following result:

CSSB 329(RES) am H--RECONSIDERATION

Third Reading

Take up Reconsideration on the Same Day

**YEAS: 29 NAYS: 8 EXCUSED: 2 ABSENT: 1**

Yeas: Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gruenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lynn, McGuire, Morgan, Ogg, Rokeberg, Samuels, Stepovich, Williams, Wilson

Nays: Chenault, Gatto, Guttenberg, Meyer, Seaton, Stoltze, Weyhrauch, Wolf

Excused: Fate, Moses

Absent: Masek

And so, the motion passed.

CSSB 329(RES) am H was again before the House in third reading.

The question to be reconsidered: "Shall CSSB 329(RES) am H pass the House?" The roll was taken with the following result:

CSSB 329(RES) am H--RECONSIDERATION

Third Reading

Final Passage

**YEAS: 25 NAYS: 11 EXCUSED: 2 ABSENT: 2**

Yeas: Anderson, Cissna, Coghill, Croft, Dahlstrom, Foster, Gatto, Gruenberg, Harris, Heinze, Holm, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, McGuire, Morgan, Ogg, Rokeberg, Stepovich, Weyhrauch, Williams, Wilson

Nays: Chenault, Crawford, Gara, Guttenberg, Hawker, Lynn, Meyer, Samuels, Seaton, Stoltze, Wolf

Excused: Fate, Moses

Absent: Berkowitz, Masek

And so, CSSB 329(RES) am H passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

### UNFINISHED BUSINESS

#### **HB 468**

Representative Anderson, Chair of the Labor & Commerce Committee, moved and asked unanimous consent to withdraw CSHB 468(JUD)(crt rule fld), which was held on reconsideration to today (page 4067). There being no objection, the following was withdrawn:

CS FOR HOUSE BILL NO. 468(JUD)

"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; amending Rules 204 and 205, Alaska Rules of Appellate Procedure; and providing for an effective date."

#### **SJR 33**

Reconsideration of the following was not taken up on this legislative day. It was signed by the Speaker and Chief Clerk and returned to the Senate:

CS FOR SENATE JOINT RESOLUTION NO. 33(STA)

Urging our United States Senators to work to allow a timely vote on the floor on all judicial nominations.

#### **SB 30**

Representative Kohring added his name as cross sponsor to:

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

"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."

**SB 65**

Representative Lynn added his name as cross sponsor to:

**HOUSE CS FOR CS FOR SENATE BILL NO. 65(FIN)**

"An Act relating to the qualifications of correctional officers, parole officers, and probation officers; authorizing the Department of Corrections to enter into lease-purchase agreements with municipalities for new or expanded public correctional facilities in the Fairbanks North Star Borough, the Matanuska-Susitna Borough, Bethel, the Municipality of Anchorage, and the City of Seward; relating to the development and financing of privately operated correctional facility space and services; authorizing the Department of Corrections to enter into a lease-purchase agreement with the City of Whittier for the confinement and care of prisoners in privately operated correctional facility space if the state cannot provide the same level of services required in state law or regulation for the same or less cost; giving notice of and approving, and authorizing the entry into and issuance of certificates of participation for, the upgrade, expansion, and replacement of certain jails in Dillingham and Kodiak; and providing for an effective date."

**SB 132**

Representative Lynn added his name as cross sponsor to:

**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."

**SB 224**

Representative Lynn added his name as cross sponsor to:

**CS FOR SENATE BILL NO. 224(STA)**

"An Act relating to a minor operating a vehicle after consuming alcohol, to a minor refusing to submit to chemical tests, and to driving during the 24 hours after being cited for one of those offenses; and providing for an effective date."

**SB 329**

Representative McGuire added her name as cross sponsor to:

CS FOR SENATE BILL NO. 329(RES) am H  
"An Act relating to control of nuisance moose."

**ENGROSSMENT****HCR 40**

Reconsideration of the following, which was held to the May 10, 2004, calendar (page 4067), was not taken up on this legislative day. It was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration:

HOUSE CONCURRENT RESOLUTION NO. 40  
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.

**HCR 42**

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Chief Clerk, and filed. The House rescinded action in adopting the House Judiciary Committee Substitute (page 4054), therefore, the title change resolution was not required.

HOUSE CONCURRENT RESOLUTION NO. 42  
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 179, relating to criminal history records, background checks, and teacher certification.

**SB 65**

HCS CSSB 65(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**SB 170**

HCS CSSB 170(FIN) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**SB 260**

HCS CSSB 260(TRA) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**SB 329**

CSSB 329(RES) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**SB 382**

CSSB 382(CRA) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**SB 385**

HCS CSSB 385(RLS) am H 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.

**ADJOURNMENT**

Representative Coghill moved and asked unanimous consent that the House adjourn until 1:00 p.m., May 11, 2004. There being no objection, the House adjourned at 3:28 a.m., May 11, 2004.

Suzi Lowell  
Chief Clerk