

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Thursday

February 12, 2004

Thirty-second Day

Pursuant to adjournment the House was called to order by Speaker Kott at 10:03 a.m.

The following members were present for the technical session: Speaker Kott, Representatives Chenault, Foster, Kapsner, and Stoltze.

MESSAGES FROM THE SENATE

A message dated February 9, 2004, was received stating the Senate has accepted the invitation to meet in joint session in the House Chamber at 11:00 a.m., February 16, to hear an address by U.S. Senator Ted Stevens.

REPORTS OF STANDING COMMITTEES

HCR 25

The Resources Committee has considered:

HOUSE CONCURRENT RESOLUTION NO. 25
Relating to Alaska Wild Salmon Week, June 28 - July 4, 2004.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 25(RES)
(same title)

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

Do pass (7): Lynn, Stepovich, Kerttula, Guttenberg, Gatto, Masek, Dahlstrom

The following fiscal note(s) apply to CSHCR 25(RES):

1. Zero, Dept. of Fish & Game

HCR 25 was referred to the Rules Committee for placement on the calendar.

HJR 32

The Labor & Commerce Committee has considered:

HOUSE JOINT RESOLUTION NO. 32
Relating to the labeling of salmon and salmon food products.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 32(FSH)
Relating to the labeling of fish and fishery food products.

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

Do pass (4): Lynn, Gatto, Dahlstrom, Anderson

The following fiscal note(s) apply to CSHJR 32(FSH):

1. Zero, Dept. of Environmental Conservation

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

HB 227

The Judiciary Committee has considered:

HOUSE BILL NO. 227
"An Act increasing the jurisdictional limit for small claims and for magistrates from \$7,500 to \$10,000; increasing the jurisdictional limit of district courts in certain civil cases from \$50,000 to

\$75,000; and amending Rule 11(a)(4), Alaska District Court Rules of Civil Procedure, relating to service of process for small claims."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 227(JUD)

"An Act increasing the jurisdictional limit for small claims and for magistrates from \$7,500 to \$10,000; increasing the jurisdictional limit of district courts in certain civil cases from \$50,000 to \$100,000; expanding the jurisdiction of district courts; limiting magistrates from hearing certain small claims cases; and amending Rule 11(a)(4), Alaska District Court Rules of Civil Procedure, relating to service of process for small claims."

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

Do pass (1): McGuire

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

The following fiscal note(s) apply to CSHB 227(JUD):

1. Indeterminate, Alaska Court System

HB 227 was referred to the Finance Committee.

HB 340

The Judiciary Committee has considered:

HOUSE BILL NO. 340

"An Act relating to damages in an action for a defect in the design, construction, and remodeling of certain dwellings; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 340(JUD)
(same title)

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

Do pass (5): Ogg, Samuels, Holm, Anderson, McGuire

No recommendation (1): Gara

The following fiscal note(s) apply to CSHB 340(JUD):

1. Zero, Dept. of Community & Economic Development

HB 340 was referred to the Rules Committee for placement on the calendar.

HB 348

The Judiciary Committee has considered:

HOUSE BILL NO. 348

"An Act relating to the rights of certain victims of crime to receive information about the office of victims' rights."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 348(JUD)

"An Act relating to the rights of certain victims of crime to receive information about the office of victims' rights and the Violent Crimes Compensation Board."

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

Do pass (5): Gara, Samuels, Anderson, Gruenberg, McGuire

A House Judiciary Committee letter of intent for CSHB 348(JUD), signed by Representative McGuire, Chair, follows:

"Section 2 of this Act requires the victims' advocate to include within brochures or other written material to be given to certain crime victims information about the Violent Crimes Compensation Board. It is the intent of the House Judiciary Committee that this requirement applies

only to brochures or other written material printed after the effective date of this Act. The victims' advocate may continue to supply brochures or other written material printed before the effective date of this Act until those brochures or materials are exhausted."

The following fiscal note(s) apply to CSHB 348(JUD):

1. Zero, Dept. of Administration
2. Zero, Dept. of Administration
3. Zero, Dept. of Law
4. Zero, House Judiciary Committee
5. Zero, Dept. of Public Safety

HB 348 was referred to the Rules Committee for placement on the calendar.

HB 356

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 356

"An Act relating to operation of alcoholic beverage delivery sites; and providing for an effective date."

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

Do pass (4): Lynn, Gatto, Dahlstrom, Anderson

The following fiscal note(s) apply:

1. Zero, Dept. of Public Safety

HB 356 was referred to the Rules Committee for placement on the calendar.

HB 357

The Judiciary Committee has considered:

HOUSE BILL NO. 357

"An Act relating to restitution; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 357(JUD)
(same title)

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

Do pass (3): Samuels, Gara, McGuire

No recommendation (1): Holm

The following fiscal note(s) apply to CSHB 357(JUD):

1. Indeterminate, Dept. of Administration
2. Indeterminate, Dept. of Law

The Speaker added a Finance Committee referral to HB 357.

HB 357 was referred to the Finance Committee.

HB 397

The Judiciary Committee has considered:

HOUSE BILL NO. 397

"An Act relating to defense contacts with and recordings of statements of victims or witnesses; and amending Rule 16, Alaska Rules of Criminal Procedure."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 397(JUD)
"An Act relating to defense contacts with and recordings of statements of victims and witnesses of sexual offenses."

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

Do pass (3): Samuels, Anderson, McGuire

No recommendation (2): Holm, Gara

The following fiscal note(s) apply to CSHB 397(JUD):

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

HB 397 was referred to the Rules Committee for placement on the calendar.

HB 398

The Judiciary Committee has considered:

HOUSE BILL NO. 398

"An Act relating to domestic violence fatality review teams."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 398(JUD)
(same title)

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

Do pass (5): Gara, Samuels, Anderson, Gruenberg, McGuire

The following fiscal note(s) apply to CSHB 398(JUD):

1. Zero, Dept. of Administration
2. Zero, Dept. of Administration
3. Zero, Dept. of Law
4. Zero, Dept. of Public Safety

HB 398 was referred to the Rules Committee for placement on the calendar.

HB 414

The State Affairs Committee has considered:

HOUSE BILL NO. 414

"An Act relating to filling the vacancy in the office of United States senator, and to the definition of 'political party.'"

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 414(STA)

(same title)

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

Do pass (3): Seaton, Coghill, Weyhrauch

Do not pass (1): Berkowitz

No recommendation (3): Gruenberg, Holm, Lynn

The following fiscal note(s) apply to CSHB 414(STA):

1. Zero, Office of the Governor

HB 414 was referred to the Judiciary Committee.

REPORTS OF SPECIAL COMMITTEES**HJR 34**

The House Special Committee on Fisheries has considered:

HOUSE JOINT RESOLUTION NO. 34

Requesting the United States Department of Agriculture and the United States Department of Labor to extend Trade Adjustment Assistance benefits to Alaska fishermen; requesting the United States Congress and the United States Department of Agriculture to extend additional disaster and price support benefits to Alaska salmon fishermen; and requesting the United States Department of

Agriculture to establish terminal markets in Alaska for all covered commodities including salmon.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 34(FSH)

Requesting the United States Department of Agriculture and the United States Department of Labor to extend Trade Adjustment Assistance benefits to Alaska salmon fishermen; requesting the United States Congress and the United States Department of Agriculture to extend additional disaster and price support benefits to Alaska salmon fishermen; and requesting the United States Department of Commerce to establish a Trade Adjustment Assistance program specific to commercial fishermen.

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

Do pass (5): Ogg, Wilson, Samuels, Guttenberg, Seaton

The following fiscal note(s) apply to CSHJR 34(FSH):

1. Zero, Legislative Agency

HJR 34 was referred to the Labor & Commerce Committee.

HB 296

The House Special Committee on Oil & Gas has considered:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 296

"An Act making an appropriation to the Alaska Natural Gas Development Authority; and providing for an effective date."

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

Do pass (4): Heinze, Crawford, Kerttula, McGuire

Do not pass (1): Kohring

No recommendation (1): Holm

SSHB 296 was referred to the Resources Committee.

HB 410

The House Special Committee on Fisheries has considered:

HOUSE BILL NO. 410

"An Act relating to the administration of commercial fishing entry permit buy-back programs."

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

Do pass (3): Ogg, Wilson, Seaton

No recommendation (2): Samuels, Guttenberg

The following fiscal note(s) apply:

1. Zero, Dept. of Fish & Game

HB 410 was referred to the Resources Committee.

INTRODUCTION OF CITATIONS

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

Honoring - University of Alaska Women's Basketball Team
By Representative Meyer

Honoring - August Hiebert
By Representative Gara; Senator Ellis

In Memoriam - Chief Peter John
By Representative Morgan; Senator Lincoln

In Memoriam - Nick P. Mellick, Jr.
By Representative Morgan; Senator Lincoln

In Memoriam - Senator Frank R. Parraq Ferguson
By Representative Joule

In Memoriam - Representative Ramona Barnes
By Senator Cowdery

In Memoriam - Robert Lynn Plymire
By Senator Gary Stevens; Representative Seaton

In Memoriam - Japhet J. Anvil
By Senator Hoffman; Representative Kapsner

In Memoriam - Alexie "Tutmaralia" Isaac
By Senator Hoffman; Representative Kapsner

UNFINISHED BUSINESS

HB 404

The Office of the Governor has submitted the following fiscal note:

4. Zero, Dept. of Labor & Workforce Development

The fiscal note applies to the following which was introduced on January 28 (page 2417):

HOUSE BILL NO. 404

"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."

HB 404 is in the House Special Committee on Education.

HR 8

Representative Kohring removed his name as cosponsor to:

HOUSE RESOLUTION NO. 8

Recognizing February 6, 2004, as Ronald Reagan Day in Alaska.

HJR 32

Representative Anderson added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 32

Relating to the labeling of salmon and salmon food products.

HJR 35

Representatives McGuire, Morgan, Gara, Crawford, and Cissna added their names as cosponsors to:

HOUSE JOINT RESOLUTION NO. 35

Relating to mad cow disease and country-of-origin labeling for meat products.

HB 91

Representative Ogg added his name as cosponsor to:

HOUSE BILL NO. 91

"An Act relating to a cost-of-living allowance and medical benefits for retired peace officers after 20 years of credited service."

HB 181

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 181

"An Act relating to a state veterans' home; directing the Department of Administration to apply for federal grants available for construction of a state veterans' home; and providing for an effective date."

HB 182

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 182

"An Act appropriating money for the construction of a state veterans' home; and providing for an effective date."

HB 196

Representative Kohring removed his name as cosponsor to:

CS FOR HOUSE BILL NO. 196(RES)

"An Act relating to carbon sequestration; and providing for an effective date."

HB 259

Representative Kohring removed his name as cosponsor to:

HOUSE BILL NO. 259

"An Act relating to public school transportation, and to the minimum wages for school bus drivers; and providing for an effective date."

HB 275

Representative Masek added her name as cosponsor to:

HOUSE BILL NO. 275

"An Act relating to veterinarians and animals."

HB 287

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 287

"An Act relating to waiver of permanent fund dividend application requirements in a time of national military emergency; and providing for an effective date."

HB 296

Representative Kerttula added her name as cosponsor to:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 296

"An Act making an appropriation to the Alaska Natural Gas Development Authority; and providing for an effective date."

HB 304

Representative Kohring removed his name as cosponsor to:

HOUSE BILL NO. 304

"An Act naming the Jack Coghill Bridge to the Interior."

HB 366

Representative Chenault added his name as cosponsor to:

HOUSE BILL NO. 366

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

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

Personal Bill Deadline extended to: 10:00 a.m., 2/16

ADJOURNMENT

Representative Foster, Acting Majority Leader, moved and asked unanimous consent that the House adjourn until 10:45 a.m., February 16, 2004. There being no objection, the House adjourned at 10:12 a.m.

Suzi Lowell
Chief Clerk