

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Thursday

February 26, 2004

Forty-sixth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 10:11 a.m.

Roll call showed 36 members present. Representatives Chenault and Harris had been previously excused from a call of the House today. Representative Kookesh had been previously excused from a call of the House today and his presence was noted later.

Representative Coghill moved and asked unanimous consent that Representative Fate be excused from a call of the House today because of illness. There being no objection, it was so ordered. The presence of Representative Fate was noted later.

The invocation was offered by the Chaplain, Connie Munro of the Juneau Unitarian Universalist Fellowship. Representative Gruenberg moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

In honor of Black History Month and Elizabeth Peratrovich Day, I would like to read from *The Idea of Democracy* by Abraham Lincoln:

"As labor is the common burden of our race, so the effort of some to shift their share of the burden onto the shoulders of others is the great, durable curse of the race. As I would not be a slave, so I would not be a master. This expresses my idea of a democracy. Whatever differs from this, to the extent of the difference, is no democracy.

Our reliance is in our love for liberty; our defense is in the spirit which prizes liberty as the heritage of all people in all lands everywhere.

Those who deny freedom to others deserve it not for themselves, and cannot long retain it.

Let us have faith that right makes might, and in that faith, let us, to the end, dare to do our duty as we understand it."

The Pledge of Allegiance was led by Representative Kohring.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 44th and 45th legislative days and House and Senate Joint Journal Supplement No. 15 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

The following letter dated February 26, 2004, was received:

"Dear Speaker Kott:

In accordance with AS 38.06.050(a) and AS 38.06.070, I am transmitting a copy of the Alaska Royalty Oil and Gas Development Advisory Board's resolution unanimously approving a royalty oil contract between the state and Flint Hills Resources Alaska, LLC, for the sale of Alaska North Slope royalty oil. Legislative approval for the contract is required by AS 38.06.055. Also enclosed for reference is the Best Interest Finding of the Commissioner of the Department of Natural Resources (DNR) dated February 12, 2004, and the signed contract.

DNR worked hard to secure favorable terms to the state and complete negotiations of the contract. That hard work will now pay dividends to all Alaskans. Under the contract, the state will supply 24,000 to 77,000 barrels of North Slope royalty oil to Flint Hills Resources Alaska, LLC. The department forecasts that state royalty revenues under the contract will be approximately \$0.30 per barrel higher than if the royalty were taken in value from the North Slope producers. This will result in increased revenues from \$2.6 million to \$8.4 million per year.

The contract uses Alaska North Slope spot prices to determine the royalty in-kind price. This along with a fixed transportation price eliminates the need for retroactive adjustments – which removes the risk of the state losing value in royalty re-openers.

I urge your prompt consideration and approval of the contract.

Sincerely yours,

/s/

Frank H. Murkowski
Governor"

The Speaker referred the letter and enclosures to the Finance Committee.

SCR 21

A message dated February 24, 2004, was read stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 21

Relating to declaring March 2004 as Sobriety Awareness Month.

Legislative Resolve No. 36

MESSAGES FROM THE SENATE

A message dated February 25, 2004, was read stating the Senate has accepted the revised invitation to meet in joint session in the House Chamber at 11:00 a.m., April 2 to hear an address by the Honorable Lisa Murkowski, U.S. Senator.

HB 304

A message dated February 25, 2004, was read stating the Senate has passed:

HOUSE BILL NO. 304

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

HB 304 was referred to the Chief Clerk for enrollment.

A message dated February 25, 2004, was read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS****SB 264**

SENATE BILL NO. 264 by the Senate Rules Committee by request of the Governor, entitled:

"An Act repealing the time limitation on the authority of the Department of Natural Resources to enter into agreements with a person or persons desiring to own an oil or natural gas pipeline proposed to be located on state land for the purposes of providing for payment of the reasonable costs incurred in preparing for activities before receipt of an application under the Alaska Right-of-Way Leasing Act; and providing for an effective date."

was read the first time and referred to the House Special Committee on Oil & Gas and the Resources Committee.

SB 265

CS FOR SENATE BILL NO. 265(RES) by the Senate Resources Committee, entitled:

"An Act relating to the schedule of proposed oil and gas lease sales and to a related report to the legislature; and providing for an effective date."

was read the first time and referred to the House Special Committee on Oil & Gas and the Resources Committee.

SB 266

SENATE BILL NO. 266 by the Senate Rules Committee by request of the Governor, entitled:

"An Act approving an interim classification by the commissioner of natural resources closing certain land within the area of the proposed Bristol Bay (Alaska Peninsula) competitive oil and gas areawide lease sale to oil and gas exploration licensing and shallow natural gas leasing; and providing for an effective date."

was read the first time and referred to the House Special Committee on Oil & Gas and the Resources Committee.

COMMUNICATIONS

The following were received:

Alaska Court System
2003 Annual Report

Alaska Railroad Corporation
Special Report to the State of Alaska
Legislature and Administration
January 2004

Dept. of Revenue
Division of Treasury
Alaska Public Debt, 2003 - 2004
January 2004

HB 75

Pursuant to:

CONFERENCE CS FOR SS FOR HOUSE BILL NO. 75

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; and providing for an effective date."

Chapter No. 83, SLA 2003

A transmittal letter dated February 18, 2004, from the Local Boundary Commission and the Dept. of Education & Early Development was received notifying the legislature that the School Consolidation Study is available electronically at the following site:

<http://www.dced.state.ak.us/dca/lbc/lbc.htm>

SB 100

Pursuant to:

HOUSE CS FOR CS FOR SENATE BILL NO. 100(FIN) am
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"An Act making capital appropriations, supplemental appropriations, and reappropriations; capitalizing funds; making other appropriations; and providing for an effective date."

Chapter No. 82, SLA 2003

The following was received:

Dept. of Transportation & Public Facilities
Shakwak Federal Receipts Investment Plan
February 22, 2004

REPORTS OF STANDING COMMITTEES

HJR 20

The Finance Committee has considered:

HOUSE JOINT RESOLUTION NO. 20
Proposing amendments to the Constitution of the State of Alaska
repealing the prohibition on dedicated funds.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 20(JUD)
Proposing amendments to the Constitution of the State of Alaska
creating a highway fund.

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

Do pass (1): Foster

Do not pass (3): Jule, Fate, Harris

No recommendation (6): Meyer, Hawker, Croft, Stoltze, Moses, Williams

The following fiscal note(s) apply to CSHJR 20(JUD):

2. Fiscal, Office of the Governor

HJR 20 was referred to the Rules Committee for placement on the calendar.

HJR 35

The Resources Committee has considered:

HOUSE JOINT RESOLUTION NO. 35

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

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 35(L&C)

Relating to bovine spongiform encephalopathy, commonly known as mad cow disease, and country-of-origin labeling for meat products.

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

Do pass (6): Kerttula, Guttenberg, Lynn, Heinze, Dahlstrom, Masek

No recommendation (1): Wolf

Amend (2): Gatto, Stepovich

The following fiscal note(s) apply to CSHJR 35(L&C):

1. Zero, House Labor & Commerce Committee

HJR 35 was referred to the Rules Committee for placement on the calendar.

HB 29

The Judiciary Committee has considered:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 29

"An Act relating to real estate licensees and real estate transactions; and providing for an effective date."

and recommends it be replaced with:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.
29(JUD)
(same title)

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

Do pass (4): Samuels, Anderson, Ogg, McGuire

No recommendation (2): Gara, Gruenberg

The following fiscal note(s) apply to CSSSHB 29(JUD):

1. Zero, Dept. of Community & Economic Development

SSH 29 was referred to the Rules Committee for placement on the calendar.

HB 188

The Resources Committee has considered:

HOUSE BILL NO. 188

"An Act relating to the authority of the Department of Natural Resources to issue citations for certain skiing violations; relating to establishing a bail schedule for certain skiing violations and to procedures for issuing a citation for a skiing violation."

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

Do pass (5): Heinze, Lynn, Kerttula, Masek, Dahlstrom

No recommendation (2): Stepovich, Guttenberg

Amend (1): Gatto

The following fiscal note(s) apply:

1. Zero, Alaska Court System

HB 188 was referred to the State Affairs Committee.

HB 341

The Resources Committee has considered:

HOUSE BILL NO. 341

"An Act relating to the dive fishery management assessment."

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

Do pass (8): Heinze, Stepovich, Gatto, Lynn, Wolf, Kerttula, Masek, Dahlstrom

Do not pass (1): Guttenberg

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue

HB 341 was referred to the Rules Committee for placement on the calendar.

HB 344

The Resources Committee considered:

HOUSE BILL NO. 344

"An Act relating to annual rental fees for mining claims, and providing for reduced royalties during the first three years of production."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 344(RES)

"An Act relating to annual rental fees, statements of annual labor, and production royalty for mining claims; and providing a cure for abandonment."

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

Do pass (7): Heinze, Lynn, Stepovich, Wolf, Kerttula, Masek, Dahlstrom

No recommendation (2): Gatto, Guttenberg

The following fiscal note(s) apply to CSHB 344(RES):

1. Fiscal, Dept. of Natural Resources

HB 344 was referred to the Finance Committee.

HB 357

The Finance 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 Representatives Harris and Williams, Co-chairs, with the following individual recommendations:

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

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

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

HB 357 was referred to the Rules Committee for placement on the calendar.

HB 394

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 394

"An Act extending the Alaska Commission on Aging."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 394(HES)

"An Act extending the termination date of the Alaska Commission on Aging and making technical revisions to citations related to the commission."

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

Do pass (4): Wolf, Coghill, Cissna, Wilson

The following fiscal note(s) apply to CSHB 394(HES):

1. Fiscal, Dept. of Health & Social Services

HB 394 was referred to the Finance Committee.

HB 404

The Health, Education & Social Services Committee has considered:

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."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 404(HES)

(same title)

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

Do pass (6): Gatto, Wolf, Coghill, Seaton, Cissna, Wilson

The following fiscal note(s) apply to CSHB 404(HES):

1. Zero, Dept. of Administration
2. Zero, Dept. of Community & Economic Development
4. Zero, Dept. of Labor & Workforce Development
5. Fiscal, Dept. of Education & Early Development

HB 404 was referred to the Finance Committee.

HB 418

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 418

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 418(L&C)

"An Act extending the termination date of the Real Estate Commission; relating to real estate; relating to home inspectors; relating to real estate licensees; and providing for an effective date."

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

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

No recommendation (1): Guttenberg

The following fiscal note(s) apply to CSHB 418(L&C):

1. Fiscal, Dept. of Community & Economic Development

HB 418 was referred to the Rules Committee for placement on the calendar.

HB 428

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 428

"An Act relating to civil liability for acts related to obtaining alcohol for persons under 21 years of age or for persons under 21 years of age being on licensed premises."

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

Do pass (5): Crawford, Lynn, Rokeberg, Guttenberg, Gatto

The following fiscal note(s) apply:

1. Zero, Alaska Court System
2. Zero, Dept. of Public Safety

HB 428 was referred to the Judiciary Committee.

HB 430

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 430

"An Act relating to employees under 21 years of age in the premises of hotels, restaurants, and eating places that are licensed to sell, serve, deliver, or dispense alcoholic beverages."

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

Do pass (5): Crawford, Lynn, Rokeberg, Guttenberg, Gatto

The following fiscal note(s) apply:

1. Zero, Dept. of Labor & Workforce Development
2. Zero, Dept. of Public Safety

HB 430 was referred to the Judiciary Committee.

HB 431

The Community & Regional Affairs Committee has considered:

HOUSE BILL NO. 431

"An Act relating to the municipal dividend program; and providing for an effective date."

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

Do pass (3): Kott, Cissna, Morgan

No recommendation (2): Samuels, Wolf

The following fiscal note(s) apply:

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

HB 431 was referred to the State Affairs Committee.

HB 438

The Transportation Committee has considered:

HOUSE BILL NO. 438

"An Act relating to motorists moving over or slowing down for emergency vehicles."

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

Do pass (3): Ogg, Stepovich, Holm

No recommendation (2): Masek, Kohring

The following fiscal note(s) apply:

1. Zero, Dept. of Law
2. Zero, Dept. of Public Safety

HB 438 was referred to the State Affairs Committee.

HB 447

The State Affairs Committee has considered:

HOUSE BILL NO. 447

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 447(STA)
(same title)

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

Do pass (4): Holm, Lynn, Coghill, Weyhrauch

No recommendation (1): Berkowitz

The following fiscal note(s) apply to CSHB 447(STA):

1. Zero, Legislative Agency

HB 447 was referred to the Judiciary Committee.

HB 503

The Finance Committee has considered:

HOUSE BILL NO. 503

"An Act relating to the tobacco product Master Settlement Agreement; 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): Hawker, Fate, Foster, Harris, Williams

No recommendation (1): Stoltze

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue

HB 503 was referred to the Rules Committee for placement on the calendar.

SB 63

The Community & Regional Affairs Committee has considered:

CS FOR SENATE BILL NO. 63(STA)

"An Act relating to transition provisions related to municipal mergers, consolidations, dissolutions, reclassifications, annexations, detachments, and incorporations; and relating to municipal property taxation in annexed, detached, and newly incorporated areas."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 63(CRA)

"An Act relating to municipal property taxation in annexed, detached, and newly incorporated areas."

(HCR 33 - title change authorization)

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

Do pass (2): Anderson, Samuels

No recommendation (2): Wolf, Morgan

The following fiscal note(s) apply to HCS CSSB 63(CRA):

2. Zero, Dept. of Community & Economic Development

CSSB 63(STA) was referred to the Rules Committee for placement on the calendar.

REPORTS OF SPECIAL COMMITTEES**HJR 36**

The House Special Committee on Fisheries has considered:

HOUSE JOINT RESOLUTION NO. 36

Requesting the National Park Service to mitigate the adverse economic effects of commercial fishing closures and restrictions in Glacier Bay National Park and Preserve.

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

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

The following fiscal note(s) apply:

1. Zero, Legislative Agency

HJR 36 was referred to the Resources Committee.

HB 419

The House Special Committee on Economic Development, International Trade, & Tourism has considered:

HOUSE BILL NO. 419

"An Act relating to regional seafood development associations and to regional seafood development taxes."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 419(EDT)
(same title)

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

Do pass (2): Crawford, Heinze

No recommendation (2): Dahlstrom, Cissna

Amend (1): Kohring

The following fiscal note(s) apply to CSHB 419(EDT):

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

HB 419 was referred to the Resources Committee.

HB 444

The House Special Committee on Fisheries has considered:

HOUSE BILL NO. 444

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 444(FSH)
(same title)

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

Do pass (2): Wilson, Seaton

No recommendation (3): Ogg, Samuels, Guttenberg

The following fiscal note(s) apply to CSHB 444(FSH):

1. Fiscal, Dept. of Revenue

HB 444 was referred to the Resources Committee.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 522**

HOUSE BILL NO. 522 by the House State Affairs Committee, entitled:

"An Act relating to discharges from small commercial passenger vessels; and providing for an effective date."

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

HB 523

HOUSE BILL NO. 523 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to qualifications of voters, voter registration, voter residence, precinct boundary modification, recognized political parties, voters unaffiliated with political parties, early voting, absentee voting, ballot counting, voting by mail, initiative, referendum, recall, and definitions; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Zero, Dept. of Law
2. Fiscal, Office of the Governor

The Governor's transmittal letter dated February 25, 2004, follows:

"Dear Speaker Kott:

Under the authority of article III, section 18, of the Alaska Constitution, I am transmitting a bill relating to the state's elections statutes.

This bill would update statutes on qualifications of voters, voter registration, voter residence, precinct boundary modification, recognized political parties, voters unaffiliated with political parties, early and absentee voting, ballot counting, voting by mail, initiatives, referendums, recalls, and definitions.

The updates are necessary to reflect current practices of the Division of Elections and to bring the statutes into compliance with recent court decisions and federal law.

Section 1 of the bill would amend two provisions in AS 15.05.020 on rules for determining the residence of a voter. It would amend AS 15.05.020(2) to clarify that "temporary work sites" do not constitute a dwelling place; this provision formerly referenced "construction camps." Section 1 also would amend AS 15.05.020(10) to reference the official voter registration "record," rather than "card."

Section 2 of the bill would amend AS 15.07.060(a)(4) on required registration information, to specify that the applicant must provide the applicant's Alaska residence address.

Section 3 of the bill would amend AS 15.10.090 on notice of precinct boundary designation and modification, to require that notice be published on the Division of Elections' Internet web site, to provide that written notice need not be posted in a physical place if notice is published in a newspaper, and to reduce the number of places where notice is posted from three places to one place.

Section 4 of the bill would amend AS 15.15.350(a), on the general procedure for a ballot count, to require that the accounting for all ballots prepared by the election board include the number of ballots returned to the elections supervisor for destruction.

Sections 5 and 6 of the bill would amend AS 15.20.064 on early voting, to allow the director of elections to designate other locations, in addition to election supervisor offices, for early voting.

Section 7 of the bill would amend AS 15.20.066(b) on absentee voting by electronic transmission, to lower the number of witnesses required from two to one.

Sections 8 and 9 of the bill would amend AS 15.20.081(d) on absentee voting by mail or electronic transmission, to lower the number of witnesses required from two to one, and AS 15.20.081(h) to change the reference to military addresses from "APO or FPO address" to an "overseas voter qualifying under AS 15.05.011."

Section 10 of the bill would amend AS 15.20.800 on voting by mail to specify that a ballot will not be sent to a voter whose address has been identified as undeliverable.

Section 11 of the bill would add a proposed new section, AS 15.20.910, on voting system standards, incorporating recent federal requirements under the Help America Vote Act.

Section 12 of the bill would amend AS 15.45.030 on the form of the application for an initiative petition, to require additional information from the sponsors.

Section 13 of the bill would amend AS 15.45.060 on designation of sponsors for an initiative, to specify that sponsors support the bill proposed by the initiative application.

Section 14 of the bill would amend AS 15.45.090 on preparation of petitions, to require the printed name and date of birth of those signing an initiative petition. This section also would require that initiative petitions be sequentially numbered, and removes the requirement that the lieutenant governor keep a record of petitions delivered to sponsors. These amendments are proposed to comply with the state Superior Court's decision in the case of *Hinterberger v. State*, 3AN-03-4092 CI (October 21, 2003).

Section 15 of the bill would add a proposed new section, AS 15.45.105, to specify the qualifications of an initiative petition circulator.

Section 16 of the bill would amend AS 15.45.120 on the manner of signing and withdrawing a name from an initiative petition, to require additional information from initiative petition signers.

Section 17 of the bill would amend AS 15.45.130 on the certification of circulators for an initiative petition, to reference the proposed new section on qualifications of an initiative petition circulator, and to delete the requirement that the circulator's name be prominently displayed on the petition. This latter requirement has not been enforced for some time in order to comply with the United States Supreme Court opinion in *Buckley v. American Constitutional Law Foundation*, 525 U.S. 182 (1999), under advice from a formal opinion of the state attorney general's office, 2000 Op. Att'y Gen. No. 3 (September 22).

Section 18 of the bill would amend AS 15.45.200 on display of the proposed law, to reduce the number of copies of a law proposed by an initiative displayed in the polling place from three to one.

Section 19 of the bill would amend AS 15.45.270 on the form of the application, to conform the requirements for a referendum application to those required for an initiative application.

Section 20 of the bill would amend AS 15.45.290 on designation of sponsors, to conform the requirements for a referendum sponsor to those required for an initiative sponsor.

Section 21 of the bill would amend AS 15.45.320 on preparation of a petition, to conform the requirements for a referendum petition to those required for an initiative petition.

Section 22 of the bill would add a proposed new section, AS 15.45.335, to set out the qualifications for a circulator of a referendum petition.

Section 23 of the bill would amend AS 15.45.340 on circulation, to incorporate the prohibitions and penalties applicable to initiative petitions and apply these to circulation of referendum petitions.

Section 24 of the bill would amend AS 15.45.350 on the manner of signing and withdrawing a name from a petition, to require additional information for signing a referendum petition.

Section 25 of the bill would amend AS 15.45.360 on the certification of circulators, to conform the requirements for circulation of a referendum petition to those required for circulation of an initiative petition.

Section 26 of the bill would amend AS 15.45.430 on display of the act being referred to in the referendum, to reduce the number of copies of the act displayed in the polling place from three to one.

Section 27 of the bill would amend AS 15.45.500 on the form of the application, to specify similar requirements for a recall application to those required for an initiative application, including deleting the requirement that recall petition circulators be registered voters.

Section 28 of the bill would add a proposed new section, AS 15.45.515, on the designation of sponsors for a recall application using language similar to the statute on initiative petition sponsors.

Section 29 of the bill would amend AS 15.45.560 on preparation of the recall petition, to impose requirements similar to the requirements for an initiative petition.

Section 30 of the bill would add a proposed new section, AS 15.45.575, on qualifications of circulators to set out the qualifications for circulation of a recall petition.

Section 31 of the bill would amend AS 15.45.580 on circulation, to add requirements on circulation of a recall petition similar to those for circulation of initiative petitions.

Section 32 of the bill would amend AS 15.45.590 on the manner of signing and withdrawing a name from a petition, to require additional information from recall petition signers.

Section 33 of the bill would amend AS 15.45.600 on certification of circulators for a recall petition, to add similar requirements to those for circulation of an initiative petition.

Section 34 of the bill would amend AS 15.45.680 on display of grounds for and against recall, to reduce the number of copies displayed in the polling place from three to one.

Section 35 of the bill would add a proposed new section, AS 15.60.003, to set up categories for voters who are unaffiliated with political parties.

Section 36 of the bill would add a proposed new section, AS 15.60.008, to set out the requirements for recognized political party status.

Section 37 of the bill would amend the definition of "political party" in AS 15.60.010(21) to use the election for any statewide office, rather than solely the Office of Governor, as the benchmark for attaining the voter support necessary for political party status.

Section 38 of the bill would amend AS 15.60.010 by adding new definitions of "re-registration" and "statewide office" for the purposes of AS 15 on elections.

Section 39 of the bill would provide that the changes made by sections 12 - 34 of the bill apply to an application for an initiative, referendum, or recall that is filed with the lieutenant governor on or after the effective date of the bill.

Section 40 of the bill would provide that the elections statutes, as they existed before the amendments made by sections 12 - 34 of this bill, would apply to an initiative, referendum, or recall for which the application was filed before the effective date of the bill.

Section 41 of the bill sets out a revisor's instruction related to the addition of proposed AS 15.20.910 in section 11 of the bill.

Section 42 of the bill would establish an immediate effective date for the bill.

I urge your prompt and favorable action on this measure.

Sincerely yours,
/s/
Frank H. Murkowski
Governor"

HB 524

HOUSE BILL NO. 524 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to the protection of land and water from waste disposal; providing for the regulation of waste management; making conforming amendments; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Zero, Dept. of Environmental Conservation

The Governor's transmittal letter dated February 25, 2004, follows:

"Dear Speaker Kott:

Under the authority of article III, section 18, of the Alaska Constitution, and in the interest of reducing duplication in and otherwise improving regulatory processes, I am transmitting a bill relating to regulation of waste management and disposal that would:

1. reorganize and supplement existing statutory authority to provide flexibility in the regulatory tools used to control the treatment and disposal of waste;
2. streamline certain aspects of the permitting process; and
3. provide explicit statutory authority for proof of financial responsibility for certain types of municipal solid waste and mining waste treatment and disposal facilities.

Under existing state law, the Department of Environmental Conservation (DEC) regulates a broad universe of waste and wastewater disposal activities. In addition to regulating discharges to surface waters, the DEC regulates discharges to groundwater and the disposal of solid and liquid wastes on land. The existing statutory authority for these regulatory programs is drawn from several sections

of AS 46.03, some providing broad, general powers and others prescribing detailed requirements. These statutory authorities do not provide adequate regulatory tools for efficient regulation of waste treatment and disposal.

This bill would change the existing statutory authority for a waste disposal permit program (AS 46.03.100) by reorganizing and supplementing it. That reorganized section would preserve the essential requirement to obtain authorization before conducting an operation that results in waste disposal. The bill would allow for the needed authorization to take one of several forms, providing flexibility to use regulatory tools other than the individual and general permits contemplated by the current law, in addition to those permits. The bill would provide for stakeholder participation in that even the simplest of the regulatory tools would include notice and comment regulation adoption.

The changes proposed to existing AS 46.03.100 would address requirements for proof of financial responsibility for certain types of waste treatment or disposal facilities. Current law explicitly requires such proof only for permits to dispose of hazardous waste. This bill would refocus the requirement on solid waste disposal facilities that accept hazardous waste and on mine waste treatment and disposal facilities that use chemical processing or have acid generation potential. For mines that do not use chemical processing or produce waste with acid generation potential, proof of financial responsibility would not be required as a condition for the waste treatment or disposal authorization, but this would not affect the separate reclamation-related financial responsibility requirements administered by the Department of Natural Resources. The bill would provide for DEC to accept proof of financial responsibility provided to the Department of Natural Resources or a federal land manager agency for mine reclamation instead of requiring duplicative bonding.

The bill would clarify that the proof of financial responsibility must cover managing and closing the facility to control or minimize the risk of release of unauthorized levels of pollutants to waters. The bill also would allow for the possibility that this financial responsibility requirement may need to be extended to some municipal solid waste disposal facilities.

The changes proposed to AS 46.03.100 would modify the requirement for a solid waste permit applicant to demonstrate consideration of all solid waste management options and consistency with the waste reduction practices and priorities of AS 46.06.021. As modified, those requirements would apply only to non-municipal solid waste disposal applicants.

The bill also would reorder the components of the waste disposal authorization provisions so that they flow from the prohibition against unauthorized waste disposal, to the basic regulatory tools available for authorizing the disposal, to provisions for plan reviews and integrated waste management permits, to the exemptions, and finally to specific requirements that must be met by certain categories of disposers.

This bill would amend some existing permit processing requirements related to application submittals, public notice and comment opportunities, the maximum term of permits, and the causes for termination or modification of an authorization.

This bill would add a definition for "municipal solid waste" and would amend the definition of "solid waste." It also would repeal the plan submittal, review, and approval provisions of AS 46.03.090 and 46.03.720(a) as superfluous in light of the changes proposed to AS 46.03.100 (which makes written plan approvals one of the tools available for authorizing activities covered by the repealed sections). It also would make conforming amendments in AS 16.05.782(e), AS 44.46.025(a), and 46.03.833(a), to reflect citation or terminology changes caused by other amendments and repealers in the bill.

I urge your prompt and favorable action on this measure.

Sincerely yours,

/s/

Frank H. Murkowski

Governor"

HB 525

HOUSE BILL NO. 525 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to complaints filed with, and investigations, hearings, and orders of, the State Commission for Human Rights; making conforming amendments; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Zero, Office of the Governor

The Governor's transmittal letter dated February 25, 2004, follows:

"Dear Speaker Kott:

Under the authority of article III, section 18, of the Alaska Constitution, I am transmitting a bill that would amend the investigation and procedure laws of the State Commission for Human Rights (commission). The bill would amend the investigation and hearing procedures to enhance efficiency and to give the commission more enforcement discretion to increase its effectiveness in combating unlawful discrimination.

The bill would add a new statutory provision, AS 18.80.112, to provide the staff of the commission with greater authority to evaluate complaints of discrimination and to choose the complaints that it pursues to hearing before the commission. The purpose of the amendment is to reverse the Alaska Supreme Court's decision in Department of Fish and Game v. Meyer, 906 P.2d 1365 (Alaska 1995), that a hearing is mandatory if a complaint is supported by substantial evidence. The court concluded that the state human rights laws did not give the commission staff discretion to discontinue action

on a complaint after an investigator found substantial evidence of unlawful discrimination. *Id.*, at 1373. The effect of this decision was to require the commission to commit its resources to any complaint supported by substantial evidence without regard to such factors as the weakness of the evidence, the strength of an employer's affirmative defenses, or the significance of the alleged violation. Providing the commission with genuine prosecutorial discretion would allow the commission to commit its resources to complaints it determines merit pursuit, based on such factors as, for example, the strength of the evidence, the severity of the alleged violation, an employer's history before the commission, or the complaint's value in establishing precedent guiding future conduct.

The discretion of the staff of the commission would also be expanded to allow it to compromise a claim for damages in the conciliation (or prehearing) phase of the procedures. The bill would avoid conflicts between staff's exercise of its expanded discretion to compromise, dismiss, or pursue a complaint and the concerns of the victims of unlawful discrimination by allowing a complainant to opt out of commission procedures. A complainant may withdraw the complaint at any time before the executive director of the commission makes the decision to go to hearing and, after withdrawal, pursue the claim independently of the commission in another forum.

The bill also would change the hearing procedures. These changes include requiring the commission to follow the procedures in the Administrative Procedure Act, AS 44.62.330 - 44.62.630, unless AS 18.80 provides a different procedure. The bill would eliminate from AS 18.80 some duplicative procedural requirements that are addressed in the Administrative Procedure Act, such as the admissibility of evidence and the requirement that testimony be under oath. Another change would be the addition of a provision similar to a motion for summary judgment in the civil rules of court to allow a summary decision on the law if the facts are not disputed. The reason for allowing a summary decision would be that it is a faster procedure than a hearing, and it would provide a sufficient opportunity to be heard on the legal issues when the facts are not in dispute. The bill would add a provision tying the rate of interest when the commission

awards interest to the legal rate in AS 09.30.070 to bring the commission into conformity with other administrative agencies and the courts. It would limit amendments to a complaint after a case is referred for hearing to ensure that all changes are supported by substantial evidence and that a respondent has an opportunity to address all charges informally before being required to defend them in a formal hearing. The bill would move the statute of limitations for bringing a claim from regulation (6 AAC 30.230) to statute.

Finally, the bill would amend AS 18.30.130, which addresses the authority of the commission to remedy unlawful discrimination, to establish that the appropriate remedy for unlawful employment discrimination normally would be to restore the actual benefit that was deprived -- hiring, promotion, or reinstatement to a position. In the unusual case where the relationship is so poisoned that the employee cannot return to work, the bill would allow an award of up to two years of compensation, minus the wages that the employee should be able to earn. Additionally, under the bill the commission would be able to order training regarding discriminatory practices.

This bill, by increasing the commission's discretion in handling complaints, would enable the commission to allocate its diminishing resources to cases in which the commission could be the most effective in addressing and eliminating unlawful discrimination. By streamlining commission procedures, the bill would help contain costs and ensure that the procedures are equitable to both complainants and the persons, businesses, labor organizations, and employment agencies charged before the commission with unlawful discrimination.

I urge your prompt and favorable action on this bill.

Sincerely yours,

/s/

Frank H. Murkowski
Governor"

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 409**

The following was read the second time:

HOUSE BILL NO. 409

"An Act relating to the maximum length of salmon seine vessels;
and providing for an effective date."

with the:	Journal Page
FSH RPT CS(FSH) 3DP 4NR	2645
FN1: ZERO(DFG)	2646
RES RPT CS(FSH) 5DP 1DNP 2NR	2660
FN1: ZERO(DFG)	2660

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

CS FOR HOUSE BILL NO. 409(FSH)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 409(FSH) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 409(FSH) was read the third time.

The question being: "Shall CSHB 409(FSH) pass the House?" The roll was taken with the following result:

CSHB 409(FSH)
 Third Reading
 Final Passage

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

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

Excused: Chenault, Fate, Harris, Kookesh

Absent: Kapsner, Moses, Rokeberg

And so, CSHB 409(FSH) passed the House.

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

CSHB 409(FSH) was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE BILLS

SB 270

The following was read the second time:

SENATE BILL NO. 270

"An Act establishing November as Avalanche Awareness Month."

with the:

Journal Page

STA RPT 4DP

2685

FN1: ZERO(DPS)

2685

Amendment No. 1 was offered by Representative Berkowitz:

Page 1, line 5:

Delete "They"

Insert "We"

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

Representative Hawker objected.

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

SB 270
Second Reading
Amendment No. 1

YEAS: 24 NAYS: 8 EXCUSED: 4 ABSENT: 4

Yeas: Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gatto, Gruenberg, Guttenberg, Heinze, Joule, Kerttula, Kohring, Kott, Meyer, Morgan, Ogg, Samuels, Seaton, Stepovich, Stoltze, Wilson, Wolf

Nays: Anderson, Foster, Hawker, Holm, Lynn, Masek, McGuire, Weyhrauch

Excused: Chenault, Fate, Harris, Kookesh

Absent: Kapsner, Moses, Rokeberg, Williams

And so, Amendment No. 1 was adopted.

Representative Coghill moved and asked unanimous consent that SB 270 am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 270 am H was read the third time.

The question being: "Shall SB 270 am H pass the House?" The roll was taken with the following result:

SB 270 am H
Third Reading
Final Passage

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

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

Excused: Chenault, Fate, Harris, Kookesh

Absent: Kapsner, Moses, Rokeberg

And so, SB 270 am H passed the House and was referred to the Chief Clerk for engrossment.

SENATE BILLS IN SECOND READING

SB 283

The following, which had been held in second reading from the February 24, 2004, calendar, with Amendment No. 1 moved and pending (page 2718), was before the House:

CS FOR SENATE BILL NO. 283(FIN)

"An Act making an appropriation to reverse the deposit of money available for appropriation in the general fund at the end of fiscal year 2003 into the constitutional budget reserve fund; making an appropriation for investment management fees for the constitutional budget reserve fund; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

Representative Croft moved and asked unanimous consent to withdraw Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 2 was offered by Representatives Coghill and Croft:

Page 2, following line 4:

Insert a new subsection to read:

"(c) The sum of \$1,650,000 is appropriated from the budget reserve fund (art. IX, sec. 17, Constitution of the State of Alaska) to the Department of Revenue, Alaska Natural Gas Development

Authority, for work related to bringing natural gas from the North Slope to market."

Reletter the following subsection accordingly.

Page 2, line 5:

Delete "(a) and (b)"
Insert "(a) - (c)"

Page 2, following line 6:

Insert a new bill section to read:

"* **Sec. 2.** LAPSE. The appropriation made by sec. 1(c) of this Act lapses June 30, 2004."

Renumber the following bill sections accordingly.

Page 2, line 7:

Delete "Section 1"
Insert "Section 1(a) and (b)"
Delete "is"
Insert "are"

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

Representative Williams objected.

**The presence of Representative Kookesh was noted.

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

Representative Meyer placed a call of the House.

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

Representative Coghill, without objection, lifted the call.

The Speaker stated that, without objection, the House would recess to 5:00 p.m.; and so, the House recessed at 12:06 p.m.

AFTER RECESS

The Speaker called the House back to order at 5:44 p.m.

SENATE BILLS IN SECOND READING

(continued)

SB 283

Amendment No. 2 was before the House.

**The presence of Representative Fate was noted.

Representative Croft placed a call of the House and lifted the call.

Representatives Heinze and Hawker 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 Amendment No. 2 be adopted?" The roll was taken with the following result:

CSSB 283(FIN)
Second Reading
Amendment No. 2

YEAS: 17 NAYS: 20 EXCUSED: 2 ABSENT: 1

Yeas: Berkowitz, Cissna, Coghill, Crawford, Croft, Fate, Gara, Gatto, Gruenberg, Guttenberg, Heinze, Joule, Kapsner, Kerttula, McGuire, Moses, Stoltze

Nays: Anderson, Dahlstrom, Foster, Hawker, Holm, Kohring, Kott, Lynn, Masek, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Weyhrauch, Williams, Wilson, Wolf

Excused: Chenault, Harris

Absent: Kookesh

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representative Weyhrauch:

Page 2, following line 4:

Insert a new subsection to read:

"(c) The sum of \$1,650,000 is appropriated from the earnings reserve account of the permanent fund to the Department of Revenue, Alaska Natural Gas Development Authority, for work related to bringing natural gas from the North Slope to market."

Reletter the following subsection accordingly.

Page 2, line 5:

Delete "(a) and (b)"

Insert "(a) - (c)"

Page 2, following line 6:

Insert a new bill section to read:

"* **Sec. 2.** LAPSE. The appropriation made by sec. 1(c) of this Act lapses June 30, 2004."

ReNUMBER the following bill sections accordingly.

Page 2, line 7:

Delete "Section 1"

Insert "Section 1(a) and (b)"

Delete "is"

Insert "are"

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

Objection was heard.

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

CSSB 283(FIN)
Second Reading
Amendment No. 3

YEAS: 6 NAYS: 31 EXCUSED: 2 ABSENT: 1

Yeas: Anderson, Heinze, Kott, McGuire, Ogg, Weyhrauch

Nays: Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, Lynn, Masek, Meyer, Morgan, Moses, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Williams, Wilson, Wolf

Excused: Chenault, Harris

Absent: Kookesh

And so, Amendment No. 3 was not adopted.

Representative Coghill moved and asked unanimous consent that Representative Kookesh be excused from a call of the House today. There being no objection, it was so ordered.

Representative Joule, who had been previously excused (page 2627), left the Chamber.

Amendment No. 4 was offered by Representatives Williams and Hawker:

Page 2, following line 4:

Insert a new subsection to read:

"(c) The sum of \$1,650,000 is appropriated from the budget reserve fund (art. IX, sec. 17, Constitution of the State of Alaska) to the Department of Revenue, for work related to bringing natural gas from the North Slope to market."

Reletter the following subsection accordingly.

Page 2, line 5:

Delete "(a) and (b)"

Insert "(a) - (c)"

Page 2, following line 6:

Insert a new bill section to read:

**** Sec. 2.** LAPSE. The appropriation made by sec. 1(c) of this Act lapses June 30, 2004."

Renumber the following bill sections accordingly.

Page 2, line 7:

Delete "Section 1"

Insert "Section 1(a) and (b)"

Delete "is"

Insert "are"

Representative Williams moved and asked unanimous consent that Amendment No. 4 be adopted.

Objection was heard.

Representative Williams moved and asked unanimous consent to withdraw Amendment No. 4, There being no objection, it was so ordered.

The Speaker stated that, without objection, CSSB 283(FIN) would be returned to the Finance Committee; and so CSSB 283(FIN) was returned to the Finance Committee.

SECOND READING OF HOUSE RESOLUTIONS

HJR 34

The following was read the second time:

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.

with the:	Journal Page
FSH RPT CS(FSH) NT 5DP	2568
FN1: ZERO(LEG)	2569
L&C RPT CS(FSH) NT 4DP 1NR	2639
FN1: ZERO(LEG)	2640

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

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.

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHJR 34(FSH) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 34(FSH) was read the third time.

The question being: "Shall CSHJR 34(FSH) pass the House?" The roll was taken with the following result:

CSHJR 34(FSH)
Third Reading
Final Passage

YEAS: 30 NAYS: 2 EXCUSED: 4 ABSENT: 4

Yeas: Anderson, Berkowitz, Cissna, Coghill, Crawford, Dahlstrom, Fate, Foster, Gara, Gruenberg, Guttenberg, Hawker, Holm, Kapsner, Kerttula, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Williams, Wilson, Wolf

Nays: Gatto, Kohring

Excused: Chenault, Harris, Joule, Kookesh

Absent: Croft, Heinze, Moses, Weyhrauch

And so, CSHJR 34(FSH) passed the House.

Representative Gatto later gave notice of reconsideration of the vote on CSHJR 34(FSH), and the reconsideration was taken up then.

UNFINISHED BUSINESS

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

Representative Rokeberg - from 5:00 p.m., February 27 to 10:00 p.m., plane time, February 29, 2004; and from 6:00 p.m., March 9 to 6:00 a.m., March 16, 2004

Representative Heinze - from evening plane time, February 27 to 9:30 p.m., plane time, February 29, 2004

Representative Holm - from morning plane time, February 27 to 9:30 a.m., plane time, March 1, 2004

Representative Dahlstrom - from evening plane time, February 27 to 9:30 a.m., plane time, March 1, 2004

February 26, 2004

2771

Representative Kapsner - from 1:00 p.m., February 27 to 9:30 a.m., plane time, March 8, 2004

Representative Williams - from 2:00 p.m., February 28 to 1:30 p.m., February 29, 2004

Representative Morgan - from 7:00 a.m., March 8 to 10:00 a.m., plane time, March 12, 2004

HB 418

The Speaker added a Finance Committee referral for the following:

HOUSE BILL NO. 418

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

HB 418 was removed from the Rules Committee and referred to the Finance Committee.

RECONSIDERATION

HJR 34

Representative Gatto gave notice of reconsideration of the vote on CSHJR 34(FSH) (page 2770).

Representative Gatto moved and asked unanimous consent that reconsideration of CSHJR 34(FSH) be taken up on the same day. There being no objection, it was so ordered.

The following was again before the House in third reading:

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 question to be reconsidered: "Shall CSHJR 34(FSH) pass the House?" The roll was taken with the following result:

CSHJR 34(FSH)--RECONSIDERATION

Third Reading

Final Passage

YEAS: 26 NAYS: 1 EXCUSED: 4 ABSENT: 9

Yeas: Anderson, Berkowitz, Cissna, Coghill, Crawford, Dahlstrom, Fate, Foster, Gatto, Guttenberg, Hawker, Holm, Kapsner, Kerttula, Kott, Lynn, Masek, McGuire, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Wilson

Nays: Kohring

Excused: Chenault, Harris, Joule, Kookesh

Absent: Croft, Gara, Gruenberg, Heinze, Meyer, Moses, Weyhrauch, Williams, Wolf

And so, CSHJR 34(FSH) passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

UNFINISHED BUSINESS

HB 329

The State Affairs Committee submitted the following corrected CS to accompany their report (page 2683):

CS FOR HOUSE BILL NO. 329(STA)

"An Act relating to retirement incentive programs for the public employees' retirement system and the teachers' retirement system; and providing for an effective date."

HB 329 is in the Labor & Commerce Committee.

HCR 31

Representatives Samuels, Gruenberg, Anderson, Wolf, Wilson, Berkowitz, Heinze, Meyer, Gatto, and Ogg added their names as cosponsors to:

HOUSE CONCURRENT RESOLUTION NO. 31
Proclaiming March 2004 as Traumatic Brain Injury Awareness Month.

HCR 32

Representative Heinze added her name as cosponsor to:

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

HJR 34

Representatives Seaton and Lynn added their names as cosponsors to:

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.

HJR 35

Representatives Wolf and Ogg 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

Representatives Harris, Wilson, Berkowitz, and Kapsner added their names as cosponsors 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 213

Representative Foster added his name as cosponsor to:

HOUSE BILL NO. 213

"An Act relating to a provisional driver's license and to issuance of a driver's license; and providing for an effective date."

HB 395

Representative Kohring added his name as cosponsor to:

HOUSE BILL NO. 395

"An Act relating to shallow natural gas leasing and the regulation of shallow natural gas operations."

HB 470

Representatives Joule, Kapsner, Kookesh, and Foster added their names as cosponsors to:

HOUSE BILL NO. 470

"An Act relating to the taxation of income."

HB 504

Representative Croft added his name as cosponsor to:

HOUSE BILL NO. 504

"An Act related to the possession of firearms in places where intoxicating liquor is sold for consumption on the premises."

SB 270

Representatives Lynn and Dahlstrom added their names as cross sponsors to:

SENATE BILL NO. 270 am H

"An Act establishing November as Avalanche Awareness Month."

ENGROSSMENT

HJR 34

CSHJR 34(FSH) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 347

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

HOUSE BILL NO. 347

"An Act exempting taxicabs from the passenger vehicle rental tax; and providing for an effective date."

HB 409

CSHB 409(FSH) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 270

SB 270 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 11:00 a.m., March 1, 2004. There being no objection, the House adjourned at 6:38 p.m.

Suzi Lowell
Chief Clerk