

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Thursday

April 1, 2004

Eighty-first Day

Pursuant to adjournment the House was called to order by Speaker Kott at 10:22 a.m.

Roll call showed 36 members present. Representatives Anderson, Moses, Weyhrauch, and Williams were absent and their presence was noted later.

Representative Coghill moved and asked unanimous consent that Representatives Hawker, Kerttula, and Weyhrauch be excused from a call of the House from 11:30 a.m. to 1:00 p.m. today. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Pastor Bill Nelson of United Pentecostal Church of Juneau. Representative Gruenberg moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With the greatest respect for the religious beliefs of all Alaskans, let us take this time for a moment of prayer.

Dear Lord, our God and Creator,

We come to You this morning as a group of people who have been chosen to carry a great responsibility as we represent the many and diverse people of Alaska. In this day of changing values, where the guidelines of decency are blurred at every turn, we are faced with a greater task than ever before. We

are thankful, O Lord, that You, who can see with perfect clarity from Your vantage point on high, see this with perfect understanding. We ask that You would be here today to help us see with Your clarity and think with Your mind, and would help us carry out our duties by granting us Your wisdom. Dear Lord, keep Your hand on our great state of Alaska, that it would ever remain the best place there is to live. Amen.

The Pledge of Allegiance was led by Pastor Nelson.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 80th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

HB 348

A message dated March 31, 2004, was read stating the Senate has passed:

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 Senate adopted the Legislative letter of intent (page 2564).

CSHB 348(JUD) was referred to the Chief Clerk for enrollment.

HB 398

A message dated March 31, 2004, was read stating the Senate has passed CSHB 398(JUD) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 398(JUD)

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

CSHB 398(JUD) am is under Unfinished Business.

**The presence of Representative Anderson was noted.

COMMUNICATIONS

The following was received:

Dept. of Natural Resources
Division of Oil & Gas
Five-Year Oil and Gas Leasing Program
March 2004
(as required by AS 38.05.180)

REPORTS OF STANDING COMMITTEES

HCR 27

The Resources Committee has considered:

HOUSE CONCURRENT RESOLUTION NO. 27
Relating to Take a Young Person Hunting Week.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 27(RES)
(same title)

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

Do pass (5): Lynn, Stepovich, Wolf, Masek, Dahlstrom

Amend (3): Gatto, Guttenberg, Kerttula

The following fiscal note(s) apply to CSHCR 27(RES):

1. Zero, House Resources Committee

HCR 27 was referred to the Rules Committee for placement on the calendar.

HJR 36

The Resources Committee 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 Representatives Masek and Dahlstrom, Co-chairs, with the following individual recommendations:

Do pass (4): Gatto, Stepovich, Guttenberg, Kerttula

No recommendation (3): Wolf, Masek, Dahlstrom

The following fiscal note(s) apply:

1. Zero, Legislative Agency

HJR 36 was referred to the Rules Committee for placement on the calendar.

**The presence of Representative Williams was noted.

HJR 41

The Resources Committee has considered:

HOUSE JOINT RESOLUTION NO. 41

Relating to support for the Federal Land Recreational Visitor Protection Act.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 41(RES)
(same title)

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

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

The following fiscal note(s) apply to CSHJR 41(RES):

1. Zero, House Resources Committee

HJR 41 was referred to the Rules Committee for placement on the calendar.

HJR 44

The Resources Committee has considered:

HOUSE JOINT RESOLUTION NO. 44

Relating to research into the decline of the Southwest Alaska population of the Northern Sea Otter in the western Gulf of Alaska.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 44(RES)
(same title)

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

Do pass (4): Stepovich, Wolf, Kerttula, Lynn

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

The following fiscal note(s) apply to CSHJR 44(RES):

1. Zero, House Resources Committee

HJR 44 was referred to the Rules Committee for placement on the calendar.

HB 275

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 275

"An Act relating to veterinarians and animals."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 275(L&C)

"An Act relating to animals; and to the care of and to cruelty to animals."

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

Do pass (3): Crawford, Lynn, Anderson

No recommendation (2): Rokeberg, Dahlstrom

Amend (1): Guttenberg

The following fiscal note(s) apply to CSHB 275(L&C):

1. Zero, Dept. of Law
2. Fiscal, Dept. of Environmental Conservation

HB 275 was referred to the Rules Committee for placement on the calendar.

HB 311

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 311

"An Act requiring a subcontractor to obtain workers' compensation insurance covering the subcontractor and the subcontractor's employees and establishing responsibility of a contractor for obtaining workers' compensation coverage for the subcontractor and the subcontractor's employees if the subcontractor fails to obtain workers' compensation coverage; and providing for an effective date."

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

Do pass (6): Crawford, Lynn, Rokeberg, Dahlstrom, Guttenberg, Anderson

No recommendation (1): Gatto

The following fiscal note(s) apply:

1. Zero, Dept. of Labor & Workforce Development

HB 311 was referred to the Rules Committee for placement on the calendar.

HB 338

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 338

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

and recommends it be replaced with:

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

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

Do pass (1): Wilson

No recommendation (4): Cissna, Seaton, Coghill, Wolf

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

1. Indeterminate, Dept. of Education & Early Development

HB 338 was referred to the Finance Committee.

**The presence of Representative Moses was noted.

HB 339

The Judiciary Committee has considered:

HOUSE BILL NO. 339

"An Act relating to negative option plans for sales, to charges for goods or services after a trial period, and to acts that are unlawful as unfair trade practices."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 339(JUD)

"An Act relating to opt-out marketing plans for sales, to free trial periods for goods or services, and to acts that are unlawful as unfair trade practices."

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

Do pass (5): Holm, Gara, Gruenberg, Ogg, McGuire

The following fiscal note(s) apply to CSHB 339(JUD):

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

HB 339 was referred to the Rules Committee for placement on the calendar.

HB 375

The Finance Committee has considered:

HOUSE BILL NO. 375

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 375(FIN)

"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."

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

Do pass (8): Hawker, Meyer, Stoltze, Chenault, Fate, Foster, Harris, Williams

No recommendation (3): Moses, Croft, Joule

HB 375 was referred to the Rules Committee for placement on the calendar.

HB 464

The Finance Committee has considered:

HOUSE BILL NO. 464

"An Act extending the termination date of the Board of Certified Real Estate Appraisers."

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

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Community & Economic Development

HB 464 was referred to the Rules Committee for placement on the calendar.

HB 511

The Finance Committee has considered:

HOUSE BILL NO. 511

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 511(HES)

(same title)

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

Do pass (4): Meyer, Hawker, Harris, Williams

No recommendation (2): Fate, Foster

Amend (2): Stoltze, Chenault

The following fiscal note(s) apply to CSHB 511(HES):

1. Zero, Dept. of Health & Social Services
2. Zero, Dept. of Health & Social Services

HB 511 was referred to the Rules Committee for placement on the calendar.

SB 30

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 30(JUD) am

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

and recommends it be replaced with:

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

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

Do pass (2): Anderson, McGuire

No recommendation (5): Samuels, Holm, Gara, Gruenberg, Ogg

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

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

CSSB 30(JUD) am was referred to the Finance Committee.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 56

The following was read the second time:

HOUSE BILL NO. 56

"An Act relating to the attorney fees and costs awarded in certain court actions relating to unfair trade practices; and, if considered court rule changes, amending Rules 54(d), 79, and 82, Alaska Rules of Civil Procedure."

with the:

Journal Page

L&C RPT CS(L&C) NT 4DP 2NR	1148
FN1: INDETERMINATE(LAW)	1149
JUD REFERRAL WAIVED	1616

FIN RPT CS(L&C) NT 7DP 3NR	2680
FN1: INDETERMINATE(LAW)	2681

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. 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."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Rokeberg:

Page 1, lines 1 - 2 (title amendment):

Delete "**and costs, including costs of investigation,**"

Page 1, line 3 (title amendment):

Delete "**Rules 54(d), 79, and 82**"

Insert "**Rule 82**"

Page 1, line 8:

Delete "and costs, including costs of investigation,"

Page 1, lines 8 - 9:

Delete "and costs"

Page 1, line 12:

Delete "(a)"

Page 2, lines 2 - 4:

Delete all material.

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

Representative Gara objected.

April 1, 2004

3167

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

CSHB 56(L&C)
Second Reading
Amendment No. 1

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

Yeas: Foster, Kohring, Rokeberg

Nays: Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Gara, Gatto, Gruenberg, Guttentberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kookesh, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Samuels, Seaton, Stepovich, Stoltze, Williams, Wilson, Wolf

Absent: Chenault, Weyhrauch

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was not offered.

Amendment No. 3 was offered by Representative Rokeberg:

Page 1, line 1 (title amendment):
Delete "**reasonable**"

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

Representative Gruenberg objected.

**The presence of Representative Weyhrauch was noted.

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

CSHB 56(L&C)
Second Reading
Amendment No. 3

YEAS: 6 NAYS: 34 EXCUSED: 0 ABSENT: 0

Yeas: Chenault, Foster, Kohring, Masek, Moses, Rokeberg

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

And so, Amendment No. 3 was not adopted.

Amendment No. 4 was not offered.

Representative Coghill moved and asked unanimous consent that CSHB 56(L&C) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 56(L&C) was read the third time.

The question being: "Shall CSHB 56(L&C) pass the House?" The roll was taken with the following result:

CSHB 56(L&C)

Third Reading

Final Passage

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

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

And so, CSHB 56(L&C) 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 court rule changes. There being no objection, it was so ordered.

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

Representative Coghill moved and asked unanimous consent that Representative Weyhrauch be excused from a call of the House from 11:45 a.m. to 1:15 p.m. today (amended from page 3155). There being no objection, it was so ordered.

The House reverted to Introduction of Guests.

Representative Coghill moved and asked unanimous consent that the House recess for a caucus; and so, the House recessed at 11:11 a.m.

AFTER RECESS

The Speaker called the House back to order at 12:37 p.m.

**The presence of Representative Hawker, who had been previously excused (page 3155), was noted.

MESSAGES FROM THE SENATE

A message dated March 31, 2004, was read stating the Senate has passed the following and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 274

SENATE BILL NO. 274 by the Senate Rules Committee by request of the Governor, entitled:

"An Act relating to the housing assistance loan fund in the Alaska Housing Finance Corporation; creating the housing assistance loan program; repealing loans for teacher housing and providing for loans for multi-family housing; making conforming amendments; and providing for an effective date."

was read the first time and referred to the Health, Education & Social Services and Finance Committees.

SB 279

CS FOR SENATE BILL NO. 279(FIN) by the Senate Finance Committee, entitled:

"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."

was read the first time and referred to the Community & Regional Affairs and Finance Committees.

SB 286

CS FOR SENATE BILL NO. 286(FIN) by the Senate Finance Committee, entitled:

"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."

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

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 550**

HOUSE BILL NO. 550 by the House Labor & Commerce Committee, entitled:

"An Act setting a timeline for decisions of the Regulatory Commission of Alaska; relating to competitive telecommunications markets; and providing for an effective date."

was read the first time and referred to the Labor & Commerce and Judiciary Committees.

**The presence of Representative Kerttula, who had been previously excused (page 3155), was noted.

Representative Coghill moved and asked unanimous consent that Representative Rokeberg be excused from a call of the House until 1:30 p.m. today. There being no objection, it was so ordered.

SECOND READING OF HOUSE BILLS

(continued)

HB 378

The following was read the second time:

HOUSE BILL NO. 378

"An Act relating to the Alaska Food, Drug, and Cosmetic Act, including sales, advertising, certain devices, food donors, and food banks; making certain violations of organic food provisions and of the Alaska Food, Drug, and Cosmetic Act unfair methods of competition and unfair or deceptive acts or practices under certain of the state's unfair trade practices and consumer protection laws; and providing for an effective date."

with the:

Journal Page

HES RPT 2DP 1DNP 2NR	2537
FN1: ZERO(LAW)	2538
FN2: (DEC)	2538
JUD RPT 1DP 3NR 1AM	2710
FN1: ZERO(LAW)	2710
FN2: (DEC)	2710
FIN RPT 4DP 6NR	2805
FN1: ZERO(LAW)	2805
FN2: (DEC)	2805

Representative Gruenberg moved and asked unanimous consent to change his recommendation from "Amend" to "Do Pass" on the Judiciary Committee report (page 2710) for HB 378. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Gara:

Page 5, following line 23:

Insert a new bill section to read:

**** Sec. 11.** AS 17.20 is amended by adding a new section to read:

Sec. 17.20.355. Certification costs. A person who has an employee who is subject in the course of the employment to the certification requirements adopted by the commissioner under AS 17.20.005(1)(D) shall pay the costs that are necessary for the employee to meet the certification requirements. The employer may not require the employee to reimburse the employer for these payments."

Renumber the following bill sections accordingly.

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

Representative Stepovich objected.

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

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

Following "The employer":

Delete "may"

Insert "shall"

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

Representatives Stepovich, Williams, and Gara 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. 1 as amended be adopted?" The roll was taken with the following result:

HB 378

Second Reading

Amendment No. 1 as amended

YEAS: 14 NAYS: 22 EXCUSED: 2 ABSENT: 2

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kookesh, Kott, Lynn, Wolf

Nays: Chenault, Coghill, Dahlstrom, Fate, Foster, Gatto, Harris, Hawker, Holm, Kohring, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Samuels, Seaton, Stepovich, Stoltze, Williams, Wilson

Excused: Rokeberg, Weyhrauch

Absent: Anderson, Heinze

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

Representative Coghill moved and asked unanimous consent that HB 378 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 378 was read the third time.

**The presence of Representative Weyhrauch, who had been previously excused (page 3169), was noted.

The question being: "Shall HB 378 pass the House?" The roll was taken with the following result:

HB 378

Third Reading

Final Passage

YEAS: 21 NAYS: 13 EXCUSED: 1 ABSENT: 5

Yeas: Anderson, Chenault, Fate, Foster, Gruenberg, Harris, Hawker, Heinze, Holm, Joule, Kerttula, Kookesh, Kott, McGuire, Meyer, Morgan, Ogg, Seaton, Weyhrauch, Williams, Wilson

HOUSE JOURNAL

3174

April 1, 2004

Nays: Berkowitz, Coghill, Crawford, Croft, Gatto, Guttenberg, Kapsner, Kohring, Lynn, Masek, Samuels, Stepovich, Stoltze

Excused: Rokeberg

Absent: Cissna, Dahlstrom, Gara, Moses, Wolf

And so, HB 378 passed the House.

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:

HB 378

Third Reading

Effective Date

YEAS: 34 NAYS: 0 EXCUSED: 1 ABSENT: 5

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

Excused: Rokeberg

Absent: Cissna, Dahlstrom, Gara, Moses, Wolf

And so, the effective date clause was adopted.

Representative Guttenberg gave notice of reconsideration of the vote on HB 378.

HB 385

The following was read the second time:

HOUSE BILL NO. 385

"An Act relating to awarding child custody; and providing for an effective date."

April 1, 2004

3175

with the:

Journal Page

JUD RPT CS(JUD) 6DP
 FN1: ZERO(CRT)

2805
 2806

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. 385(JUD)
 (same title)

There being no objection, it was so ordered.

**The presence of Representative Rokeberg, who had been previously excused (page 3171), was noted.

Representative Coghill moved and asked unanimous consent that CSHB 385(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 385(JUD) was read the third time.

The question being: "Shall CSHB 385(JUD) pass the House?" The roll was taken with the following result:

CSHB 385(JUD)
 Third Reading
 Final Passage

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

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

Absent: Anderson, Masek, Moses, Wolf

And so, CSHB 385(JUD) passed the House.

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

CSHB 385(JUD) was referred to the Chief Clerk for engrossment.

THIRD READING OF HOUSE BILLS

HB 424

The following, which was advanced to third reading from the March 31, 2004, calendar (page 3140), was read the third time:

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."

Representative Hawker moved and asked unanimous consent to change his recommendation from "Do Not Pass" to "Do Pass" on the Finance Committee report (page 3077) for CSHB 424(JUD). There being no objection, it was so ordered.

The question being: "Shall CSHB 424(JUD) pass the House?" The roll was taken with the following result:

CSHB 424(JUD)

Third Reading

Final Passage

YEAS: 29 NAYS: 6 EXCUSED: 0 ABSENT: 5

Yeas: Chenault, Coghill, Crawford, Dahlstrom, Fate, Foster, Gatto, Gruenberg, Hawker, Heinze, Holm, Joule, Kapsner, Kohring, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson

Nays: Berkowitz, Cissna, Gara, Guttenberg, Kerttula, Kookesh

Absent: Anderson, Croft, Harris, Moses, Wolf

And so, CSHB 424(JUD) passed the House.

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

CSHB 424(JUD) was referred to the Chief Clerk for engrossment.

HB 503

The following, which was advanced to third reading from the March 31, 2004, calendar (page 3141), was read the third time:

HOUSE BILL NO. 503

"An Act relating to the tobacco product Master Settlement Agreement; and providing for an effective date."

The question being: "Shall HB 503 pass the House?" The roll was taken with the following result:

HB 503

Third Reading

Final Passage

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

Yeas: 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, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson

Absent: Anderson, McGuire, Moses, Wolf

And so, HB 503 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.

HB 503 was referred to the Chief Clerk for engrossment.

THIRD READING OF SENATE BILLS**SB 241**

The following, which was advanced to third reading from the March 31, 2004, calendar (page 3146), was read the third time:

CS FOR SENATE BILL NO. 241(FIN)

"An Act making an appropriation to the Department of Revenue for work related to bringing North Slope natural gas to market; and providing for an effective date."

Representative Harris moved and asked unanimous consent that CSSB 241(FIN) 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 was offered by Representative Harris:

Page 1, line 4:

Delete "\$1,000,000"

Insert "\$1,650,000"

Representative Harris 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 241(FIN)

Second Reading

Amendment No. 2

YEAS: 34 NAYS: 1 EXCUSED: 0 ABSENT: 5

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

Nays: Kohring

Absent: Anderson, Gruenberg, McGuire, Moses, Wolf

Weyhrauch changed from "Nay" to "Yea".

And so, Amendment No. 2 was adopted.

The question being: "Shall CSSB 241(FIN) am H pass the House?"
The roll was taken with the following result:

CSSB 241(FIN) am H

Third Reading

Final Passage

YEAS: 36 NAYS: 1 EXCUSED: 0 ABSENT: 3

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

Nays: Kohring

Absent: Anderson, Moses, Wolf

And so, CSSB 241(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.

CSSB 241(FIN) am H was referred to the Chief Clerk for engrossment.

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 - Lena John Atti

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

In Memoriam - Percy Horace Amos, Sr.

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

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 Joule - from noon, April 2 to 7:00 p.m., plane time, April 4, 2004

Representative Williams - from 2:00 p.m., April 2 to 10:00 p.m., plane time, April 4, 2004

Representative Heinze - from 7:00 p.m., April 2 to 10:00 p.m., plane time, April 4, 2004

Representative Holm - from 7:00 p.m., April 2 to 10:00 a.m., plane time, April 5, 2004

SB 277

The Speaker waived the House Special Committee on Education referral for the following at the request of Representative Gatto, Chair:

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."

CSSB 277(FIN) was removed from the House Special Committee on Education and referred to the Health, Education & Social Services Committee.

The Speaker waived the Health, Education & Social Services Committee referral for CSSB 277(FIN) at the request of Representative Wilson, Chair.

CSSB 277(FIN) was removed from the Health, Education & Social Services Committee and referred to the Finance Committee.

HR 9

The following, which was read the first time (page 3137):

HOUSE RESOLUTION NO. 9

Establishing the House Special Committee on Natural Gas Pipelines as a special and an interim committee of the House of Representatives of the Twenty-Third Alaska State Legislature.

was referred to the Rules Committee.

HB 275

The Speaker added a Judiciary Committee referral and a Finance Committee referral for the following:

HOUSE BILL NO. 275

"An Act relating to veterinarians and animals."

HB 275 was removed from the Rules Committee and referred to the Judiciary Committee.

HB 309

The Speaker added a Judiciary Committee referral for the following:

HOUSE BILL NO. 309

"An Act prohibiting the release of nonindigenous predatory fish into public water."

HB 309 is in the Resources Committee.

SB 241

Representative Harris moved and asked unanimous consent that the House adopt the following letter of intent:

"It is the intent of the Legislature that at least \$650,000 of the appropriation in SB 241 be allocated directly to the Alaska Natural Gas Development Authority."

for:

CS FOR SENATE BILL NO. 241(FIN) am H

"An Act making an appropriation to the Department of Revenue for work related to bringing North Slope natural gas to market; and providing for an effective date."

There being no objection, the House letter of intent was adopted.

Representative Heinze declared a conflict of interest.

CSSB 241(FIN) am H passed the House (page 3179).

HCR 32

Representative Chenault added his name as cosponsor to:

HOUSE CONCURRENT RESOLUTION NO. 32

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

HB 56

Representative Gruenberg added his name as cosponsor to:

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."

HB 275

Representative Meyer added his name as cosponsor to:

HOUSE BILL NO. 275

"An Act relating to veterinarians and animals."

HB 385

Representatives Kerttula, Dahlstrom, and Lynn added their names as cosponsors to:

CS FOR HOUSE BILL NO. 385(JUD)

"An Act relating to awarding child custody; and providing for an effective date."

HB 398

Representative Anderson added his name as cosponsor to:

SENATE CS FOR CS FOR HOUSE BILL NO. 398(JUD)

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

HB 424

Representative Lynn added his name as cosponsor to:

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."

HB 459

Representatives Hawker, Kott, and Lynn added their names as cosponsors to:

HOUSE BILL NO. 459

"An Act requiring an auditable paper trail for electronic voting machines; and providing for an effective date."

ENGROSSMENT

HB 56

CSHB 56(L&C) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 385

CSHB 385(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 424

CSHB 424(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 503

HB 503 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 241

CSSB 241(FIN) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted with a House letter of intent to the Senate for consideration.

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

The following meetings today have been changed as indicated:

Health, Education & Social Services Committee

CHANGED TO:

3:10 p.m., 4/1

HOUSE JOURNAL

April 1, 2004

3185

Finance Committee
CHANGED TO:

3:15 p.m., 4/1

Transportation Committee
CHANGED TO:

1:00 p.m., 4/2

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:45 a.m., April 2, 2004, for a joint session. There being no objection, the House adjourned at 3:02 p.m.

Suzi Lowell
Chief Clerk