

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Wednesday

April 7, 2004

Eighty-seventh Day

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

Roll call showed 37 members present. Representative Kookesh had been previously excused from a call of the House today. Representatives Anderson and McGuire were absent and their presence was noted later.

The invocation was offered by the Chaplain, Pastor David Swofford of First Church of God. Representative Fate moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Let us pray,

Thank You, Lord, for giving us another day. Help us to not forget all Your benefits and the wonderful gifts You wish to give all men. Bless and protect all those that are in law enforcement. Help them to protect those that are victims of abuse. Keep them safe as they confront difficult situations on land and sea. We pray for those in the armed forces, those that are overseas and for their families within our state. Keep them safe and bring them home soon.

Give wisdom and understanding for the business today...You hold all things in Your hands. There is no joy without You. May everyone know this joy that You give. Your kingdom

come and Your will be done on Earth as it is in heaven.
Thank You again for giving us another day. In Jesus' name.
Amen.

The Pledge of Allegiance was led by Representative Morgan.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 86th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

HB 478

A message dated April 6, 2004, was read stating the Senate has passed:

HOUSE BILL NO. 478

"An Act relating to the issuance of commercial fishing interim-use permits; and providing for an effective date."

HB 478 was referred to the Chief Clerk for enrollment.

HB 344

A message dated April 6, 2004, was read stating the Senate has passed CSHB 344(RES) with the following amendment and it is transmitted for consideration:

SENATE CS FOR 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."

CSHB 344(RES) is under Unfinished Business.

**The presence of Representative Anderson was noted.

REPORTS OF STANDING COMMITTEES**HJR 26**

The Finance Committee has considered:

HOUSE JOINT RESOLUTION NO. 26

Proposing amendments to the Constitution of the State of Alaska relating to and limiting appropriations from and inflation-proofing the Alaska permanent fund by establishing a percent of market value spending limit.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 26(FIN)

Proposing amendments to the Constitution of the State of Alaska relating to and limiting appropriations from the Alaska permanent fund based on an averaged percent of the fund market value.

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

Do pass (2): Hawker, Foster

Do not pass (2): Chenault, Fate

No recommendation (2): Croft, Williams

Amend (3): Stoltze, Joule, Harris

The following fiscal note(s) apply to CSHJR 26(FIN):

2. Zero, Dept. of Revenue
3. Fiscal, Office of the Governor

HJR 26 was referred to the Rules Committee for placement on the calendar.

HB 227

The Finance Committee has considered:

HOUSE BILL NO. 227

"An Act increasing the jurisdictional limit for small claims and for magistrates from \$7,500 to \$10,000; increasing the jurisdictional limit of district courts in certain civil cases from \$50,000 to \$75,000; and amending Rule 11(a)(4), Alaska District Court Rules of Civil Procedure, relating to service of process for small claims."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 227(JUD)

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

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

Do pass (4): Chenault, Fate, Foster, Harris

No recommendation (3): Hawker, Stoltze, Joule

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

1. Indeterminate, Alaska Court System

HB 227 was referred to the Rules Committee for placement on the calendar.

HB 298

The Finance Committee has considered:

HOUSE BILL NO. 298

"An Act relating to the distribution of appropriations from the Alaska permanent fund under art. IX, sec. 15(b), Constitution of the State of Alaska, and making conforming amendments; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 298(FIN)

"An Act relating to the income of and appropriations from the Alaska permanent fund under art. IX, sec. 15(b), Constitution of the State of Alaska, and making conforming amendments; relating to the determination of net income of the mental health trust fund; and providing for an effective date."

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

Do pass (1): Hawker

Do not pass (2): Croft, Chenault

No recommendation (4): Moses, Fate, Foster, Williams

Amend (3): Stoltze, Joule, Harris

The following fiscal note(s) apply to CSHB 298(FIN):

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

HB 298 was referred to the Rules Committee for placement on the calendar.

HB 308

The Community & Regional Affairs Committee has considered:

HOUSE BILL NO. 308

"An Act related to exchanging public land for privately held riverbank and stream bank lands."

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

Do pass (1): Cissna

No recommendation (3): Kott, Samuels, Morgan

The following fiscal note(s) apply:

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

HB 308 was referred to the Resources Committee.

HB 430

The Judiciary 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 McGuire, Chair, with the following individual recommendations:

Do pass (3): Samuels, Holm, Gara

No recommendation (1): McGuire

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 Rules Committee for placement on the calendar.

HB 438

The Judiciary Committee has considered:

HOUSE BILL NO. 438

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 438(JUD)
(same title)

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

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

The following fiscal note(s) apply to CSHB 438(JUD):

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

HB 438 was referred to the Rules Committee for placement on the calendar.

HB 443

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 443
"An Act relating to eligibility of nurses for the teachers' and nurses' housing loan program of the Alaska Housing Finance Corporation."

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

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

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue

HB 443 was referred to the Finance Committee.

HB 476

The State Affairs Committee has considered:

HOUSE BILL NO. 476

"An Act establishing the Alaska Statehood Celebration Commission; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 476(STA)
(same title)

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

Do pass (3): Seaton, Holm, Coghill

No recommendation (3): Gruenberg, Lynn, Weyhrauch

The following fiscal note(s) apply to CSHB 476(STA):

1. Zero, Legislative Agency
2. Fiscal, Office of the Governor

HB 476 was referred to the Finance Committee.

**The presence of Representative McGuire was noted.

HB 527

The State Affairs Committee has considered:

HOUSE BILL NO. 527

"An Act relating to the Alaska Securities Act, including reports, proxies, consents, authorizations, proxy statements, and other materials, civil penalties, refunds of proceeds from violations, restitution, and investment adviser representatives; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 527(STA)
"An Act relating to the Alaska Securities Act, including reports, proxies, consents, authorizations, proxy statements, and other

materials, civil penalties, refunds of proceeds from violations, restitution, attorney fees and costs, state jurisdiction, and investment adviser representatives; amending Rules 54(d), 79, and 82, Alaska Rules of Civil Procedure; and providing for an effective date."

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

Do pass (2): Gruenberg, Weyhrauch

No recommendation (3): Seaton, Holm, Lynn

The following fiscal note(s) apply to CSHB 527(STA):

1. Fiscal, Dept. of Community & Economic Development

HB 527 was referred to the Judiciary Committee.

HB 547

The State Affairs Committee has considered:

HOUSE BILL NO. 547

"An Act relating to the dividends of individuals claiming allowable absences; and providing for an effective date."

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

Do pass (2): Seaton, Weyhrauch

Do not pass (2): Lynn, Coghill

No recommendation (2): Gruenberg, Holm

The following fiscal note(s) apply:

1. Fiscal, Dept. of Revenue

HB 547 was referred to the Finance Committee.

HB 549

The Judiciary Committee has considered:

HOUSE BILL NO. 549

"An Act relating to unsolicited communications following an aircraft accident; and amending Rule 503, Alaska Rules of Evidence."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 549(JUD)

"An Act relating to unsolicited communications following an aircraft accident."

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

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

No recommendation (1): Gara

Amend (1): Ogg

The following fiscal note(s) apply to CSHB 549(JUD):

1. Zero, Alaska Court System
2. Zero, Dept. of Law

HB 549 was referred to the Rules Committee for placement on the calendar.

SB 289

The Finance Committee has considered:

SENATE BILL NO. 289

"An Act extending the termination date of the special education service agency; and providing for an effective date."

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

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

No recommendation (4): Hawker, Stoltze, Joule, Moses

The following fiscal note(s) apply:

2. Fiscal, Dept. of Education & Early Development

SB 289 was referred to the Rules Committee for placement on the calendar.

REPORTS OF SPECIAL COMMITTEES

HB 536

The House Special Committee on Military & Veterans' Affairs has considered:

HOUSE BILL NO. 536

"An Act relating to applications for permanent fund dividends by certain individuals serving in the armed forces; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 536(MLV)

"An Act relating to applications for permanent fund dividends by certain individuals serving in the armed forces, and to payment of certain 2003 and 2004 dividends; and providing for an effective date."

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

Do pass (4): Lynn, Masek, Cissna, Stepovich

No recommendation (1): Dahlstrom

The following fiscal note(s) apply to CSHB 536(MLV):

1. Fiscal, Dept. of Revenue

HB 536 was referred to the State Affairs Committee.

HB 538

The House Special Committee on Ways & Means has considered:

HOUSE BILL NO. 538

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 538(W&M)

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

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

Do pass (4): Samuels, Gruenberg, Wilson, Hawker

Do not pass (2): Kohring, Moses

No recommendation (1): Weyhrauch

Amend (2): Rokeberg, Ogg

The following fiscal note(s) apply to CSHB 538(W&M):

1. Fiscal, Dept. of Public Safety
2. Fiscal, Dept. of Revenue

HB 538 was referred to the Labor & Commerce Committee.

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

HJR 46

HOUSE JOINT RESOLUTION NO. 46 by the House Finance Committee:

Proposing amendments to the Constitution of the State of Alaska relating to the principal of the Alaska permanent fund; limiting appropriations from the Alaska permanent fund to amounts equal to that part of the market value of the fund that exceeds the principal based on an averaged percent of the fund market value.

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

HJR 47

HOUSE JOINT RESOLUTION NO. 47 by the House Finance Committee:

Proposing amendments to the Constitution of the State of Alaska relating to the principal of the Alaska permanent fund; limiting appropriations from the Alaska permanent fund to amounts equal to that part of the market value of the fund that exceeds the principal based on an averaged percent of the fund market value; and permitting appropriations from the permanent fund only for costs of administering the fund, a program of dividend payments for state residents, and public education.

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

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

HB 553

HOUSE BILL NO. 553 by the House Finance Committee, entitled:

"An Act relating to investments of the Alaska permanent fund and to the income of and appropriations from the Alaska permanent fund and making conforming amendments; relating to the determination of net income of the mental health trust fund; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 339

The following was read the second time:

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."

with the:	Journal Page
L&C RPT CS(L&C) NT 4DP 2NR 1AM	2505
FN1: ZERO(LAW)	2506
FN2: ZERO(CED)	2506
JUD RPT CS(JUD) NT 5DP	3162
FN1: ZERO(LAW)	3162
FN2: ZERO(CED)	3162

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. 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."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 339(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 339(JUD) was read the third time.

The question being: "Shall CSHB 339(JUD) pass the House?" The roll was taken with the following result:

CSHB 339(JUD)

Third Reading

Final Passage

YEAS: 39 NAYS: 0 EXCUSED: 1 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, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Excused: Kookesh

And so, CSHB 339(JUD) passed the House and was referred to the Chief Clerk for engrossment.

HB 405

The following was read the second time:

HOUSE BILL NO. 405

"An Act relating to reports on school and school district performance; and relating to accountability of public schools and school districts; and providing for an effective date."

with the:

Journal Page

EDU RPT CS(EDU) 5DP 1NR	2987
FN1: ZERO(EED)	2988
HES RPT CS(EDU) 6DP	3044
FN1: ZERO(EED)	3045

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. 405(EDU)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 405(EDU) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 405(EDU) was read the third time.

The question being: "Shall CSHB 405(EDU) pass the House?" The roll was taken with the following result:

CSHB 405(EDU)
Third Reading
Final Passage

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

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

Excused: Kookesh

Absent: Williams, Wolf

And so, CSHB 405(EDU) 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 405(EDU) was referred to the Chief Clerk for engrossment.

HB 496

The following was read the second time:

HOUSE BILL NO. 496

"An Act creating the Youth Vote Ambassador Program and relating to that program; authorizing the members of the program to be appointed to serve on election boards; relating to qualifications for appointment to election boards; and providing for an effective date."

with the:	Journal Page
STA RPT CS(STA) 1DP 3NR 2AM	3106
FN1: ZERO(GOV)	3107

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. 496(STA)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 496(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 496(STA) was read the third time.

The question being: "Shall CSHB 496(STA) pass the House?" The roll was taken with the following result:

CSHB 496(STA)
Third Reading
Final Passage

YEAS: 39 NAYS: 0 EXCUSED: 1 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, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Excused: Kookesh

And so, CSHB 496(STA) passed the House.

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

CSHB 496(STA) was referred to the Chief Clerk for engrossment.

THIRD READING OF SENATE BILLS

SB 264

The following, which was advanced to third reading from the April 6, 2004, calendar (page 3229), was read the third time:

SENATE BILL NO. 264

"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."

The question being: "Shall SB 264 pass the House?" The roll was taken with the following result:

SB 264

Third Reading

Final Passage

YEAS: 39 NAYS: 0 EXCUSED: 1 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, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Excused: Kookesh

And so, SB 264 passed the House.

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

SB 264 was signed by the Speaker and Chief Clerk and returned to the Senate.

Representative Kapsner, who had been previously excused (page 3237), left the Chamber.

SECOND READING OF HOUSE RESOLUTIONS

HJR 41

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 41
Relating to support for the Federal Land Recreational Visitor Protection Act.

with the:	Journal Page
RES RPT CS(RES) 8DP	3158
FN1: ZERO(H.RES)	3159

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. 41(RES)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHJR 41(RES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 41(RES) was read the third time.

Representative Chenault, who had been previously excused (page 3237), left the Chamber.

The question being: "Shall CSHJR 41(RES) pass the House?" The roll was taken with the following result:

CSHJR 41(RES)
Third Reading
Final Passage

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

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

Excused: Chenault, Kapsner, Kookesh

Absent: Guttenberg, Seaton

And so, CSHJR 41(RES) passed the House and was referred to the Chief Clerk for engrossment.

HJR 44

The following was read the second time:

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.

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with the:

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RES RPT CS(RES) 4DP 4NR

3159

FN1: ZERO(H.RES)

3159

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. 44(RES)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Ogg:

Page 2, line 25, following "Resources;":

Insert "to Margaret Roberts, President and Chair, Alaska Sea Otter and Steller Sea Lion Commission;"

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

Representative Coghill moved and asked unanimous consent that CSHJR 44(RES) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 44(RES) am was read the third time.

The question being: "Shall CSHJR 44(RES) am pass the House?"
The roll was taken with the following result:

CSHJR 44(RES) am

Third Reading

Final Passage

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

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

Excused: Chenault, Kapsner, Kookesh

And so, CSHJR 44(RES) am passed the House and was referred to the Chief Clerk for engrossment.

CONCUR IN SENATE AMENDMENTS

HB 397

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 3198) on the following at this time:

CS FOR HOUSE BILL NO. 397(JUD)

"An Act relating to defense contacts with and recordings of statements of victims and witnesses of sexual offenses."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 397(JUD)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 397(JUD), thus adopting SCS CSHB 397(JUD), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 397(JUD)?" The roll was taken with the following result:

SCS CSHB 397(JUD)

Concur

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

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

Excused: Chenault, Kapsner, Kookesh

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 397(JUD).

The Chief Clerk notified the Senate.

SCS CSHB 397(JUD) was referred to the Chief Clerk for enrollment.

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 Williams - from 10:00 a.m., April 8 to noon, plane time, April 13, 2004

Representative Samuels - from 6:00 a.m., April 17 to 10:00 p.m., plane time, April 18, 2004

Representative Wilson - from 10:00 a.m., April 14 to 7:00 a.m., plane time, April 18, 2004

Representative Stepovich - from 1:00 p.m., April 7 to 10:00 a.m., plane time, April 13, 2004 (amended from page 3213)

SB 276

The Speaker waived the Labor & Commerce Committee referral for the following at the request of Representative Anderson, Chair:

CS FOR SENATE BILL NO. 276(FIN)

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

CSSB 276(FIN) was removed from the Labor & Commerce Committee and referred to the Judiciary Committee.

SB 301

The Speaker waived the House Special Committee on Military & Veterans' Affairs referral for the following at the request of Representative Stepovich, Chair:

CS FOR SENATE BILL NO. 301(FIN)

"An Act relating to the Alaska Pioneers' Home and the Alaska Veterans' Home; relating to eligibility for admission to the Alaska Pioneers' Home and Alaska Veterans' Home; relating to the eligibility of residents for the Alaska Pioneers' Home and the Alaska Veterans' Home for general relief assistance; relating to state veterans' home facilities; making conforming amendments; and providing for an effective date."

CSSB 301(FIN) was removed from the House Special Committee on Military & Veterans' Affairs and referred to the Health, Education & Social Services Committee.

The Speaker waived the Health, Education & Social Services Committee referral for CSSB 301(FIN) at the request of Representative Wilson, Chair.

CSSB 301(FIN) was removed from the Health, Education & Social Services Committee and referred to the Finance Committee.

HB 546

The Speaker added a Finance Committee referral for the following:

HOUSE BILL NO. 546

"An Act relating to regulation of the discharge of pollutants from timber-related activities under the National Pollutant Discharge

Elimination System; relating to waste treatment and disposal permits; making conforming amendments; and providing for an effective date."

HB 546 is in the Judiciary Committee.

HB 308

The Speaker added a Finance Committee referral for the following:

HOUSE BILL NO. 308

"An Act related to exchanging public land for privately held riverbank and stream bank lands."

HB 308 is in the Resources Committee.

HB 430

Representative Gruenberg added his "do pass" recommendation to the Judiciary Committee report (page 3248) for the following:

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."

HJR 41

Representative Lynn added his name as cosponsor to:

CS FOR HOUSE JOINT RESOLUTION NO. 41(RES)

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

HB 91

Representative Gatto added his name as cosponsor to:

CS FOR HOUSE BILL NO. 91(FIN)

"An Act relating to medical benefits for retired peace officers after 20 years of credited service."

HB 275

Representative Kott added his name as cosponsor to:

HOUSE BILL NO. 275

"An Act relating to veterinarians and animals."

HB 284

Representative Gatto added his name as cosponsor to:

HOUSE BILL NO. 284

"An Act allowing peace officers with previous service as fish and wildlife enforcement officers in the Department of Public Safety to claim credit for service as peace officer service; and providing for an effective date."

HB 339

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

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."

HB 405

Representatives Lynn and Wilson added their names as cosponsors to:

CS FOR HOUSE BILL NO. 405(EDU)

"An Act relating to reports on school and school district performance; and relating to accountability of public schools and school districts; and providing for an effective date."

HB 438

Representative McGuire added her name as cosponsor to:

HOUSE BILL NO. 438

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

HB 496

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

CS FOR HOUSE BILL NO. 496(STA)

"An Act creating the youth vote ambassador program and relating to that program; authorizing the members of the program to be appointed to serve on election boards; relating to qualifications for appointment to election boards; and providing for an effective date."

HB 375

The following, which passed the House and was engrossed on April 6, 2004, was signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration:

CS FOR HOUSE BILL NO. 375(FIN) am

"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."

HB 377

The following, which passed the House and was engrossed on April 6, 2004, was signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration:

CS FOR HOUSE BILL NO. 377(FIN)

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

ENGROSSMENT**HJR 41**

CSHJR 41(RES) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HJR 44

CSHJR 44(RES) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 339

CSHB 339(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 405

CSHB 405(EDU) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 496

CSHB 496(STA) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

ENROLLMENT**HB 282**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 9:44 a.m., April 7, 2004:

HOUSE BILL NO. 282

"An Act relating to contracts between the University of Alaska and its employees involving research or other development of intellectual property and to the authority of the president of the University of Alaska regarding employee contracts for development of intellectual property."

HB 348

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 9:44 a.m., April 7, 2004:

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."

A Legislative letter of intent (page 2564) was attached.

HB 394

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 9:44 a.m., April 7, 2004:

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."

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., April 8, 2004, for a technical session. There being no objection, the House adjourned at 11:29 a.m.

Suzi Lowell
Chief Clerk