

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Saturday

May 8, 2004

One Hundred Eighteenth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 1:58 p.m.

Roll call showed 33 members present. Representative Kookesh had been previously excused from a call of the House today. Representatives Crawford, Gara, Guttenberg, Joule, Kapsner, and Kerttula were absent and their presence was noted later.

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

Friends and colleagues,

A boy was flying a kite on a very foggy day. It was invisible in the ground fog; the string just stretched up into the mist. A passerby wondered what fun there could be in flying a kite that could not be seen. The boy replied, "Though I cannot see the kite, I can feel it because it is tugging on my spindle."

As the last week of the second session of the Twenty-third State Legislature approaches, things are beginning to move fast - sometimes too fast and too subtly for us to see, but if we feel events around us, and if we remain sensitive to our environment, and if we remain sensitive to the needs and feelings of others, our own kites will remain steady and flying.

A week ago in the "Pickles" comic strip in the Anchorage Daily News, little Nelson, age about eight, was flying his kite,

while his Grandpa, Earl, lay nearby on the grass. Earl looked at his watch and said to Nelson, "It's dinner time, want to come home?" Nelson looked at his high-flying kite and said, "No." Earl took out a pair of scissors and cut the string. Nelson looked down at the kite-less string as Earl asked him, "Want to come home now?"

So, Lord, remember to remind us to feel our kites, even when we can't see them and also remind us to know when it's time to go home. Amen.

The Pledge of Allegiance was led by Representative Williams.

MESSAGES FROM THE SENATE

HB 522

A message dated May 7, 2004, was read stating the Senate has passed:

HOUSE BILL NO. 522 am

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

HB 522 am was referred to the Chief Clerk for enrollment.

HB 540

A message dated May 7, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 540(L&C)

"An Act relating to workers' compensation insurance rates; and providing for an effective date."

CSHB 540(L&C) was referred to the Chief Clerk for enrollment.

**The presence of Representative Guttenberg was noted.

HB 339

A message dated May 7, 2004, was read stating the Senate has passed:

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."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 339(JUD)
(same title)

CSHB 339(JUD) is under Unfinished Business.

SB 203

A message dated May 6, 2004, was read stating the Senate has concurred in the House amendment to CSSB 203(FIN) am, thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 203(FIN)

"An Act relating to administrative hearings, to hearing officers, and to administrative law judges; establishing the office of administrative hearings and relating to that office; and providing for an effective date."

A message dated May 7, 2004, was read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 97

CS FOR SENATE BILL NO. 97(JUD) am(ct rule fld)(efd fld) by the Senate Judiciary Committee, entitled:

"An Act relating to public interest litigants and to attorney fees and costs and the posting of bonds or other security."

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

SB 254

CS FOR SENATE BILL NO. 254(FIN)(efd fld) by the Senate Finance Committee, entitled:

"An Act relating to tourism marketing contracts."

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

SB 326

CS FOR SENATE BILL NO. 326(STA) by the Senate State Affairs Committee, entitled:

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

(similar to HB 466)

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

**The presence of Representative Crawford was noted.

COMMUNICATIONS

The following was received:

Dept. of Natural Resources
Annual Report
State Land Reforestation Fund
(as required by AS 41.17.320)

**The presence of Representative Gara was noted.

REPORTS OF STANDING COMMITTEES

HB 560

The Community & Regional Affairs Committee has considered:

HOUSE BILL NO. 560

"An Act relating to application of municipal ordinances providing for planning, platting, and land use regulation to interests in land owned by the Alaska Railroad Corporation; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 560(TRA)

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

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

Do pass (4): Kott, Samuels, Wolf, Morgan

No recommendation (1): Cissna

The following fiscal note(s) apply to CSHB 560(TRA):

2. Fiscal, Dept. of Community & Economic Development

HB 560 was referred to the Rules Committee for placement on the calendar.

SB 179

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 179(FIN)

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

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 179(JUD)

"An Act relating to criminal history records and background checks; allowing teacher certification for certain persons based on a criminal history background check without fingerprints; and providing for an effective date."

(HCR 42 - title change resolution)

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

Do pass (1): McGuire

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

The following fiscal note(s) apply to HCS CSSB 179(JUD):

2. Zero, Dept. of Public Safety
3. Zero, Dept. of Education & Early Development

CSSB 179(FIN) was referred to the Rules Committee for placement on the calendar.

SB 190

The Rules Committee has considered:

CS FOR SENATE BILL NO. 190(STA)

"An Act adding certain state-owned land and water to the Kenai River Special Management Area; relating to the mineral estate of the state-owned land and water in the Kenai River Special Management Area; relating to the Kenai River Special Management Area advisory board; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS SENATE BILL NO. 190(RLS)
(same title)

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

Do pass (2): McGuire, Coghill

Do not pass (1): Rokeberg

No recommendation (3): Berkowitz, Morgan, Kerttula

The following fiscal note(s) apply to HCS CSSB 190(RLS):

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

CSSB 190(STA) was returned to the Rules Committee for placement on the calendar.

SB 217

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 217(JUD)
"An Act relating to genetic privacy."

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

Do pass (7): Samuels, Holm, Gara, Gruenberg, Ogg, Anderson, McGuire

The Committee adopted the Senate letter of intent (Senate Journal page 2404).

The following fiscal note(s) apply:

3. Zero, Alaska Court System
4. Zero, Dept. of Law
5. Zero, Dept. of Public Safety

CSSB 217(JUD) was referred to the Rules Committee for placement on the calendar.

SB 282

The Labor & Commerce Committee has considered:

CS FOR SENATE BILL NO. 282(RES)

"An Act relating to the identification of finfish in food products and to the misbranding of food products consisting of or containing finfish."

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

Do pass (4): Crawford, Gatto, Guttenberg, Anderson

No recommendation (3): Lynn, Rokeberg, Dahlstrom

The following fiscal note(s) apply:

1. Zero, Dept. of Law
3. Zero, House Special Committee on Fisheries/Dept. of Environmental Conservation

CSSB 282(RES) was referred to the Rules Committee for placement on the calendar.

SB 284

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 284(FIN) am

"An Act making information on a permanent fund dividend application, other than the applicant's name, confidential, and relating to disclosure of that confidential information; and relating to confidential information in voter registration records."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 284(JUD)
(same title)

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

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

No recommendation (2): Holm, Ogg

The following fiscal note(s) apply to HCS CSSB 284(JUD):

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

CSSB 284(FIN) am was referred to the Rules Committee for placement on the calendar.

SB 379

The Rules Committee has considered:

CS FOR SENATE BILL NO. 379(FIN)

"An Act providing that public members of the Board of Trustees of the Alaska Permanent Fund Corporation may be removed only for cause; and providing for an effective date."

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

Do pass (2): Coghill, Rokeberg

No recommendation (3): McGuire, Morgan, Kerttula

The following fiscal note(s) apply:

2. Zero, Dept. of Law
3. Zero, Dept. of Revenue

CSSB 379(FIN) was returned to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

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

Honoring - Norman Sutliff
By Representative Ogg

Honoring - James Nestic, Mayor of Old Harbor
By Representative Ogg

Honoring - Luke Hopkins for 30 Years of Service to UAF
By Representative Guttenberg

Honoring - Captain Paul Gonzalez
By Representative McGuire

In Memoriam - Gary Dean Ackerman, Sr.
By Representative Guttenberg

In Memoriam - Justice Roger George Connor
By Representative Gruenberg

In Memoriam - Robert Weiser and Donna Weiser
By Representative Gruenberg

**The presence of Representative Kapsner was noted.

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HCR 42
HOUSE CONCURRENT RESOLUTION NO. 42 by the House
Judiciary Committee:

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

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

**The presence of Representative Kerttula was noted.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF SENATE BILLS

SB 260

The following was read the second time:

CS FOR SENATE BILL NO. 260(TRA) am

"An Act relating to metropolitan planning organizations and to the policy board of the metropolitan planning organization for the Anchorage metropolitan area; relating to transportation planning in federally recognized metropolitan planning areas; and providing for an effective date."

with the:

Journal Page

TRA RPT HCS(TRA) 3DP 1DNP	3055
FN1: ZERO(DOT)	3055
CRA RPT HCS(TRA) 4DP 2DNP	3888
FN1: ZERO(DOT)	3888

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

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

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Berkowitz:

Page 2, line 17 through page 3, line 31:

Delete all material.

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

Representative Meyer objected.

**The presence of Representative Joule was noted.

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

HCS CSSB 260(TRA)

Second Reading

Amendment No. 1

YEAS: 13 NAYS: 24 EXCUSED: 1 ABSENT: 2

Yeas: Berkowitz, Cissna, Coghill, Crawford, Croft, Gara, Gruenberg, Guttenberg, Joule, Kerttula, Masek, Moses, Weyhrauch

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

Excused: Kookesh

Absent: Kapsner, Williams

And so, Amendment No. 1 was not adopted.

Representative Coghill moved and asked unanimous consent that HCS CSSB 260(TRA) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

HCS CSSB 260(TRA) will advance to third reading on tomorrow's calendar.

SB 288

The following was read the second time:

CS FOR SENATE BILL NO. 288(JUD)

"An Act relating to temporary custody hearings, and to certain determinations concerning placement of a child in child-in-need-of-aid proceedings; and providing for an effective date."

with the:	Journal Page
HES RPT 5DP 1DNP	3135
FN1: (HSS)	3136
JUD RPT 7DP	3890
FN1: (HSS)	3891
FIN RPT 3DP 5NR	3934
FN1: (HSS)	3935

Representative Coghill moved and asked unanimous consent that CSSB 288(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 288(JUD) was read the third time.

The question being: "Shall CSSB 288(JUD) pass the House?" The roll was taken with the following result:

CSSB 288(JUD)
Third Reading
Final Passage

YEAS: 34 NAYS: 1 EXCUSED: 1 ABSENT: 4

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

Nays: Kohring

Excused: Kookesh

Absent: Berkowitz, Joule, Kapsner, Williams

And so, CSSB 288(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.

CSSB 288(JUD) was signed by the Speaker and Chief Clerk and returned to the Senate.

SB 351

The following was read the second time:

CS FOR SENATE BILL NO. 351(FIN)

"An Act requiring the Alaska Public Offices Commission to accept documents by nonelectronic means, and specifying the manner of preparing the forms that are provided by the commission."

with the:

Journal Page

STA RPT HCS(STA) 2DP 2DNP 1NR	3537
FN1: INDETERMINATE(ADM)	3538
FIN RPT HCS(STA) 7DP 1NR	3892
FN1: INDETERMINATE(ADM)	3893

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

HOUSE CS FOR CS FOR SENATE BILL NO. 351(STA)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS CSSB 351(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 351(STA) was read the third time.

The question being: "Shall HCS CSSB 351(STA) pass the House?"
The roll was taken with the following result:

HCS CSSB 351(STA)
Third Reading
Final Passage

YEAS: 34 NAYS: 4 EXCUSED: 1 ABSENT: 1

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

Nays: Crawford, Kohring, Lynn, Seaton

Excused: Kookesh

Absent: Williams

And so, HCS CSSB 351(STA) passed the House and was referred to the Chief Clerk for engrossment.

The Speaker stated that, without objection, the House would revert to:

REPORTS OF SPECIAL COMMITTEES

HB 414

The Conference Committee with limited powers of free conference considering CSHB 414(JUD) and SCS CSHB 414(JUD) recommends the following be adopted:

CONFERENCE CS FOR HOUSE BILL NO. 414

"An Act relating to filling a vacancy in the office of United States senator, and to the definition of 'political party'; and providing for an effective date."

The following fiscal note(s) apply to CCS HB 414:

2. Zero, Office of the Governor

The report was signed by Representatives McGuire (Chair), Anderson, Crawford; and Senators Seekins (Chair), Wagoner, French.

Representative Coghill moved that the House adopt the Conference Committee with limited powers of free conference report, thus adopting CCS HB 414.

The question being: "Shall the House adopt the Conference Committee with limited powers of free conference report?" The roll was taken with the following result:

CCS HB 414
Adopt

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

Yeas: Berkowitz, Cissna, Coghill, Crawford, Croft, Foster, Gara, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kott, Lynn, McGuire, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Wilson, Wolf

Excused: Kookesh

Absent: Anderson, Chenault, Dahlstrom, Fate, Gatto, Harris, Heinze, Kohring, Masek, Meyer, Stepovich, Williams

And so, the House adopted the Conference Committee with limited powers of free conference report, thus adopting CCS HB 414.

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.

The Chief Clerk notified the Senate.

CONSIDERATION OF THE DAILY CALENDAR
(continued)

THIRD READING OF HOUSE BILLS

HB 461

The following, which was advanced to third reading from the May 7, 2004, calendar (page 3957), was read the third time:

CS FOR HOUSE BILL NO. 461(STA) am
"An Act relating to enhanced 911 surcharges and to 911 and
emergency services dispatch systems."

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

The question being: "Shall CSHB 461(STA) am pass the House?"
The roll was taken with the following result:

CSHB 461(STA) am
Third Reading
Final Passage

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

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

Nays: Coghill, Joule, Kohring, Masek, Stoltze, Wolf

Excused: Kookesh

And so, CSHB 461(STA) am passed the House.

Representative Joule gave notice of reconsideration of the vote on
CSHB 461(STA) am.

Representative Holm moved and asked unanimous consent that
reconsideration of CSHB 461(STA) am be taken up on the same day.

Objection was heard.

Representative Holm moved and asked unanimous consent to withdraw the motion. There being no objection, it was so ordered.

The Speaker stated that, without objection, the House would recess; and so, the House recessed at 3:29 p.m.

AFTER RECESS

The Speaker called the House back to order at 5:50 p.m.

The Speaker stated that, without objection, the House would revert to:

MESSAGES FROM THE SENATE

HB 260

A message dated May 8, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 260(JUD)

"An Act relating to immunity for free health care services provided by certain health care providers; and providing for an effective date."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 260(JUD)
(same title)

CSHB 260(JUD) is under Unfinished Business.

HB 336

A message dated May 8, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 336(JUD) am

"An Act relating to motor vehicle insurance; limiting recovery of civil damages by an uninsured driver; and providing for an effective date."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 336(JUD)(efd
fld S)

"An Act relating to motor vehicle insurance; and limiting recovery
of civil damages by an uninsured driver."

(technical title change)

CSHB 336(JUD) am is under Unfinished Business.

HB 438

A message dated May 7, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 438(JUD) am

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

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 438(STA)

(same title)

CSHB 438(JUD) am is under Unfinished Business.

Messages dated May 8, 2004, were read stating the Senate has passed
the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 302

CS FOR SENATE BILL NO. 302(FIN) by the Senate Finance
Committee, entitled:

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

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

SB 395

CS FOR SENATE BILL NO. 395(FIN) am by the Senate Finance Committee, entitled:

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

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

CONSIDERATION OF THE DAILY CALENDAR
(continued)

THIRD READING OF SENATE BILLS

SB 30

The following, which was advanced to third reading from the May 7, 2004, calendar (page 3959), was read the third time:

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

"An Act relating to information and services available to pregnant women and other persons; ensuring informed consent before an abortion may be performed; and providing exceptions to informed consent in certain cases."

(HCR 36 - title change resolution)

Representative Coghill moved and asked unanimous consent that Representative Holm be excused from a call of the House today to 10:00 a.m., plane time, May 10, 2004. There being no objection, it was so ordered.

Representative Kerttula moved and asked unanimous consent that HCS CSSB 30(JUD) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Kerttula:

Page 1, following line 5:

Delete all material.

Insert a new bill section to read:

"*Section 1. AS 18.05.032 is amended by adding a new section to read:

Section 18.05.032. Information relating to pregnancy and pregnancy alternatives. Before providing abortion services, a physician shall ensure that the patient was provided the information required under AS 09.55.556."

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

Representative Coghill objected.

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

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

HCS CSSB 30(JUD)

Second Reading

Amendment No. 1

YEAS: 13 NAYS: 24 EXCUSED: 2 ABSENT: 1

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Heinze, Joule, Kapsner, Kerttula, Moses, Weyhrauch

Nays: Chenault, Coghill, Dahlstrom, Fate, Foster, Gatto, Harris, Hawker, Kohring, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Williams, Wilson, Wolf

Excused: Holm, Kookesh

Absent: Anderson

And so, Amendment No. 1 was not adopted.

Representative Cissna moved and asked unanimous consent that HCS CSSB 30(JUD) 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 Representatives Cissna and Kerttula:

Page 3, line 11, following "typical":
Delete "unborn child"
Insert "fetus"

Page 3, line 13, following "typical":
Delete "unborn child"
Insert "fetus"

Page 3, line 14, following "an":
Delete "unborn children"
Insert "fetuses"

Page 3, line 18, following "about":
Delete "unborn children"
Insert "fetuses"

Page 4, line 5, following "an":
Delete "unborn child's"
Insert "fetus's"

Page 4, line 23, following "the":
Delete "unborn child"
Insert "fetus"

Page 4, lines 25 - 26:
Delete all material.

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

Representative Dahlstrom objected.

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

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

HCS CSSB 30(JUD)

Second Reading

Amendment No. 2

YEAS: 15 NAYS: 23 EXCUSED: 2 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Moses, Samuels, Seaton, Weyhrauch, Williams

Nays: Anderson, Chenault, Coghill, Dahlstrom, Fate, Foster, Gatto, Harris, Hawker, Heinze, Kohring, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Stepovich, Stoltze, Wilson, Wolf

Excused: Holm, Kookesh

And so, Amendment No. 2 was not adopted.

Representative Gruenberg moved and asked unanimous consent that HCS CSSB 30(JUD) be returned to second reading for the specific purpose of considering Amendment No. 3.

Representative Dahlstrom objected and withdrew the objection. There being no further objection, it was so ordered.

Amendment No. 3 was offered by Representative Gruenberg:

Page 5, line 13 through page 6, line 1:

Delete all material.

Renumber the following bill sections accordingly.

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

Representative Dahlstrom objected.

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

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

HCS CSSB 30(JUD)
Second Reading
Amendment No. 3

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

Yeas: Berkowitz, Cissna, Crawford, Croft, Fate, Gara, Gruenberg, Guttenberg, Hawker, Joule, Kapsner, Kerttula, Kott, McGuire, Moses, Samuels, Weyhrauch

Nays: Anderson, Chenault, Coghill, Dahlstrom, Foster, Gatto, Harris, Heinze, Kohring, Lynn, Masek, Meyer, Morgan, Ogg, Rokeberg, Seaton, Stepovich, Stoltze, Williams, Wilson, Wolf

Excused: Holm, Kookesh

And so, Amendment No. 3 was not adopted.

Representative Dahlstrom placed a call of the House.

The call was satisfied.

The question being: "Shall HCS CSSB 30(JUD) pass the House?"
The roll was taken with the following result:

HCS CSSB 30(JUD)
Third Reading
Final Passage

YEAS: 27 NAYS: 11 EXCUSED: 2 ABSENT: 0

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

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

Excused: Holm, Kookesh

And so, HCS CSSB 30(JUD) passed the House.

Representative Dahlstrom gave notice of reconsideration of the vote on HCS CSSB 30(JUD).

RECONSIDERATION

SB 30

Representative Dahlstrom moved and asked unanimous consent that reconsideration of HCS CSSB 30(JUD) be taken up on the same day.

Representative Berkowitz objected.

The question to be reconsidered: "Shall reconsideration of HCS CSSB 30(JUD) be taken up on the same day?" The roll was taken with the following result:

HCS CSSB 30(JUD)--RECONSIDERATION

Third Reading

Take up Reconsideration on the Same Day

YEAS: 27 NAYS: 11 EXCUSED: 2 ABSENT: 0

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

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

Excused: Holm, Kookesh

And so, the motion passed.

The following was again before the House in third reading:

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."

The question to be reconsidered: "Shall HCS CSSB 30(JUD) pass the House?" The roll was taken with the following result:

HCS CSSB 30(JUD)--RECONSIDERATION

Third Reading

Final Passage

YEAS: 27 NAYS: 11 EXCUSED: 2 ABSENT: 0

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

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

Excused: Holm, Kookesh

And so, HCS CSSB 30(JUD) passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

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

(continued)

SB 170

The following, which was advanced to third reading from the May 7, 2004, calendar (page 3960), was read the third time:

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

"An Act relating to the justification of defense of self or others, immunity from prosecution, sentencing, probation, discretionary parole, and the right to representation in certain criminal proceedings; relating to violation of a custodian's duty; relating to sexual abuse of a minor; relating to release of information concerning certain cases involving a minor; relating to local options regarding alcoholic beverages, the offense of furnishing or delivery of alcoholic beverages to a person under 21 years of age, and forfeiture of property used in, and money or other items of value used in financial transactions derived from, violation of certain laws relating to alcoholic beverages; relating to assault by means of a dangerous instrument; relating to operating or driving a motor vehicle, aircraft, or watercraft while under the influence

of an alcoholic beverage, inhalant, or controlled substance, to the refusal to submit to a chemical test, and to the presumptions concerning the chemical analysis of breath or blood; and providing for an effective date."

Representative Kerttula moved and asked unanimous consent that HCS CSSB 170(FIN) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Gara, Berkowitz, and Kerttula:

Page 8, line 19, following "treatment" through line 21:

Delete all material.

Renumber the following bill sections accordingly.

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

Representative Samuels objected.

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

HCS CSSB 170(FIN)

Second Reading

Amendment No. 1

YEAS: 12 NAYS: 19 EXCUSED: 2 ABSENT: 7

Yeas: Cissna, Crawford, Fate, Gara, Gruenberg, Guttenberg, Joule, Kerttula, Masek, Moses, Seaton, Weyhrauch

Nays: Coghill, Dahlstrom, Foster, Gatto, Harris, Hawker, Heinze, Kohring, Kott, Lynn, Morgan, Ogg, Rokeberg, Samuels, Stepovich, Stoltze, Williams, Wilson, Wolf

Excused: Holm, Kookesh

Absent: Anderson, Berkowitz, Chenault, Croft, Kapsner, McGuire, Meyer

And so, Amendment No. 1 was not adopted.

Representative Kerttula moved and asked unanimous consent that HCS CSSB 170(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 Representatives Kerttula, Gara, and Berkowitz:

Page 11, line 4 through page 12, line 11:

Delete all material.

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

Representative Samuels objected.

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

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

HCS CSSB 170(FIN)

Second Reading

Amendment No. 2

YEAS: 13 NAYS: 25 EXCUSED: 2 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Fate, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Masek, Ogg, Weyhrauch

Nays: Anderson, Chenault, Coghill, Croft, Dahlstrom, Foster, Gatto, Harris, Hawker, Heinze, Kohring, Kott, Lynn, McGuire, Meyer, Morgan, Moses, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Williams, Wilson, Wolf

Excused: Holm, Kookesh

And so, Amendment No. 2 was not adopted.

The question being: "Shall HCS CSSB 170(FIN) pass the House?"
The roll was taken with the following result:

HCS CSSB 170(FIN)

Third Reading

Final Passage

YEAS: 28 NAYS: 8 EXCUSED: 2 ABSENT: 2

Yeas: Anderson, Berkowitz, Chenault, Coghill, Croft, Dahlstrom, Fate, Foster, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Joule, Kapsner, Kott, Lynn, McGuire, Meyer, Morgan, Rokeberg, Samuels, Stepovich, Stoltze, Williams, Wilson, Wolf

Nays: Crawford, Gara, Kerttula, Kohring, Masek, Ogg, Seaton, Weyhrauch

Excused: Holm, Kookesh

Absent: Cissna, Moses

And so, HCS CSSB 170(FIN) passed the House.

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

Representative Gruenberg gave notice of reconsideration of the vote on HCS CSSB 170(FIN).

SB 272

The following, which was advanced to third reading from the May 7, 2004, calendar (page 3964), was read the third time:

CS FOR SENATE BILL NO. 272(FIN) am H

"An Act relating to certain monetary advances in which the deposit or other negotiation of checks to pay the advances is delayed until a later date; and providing for an effective date."

Representative Anderson placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall CSSB 272(FIN) am H pass the House?"
The roll was taken with the following result:

CSSB 272(FIN) am H
Third Reading
Final Passage

YEAS: 25 NAYS: 13 EXCUSED: 2 ABSENT: 0

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

Nays: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kohring, Moses, Williams

Excused: Holm, Kookesh

And so, CSSB 272(FIN) am H passed the House.

Representative Coghill moved the effective date clause.

Representative Berkowitz objected.

Representative Berkowitz moved and asked unanimous consent that the question be divided.

The Speaker ruled the question was divisible. There being no objection, the question of the effective date clauses was divided.

Representative Coghill moved the effective date clause in Section 7.

The question being: "Shall the effective date clause in Section 7 be adopted?" The roll was taken with the following result:

CSSB 272(FIN) am H
Third Reading
Effective Date in Section 7

YEAS: 28 NAYS: 10 EXCUSED: 2 ABSENT: 0

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

Nays: Berkowitz, Cissna, Crawford, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Moses

Excused: Holm, Kookesh

And so, the effective date clause in Section 7 was adopted.

Representative Coghill moved the effective date clause in Section 8.

The question being: "Shall the effective date clause in Section 8 be adopted?" The roll was taken with the following result:

CSSB 272(FIN) am H
Third Reading
Effective Date in Section 8

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

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

Nays: Crawford, Gara, Moses

Excused: Holm, Kookesh

And so, the effective date clause in Section 8 was adopted.

Representative Berkowitz gave notice of reconsideration of the vote on CSSB 272(FIN) am H.

HOUSE RESOLUTIONS IN SECOND READING

HCR 40

The following which was read the second time and held to today's calendar (page 3980), was again before the House:

HOUSE CONCURRENT RESOLUTION NO. 40

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 170, relating to criminal law.

The question being: "Shall HCR 40 pass the House?" The roll was taken with the following result:

HCR 40

Second Reading

Final Passage

YEAS: 30 NAYS: 7 EXCUSED: 2 ABSENT: 1

Yeas: Anderson, Berkowitz, Chenault, Coghill, Croft, Dahlstrom, Fate, Foster, Gatto, Guttenberg, Harris, Hawker, Heinze, Joule, Kapsner, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Samuels, Seaton, Stepovich, Stoltze, Williams, Wilson, Wolf

Nays: Cissna, Crawford, Gara, Gruenberg, Kerttula, Kohring, Weyhrauch

Excused: Holm, Kookesh

Absent: Rokeberg

And so, HCR 40 passed the House.

Representative Gruenberg gave notice of reconsideration of the vote on HCR 40.

SECOND READING OF SENATE RESOLUTIONS**SJR 33**

The following was read the second time:

CS FOR SENATE JOINT RESOLUTION NO. 33(STA)

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

May 8, 2004

4019

with the:	Journal Page
STA REFERRAL WAIVED	3868
JUD RPT 3DP 2DNP 1NR	3933
FN1: ZERO(S.STA)	3934

Representative Coghill moved and asked unanimous consent that CSSJR 33(STA) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

CSSJR 33(STA) will advance to third reading on tomorrow's calendar.

RECONSIDERATION

HB 563

Representative Rokeberg brought up reconsideration of the vote on CSHB 563(JUD) am(efd add) (page 3976).

The following was again before the House in third reading:

CS FOR HOUSE BILL NO. 563(JUD) am(efd add)

"An Act relating to legislative branch ethics, to open meetings guidelines applicable to legislators, to the confidentiality of complaints and proceedings involving alleged violations of AS 24.60, and to hearings on formal charges by the Select Committee on Legislative Ethics or its subcommittees; and providing for an effective date."

Representative Seaton moved and asked unanimous consent that CSHB 563(JUD) am(efd add) be returned to second reading for the specific purpose of considering Amendment No. 16. There being no objection, it was so ordered.

Amendment No. 16 was offered by Representative Seaton:

Page 2, line 26:

Delete all material.

Insert "philosophy, or have a common goal, and who organize as a group;"

Representative Seaton moved and asked unanimous consent that Amendment No. 16 be adopted. There being no objection, it was so ordered.

Representative Rokeberg moved and asked unanimous consent that CSHB 563(JUD) am(efd add) be returned to second reading for the purpose of rescinding previous action in adopting Amendment No. 8. There being no objection, it was so ordered.

Representative Rokeberg moved and asked unanimous consent that the House rescind previous action in adopting Amendment No. 8.

Representative Croft objected.

The question being: "Shall the House rescind previous action in adopting Amendment No. 8?" The roll was taken with the following result:

CSHB 563(JUD) am(efd add)--RECONSIDERATION

Second Reading

Rescind Previous Action/Amendment No. 8

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

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

Nays: Berkowitz, Cissna, Crawford, Croft, Gara, Guttenberg, Kerttula, Moses

Excused: Holm, Kookesh

And so, the motion passed.

Representative Rokeberg moved and asked unanimous consent to withdraw Amendment No. 8. There being no objection, it was so ordered.

Representative Rokeberg moved and asked unanimous consent that CSHB 563(JUD) am(efd add) be returned to second reading for the specific purpose of considering Amendment No. 17. There being no objection, it was so ordered.

Amendment No. 17 was offered by Representative Rokeberg:

Page 2, line 14, through line 18:

Delete all material.

Insert "the committee and that member's alternate, the member and alternate member are disqualified from serving on the committee with regard to the complaint. The presiding officer of the house in which the disqualified members serve shall appoint another member of that house of the same political party to serve on the committee with regard to the complaint. However, if a complaint alleges a violation that includes all legislative members of the same political party of one house, the presiding officer of that house shall appoint from the other house an alternate member of the same political party as the disqualified members to serve with regard to the complaint."

Representative Rokeberg moved and asked unanimous consent that Amendment No. 17 be adopted.

Representative Croft objected.

Representative Rokeberg moved and asked unanimous consent to withdraw Amendment No. 17. There being no objection, it was so ordered.

New Amendment No. 17 was offered by Representative Rokeberg:

Page 2, line 14, through line 18:

Delete all material.

Insert "the committee and that member's alternate, the member and alternate member are disqualified from serving on the committee with regard to the complaint. If the disqualified members are part of the majority caucus, the presiding officer of the house in which the disqualified members serve shall appoint another member of that house to serve on the committee with regard to the complaint."

Otherwise, the minority caucus leader shall appoint the member. If a complaint alleges a violation that includes all legislative members of the majority caucus of one house, the presiding officer of that house shall appoint from the other house a member to serve with regard to the complaint. Otherwise, the minority caucus leader shall appoint from the other house the member."

Representative Rokeberg moved and asked unanimous consent that New Amendment No. 17 be adopted. There being no objection, it was so ordered.

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

The question to be reconsidered: "Shall CSHB 563(JUD) am(efd add) pass the House?" The roll was taken with the following result:

CSHB 563(JUD) am(efd add)--RECONSIDERATION

Third Reading

Final Passage

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

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

Nays: Berkowitz, Cissna, Crawford, Croft, Gara, Kerttula, Lynn, Moses

Excused: Holm, Kookesh

And so, CSHB 563(JUD) am(efd add) passed the House on reconsideration.

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

CSHB 563(JUD) am(efd add) was referred to the Chief Clerk for engrossment.

CONSIDERATION OF THE DAILY CALENDAR
(continued)

LEGISLATIVE CITATIONS

Representative Coghill moved and asked unanimous consent that the House approve the citations on the calendar. There being no objection, the following citations were approved and sent to enrolling:

Honoring - Verdie A. Bowen

By Representatives Kohring, Gatto, Harris, Masek, Stoltze, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Lynn, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Weyhrauch, Williams, Wilson, Wolf; Senators Green, Ogan, Therriault

Honoring - Kelly Marre, 2003 Greater Wasilla Chamber of Commerce Citizen of the Year

By Representatives Kohring, Gatto, Harris, Masek, Stoltze, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Lynn, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Weyhrauch, Williams, Wilson, Wolf; Senators Green, Ogan, Therriault

Honoring - Judy Youngquist, 2003 Greater Wasilla Chamber of Commerce Educator of the Year

By Representatives Kohring, Gatto, Harris, Masek, Stoltze, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Lynn, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Weyhrauch, Williams, Wilson, Wolf; Senators Green, Ogan, Therriault

Honoring - Senator E.L. Bob Bartlett's 100th Birthday Anniversary

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

Honoring - 2003 Colony High School Girls Soccer Team, Region III Champions

By Representatives Kohring, Gatto, Harris, Masek, Stoltze, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Lynn, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Weyhrauch, Williams, Wilson, Wolf; Senators Green, Ogan, Therriault

Honoring - 2003 Colony High School Boys Soccer Team, Region III Champions

By Representatives Kohring, Gatto, Harris, Masek, Stoltze, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Lynn, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Weyhrauch, Williams, Wilson, Wolf; Senators Green, Ogan, Therriault

Honoring - Howdie, Incorporated, 2003 Greater Wasilla Chamber of Commerce Business of the Year

By Representatives Kohring, Gatto, Harris, Masek, Stoltze, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Lynn, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Weyhrauch, Williams, Wilson, Wolf; Senators Green, Ogan, Therriault

Honoring - Mike's Place

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

In Memoriam - Weston O. Van Loon

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

In Memoriam - Paul E. Nichols

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

In Memoriam - James "Jim" Hermon

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

In Memoriam - Rose Eda Seller Palmquist

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

In Memoriam - Lee Daniel Williams

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

In Memoriam - Elsie May Philo

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

In Memoriam - Tracy L. Shelden

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

In Memoriam - Robert W. "Bob" Pippel

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

CONCUR IN SENATE AMENDMENTS

HB 25

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 3757) on the following at this time:

CS FOR HOUSE BILL NO. 25(JUD)

"An Act relating to health care decisions, including do not resuscitate orders, anatomical gifts, and mental health treatment decisions, and to powers of attorney relating to health care, including anatomical gifts and mental health treatment decisions; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 25(JUD)
(same title)

There being no objection, it was so ordered.

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

Representative Coghill moved that the House concur in the Senate amendment to CSHB 25(JUD), thus adopting SCS CSHB 25(JUD), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 25(JUD)?" The roll was taken with the following result:

SCS CSHB 25(JUD)

Concur

YEAS: 36 NAYS: 1 EXCUSED: 2 ABSENT: 1

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

Nays: Lynn

Excused: Holm, Kookesh

Absent: Gara

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 25(JUD).

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.

The Chief Clerk notified the Senate.

SCS CSHB 25(JUD) was referred to the Chief Clerk for enrollment.

UNFINISHED BUSINESS

SB 279

The Speaker waived the Community & Regional Affairs Committee referral for the following at the request of Representative Morgan, Chair:

CS FOR SENATE BILL NO. 279(FIN)

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

CSSB 279(FIN) was removed from the Community & Regional Affairs Committee and referred to the Finance Committee.

HB 468

The Speaker stated that, without objection, reconsideration of the following, which had been held to today (page 3981), will be held to May 9, 2004:

CS FOR HOUSE BILL NO. 468(JUD)(ct rule fld)

"An Act relating to the amount of the bond required to stay execution of a judgment in civil litigation involving a signatory, a successor of a signatory, or an affiliate of a signatory to the tobacco product Master Settlement Agreement during an appeal; and providing for an effective date."

SB 302

The Speaker added a State Affairs Committee referral to precede the Finance Committee referral for the following:

CS FOR SENATE BILL NO. 302(FIN)

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

CSSB 302(FIN) was removed from the Finance Committee and referred to the State Affairs Committee.

HB 560

The Speaker added a Finance Committee referral for the following:

HOUSE BILL NO. 560

"An Act relating to application of municipal ordinances providing for planning, platting, and land use regulation to interests in land owned by the Alaska Railroad Corporation; and providing for an effective date."

HB 560 was removed from the Rules Committee and referred to the Finance Committee.

HB 498

Representative Seaton moved and asked unanimous consent to withdraw the following:

HOUSE BILL NO. 498

"An Act requiring the sale or trade of state land."

There being no objection, HB 498 was withdrawn.

Without objection, the House reverted to:

MESSAGES FROM THE SENATE**HB 10**

A message dated May 8, 2004, was read stating the Senate has passed CSHB 10(HES) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 10(FIN)

"An Act relating to pooling by employers and self-employed individuals for purposes of group health insurance; and providing for an effective date."

CSHB 10(HES) is under Unfinished Business.

HB 123

A message dated May 8, 2004, was read stating the Senate has passed CSHB 123(FIN) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 123(FIN)

"An Act relating to the allocation of money appropriated to the Alaska Workforce Investment Board; and providing for an effective date."

CSHB 123(FIN) is under Unfinished Business.

Messages dated May 7 and 8, 2004, were read stating that the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 376

CS FOR SENATE BILL NO. 376(HES) am by the Senate Health, Education and Social Services Committee, entitled:

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

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

SB 392

SENATE BILL NO. 392 by the Senate Labor and Commerce Committee, entitled:

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

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

SB 393

CS FOR SENATE BILL NO. 393(FIN) by the Senate Finance Committee, entitled:

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

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

RECONSIDERATION**HCR 36**

Representative Berkowitz brought up reconsideration of the vote on HCR 36 (page 3978).

The following was again before the House in second reading:

HOUSE CONCURRENT RESOLUTION NO. 36
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 30, relating to information and services available to pregnant women.

The question to be reconsidered: "Shall HCR 36 pass the House?"
The roll was taken with the following result:

HCR 36--RECONSIDERATION

Second Reading

Final Passage

YEAS: 26 NAYS: 11 EXCUSED: 2 ABSENT: 1

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

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

Excused: Holm, Kookesh

Absent: Wolf

And so, HCR 36 failed to pass the House on reconsideration.

Representative Croft moved and asked unanimous consent that the House rescind previous action in failing to pass on reconsideration HCR 36(fld H).

Objection was heard.

The question being: "Shall the House rescind previous action in failing to pass HCR 36(fld H) on reconsideration?" The roll was taken with the following result:

HCR 36(fld H)--RECONSIDERATION

Second Reading

Rescind Previous Action/Failing

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

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

Excused: Holm, Kookesh

And so, the motion passed.

The question to be reconsidered: "Shall HCR 36 pass the House?"

HCR 36--RECONSIDERATION

Second Reading

Final Passage

YEAS: 29 NAYS: 9 EXCUSED: 2 ABSENT: 0

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

Nays: Berkowitz, Cissna, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Moses

Excused: Holm, Kookesh

And so, HCR 36 passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

UNFINISHED BUSINESS

HB 25

Representatives Croft, McGuire, and Hawker added their names as cosponsors to:

SENATE CS FOR CS FOR HOUSE BILL NO. 25(JUD)

"An Act relating to health care decisions, including do not resuscitate orders, anatomical gifts, and mental health treatment decisions, and to powers of attorney relating to health care, including anatomical gifts and mental health treatment decisions; and providing for an effective date."

HB 336

Representative Anderson added his name as cosponsor to:

CS FOR HOUSE BILL NO. 336(JUD) am

"An Act relating to motor vehicle insurance; limiting recovery of civil damages by an uninsured driver; and providing for an effective date."

SB 30

Representative Dahlstrom added her name as cross sponsor to:

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

"An Act relating to information and services available to pregnant women and other persons; ensuring informed consent before an abortion may be performed; and providing exceptions to informed consent in certain cases."

HCR 37

The following, which was engrossed and signed by the Speaker and Chief Clerk (page 3870), was transmitted to the Senate for consideration:

HOUSE CONCURRENT RESOLUTION NO. 37

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

ENGROSSMENT**HCR 36**

HCR 36 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 563

CASHB 563(JUD) am(efd add) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 30

HCS CSSB 30(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 194

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 CS FOR CS FOR SENATE BILL NO. 194(L&C)

"An Act authorizing delivery of up to two bottles of distilled spirits or 72 ounces of beer to a cruise ship passenger or hotel guest."

SB 351

HCS CSSB 351(STA) 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.

The following meetings today have been changed as indicated:

Judiciary Committee

CHANGED TO: upon adj., 5/8

Labor & Commerce Committee

CHANGED TO: upon adj., 5/8

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 5:00 p.m., May 9, 2004. There being no objection, the House adjourned at 10:16 p.m.

Suzi Lowell
Chief Clerk