

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Sunday

May 9, 2004

#### One Hundred Nineteenth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 7:47 p.m.

Roll call showed 39 members present. Representative Holm had been previously excused from a call of the House today.

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

For Mother  
How much I love you, I can't say:  
It's more than words can hold.  
You're all at once my rich, red clay,  
My potter and my mold.

Yours the words that shaped my voice,  
The spirit within mine.  
Yours the will that shaped my choice,  
My fortune, and my sign.

How lucky I was to have had you  
At the core of me!  
Wise and good, you always knew  
Just what I could be.

And so I came to be someone  
Whom I could be proud of.  
For this I give my swollen sum  
Of gratitude and love.

The Pledge of Allegiance was led by Representative Wilson.

### **CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the 117th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE SENATE**

#### **HJR 44**

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

CS FOR HOUSE JOINT RESOLUTION NO. 44(RES) am  
Relating to research into the decline of the Southwest Alaska  
population of the Northern Sea Otter in the western Gulf of  
Alaska.

CSHJR 44(RES) am was referred to the Chief Clerk for enrollment.

#### **HB 334**

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

CS FOR HOUSE BILL NO. 334(RLS)  
"An Act relating to unlawful exploitation of a minor and to  
distribution of child pornography."

CSHB 334(RLS) was referred to the Chief Clerk for enrollment.

#### **HB 351**

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

CS FOR HOUSE BILL NO. 351(JUD)  
"An Act relating to the devices, including carbon monoxide  
detection devices, required in dwellings; and providing for an  
effective date."

CSHB 351(JUD) was referred to the Chief Clerk for enrollment.

**HB 379**

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

HOUSE BILL NO. 379

"An Act establishing an office of citizenship assistance in the Department of Labor and Workforce Development."

HB 379 was referred to the Chief Clerk for enrollment.

**HB 417**

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

HOUSE BILL NO. 417

"An Act amending the definition of 'project' in the Act establishing the Alaska Natural Gas Development Authority; and providing for an effective date."

HB 417 was referred to the Chief Clerk for enrollment.

**HB 484**

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

CS FOR HOUSE BILL NO. 484(JUD) am

"An Act imposing a correctional facility surcharge on persons convicted of a crime under state law and on persons whose probation is revoked; relating to fees and expenses for interstate transfer of probation or parole; and providing for an effective date."

CSHB 484(JUD) am was referred to the Chief Clerk for enrollment.

**HB 539**

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

CS FOR HOUSE BILL NO. 539(L&C)

"An Act exempting a person who allows a student of the University of Alaska to gain practical work experience with the person while participating in a practicum from vicarious liability as an employer, and exempting the student participating in a practicum from the Alaska Wage and Hour Act; and providing for an effective date."

CSHB 539(L&C) was referred to the Chief Clerk for enrollment.

**HB 556**

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

CS FOR HOUSE BILL NO. 556(FIN)

"An Act relating to a port development project on Lynn Canal, providing legislative approval for the Alaska Industrial Development and Export Authority to issue bonds for the project; and providing for an effective date."

CSHB 556(FIN) was referred to the Chief Clerk for enrollment.

**REPORTS OF STANDING COMMITTEES****HB 562**

The Finance Committee has considered:

HOUSE BILL NO. 562

"An Act relating to the establishment of the Interior Rivers Port Authority; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 562(FIN)  
(same title)

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

Do pass (5): Hawker, Moses, Fate, Foster, Williams

No recommendation (3): Stoltze, Joule, Harris

The following fiscal note(s) apply to CSHB 562(FIN):

2. Indeterminate, Dept. of Community & Economic Development

HB 562 was referred to the Rules Committee for placement on the calendar.

**SB 65**

The Finance Committee has considered:

CS FOR SENATE BILL NO. 65(FIN) am

"An Act relating to the qualifications of correctional officers, parole officers, and probation officers; authorizing the Department of Corrections to enter into lease- purchase agreements with municipalities for new or expanded public correctional facilities in the Fairbanks North Star Borough, the Matanuska-Susitna Borough, Bethel, the Municipality of Anchorage, and the City of Seward; relating to the development and financing of privately operated correctional facility space and services; authorizing the Department of Corrections to enter into a lease-purchase agreement with the City of Whittier for the confinement and care of prisoners in privately operated correctional facility space if the state cannot provide the same level of services required in state law or regulation for the same or less cost; giving notice of and approving, and authorizing the entry into and issuance of certificates of participation for, the upgrade, expansion, and replacement of certain jails in Dillingham and Kodiak; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 65(FIN)  
(same title)

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

Do pass (5): Hawker, Chenault, Fate, Foster, Williams

No recommendation (4): Meyer, Joule, Moses, Harris

Amend (2): Stoltze, Croft

The following fiscal note(s) apply to HCS CSSB 65(FIN):

2. Fiscal, Dept. of Corrections

CSSB 65(FIN) am was referred to the Rules Committee for placement on the calendar.

**SB 132**

The Resources Committee has considered:

CS FOR SENATE BILL NO. 132(RES)

"An Act removing the Old Minto townsite from the Minto Flats State Game Refuge; and authorizing the Department of Natural Resources to convey certain land at the historic Old Minto site to the Native Village of Minto."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 132(RES)

(same title)

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

Do pass (3): Heinze, Lynn, Stepovich

No recommendation (2): Samuels, Masek

Amend (2): Kerttula, Guttenberg

The following fiscal note(s) apply to HCS CSSB 132(RES):

1. Zero, Dept. of Natural Resources

CSSB 132(RES) was referred to the Rules Committee for placement on the calendar.

**SB 224**

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 224(STA)

"An Act relating to a minor operating a vehicle after consuming alcohol, to a minor refusing to submit to chemical tests, and to driving during the 24 hours after being cited for one of those offenses; and providing for an effective date."

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

Do pass (2): Samuels, McGuire

No recommendation (3): Gara, Gruenberg, Ogg

The following fiscal note(s) apply:

5. Zero, Dept. of Public Safety
6. Indeterminate, Alaska Court System
7. Zero, Dept. of Health & Social Services
8. Zero, Dept. of Administration
9. Indeterminate, Dept. of Administration
10. Fiscal, Dept. of Administration

CSSB 224(STA) was referred to the Finance Committee.

**SB 279**

The Finance Committee has considered:

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."

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

Do pass (3): Fate, Foster, Williams

No recommendation (3): Meyer, Chenault, Harris

The following fiscal note(s) apply:

3. Fiscal, Dept. of Revenue

CSSB 279(FIN) was referred to the Rules Committee for placement on the calendar.

**SB 311**

The Labor & Commerce Committee has considered:

CS FOR SENATE BILL NO. 311(JUD)(efd fld)

"An Act providing for a special deposit for workers' compensation insurers; relating to the board of governors of the Alaska Insurance Guaranty Association; stating the intent of the legislature, and setting out limitations, concerning the interpretation, construction, and implementation of workers' compensation laws; relating to restructuring the Alaska workers' compensation system; eliminating the Alaska Workers' Compensation Board; establishing a division of workers' compensation within the Department of Labor and Workforce Development and assigning certain Alaska Workers' Compensation Board functions to the division and the Department of Labor and Workforce Development; establishing a Workers' Compensation Appeals Commission; assigning certain functions of the Alaska Workers' Compensation Board to the Workers' Compensation Appeals Commission and the Workers' Compensation Hearings Board; relating to agreements that discharge workers' compensation liability; providing for hearing examiners and hearing panels in workers' compensation proceedings; relating to workers' compensation awards; relating to an employer's failure to insure and keep insured or provide security; providing for appeals from compensation orders; relating to workers' compensation proceedings; providing for supreme court jurisdiction of appeals from the Workers' Compensation Appeals Commission; providing for a maximum amount for the cost-of-living adjustment for workers' compensation benefits; providing for administrative penalties for employers uninsured or without adequate security for workers' compensation; and relating to assigned risk pools and insurers."

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

Do pass (1): Rokeberg



Do not pass (4): Crawford, Lynn, Dahlstrom, Guttenberg

No recommendation (2): Gatto, Anderson

The following fiscal note(s) apply:

1. Zero, Dept. of Community & Economic Development
2. Zero, Dept. of Law
4. Indeterminate, Dept. of Administration
5. Fiscal, Alaska Court System
6. Fiscal, Dept. of Labor & Workforce Development

The Speaker ruled that CSSB 311(JUD)(efd fld) did not receive the required votes to move out of committee. The Speaker returned CSSB 311(JUD)(efd fld) to the Labor & Commerce Committee with a further referral to the Finance Committee.

### **SB 326**

The Rules Committee has considered:

CS FOR SENATE BILL NO. 326(STA)

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

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

Do pass (5): McGuire, Coghill, Morgan, Kerttula, Rokeberg

Amend (1): Berkowitz

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue

CSSB 326(STA) is on today's calendar.

**SB 338**

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 338(STA)

"An Act relating to actionable claims against state employees; and providing for an effective date."

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

Do pass (1): McGuire

No recommendation (2): Samuels, Ogg

Amend (1): Gara

The following fiscal note(s) apply:

1. Zero, Dept. of Law

CSSB 338(STA) was referred to the Rules Committee for placement on the calendar.

**SB 354**

The State Affairs Committee has considered:

CS FOR SENATE BILL NO. 354(STA) am(efd fld)

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

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 354(STA)  
(same title)

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

No recommendation (5): Seaton, Gruenberg, Lynn, Berkowitz, Weyhrauch

The following fiscal note(s) apply to CSSB 354(STA) am(efd fld):

1. Zero, Office of the Governor

CSSB 354(STA) am(efd fld) was referred to the Judiciary Committee.

**SB 357**

The Finance Committee has considered:

CS FOR SENATE BILL NO. 357(FIN)

"An Act relating to the regulation of insurance, insurance licenses, qualifications of insurance producers, surplus lines, fraud investigations, electronic transactions, and compliance with federal law and national standards; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 357(FIN)  
(same title)

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

Do pass (3): Foster, Croft, Williams

No recommendation (6): Meyer, Hawker, Stoltze, Fate, Chenault, Harris

A House Finance Committee letter of intent for CSSB 357(FIN) signed by Representatives Harris and Williams, Co-chairs, follows:

"It is the intent of the Legislature that the Division of Insurance should take action to reform and modernize Alaska's system for insurance regulation. In order to preserve state regulation of insurance, state regulation must respond to the changing nature of the business of insurance.

Specifically, the Division of Insurance should study alternative methods for regulating rates and forms and should develop proposals

for changing Alaska's existing regulatory system in order to achieve the goals of consumer protection and the fostering of a highly competitive insurance market in Alaska."

The following fiscal note(s) apply to HCS CSSB 357(FIN):

1. Zero, Dept. of Community & Economic Development

CSSB 357(FIN) is on today's calendar.

**SB 364**

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 364(HES)(efd fld)

"An Act relating to liability for expenses of placement in certain mental health facilities; and relating to the mental health treatment assistance program."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 364(JUD)

"An Act relating to liability for expenses of placement in certain mental health facilities; and relating to the mental health treatment assistance program; and providing for an effective date."

(technical title change)

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

Do pass (1): Gruenberg

No recommendation (5): Samuels, Gara, Ogg, Anderson, McGuire

The Committee adopted the Senate letter of intent (Senate Journal page 3096).

The following fiscal note(s) apply to HCS CSSB 364(JUD):

1. Fiscal, Dept. of Health & Social Services

CSSB 364(HES)(efd fld) was referred to the Finance Committee.

**SB 387**

The Finance Committee has considered:

SENATE BILL NO. 387 am

"An Act authorizing the making of certain commercial fishing loans to eligible community quota entities for the purchase of certain fishing quota shares; and providing for an effective date."

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

Do pass (4): Hawker, Fate, Foster, Williams

No recommendation (3): Meyer, Stoltze, Harris

The following fiscal note(s) apply:

1. Zero, Dept. of Community & Economic Development
2. Zero, Dept. of Fish & Game

SB 387 am was referred 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 - The House Chief Clerk and Staff  
By Representatives Rokeberg, Kott, Coghill

Honoring - The House Records Staff  
By Representatives Rokeberg, Kott, Coghill

Honoring - The House Floor Staff, 2004 Legislative Staff  
By Representatives Rokeberg, Kott, Coghill

Honoring - The Legislative Affairs Agency Staff  
By Representatives Rokeberg, Kott, Coghill

Honoring - The Sexy Senior Dumpster Cleaners of Cooper Landing  
By Representative Seaton

In Memoriam - Leetus L. George  
By Representative Seaton; Senator Gary Stevens

In Memoriam - Sherry Hagen  
By Representative Seaton; Senator Gary Stevens

In Memoriam - Robert E. (Bob) Keys  
By Representative Seaton; Senator Gary Stevens

In Memoriam - Clayton Earl Richardson  
By Representative Seaton; Senator Gary Stevens

In Memoriam - Robert Serge  
By Representative Seaton; Senator Gary Stevens

In Memoriam - Richard Dean Allen  
By Representative Rokeberg

In Memoriam - Ronald Earl Cunningham  
By Representative Meyer

In Memoriam - Eleanor Rose Lochner  
By Representative Rokeberg

In Memoriam - Carl Rentschler  
By Representative Rokeberg

In Memoriam - Mary McManamin  
By Senator French; Representative Berkowitz

In Memoriam - Ralph Sorensen  
By Senator Hoffman; Representative Stoltze

In Memoriam - John "Datu" Samuelson  
 By Senator Hoffman; Representative Kapsner

In Memoriam - Marjorie (Anstey) Hughes  
 By Senator Cowdery

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF SENATE BILLS**

**SB 179**

The following was read the second time:

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."

with the:	Journal Page
EDU RPT 4DP 1NR 1AM	3057
FN2: ZERO(DPS)	3058
FN3: ZERO(EED)	3058
HES RPT 2DP 3NR	3579
FN2: ZERO(DPS)	3579
FN3: ZERO(EED)	3579
JUD RPT HCS(JUD) NT 1DP 4NR	3991
FN2: ZERO(DPS)	3992
FN3: ZERO(EED)	3992

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. 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)

Representative Gatto objected.

The question being: "Shall HCS CSSB 179(JUD) be adopted in lieu of the original bill?" The roll was taken with the following result:

CSSB 179(FIN)

Second Reading

Adopt Judiciary HCS

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

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

Excused: Holm

Absent: Croft, Joule, McGuire

Wilson changed from "Nay" to "Yea".

And so, HCS CSSB 179(JUD) was adopted.

Representative Coghill moved that the House rescind previous action in adopting HCS CSSB 179(JUD).

The question being: "Shall the House rescind previous action in adopting HCS CSSB 179(JUD)?" The roll was taken with the following result:

HCS CSSB 179(JUD)

Second Reading

Rescind Previous Action/Adopting Judiciary HCS

**YEAS: 32 NAYS: 0 EXCUSED: 1 ABSENT: 7**



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

Excused: Holm

Absent: Dahlstrom, Harris, Joule, Masek, Rokeberg, Stoltze, Williams

And so, the motion passed.

Representative Coghill moved that HCS CSSB 179(JUD) be adopted in lieu of the original bill.

The question being: "Shall HCS CSSB 179(JUD) be adopted in lieu of the original bill?" The roll was taken with the following result:

CSSB 179(FIN)  
Second Reading  
Adopt Judiciary HCS

**YEAS: 15 NAYS: 21 EXCUSED: 1 ABSENT: 3**

Yeas: Anderson, Berkowitz, Coghill, Gara, Guttenberg, Hawker, Heinze, Kerttula, Kott, McGuire, Ogg, Samuels, Stepovich, Weyhrauch, Wolf

Nays: Chenault, Cissna, Crawford, Croft, Dahlstrom, Fate, Foster, Gatto, Gruenberg, Kapsner, Kohring, Kookesh, Lynn, Masek, Meyer, Morgan, Moses, Rokeberg, Seaton, Stoltze, Wilson

Excused: Holm

Absent: Harris, Joule, Williams

And so, the motion failed.

Representative Coghill moved and asked unanimous consent that CSSB 179(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSSB 179(FIN) will advance to third reading on tomorrow's calendar.

**SB 190**

The following was read the second time:

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."

with the:	Journal Page
CRA RPT HCS(CRA) 4DP 2NR	3760
FN1: ZERO(DNR)	3761
FN2: ZERO(DFG)	3761
RES RPT HCS(CRA) 2DP 4NR	3886
FN1: ZERO(DNR)	3887
FN2: ZERO(DFG)	3887
RLS RPT HCS(RLS) 2DP 1DNP 3NR	3992
FN1: ZERO(DNR)	3993
FN2: ZERO(DFG)	3993

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. 190(RLS)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS CSSB 190(RLS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 190(RLS) was read the third time.

The question being: "Shall HCS CSSB 190(RLS) pass the House?"  
The roll was taken with the following result:

HCS CSSB 190(RLS)  
 Third Reading  
 Final Passage

**YEAS: 35 NAYS: 0 EXCUSED: 1 ABSENT: 4**

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

Excused: Holm

Absent: Berkowitz, Croft, Guttenberg, Joule

And so, HCS CSSB 190(RLS) 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.

HCS CSSB 190(RLS) was referred to the Chief Clerk for engrossment.

**SB 217**

The following was read the second time:

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

with the:	Journal Page
JUD RPT 7DP	3993
SENATE LETTER OF INTENT WITH JUD RPT	3993
FN3: ZERO(CRT)	3994
FN4: ZERO(LAW)	3994
FN5: ZERO(DPS)	3994

Representative Coghill moved and asked unanimous consent that CSSB 217(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 217(JUD) was read the third time.

The question being: "Shall CSSB 217(JUD) pass the House?" The roll was taken with the following result:

CSSB 217(JUD)  
Third Reading  
Final Passage

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

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

Excused: Holm

Absent: Berkowitz, Croft, Foster, Guttenberg, Joule

And so, CSSB 217(JUD) passed the House.

Representative Coghill moved and asked unanimous consent that the House adopt the Senate letter of intent (Senate Journal page 3276). There being no objection, it was so ordered.

CSSB 217(JUD) was signed by the Speaker and Chief Clerk and returned to the Senate.

**SB 282**

The following was read the second time:

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."

with the:	Journal Page
FSH RPT 5DP	3936
FN1: ZERO(LAW)	3937
FN3: ZERO(H.FSH/DEC)	3937
SEATON	3982
L&C RPT 4DP 3NR	3994
FN1: ZERO(LAW)	3994
FN3: ZERO(H.FSH/DEC)	3994

Representative Coghill moved and asked unanimous consent that CSSB 282(RES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 282(RES) was read the third time.

The question being: "Shall CSSB 282(RES) pass the House?" The roll was taken with the following result:

CSSB 282(RES)  
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, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Excused: Holm

And so, CSSB 282(RES) passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

**SB 284**

The following was read the second time:

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."

with the:	Journal Page
JUD RPT HCS(JUD) 5DP 2NR	3994
FN2: ZERO(REV)	3995
FN3: ZERO(GOV)	3995

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. 284(JUD)

"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."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS CSSB 284(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 284(JUD) was read the third time.

The question being: "Shall HCS CSSB 284(JUD) pass the House?"  
The roll was taken with the following result:

HCS CSSB 284(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, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Excused: Holm

And so, HCS CSSB 284(JUD) passed the House and was referred to the Chief Clerk for engrossment.

**SB 326**

The following was read the second time:

CS FOR SENATE BILL NO. 326(STA)

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

with the:

Journal Page

HB 466 SIMILAR BILL	3990
RLS RPT 5DP 1AM	4047
FN1: ZERO(REV)	4047

Representative Coghill moved and asked unanimous consent that CSSB 326(STA) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSSB 326(STA) will advance to third reading on tomorrow's calendar.

**SB 329**

The following was read the second time:

CS FOR SENATE BILL NO. 329(RES)

"An Act relating to control of nuisance moose."

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with the:

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RES RPT 2DP 4NR 2AM  
FN1: ZERO(DFG)

3446  
3446

Amendment 1 was not offered.

Amendment No. 2 was offered by Representatives Guttenberg and Lynn:

Page 1, line 11, following "moose.":

Insert "However, the commissioner may not authorize a private individual or group to relocate moose under this section until the commissioner has provided notice to the public of the receipt of the written application and proposal submitted by the individual or group and a 30-day period for public comment on the application and proposal."

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

Representative Dahlstrom objected.

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

CSSB 329(RES)  
Second Reading  
Amendment No. 2

**YEAS: 11 NAYS: 17 EXCUSED: 1 ABSENT: 11**

Yeas: Berkowitz, Cissna, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Lynn, Masek, Seaton

Nays: Coghill, Croft, Dahlstrom, Fate, Foster, Gatto, Hawker, Kott, McGuire, Meyer, Morgan, Moses, Samuels, Stepovich, Weyhrauch, Wilson, Wolf



Excused: Holm

Absent: Anderson, Chenault, Crawford, Harris, Heinze, Kohring, Kookesh, Ogg, Rokeberg, Stoltze, Williams

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representatives Guttenberg and Lynn:

Page 1, line 13, following "relocation":

Insert "and indemnify the state for liability for damages to private persons and property arising from the actions of the individual or group in relocating nuisance moose under this section"

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

Representative Dahlstrom objected.

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

CSSB 329(RES)  
Second Reading  
Amendment No. 3

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

Yeas: Berkowitz, Cissna, Gara, Gatto, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kookesh, Kott, Lynn, Masek, Meyer, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Wilson, Wolf

Nays: Coghill, Crawford, Croft, Dahlstrom, Fate, Foster, Hawker, Kohring, McGuire, Morgan, Moses, Ogg, Rokeberg

Excused: Holm

Absent: Anderson, Chenault, Harris, Heinze, Williams

Gatto changed from "Nay" to "Yea".

And so, Amendment No. 3 was adopted.

Amendment No. 4 was offered by Representative Guttenberg:

Page 2, following line 4:

Insert a new bill section to read:

**\*\* Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to read:

REPORT ON RELOCATION OF NUISANCE MOOSE BY PRIVATE PARTIES. The commissioner of fish and game shall submit a report by the 10th legislative day of the Second Regular Session of the Twenty-Fourth Alaska State Legislature regarding the implementation of AS 16.05.052, added by sec. 1 of this Act, and the effectiveness of authorizing private parties to relocate nuisance moose in reducing the risks posed to the public by nuisance moose and in avoiding the destruction of nuisance moose."

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

Representative Dahlstrom objected.

The question being: "Shall Amendment No. 4 be adopted?" The roll was taken with the following result:

CSSB 329(RES) am H

Second Reading

Amendment No. 4

**YEAS: 13 NAYS: 25 EXCUSED: 1 ABSENT: 1**

Yeas: Berkowitz, Cissna, Coghill, Crawford, Croft, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kookesh, Wilson

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

Excused: Holm

Absent: Samuels

And so, Amendment No. 4 was not adopted.

Amendment No. 5 was offered by Representatives Kerttula and Lynn:

Page 2, line 2, following "state.":

Insert: "If darts containing narcotics are used to tranquilize moose, all of the darts shall be recovered and properly disposed."

Representative Kerttula moved and asked unanimous consent that Amendment No. 5 be adopted.

Representative Dahlstrom objected.

The question being: "Shall Amendment No. 5 be adopted?" The roll was taken with the following result:

CSSB 329(RES) am H  
Second Reading  
Amendment No. 5

**YEAS: 31 NAYS: 8 EXCUSED: 1 ABSENT: 0**

Yeas: Anderson, Berkowitz, Cissna, Crawford, Croft, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Joule, Kapsner, Kerttula, Kookesh, Kott, Lynn, Masek, McGuire, Morgan, Moses, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson

Nays: Chenault, Coghill, Dahlstrom, Fate, Kohring, Meyer, Ogg, Wolf

Excused: Holm

Samuels changed from "Nay" to "Yea".  
Hawker changed from "Nay" to "Yea".  
Rokeberg changed from "Nay" to "Yea".  
Gatto changed from "Nay" to "Yea".  
Anderson changed from "Nay" to "Yea".  
McGuire changed from "Nay" to "Yea".

And so, Amendment No. 5 was adopted.

Representative Coghill moved and asked unanimous consent that CSSB 329(RES) am H be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSSB 329(RES) am H will advance to third reading on tomorrow's calendar.

The House advanced to:

### UNFINISHED BUSINESS

#### **SB 170**

Representative Rokeberg moved and asked unanimous consent that reconsideration (page 4015) of the following be held to May 10, 2004:

#### CS FOR SENATE BILL NO. 170(JUD)

"An Act relating to murder in the second degree, 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."

There being no objection, it was so ordered, and CSSB 170(JUD) will be available for reconsideration on May 10, 2004.

**HCR 40**

Representative Rokeberg moved and asked unanimous consent that reconsideration (page 4018) of the following be held to May 10, 2004:

## 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.

There being no objection, it was so ordered, and HCR 40 will be available for reconsideration on May 10, 2004.

**HB 468**

The Speaker stated that, without objection, reconsideration of the following, which had been held to today (page 3981), would be held to May 10, 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."

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

(continued)

**SB 338**

The following was read the second time:

## CS FOR SENATE BILL NO. 338(STA)

"An Act relating to actionable claims against state employees; and providing for an effective date."

with the:

Journal Page

JUD RPT 1DP 2NR 1AM

4047

FN1: ZERO(LAW)

4048

Amendment No. 1 was offered by Representatives Stepovich, Dahlstrom, Gara, Crawford, Berkowitz, Kott, Lynn, and Gruenberg:

Page 1, following line 3:

Insert a new bill section to read:

**\*\* Section 1.** The uncodified law of the State of Alaska is amended by adding a new section to read:

PURPOSE. The purpose of sec. 4 of this Act is to permit a civil action by or on behalf of a member of the military services against an employee of the state when the state is otherwise immune from the suit under the doctrine of intramilitary immunity, and to require the state to defend and indemnify the state employee if the state employee was acting within the scope of state employment but not as a member of the Alaska Militia."

Page 1, line 4:

Delete "**Section 1**"

Insert "**Sec. 2**"

Renumber the following bill sections accordingly.

Page 4, following line 7:

Insert new bill sections to read:

**\*\* Sec. 4.** AS 26.05.145(a) is amended to read:

(a) A civil action for damages may not be brought by or on behalf of a member of the military services against the state or against any [EMPLOYEE OF THE STATE OR ANY] member or former member of the Alaska militia for wrongful death, personal injury, or other tort claim or injury arising out of activities that were incident to the member's military service. **However, if an action is brought by or on behalf of a member of the military services against an employee of the state for wrongful death, personal injury, or other tort claim or injury arising out of activities that were incident to the member's military service, the state shall defend and indemnify the state employee, if the action against the state employee is based on acts or omissions within the scope of the employee's state employment and the state employment was not as a member of the Alaska Militia.**

Renumber the following bill sections accordingly.

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

Representative McGuire objected.

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

Page 2, line 2, following "the":  
Insert "United States"

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

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

CSSB 338(STA)  
Second Reading  
Amendment No. 1 as amended

**YEAS: 26 NAYS: 13 EXCUSED: 1 ABSENT: 0**

Yeas: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Fate, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Joule, Kapsner, Kerttula, Kookesh, Kott, Lynn, Masek, Morgan, Moses, Ogg, Seaton, Stepovich, Stoltze, Weyhrauch, Williams

Nays: Anderson, Chenault, Coghill, Foster, Harris, Heinze, Kohring, McGuire, Meyer, Rokeberg, Samuels, Wilson, Wolf

Excused: Holm

And so, Amendment No. 1 as amended was adopted.

Representative Coghill moved and asked unanimous consent that CSSB 338(STA) am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 338(STA) am H was read the third time.

The question being: "Shall CSSB 338(STA) am H pass the House?"  
The roll was taken with the following result:

CSSB 338(STA) am H  
Third Reading  
Final Passage

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

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

Excused: Holm

Absent: Berkowitz, Guttenberg, Joule

And so, CSSB 338(STA) am H passed the House.

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

CSSB 338(STA) am H was referred to the Chief Clerk for engrossment.

**SB 357**

The following was read the second time:

CS FOR SENATE BILL NO. 357(FIN)

"An Act relating to the regulation of insurance, insurance licenses, qualifications of insurance producers, surplus lines, fraud investigations, electronic transactions, and compliance with federal law and national standards; and providing for an effective date."

with the:

Journal Page

L&C RPT HCS(L&C) 2DP 3NR  
FN1: ZERO(CED)

3789  
3789



HOUSE JOURNAL

May 9, 2004

4071

FIN RPT HCS(FIN) 3DP 6NR	4049
LETTER OF INTENT WITH FIN REPORT	4049
FN1: ZERO(CED)	4050

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. 357(L&C)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House rescind previous action in adopting HCS CSSB 357(L&C).

The question being: "Shall the House rescind previous action in adopting HCS CSSB 357(L&C)?" The roll was taken with the following result:

HCS CSSB 357(L&C)

Second Reading

Rescind Previous Action/Adopting Labor & Commerce HCS

**YEAS: 31 NAYS: 0 EXCUSED: 1 ABSENT: 8**

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

Excused: Holm

Absent: Anderson, Chenault, Gara, Joule, Kohring, Kookesh, Meyer, Moses

And so, the motion passed.

Representative Coghill moved that HCS CSSB 357(FIN) be adopted in lieu of the original bill:

HOUSE CS FOR CS FOR SENATE BILL NO. 357(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS CSSB 357(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSSB 357(FIN) will advance to third reading on tomorrow's calendar.

**SB 379**

The following was read the second time:

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."

with the:	Journal Page
HB 544 SIMILAR BILL	3878
RLS RPT 2DP 3NR	3995
FN2: ZERO(LAW)	3995
FN3: ZERO(REV)	3995

Representative Coghill moved and asked unanimous consent that CSSB 379(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSSB 379(FIN) will advance to third reading on tomorrow's calendar.

**SB 382**

The following was read the second time:

CS FOR SENATE BILL NO. 382(CRA) am

"An Act relating to replat approval; relating to the platting of right-of-way acquired through eminent domain proceedings; and providing for an effective date."

HOUSE JOURNAL

May 9, 2004

4073

with the:	Journal Page
CRA RPT 2DP 1DNP 1NR	3894
FN1: ZERO(DOT)	3894
TRA RPT 3DP 2NR	3935
FN1: ZERO(DOT)	3935

Representative Coghill moved and asked unanimous consent that CSSB 382(CRA) am be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSSB 382(CRA) am will advance to third reading on tomorrow's calendar.

**SB 385**

The following was read the second time:

CS FOR SENATE BILL NO. 385(JUD) am

"An Act relating to homeland security, to civil defense, to emergencies and to disasters, including disasters in the event of attacks, outbreaks of disease, or threats of attack or outbreak of disease; establishing the Alaska division of homeland security and emergency management in the Department of Military and Veterans' Affairs and relating to the functions of that division and that department; and providing for an effective date."

with the:	Journal Page
STA RPT 3DP 2NR 2AM	3835
FN1: ZERO(MVA)	3835
RLS RPT HCS(RLS) 2DP 4NR	3936
FN1: ZERO(MVA)	3936

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. 385(RLS)  
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Dahlstrom:

Page 2, lines 5 - 16:

Delete all material and insert:

**"Sec. 24.20.680. Legislative review.** (a) The Homeland Security and Emergency Management Subcommittee is established as a subcommittee of the Joint Armed Services Committee established under AS 24.20.650. The subcommittee shall be organized within 15 days after the organization of the committee each legislature. The subcommittee is established to review confidential activities, plans, reports, recommendations, and other materials of the Alaska division of homeland security and emergency management established in AS 26.20.025, or of other agencies or persons, relating to matters concerning homeland security and civil defense, emergencies, or disasters in the state or to the state's preparedness for or ability to mount a prompt response to matters concerning homeland security and civil defense, emergencies, or disasters.

(b) Subject to (c) of this section, the subcommittee is composed of four to six members, as follows:

(1) the respective chairs of the subcommittees of the House and Senate Finance Committees that consider the military and veterans' affairs budget;

(2) if the chair of the senate subcommittee described in (1) of this subsection is

(A) not a member of the Joint Armed Services Committee established in AS 24.20.650, two senate members of the Joint Armed Services Committee, selected by the president of the senate, one of whom is not a member of the political party to which a majority of members of the senate belong;

(B) a member of the Joint Armed Services Committee established in AS 24.20.650, one senate member of the Joint Armed Services Committee selected by the president of the senate;

(3) if the chair of the house subcommittee described in (1) of this subsection is

(A) not a member of the Joint Armed Services Committee established in AS 24.20.650, two house members of the Joint Armed Services Committee selected by the speaker of the house of representatives, one of whom is not a member of the political party to which a majority of members of the house of representatives belong;

(B) a member of the Joint Armed Services Committee established in AS 24.20.650, one house member of the Joint Armed Services Committee selected by the speaker of the house of representatives."

Reletter the following subsections accordingly.

Page 2, line 17:

Delete "appointment under (a) of this section"  
Insert "service on the subcommittee"

Page 2, line 18:

Delete "appointment"  
Insert "entering service"

Page 2, line 19:

Delete "appointment"  
Insert "entering service"

Page 2, line 21:

Delete "appointment"  
Insert "entering service"

Page 2, line 22:

Delete "following appointment"  
Insert "subsequent to entering service"

Page 2, line 23:

Delete "serve in appointed status"  
Insert "serve on the subcommittee"

Page 2, line 25:

Delete "the appointment of members under (a) of this section"  
Insert "service on the subcommittee by members"

Page 2, line 27:

Delete "appointed members"  
Insert "members serving on the subcommittee"

Page 2, line 28:

Delete "appointed members"  
Insert "members"

Page 2, line 31:

Delete "Appointed members who remain qualified under (b) of"  
Insert "Members who remain qualified to serve on the subcommittee under"

Page 3, line 1:

Delete "are appointed"  
Insert "enter service"

Page 3, line 3:

Delete "(a) and (b) of"

Page 3, line 4:

Delete "reappointed or the appointment of the member's successor"

Insert "the member reenters service on the subcommittee through the operation of (b)(1) or (2) of this section or until the member's successor enters service"

Page 3, line 6:

Delete "appointed under (a) of this section"

Page 3, line 8:

Delete "appointed status"  
Insert "service"

Page 3, line 9:

Delete "appointed status"  
Insert "service"

Page 18, line 29:

Delete "appointment"  
Insert "service on the Homeland Security and Emergency Management Subcommittee"

Page 19, lines 5 - 10:

Delete all material and insert:  
"\* **Sec. 25.** The uncodified law of the State of Alaska is amended by adding a new section to read:  
TRANSITION. Notwithstanding AS 24.20.680(a), enacted by sec. 2 of this Act, the Homeland Security and Emergency Management Subcommittee established in AS 24.20.680, enacted by sec. 2 of this Act, shall be organized for the first time within 15 days after the effective date of this section."

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

Representative Berkowitz objected.

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

HCS CSSB 385(RLS)  
Second Reading  
Amendment No. 1

**YEAS: 29 NAYS: 9 EXCUSED: 1 ABSENT: 1**

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

Nays: Berkowitz, Cissna, Coghill, Crawford, Gruenberg, Guttenberg, Kapsner, Kerttula, Kookesh

Excused: Holm

Absent: Rokeberg

And so, Amendment No. 1 was adopted.

Representative Coghill moved and asked unanimous consent that HCS CSSB 385(RLS) am H be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

HCS CSSB 385(RLS) am H will advance to third reading on tomorrow's calendar.

**SB 389**

The following was read the second time:

SENATE BILL NO. 389

"An Act relating to the conversion of certain corporations to limited liability companies; and providing for an effective date."

with the:

Journal Page

L&C RPT 2DP 3NR	3790
FN1: ZERO(CED)	3790
FN2: ZERO(REV)	3790
FIN RPT 7DP 4NR	3895
FN1: ZERO(CED)	3895
FN2: ZERO(REV)	3895

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

Representative Coghill moved and asked unanimous consent that SB 389 be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.



SB 389 will advance to third reading on tomorrow's calendar.

### THIRD READING OF SENATE BILLS

#### SB 260

The following, which was advanced to third reading from the May 8, 2004, calendar (page 3998), was read the third time:

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

"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."

The question being: "Shall HCS CSSB 260(TRA) pass the House?"  
The roll was taken with the following result:

HCS CSSB 260(TRA)

Third Reading

Final Passage

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

Yeas: Chenault, Coghill, Dahlstrom, Fate, Foster, Gatto, Hawker, Heinze, Kohring, Kott, Lynn, McGuire, Meyer, Moses, Ogg, Samuels, Seaton, Stepovich, Stoltze, Wilson, Wolf

Nays: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kookesh, Masek, Weyhrauch

Excused: Holm

Absent: Anderson, Harris, Morgan, Rokeberg, Williams

And so, HCS CSSB 260(TRA) passed the House.

Representative Coghill moved the effective date clauses.

The question being: "Shall the effective date clauses be adopted?"  
The roll was taken with the following result:

HCS CSSB 260(TRA)  
Third Reading  
Effective Dates

**YEAS: 24 NAYS: 10 EXCUSED: 1 ABSENT: 5**

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

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

Excused: Holm

Absent: Anderson, Harris, Morgan, Rokeberg, Williams

And so, lacking the necessary 27 votes, the effective date clauses were not adopted and the new title follows:

HOUSE CS FOR CS FOR SENATE BILL NO. 260(TRA)  
(efd fld H)

"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."

Representative Berkowitz gave notice of reconsideration of the vote on HCS CSSB 260(TRA)(efd fld H).

### **RECEDE**

#### **SB 301**

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 3928) on the following at this time:

HOUSE CS FOR CS FOR SENATE BILL NO. 301(FIN) am H  
"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."

and

CS FOR SENATE BILL NO. 301(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House recede from its amendment to CSSB 301(FIN), namely HCS CSSB 301(FIN) am H, and recommended that the members vote yes.

Representative Stepovich placed a call of the House.

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

The Speaker stated the call was satisfied.

The question being: "Shall the House recede from its amendment to CSSB 301(FIN)?" The roll was taken with the following result:

HCS CSSB 301(FIN) am H  
Recede

**YEAS: 5 NAYS: 33 EXCUSED: 2 ABSENT: 0**

Yeas: Coghill, Harris, Meyer, Samuels, Stepovich

Nays: Anderson, Berkowitz, Chenault, Cissna, Crawford, Croft, Dahlstrom, Foster, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Heinze, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lynn, Masek, McGuire, Morgan, Moses, Ogg, Rokeberg, Seaton, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Excused: Fate, Holm

Williams changed from "Yea" to "Nay".

And so, the House failed to recede.

The Speaker appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the above bills:

Representative Foster, Chair  
Representative Wilson  
Representative Gruenberg

The Speaker granted limited powers of free conference to the conferees considering HCS CSSB 301(FIN) am H and CSSB 301(FIN).

The Chief Clerk notified the Senate.

**CONSIDERATION OF THE DAILY CALENDAR**  
(continued)

**SECOND READING OF HOUSE RESOLUTIONS**

**HCR 42**

The following was read the second time:

HOUSE CONCURRENT RESOLUTION NO. 42  
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.

The question being: "Shall HCR 42 pass the House?" The roll was taken with the following result:

HCR 42  
Second Reading  
Final Passage

**YEAS: 31 NAYS: 0 EXCUSED: 2 ABSENT: 7**

Yeas: Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gatto, Gruenberg, Hawker, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lynn, Masek, Meyer, Morgan, Moses, Ogg, Rokeberg, Seaton, Stepovich, Stoltze, Weyhrauch, Wilson, Wolf

Excused: Fate, Holm

Absent: Chenault, Guttenberg, Harris, Heinze, McGuire, Samuels, Williams

And so, HCR 42 passed the House.

Representative Berkowitz gave notice of reconsideration of the vote on HCR 42.

### THIRD READING OF SENATE RESOLUTIONS

#### **SJR 33**

The following, which was advanced to third reading from the May 8, 2004, calendar (page 4019), was read the third 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.

The question being: "Shall CSSJR 33(STA) pass the House?" The roll was taken with the following result:

CSSJR 33(STA)

Third Reading

Final Passage

**YEAS: 27 NAYS: 6 EXCUSED: 2 ABSENT: 5**

Yeas: Anderson, Chenault, Coghill, Croft, Dahlstrom, Foster, Gatto, Hawker, Joule, Kapsner, Kohring, Kookesh, Kott, Lynn, Masek, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Wilson, Wolf

Nays: Berkowitz, Cissna, Crawford, Gara, Gruenberg, Kerttula

Excused: Fate, Holm

Absent: Guttenberg, Harris, Heinze, McGuire, Williams

And so, CSSJR 33(STA) passed the House.

Representative Gruenberg gave notice of reconsideration of the vote on CSSJR 33(STA).

### 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 - Norman Sutliff

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

Honoring - James Nestic, Mayor of Old Harbor

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

Honoring - Luke Hopkins for 30 Years of Service to UAF

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

Honoring - Captain Paul Gonzalez

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

In Memoriam - Gary Dean Ackerman, Sr.

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

In Memoriam - Justice Roger George Connor

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

In Memoriam - Robert Weiser and Donna Weiser

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

#### **UNFINISHED BUSINESS**

##### **HB 84**

The Speaker waived the Finance Committee referral for the following at the request of Representative Meyer, Vice Chair:

HOUSE BILL NO. 84

"An Act relating to a curriculum for Alaska history; and providing for an effective date."

HB 84 was removed from the Finance Committee and is on today's first supplemental calendar.

#### **CONCUR IN SENATE AMENDMENTS**

##### **HB 339**

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 3988) on the following at this time:

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."

and

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

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 339(JUD), thus adopting SCS CSHB 339(JUD), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 339(JUD)?" The roll was taken with the following result:

SCS CSHB 339(JUD)

Concur

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

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

Excused: Fate, Holm

Absent: Harris, Joule, Williams

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 339(JUD).

**HB 83**

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 3928) on the following at this time:



CS FOR HOUSE BILL NO. 83(JUD)

"An Act adopting a version of the Revised Uniform Arbitration Act; relating to the state's existing Uniform Arbitration Act; amending Rules 3, 18, 19, 20, and 21, Alaska Rules of Civil Procedure, Rule 601, Alaska Rules of Evidence, and Rule 402, Alaska Rules of Appellate Procedure; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 83(JUD)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 83(JUD), thus adopting SCS CSHB 83(JUD), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 83(JUD)?" The roll was taken with the following result:

SCS CSHB 83(JUD)

Concur

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

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

Excused: Fate, Holm

Absent: Harris, Joule, Williams

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 83(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 court rule changes. There being no objection, it was so ordered.

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

**HB 213**

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. 213(FIN)

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

and

SENATE CS FOR CS FOR HOUSE BILL NO. 213(FIN)

(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 213(FIN), thus adopting SCS CSHB 213(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 213(FIN)?" The roll was taken with the following result:

SCS CSHB 213(FIN)

Concur

**YEAS: 34 NAYS: 2 EXCUSED: 2 ABSENT: 2**

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

Nays: Kohring, Stoltze

Excused: Fate, Holm

Absent: Harris, Williams

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 213(FIN).

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 213(FIN) was referred to the Chief Clerk for enrollment.

**HB 339**

Representative Gara moved and asked unanimous consent that the House rescind previous action in adopting (page 4086):

SENATE CS FOR 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."

Objection was heard.

Representative Gara moved and asked unanimous consent to withdraw his motion to rescind previous action in adopting SCS CSHB 339(JUD). There being no objection, it was so ordered.

Representative Gara gave notice of reconsideration of the vote on SCS CSHB 339(JUD) (page 4086).

The Speaker ruled the notice out of order, stating that reconsideration of a concurrence vote is not in order.

Representative Gara moved and asked unanimous consent that the House rescind previous action in adopting (page 4086):

SENATE CS FOR 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."

Objection was heard.

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

The question being: "Shall the House rescind previous action in adopting SCS CSHB 339(JUD)?" The roll was taken with the following result:

SCS CSHB 339(JUD)

Concur

Rescind Previous Action/Concurrence

**YEAS: 11 NAYS: 23 EXCUSED: 2 ABSENT: 4**

Yeas: Berkowitz, Crawford, Croft, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kookesh, Moses

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

Excused: Fate, Holm

Absent: Anderson, Cissna, Masek, Williams

And so, the motion failed.

The Chief Clerk notified the Senate that the House had concurred in the Senate amendment.

SCS CSHB 339(JUD) was referred to the Chief Clerk for enrollment.

\*\*Representative Coghill moved and asked unanimous consent that Representative Moses be excused from a call of the House tonight.

There being no objection, it was so ordered.

**CONSIDERATION OF THE FIRST SUPPLEMENTAL  
CALENDAR**

Representative Coghill moved and asked unanimous consent that the House adopt the First Supplemental Calendar. There being no objection, the following was adopted:

HB 84 ALASKA HISTORY CURRICULUM  
 HB 562 INTERIOR RIVERS PORT AUTHORITY  
 SB 65 CORRECTIONAL FACILITIES/PERSONNEL  
 SB 279 AHFC WATER & SEWER BONDS  
 SB 387 COMMERCIAL FISHING LOANS FOR QUOTA SHARES

**SECOND READING OF HOUSE BILLS**

**HB 84**

The following was read the second time:

HOUSE BILL NO. 84

"An Act relating to a curriculum for Alaska history; and providing for an effective date."

with the:

Journal Page

EDU RPT CS(EDU) 2DP 2NR 2AM	3310
FN1: ZERO(EED)	3311
HES RPT CS(EDU) 5DP	3571
FN1: ZERO(EED)	3572
FIN REFERRAL WAIVED	4085

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. 84(EDU)  
 (same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Croft:

Page 2, line 7, following "board":

Delete "may"

Insert "shall"

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

Representative Chenault objected.

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

CSHB 84(EDU)

Second Reading

Amendment No. 1

**YEAS: 25 NAYS: 10 EXCUSED: 3 ABSENT: 2**

Yeas: Anderson, Berkowitz, Cissna, Crawford, Croft, Foster, Gara, Gruenberg, Guttenberg, Hawker, Heinze, Joule, Kapsner, Kerttula, Kookesh, Kott, Lynn, Meyer, Morgan, Ogg, Samuels, Stepovich, Weyhrauch, Williams, Wilson

Nays: Chenault, Coghill, Gatto, Harris, Kohring, Masek, Rokeberg, Seaton, Stoltze, Wolf

Excused: Fate, Holm, Moses

Absent: Dahlstrom, McGuire

And so, Amendment No. 1 was adopted.

Representative Coghill moved and asked unanimous consent that CSHB 84(EDU) am be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

The question being: "Shall CSHB 84(EDU) am be advanced to third reading on the same day?" The roll was taken with the following result:

CSHB 84(EDU) am  
Second Reading  
Advance to Third Reading on the Same Day

**YEAS: 34 NAYS: 1 EXCUSED: 3 ABSENT: 2**

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

Nays: Gatto

Excused: Fate, Holm, Moses

Absent: Dahlstrom, McGuire

And so, the motion passed.

CSHB 84(EDU) am was read the third time.

The question being: "Shall CSHB 84(EDU) am pass the House?" The roll was taken with the following result:

CSHB 84(EDU) am  
Third Reading  
Final Passage

**YEAS: 28 NAYS: 7 EXCUSED: 3 ABSENT: 2**

Yeas: Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, Foster, Gara, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Joule, Kapsner, Kerttula, Kookesh, Kott, Lynn, Meyer, Morgan, Ogg, Rokeberg, Samuels, Stepovich, Weyhrauch, Williams, Wilson

Nays: Chenault, Gatto, Kohring, Masek, Seaton, Stoltze, Wolf

Excused: Fate, Holm, Moses

Absent: Dahlstrom, McGuire

And so, CSHB 84(EDU) am 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 84(EDU) am was referred to the Chief Clerk for engrossment.

**HB 562**

The following was read the second time:

HOUSE BILL NO. 562

"An Act relating to the establishment of the Interior Rivers Port Authority; and providing for an effective date."

with the:	Journal Page
CRA RPT 3DP 2NR	3760
FN1: INDETERMINATE(H.CRA/CED)	3760
FIN RPT CS(FIN) 5DP 3NR	4042
FN2: INDETERMINATE(CED)	4042

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. 562(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 562(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 562(FIN) was read the third time.

The question being: "Shall CSHB 562(FIN) pass the House?" The roll was taken with the following result:



CSHB 562(FIN)  
Third Reading  
Final Passage

**YEAS: 29 NAYS: 6 EXCUSED: 3 ABSENT: 2**

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

Nays: Berkowitz, Cissna, Crawford, Gara, Kapsner, Kerttula

Excused: Fate, Holm, Moses

Absent: Masek, Meyer

And so, CSHB 562(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.

CSHB 562(FIN) was referred to the Chief Clerk for engrossment.

## **SECOND READING OF SENATE BILLS**

### **SB 65**

The following was read the second time:

CS FOR SENATE BILL NO. 65(FIN) am

"An Act relating to the qualifications of correctional officers, parole officers, and probation officers; authorizing the Department of Corrections to enter into lease-purchase agreements with municipalities for new or expanded public correctional facilities in the Fairbanks North Star Borough, the Matanuska-Susitna Borough, Bethel, the Municipality of Anchorage, and the City of Seward; relating to the development and financing of privately operated correctional facility space and services; authorizing the Department of Corrections to enter into a lease-purchase agreement with the City of Whittier for the confinement and care of prisoners in privately operated correctional facility space if the

state cannot provide the same level of services required in state law or regulation for the same or less cost; giving notice of and approving, and authorizing the entry into and issuance of certificates of participation for, the upgrade, expansion, and replacement of certain jails in Dillingham and Kodiak; and providing for an effective date."

with the:	Journal Page
FIN RPT HCS(FIN) 4DP 4NR 2AM	4043
FN2: (COR)	4043

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. 65(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS CSSB 65(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

HCS CSSB 65(FIN) will advance to third reading on tomorrow's calendar.

**SB 279**

The following was read the second time:

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."

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with the:	Journal Page
CRA REFERRAL WAIVED	4027
FIN RPT 3DP 3NR	4045
FN3: (REV)	4045

Representative Coghill moved and asked unanimous consent that CSSB 279(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSSB 279(FIN) will advance to third reading on tomorrow's calendar.

**SB 387**

The following was read the second time:

SENATE BILL NO. 387 am

"An Act authorizing the making of certain commercial fishing loans to eligible community quota entities for the purchase of certain fishing quota shares; and providing for an effective date."

with the:	Journal Page
CRA RPT 6DP 1NR	3894
FN1: ZERO(CED)	3895
FN2: ZERO(DFG)	3895
FIN RPT 4DP 3NR	4051
FN1: ZERO(CED)	4051
FN2: ZERO(DFG)	4051

Representative Coghill moved and asked unanimous consent that SB 387 am be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

SB 387 am will advance to third reading on tomorrow's calendar.

**UNFINISHED BUSINESS****HB 83**

Representative McGuire added her name as cosponsor to:

SENATE CS FOR CS FOR HOUSE BILL NO. 83(JUD)

"An Act adopting a version of the Revised Uniform Arbitration Act; relating to the state's existing Uniform Arbitration Act; amending Rules 3, 18, 19, 20, and 21, Alaska Rules of Civil Procedure, Rule 601, Alaska Rules of Evidence, and Rule 402, Alaska Rules of Appellate Procedure; and providing for an effective date."

**HB 84**

Representatives Lynn and Ogg added their names as cosponsors to:

CS FOR HOUSE BILL NO. 84(EDU) am

"An Act relating to a curriculum for Alaska history; and providing for an effective date."

**HB 213**

Representative Anderson added his name as cosponsor to:

SENATE CS FOR CS FOR HOUSE BILL NO. 213(FIN)

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

**SB 179**

Representative Lynn added his name as cross sponsor to:

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."

**SB 190**

Representative Lynn added his name as cross sponsor to:

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

"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."

**SB 217**

Representatives Lynn, Gara, and Anderson added their names as cross sponsors to:

CS FOR SENATE BILL NO. 217(JUD)

"An Act relating to genetic privacy."

**SB 282**

Representatives Lynn, Kerttula, and Chenault added their names as cross sponsors to:

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."

**ENGROSSMENT****HB 84**

CSHB 84(EDU) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 461**

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:

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

**HB 562**

CShB 562(FIN) was engrossed, signed by the Speaker and Chief  
Clerk and transmitted to the Senate for consideration.

**SB 190**

HCS CSSB 190(RLS) was engrossed, signed by the Speaker and Chief  
Clerk and transmitted to the Senate for consideration.

**SB 272**

Reconsideration of the following was not taken up on this legislative  
day. It was signed by the Speaker and Chief Clerk and returned to the  
Senate:

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."

**SB 284**

HCS CSSB 284(JUD) was engrossed, signed by the Speaker and Chief  
Clerk and transmitted to the Senate for consideration.

**SB 338**

CSSB 338(STA) am H was engrossed, signed by the Speaker and  
Chief Clerk and transmitted to the Senate for consideration.

**ANNOUNCEMENTS**

House committee schedules are published daily under separate cover.

**ADJOURNMENT**

Representative Coghill moved and asked unanimous consent that the House adjourn until noon, May 10, 2004. There being no objection, the House adjourned at 12:38 a.m., May 10, 2004.

Suzi Lowell  
Chief Clerk