

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Wednesday

January 28, 2004

Seventeenth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 10:00 a.m.

Roll call showed 38 members present. Representatives Kerttula and Morgan had been previously excused from a call of the House today.

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

The invocation was offered by the Chaplain, Pastor Dan Doran of Faith Lutheran Church. Representative McGuire moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Dear Lord,

We come again to Your throne of grace praising and thanking You that You have given us this good land as our heritage. Make us always remember Your generosity and strive to do Your will. Make us who came from different nations along with those that have this country as a native land one united people. Defend our liberties and give those that You have chosen to lead us as governing authorities the spirit of wisdom that there will be justice and peace in our land that we might all live in it through Your Son, Jesus Christ our Lord.

The Pledge of Allegiance was led by Representative Kapsner.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 15th and 16th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Rokeberg introduced Stacia Sutherland, Guest Page, from Anchorage.

Representative Kapsner, who had been previously excused (page 2403), left the Chamber.

MESSAGES FROM THE SENATE**HB 209**

A message dated January 26, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 209(RLS)

"An Act relating to municipal property tax adjustments for property affected by a disaster."

CSHB 209(RLS) was referred to the Chief Clerk for enrollment.

COMMUNICATIONS

Pursuant to:

CONFERENCE CS FOR HOUSE BILL NO. 260

"An Act relating to marine passenger vessels; and providing for an effective date."

Chapter No. 1, FSSLA 2001

Effective Date: See Chapter

The following was received:

Dept. of Environmental Conservation
Assessment of Cruise Ship and Ferry
Wastewater Impacts in Alaska
January 26, 2004

REPORTS OF STANDING COMMITTEES

HB 337

The State Affairs Committee has considered:

HOUSE BILL NO. 337

"An Act relating to anatomical donor registries, to an anatomical gift awareness fund, to an anatomical gift awareness program, and to motor vehicle licenses and registrations."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 337(STA)

"An Act relating to anatomical donor registries, to an anatomical gift awareness fund, to an anatomical gift awareness program, to motor vehicle licenses and registrations, and to state identification cards."

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

Do pass (6): Gruenberg, Seaton, Holm, Lynn, Berkowitz, Weyhrauch

No recommendation (1): Coghill

The following fiscal note(s) apply to CSHB 337(STA):

1. Zero, Dept. of Health & Social Services

HB 337 was referred to the Health, Education & Social Services Committee.

HB 350

The State Affairs Committee has considered:

HOUSE BILL NO. 350

"An Act relating to adding personal injury, death, and property damage from arson in the first degree to the offenses compensable by the Violent Crimes Compensation Board."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 350(STA)

"An Act adding personal injury and death from arson in the first degree to the injuries compensable by the Violent Crimes Compensation Board; and providing for an effective date."

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

Do pass (6): Gruenberg, Seaton, Holm, Lynn, Berkowitz, Weyhrauch

The following fiscal note(s) apply to CSHB 350(STA):

1. Zero, Dept. of Administration

HB 350 was referred to the Judiciary Committee.

HB 374

The Finance Committee has considered:

HOUSE BILL NO. 374

"An Act establishing the SeniorCare program and relating to that program; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 374(FIN)

"An Act establishing the senior care program and relating to that program; creating a new fund for the provision of senior services; relating to aid to senior citizens; and providing for an effective date."

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

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

No recommendation (2): Stoltze, Joule

The following fiscal note(s) apply to CSHB 374(FIN):

6. Fiscal, Dept. of Health & Social Services
7. Fiscal, Dept. of Health & Social Services
8. Fiscal, Dept. of Health & Social Services
9. Fiscal, Dept. of Health & Social Services
10. Fiscal, Dept. of Health & Social Services

HB 374 was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

The following citation was introduced and referred to the Rules Committee for placement on the calendar:

Honoring - L. James "Smiley" Shields
By Representative McGuire

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HR 7

HOUSE RESOLUTION NO. 7 by the House Rules Committee:

Dedicating the House Resources Committee Room of the Alaska State Capitol to the late Representative Ramona L. Barnes.

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

HCR 28

HOUSE CONCURRENT RESOLUTION NO. 28 by Representative Seaton by request of the Joint Legislative Salmon Industry Task Force:

Relating to the socioeconomic impacts of salmon harvesting cooperatives.

was read the first time and referred to the House Special Committee on Economic Development, International Trade, & Tourism and the Resources Committee.

HJR 34

HOUSE JOINT RESOLUTION NO. 34 by Representative Ogg by request of the Joint Legislative Salmon Industry Task Force:

Requesting the United States Department of Agriculture and the United States Department of Labor to extend Trade Adjustment Assistance benefits to Alaska fishermen; requesting the United States Congress and the United States Department of Agriculture to extend additional disaster and price support benefits to Alaska salmon fishermen; and requesting the United States Department of Agriculture to establish terminal markets in Alaska for all covered commodities including salmon.

was read the first time and referred to the House Special Committee on Fisheries and the Labor & Commerce Committee.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 399**

HOUSE BILL NO. 399 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to certain fees or other monetary charges of the Department of Environmental Conservation; relating to action against Department of Environmental Conservation permits and other authorizations for failure to pay a monetary charge; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Environmental Conservation

The Governor's transmittal letter dated January 22, 2004, follows:

"Dear Speaker Kott:

Under the authority of article III, section 18, of the Alaska Constitution, I am transmitting a bill relating to the fee authority of the Department of Environmental Conservation (DEC) AS 44.46.025. The bill would require a variety of persons benefiting from DEC's services to contribute toward the costs of providing those services.

This bill would expand DEC's authority to collect fees for services relating to pesticides under AS 46.03. Unlike most states, DEC does not have statutory authority to charge fees for its pesticide-related services. DEC provides services such as certifying applicators, issuing permits for pesticide application, and registering pesticides.

Similarly, this bill would grant DEC authority to collect fees for services provided through the state seafood and food safety laboratory. The seafood and food safety laboratory provides a myriad of services to certain users and the general public. Such services include testing crab, geoducks, and other shellfish for toxins before sale, testing local dairy products before sale to schools and the military, testing food products for the presence of harmful bacteria, and performing nutritional analyses.

This bill would require non-crude oil operators to contribute towards DEC's costs for reviewing, commenting upon, approving, and retaining oil discharge prevention and contingency plans and proof of financial responsibility. Non-crude operators include operators of: oil terminal facilities; oil barges; tank vessels; nontank vessels; and railroad tank cars that store or transport petroleum products derived from crude oil. Currently, only crude oil operators contribute towards DEC's costs for handling oil discharge prevention and contingency

plans and proof of financial responsibility through the oil conservation surcharge on crude oil production in AS 43.55.300.

Both types of operators, non-crude and crude, derive a benefit from DEC's services. They should both contribute to the cost of maintaining the State of Alaska's oil spill safety net. The fee amount would be limited to recovering DEC's applicable direct costs associated with oil discharge prevention and contingency plans and proof of financial responsibility.

This bill would also authorize DEC to include travel costs in determining the amount of a fee and to assess late fees against a person for failing to pay amounts owed DEC. The late fees would be assessed on a monthly basis until the amount due is paid. The late fees would be adopted by DEC as fixed fees and may not exceed DEC's estimated average reasonable costs in collecting unpaid and late monetary charges. Under proposed AS 44.46.027, DEC would periodically review regulations adopted under that section, to identify any changes in the average actual cost of collecting unpaid and late monetary charges and, by regulation, adjust the late fees accordingly. After 30 days' written notice to the person, DEC could revoke or refuse to issue, modify, amend, or renew permits, approvals, or any other DEC authorization until payment is made to the department.

I urge your prompt and favorable action on this measure.

Sincerely yours,

/s/

Frank H. Murkowski
Governor"

HB 400

HOUSE BILL NO. 400 by the House Rules Committee by request of the Governor, entitled:

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

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

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue

The Governor's transmittal letter dated January 22, 2004, follows:

"Dear Speaker Kott:

Under the authority of article III, section 18, of the Alaska Constitution, I am transmitting a bill relating to the housing assistance loan fund in the Alaska Housing Finance Corporation, creating the housing assistance loan program, repealing loans for teacher housing, and providing loans for multi-family housing.

The bill would amend AS 18.56 to remove language establishing the housing assistance loan fund and replace it with language establishing the housing assistance loan program. Under the changes, the Alaska Housing Finance Corporation would continue to originate, purchase, and refinance loans for small community housing as well as building materials for and renovations and improvement to small community housing. Repayment of these loans would be directed to the Alaska Housing Finance Revolving Fund under AS 18.56.082.

The bill would replace highly restrictive provisions for teacher housing loans, which currently exist under AS 18.56.580 (Rural Teacher Housing Loan Program), with more general provisions for multi-family housing where the multi-family residence may be either owner-occupied or nonowner-occupied, with no restrictions on the latter. Further, the bill would replace an ineffective program by providing financing for needed rural multi-family housing, including housing for teachers. The bill would permit the Alaska Housing Finance Corporation to purchase, develop, participate, and refinance loans for multi-family housing, which would include residences with two or more units.

I urge your prompt and favorable action on this measure.

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

HB 401

HOUSE BILL NO. 401 by the House Rules Committee by request of the Governor, entitled:

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

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

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue

The Governor's transmittal letter dated January 22, 2004, follows:

"Dear Speaker Kott:

Under the authority of article III, section 18, of the Alaska Constitution, I am transmitting a bill to provide financing for water and sewer projects. This bill would allow direct financing of projects and provide matching funds required by federal grant programs to build the projects. Funds would come from bonds issued by the Alaska Housing Finance Corporation (AHFC). Repayment of costs of the bonds by AHFC (including principal and interest), would be offset by a reduction in AHFC's dividend to the state.

The technical and financial support delivered by this bill to Alaska communities will allow them to benefit from the improvement in

public health, economic development, and quality of life that follows when adequate water and sewer facilities are built.

I urge your prompt and favorable action on this measure.

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

HB 402

HOUSE BILL NO. 402 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to fees for the inspection of recreational devices, for certificates of fitness for electrical wiring and plumbing, for filing voluntary flexible work hour plans, and for licenses for boiler operators; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Labor & Workforce Development
2. Fiscal, Dept. of Labor & Workforce Development

The Governor's transmittal letter dated January 22, 2004, follows:

"Dear Speaker Kott:

Under the authority of article III, section 18, of the Alaska Constitution, I am transmitting a bill relating to fees for the inspection of recreational devices, for inspection and issuance of certificates of fitness for electrical wiring and plumbing, for filing of voluntary flexible work hour plans, and for licenses for boiler operators. The Department of Labor (Department) spends time and state funds inspecting, reviewing, approving, or denying all of the above activities. It is only fair that the individuals receiving the benefit of the Department's efforts pay for those services.

Under AS 05.20.060, the Department conducts inspections of recreational devices to ensure public safety. Recreational devices include, but are not limited to, ski tows, roller coasters, merry-go-rounds, and ferris wheels. If an inspection reveals a defect that is an immediate safety hazard, the Department can shut down the device until the problem is fixed. This bill would allow the Department to collect an inspection fee of \$200 from the owner or operator for each recreational device inspected.

Under AS 18.60.395, a person can apply to the Department for a boiler operator license. The Department reviews the application for compliance with its regulations and standards for boiler operators. This bill would allow the Department to collect an application fee of \$200 when a person applies for a boiler operator license.

Under AS 18.62.030, except in limited situations, a person is required to obtain a certificate of fitness from the Department before the person can perform work under AS 18.50.580 (Electrical Safety Code) or AS 18.60.705 (Plumbing Code). Currently, an applicant for a certificate of fitness must pay a biennial application fee of \$160. This bill would increase the fee to \$200.

Under AS 23.10.060(d)(14), an employer is required to obtain Department approval of the employer's proposed voluntary flexible work hour plan. Flexible work hour plans, for example, allow an employee to work 4 days of 10 hours each rather than 5 days of 8 hours each without additional overtime expense to the employer. The Department reviews the plan to make sure it meets certain requirements of Alaska's wage and hour laws. The bill would require an employer to pay a \$100 fee when it files a plan for Department approval.

I urge your prompt and favorable action on this measure.

Sincerely yours,

/s/

Frank H. Murkowski
Governor"

HB 403

HOUSE BILL NO. 403 by the House Rules Committee by request of the Governor, entitled:

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

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

The following fiscal note(s) apply:

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

The Governor's transmittal letter dated January 22, 2004, follows:

"Dear Speaker Kott:

Under the authority of article III, section 18, of the Alaska Constitution, I am transmitting a bill aimed at a crisis in the Alaska Workers' Compensation insurance industry. Resolving this issue is vitally important to Alaska's employers and employees. Specifically, this bill deals with the after-effects of Fremont Insurance Company's insolvency (Fremont). Fremont was a California based workers compensation insurer. It was writing about 27 percent of the workers' compensation insurance policies in Alaska by the year 2000.

Fremont was heavily involved in California's workers' compensation price wars. These price wars occurred after California deregulated its insurance market in 1995. Insurers like Fremont cut prices and scrambled for market share. The result was that 41 workers' compensation carriers in California went insolvent or quit doing business in the state to avoid insolvency. Fremont joined the group of

failed insurers when it was declared insolvent in July, 2003. Fremont left Alaska employers and employees "holding the bag" with liability for claims worth approximately \$60 million.

The Alaska Insurance Guaranty Association Fund (Fund) is set up to pay uncovered claims. The Fund pays claims in situations where insurance is unavailable to pay claims. The goal is to minimize losses to employers and employees. Association members are insurers that are authorized to write property and casualty insurance Alaska. An assessment is made based on the amount of premiums the member writes in this state. Current statutes cap the assessment at two percent of premiums written each year.

The Fremont insolvency and the amount of claims left over is so large, the Fund cannot cover the claims. If the difference is not made up, Alaska employers and employees alike will suffer. Employers will be held liable for claims they paid Fremont to cover. Some businesses will simply not be able to afford to pay the claims and will have to go out of business. Many other claims will be delayed or settled for less than their full value as employers and employees litigate or dispute liability and the value of a claim.

Statutory changes are necessary to address the Fund's substantial cash deficits and to provide for greater equity in times of crisis among all persons covering an employer's liability for workers' compensation, whether through insurance, self-insurance, or a pooling arrangement. A brief description of these changes follows.

Under the bill, the insurance code (AS 21) would be amended to raise the cap on member assessments by the association from two percent to four percent of written premiums and to provide for excess assessments on member insurers if there is a shortage of money in an association account. The bill would also authorize the association to assess employers that are self-insured for workers' compensation and assess joint insurance arrangements that insure an employer's workers' compensation liability. This assessment applies only when insurer assessments are insufficient in any one year to cover workers' compensation claims payments by the association and is limited to a maximum of two percent of all payments reported to the Alaska Workers' Compensation Board under the Alaska Workers' Compensation Act (AS 23.30).

The bill also includes a provision to authorize the Alaska Industrial Development and Export Authority (AIDEA) to guarantee loans to the association that are needed to make the association financially able to meet cash flow needs. While current law allows the association to borrow money, the association is not a viable prospect for traditional commercial loans. Loan guarantees from AIDEA would permit the association to obtain loans on favorable terms. The bill, however, would limit AIDEA guarantees for association loans to a maximum outstanding principal balance at any time on all loans of \$30,000,000.

The bill provides for an immediate effective date.

I urge your prompt and favorable action on this measure.

Sincerely yours,

/s/

Frank H. Murkowski
Governor"

HB 404

HOUSE BILL NO. 404 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to the Alaska Commission on Postsecondary Education; relating to the Alaska Student Loan Corporation; relating to bonds of the corporation; relating to loan and grant programs of the commission; relating to an exemption from the State Procurement Code regarding certain contracts of the commission or corporation; making conforming changes; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Zero, Dept. of Administration
2. Zero, Dept. of Community & Economic Development
3. Fiscal, Dept. of Education & Early Development

The Governor's transmittal letter dated January 22, 2004, follows:

"Dear Speaker Kott:

Under the authority of article III, section 18, of the Alaska Constitution, I am transmitting a bill relating to the Alaska Commission on Post-secondary Education (ACPE) and the Alaska Student Loan Corporation (ASLC). This bill is a result of ASLC board members and management, in consultation with financial advisors, proposing a mechanism where (1) the state could optimize the use of its financial assets and deliver a greater return to Alaskans for its initial investment in ASLC and ACPE; and (2) continue to effectively administer ACPE/ASLC financial aid programs.

The bill would allow ASLC to issue bonds utilizing future cash flow that is in excess of that needed for effective and efficient operation of corporation programs. ASLC predicts it can return \$260 million to the state over a three-year period beginning in 2004; the proceeds from which would be available to finance capital projects.

The ASLC's primary mission is to support, promote, and provide access to postsecondary education for Alaskans. The objective of this legislation is to continue to serve that mission, but to do so in a way that permits ASLC to serve broader state interests through the efficient allocation of financial resources. As part of the development process, cash flow models were developed to ensure the corporation has and will continue to have the financial capacity to discount loan interest rates and deliver outstanding borrower benefits to its primary customers -- Alaska students and their families.

The bill establishes a "needs-based" grant program to be funded from corporate receipts and federal matching dollars. Grants must be used for qualified Alaska education programs focused on meeting Alaska's labor shortage needs. A priority is placed on students enrolled in programs of study (such as health care and education) where there is a severe shortage of trained individuals in Alaska.

The bill also creates an "administrative collection order" and a process for establishment and use of such an order by ACPE. An administrative collection order would allow ACPE to establish a lien

on borrower's property when that person has broken their promise to re-pay an education loan.

Finally, the bill exempts ACPE and ASLC contracts for disbursing and guaranteeing financial aid money from Alaska's procurement code. This creates efficiencies in the internal operations of ACPE and ASLC and meets the needs of participating post-secondary institutions (ACPE contracts with a guaranty agency and disbursing agents to electronically guarantee and/or disburse financial aid money for students to colleges and universities).

I urge your prompt and favorable action on this measure.

Sincerely yours,

/s/

Frank H. Murkowski
Governor"

HB 405

HOUSE BILL NO. 405 by Representative Gatto, entitled:

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

was read the first time and referred to the House Special Committee on Education and the Health, Education & Social Services Committee.

HB 406

HOUSE BILL NO. 406 by Representative Heinze, entitled:

"An Act establishing the Alaska Commercial Seafood Commission."

was read the first time and referred to the House Special Committee on Economic Development, International Trade, & Tourism, the House Special Committee on Fisheries, and the Finance Committee.

HB 407

HOUSE BILL NO. 407 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to fines for an infraction; and providing for an effective date."

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

The following fiscal note(s) apply:

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

The Governor's transmittal letter dated January 23, 2004, follows:

"Dear Speaker Kott:

Under the authority of article III, section 18, of the Alaska Constitution, I am transmitting a bill that would raise the maximum fine that may be imposed for an infraction under AS 28 from \$300 to \$750.

While the majority of the bail amounts for infractions related to AS 28 are established by the Alaska Supreme Court, there are a select number of offenses that require a mandatory court appearance. In these cases, the magistrate or judge can determine the amount of the fine to be imposed. Currently, the maximum amount is \$300. Such infractions include behavior ranging, for example, from negligent driving to minor operating a vehicle after consuming alcohol.

The maximum fine for an infraction under AS 28.40.050 has been \$300 for over 27 years. The punitive and deterrent effect of such a low amount has greatly diminished over the years, and an increased amount is a more accurate reflection of current values.

By raising the maximum amount that could be applied to infractions, magistrates and judges will have the ability to more appropriately address aggravated violations of specific offenses. Those offenses, by

their very nature, are the most serious of the infractions and the ability of the courts to apply a higher degree of penalty is long overdue.

I urge your prompt and favorable consideration of this proposal.

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

HB 408

HOUSE BILL NO. 408 by Representative Wolf, entitled:

"An Act relating to tracking of oxycodone prescriptions."

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

HB 409

HOUSE BILL NO. 409 by Representative Williams by request of the Joint Legislative Salmon Industry Task Force, entitled:

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

was read the first time and referred to the House Special Committee on Fisheries and the Resources Committee.

HB 410

HOUSE BILL NO. 410 by Representative Williams by request of the Joint Legislative Salmon Industry Task Force, entitled:

"An Act relating to the administration of commercial fishing entry permit buy-back programs."

was read the first time and referred to the House Special Committee on Fisheries and the Resources and Finance Committees.

HB 411

HOUSE BILL NO. 411 by Representative Croft, entitled:

"An Act relating to an optional election to prevent the name and address of a permanent fund dividend applicant from being disclosed, except to a state or federal agency."

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

HB 412

HOUSE BILL NO. 412 by Representative Crawford, entitled:

"An Act relating to the continuation of pay and benefits to employees of public corporations called to active duty; and providing for an effective date."

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

HB 413

HOUSE BILL NO. 413 by Representative Croft, entitled:

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

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

HB 414

HOUSE BILL NO. 414 by the House Judiciary Committee, entitled:

"An Act relating to filling the vacancy in the office of United States senator, and to the definition of 'political party.'"

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE RESOLUTIONS****HJR 30**

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 30

Relating to supporting the repeal of the Government Pension Offset and the Windfall Elimination Provisions from the Social Security Act.

with the:	Journal Page
STA RPT CS(STA) 3DP 1NR	2372
FN1: ZERO(ADM)	2372

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

CS FOR HOUSE JOINT RESOLUTION NO. 30(STA)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHJR 30(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 30(STA) was read the third time.

Representative Coghill moved and asked unanimous consent that CSHJR 30(STA) 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 Coghill:

Page 2, line 20, following "and":

Insert "by electronic mail"

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

Representative Lynn objected.

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

CSHJR 30(STA)
Second Reading
Amendment No. 1

YEAS: 29 NAYS: 8 EXCUSED: 3 ABSENT: 0

Yeas: Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Heinze, Holm, Joule, Kookesh, Kott, Masek, McGuire, Meyer, Moses, Ogg, Samuels, Seaton, Stepovich, Weyhrauch, Williams, Wilson, Wolf

Nays: Anderson, Chenault, Foster, Harris, Kohring, Lynn, Rokeberg, Stoltze

Excused: Kapsner, Kerttula, Morgan

And so, Amendment No. 1 was adopted.

Representative Harris moved and asked unanimous consent that CSHJR 30(STA) am be returned to second reading for the specific purpose of considering Amendment No. 2. There being no objection, it was so ordered.

Amendment No. 2 was offered by Representative Harris:

Page 2, line 20, following "Congress":

Delete all material.

Insert "."

Representative Harris moved and asked unanimous consent that Amendment No. 2 be adopted. There being no objection, it was so ordered.

The question being: "Shall CSHJR 30(STA) am pass the House?"
The roll was taken with the following result:

CSHJR 30(STA) am
Third Reading
Final Passage

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

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

Excused: Kapsner, Kerttula, Morgan

And so, CSHJR 30(STA) am passed the House and was referred to the Chief Clerk for engrossment.

UNFINISHED BUSINESS

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

Representative Gatto - from 6:00 p.m., January 29 to 8:00 p.m., February 1, 2004

Representative Chenault - from 7:00 p.m., January 29 to 9:30 a.m., plane time, February 2, 2004

Representative Dahlstrom - from 7:00 p.m., January 29 to 9:30 a.m., plane time, February 3, 2004

Representative Kott - from 8:00 a.m., January 30 to 9:30 p.m., February 1, 2004

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Representative Heinze - from 7:00 a.m., January 30 to 7:00 p.m., February 2, 2004

Representative Berkowitz - from 1:16 p.m., January 30 to 8:00 a.m., February 2, 2004

Representative Holm - from 7:00 p.m., January 30 to 9:30 a.m., plane time, February 2, 2004

Representative Cissna - from 6:15 a.m., January 31 to 9:40 p.m., February 1, 2004

Representative Stoltze - from 7:04 p.m., February 5 to 9:38 p.m., February 8, 2004

Representative Wolf - from 7:00 p.m., February 5 to 9:30 a.m., plane time, February 9, 2004 (amended from page 2352)

Representative Coghill - from 12:16 p.m., February 9 to 9:35 a.m., February 13, 2004

HB 322

The Speaker changed the order of the committee referrals for the following:

HOUSE BILL NO. 322

"An Act requiring a municipal initiative or municipal referendum to be submitted to the voters at the next regular election occurring not sooner than 60 days after certification of the initiative or referendum petition."

HB 322 was removed from the Community & Regional Affairs Committee and referred to the State Affairs Committee with a further referral to the Community & Regional Affairs Committee.

SB 102

The Speaker added a Labor & Commerce Committee referral to the following:

CS FOR SENATE BILL NO. 102(L&C) am(efd fld)

"An Act increasing the amount of revenue received by the state from charitable gaming activities, and relating to taxes on pull-tabs."

CSSB 102(L&C) am(efd fld) was removed from the Finance Committee and referred to the Labor & Commerce Committee with a further referral to the Finance Committee.

HCR 25

Representative Wilson added her name as cosponsor to:

HOUSE CONCURRENT RESOLUTION NO. 25

Relating to Alaska Wild Salmon Week, June 28 - July 4, 2004.

HJR 3

Representative Wolf added his name as cosponsor to:

SPONSOR SUBSTITUTE FOR HOUSE JOINT RESOLUTION
NO. 3

Proposing amendments to the Constitution of the State of Alaska relating to the Alaska permanent fund.

HJR 5

Representative Kapsner added her name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 5

Proposing an amendment to the Constitution of the State of Alaska relating to initiative and referendum petitions.

HJR 30

Representatives Gara, Wilson, and Lynn added their names as cosponsors to:

HOUSE JOINT RESOLUTION NO. 30

Relating to supporting the repeal of the Government Pension Offset and the Windfall Elimination Provisions from the Social Security Act.

HJR 32

Representative Wolf added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 32
Relating to the labeling of salmon and salmon food products.

HB 329

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 329
"An Act relating to retirement incentive programs for the public employees' retirement system, the judicial retirement system, and the teachers' retirement system; relating to separation incentives for certain state employees; and providing for an effective date."

HB 333

Representative Wilson added her name as cosponsor to:

HOUSE BILL NO. 333
"An Act relating to an endowment for public education; and providing for an effective date."

HB 337

Representatives Kapsner and Meyer added their names as cosponsors to:

HOUSE BILL NO. 337
"An Act relating to anatomical donor registries, to an anatomical gift awareness fund, to an anatomical gift awareness program, and to motor vehicle licenses and registrations."

HB 351

Representative Kerttula added her name as cosponsor to:

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

HB 396

Representative Wolf added his name as cosponsor to:

HOUSE BILL NO. 396

"An Act relating to management of salmon and other fish stocks and salmon fisheries and to the use of funds received by an enhancement facility from the sale of fish."

ENGROSSMENT

HJR 30

CSHJR 30(STA) am 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 10:00 a.m., January 29, 2004. There being no objection, the House adjourned at 11:35 a.m.

Suzi Lowell
Chief Clerk