

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Monday

February 2, 2004

Twenty-second Day

Pursuant to adjournment the House was called to order by Speaker Kott at 11:01 a.m.

Roll call showed 36 members present. Representative Heinze had been previously excused from a call of the House today. Representatives Croft, McGuire, and Weyhrauch were absent and their presence was noted later.

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

Dear God,

We thank You for this new day and the opportunities it presents to serve You and those in our areas of influence. I pray for each representative here today and would ask that Your Holy Spirit would be upon each one; granting them the insight, sensitivity, and purpose needed for the task that is theirs. As one nation under God, just as our forefathers looked to You for leading and direction, so we find ourselves needing to trust that You will be there to show us the way to go. The responsibility to serve the people of this great state is heavy, but we thank You that we can look to You to help us carry that load. In Jesus' name I pray, Amen.

The Pledge of Allegiance was led by Representative Dahlstrom.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 18th, 19th, 20th, and 21st legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

Declarations of Disaster Emergencies dated January 29, 2004, with accompanying letters and spreadsheets were received and are on file in the Chief Clerk's office.

A message dated January 30, 2004, was read stating the Governor has accepted the invitation to address a joint session in the House Chamber at 11:00 a.m., February 4 to present an update on the administration's actions regarding a gas pipeline.

**The presence of Representative McGuire was noted.

MESSAGES FROM THE SENATE

A message dated January 30, 2004, was read stating the Senate has accepted the invitation to meet in joint session in the House Chamber at 11:00 a.m., March 16 to hear an address by the Honorable Lisa Murkowski, U.S. Senator.

A message dated January 30, 2004, was read stating the Senate has confirmed the appointment of H. Conner Thomas and Ann Rabinowitz as public members to the Select Committee on Legislative Ethics.

COMMUNICATIONS

The following was received:

Dept. of Labor & Workforce Development
Nonresidents Working in Alaska - 2002
January 30, 2004
(as required by AS 36.10.130)

HCR 6

Pursuant to:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(FSH)
Relating to the continuation of the Joint Legislative Salmon
Industry Task Force until 2004.

Legislative Resolve No. 3

The following was received:

Joint Legislative Salmon Industry Task Force
Report to the 23rd Alaska State Legislature
January 31, 2004

REPORTS OF STANDING COMMITTEES**HB 93**

The Finance Committee has considered:

HOUSE BILL NO. 93

"An Act relating to boating safety; repealing secs. 3, 5, 7, 9, 11,
14, 16, 18, 20, 23, 26, 27, and 30, ch. 28, SLA 2000; and
providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 93(FIN)

"An Act relating to boating safety, registration, and numbering;
extending the sunset date of changes in ch. 28, SLA 2000; 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): Meyer, Fate, Foster, Williams

No recommendation (6): Hawker, Stoltze, Joule, Croft, Chenault,
Harris

The following fiscal note(s) apply to CSHB 93(FIN):

3. Zero, Dept. of Natural Resources
4. Fiscal, Dept. of Administration

HB 93 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 - Mr. Carl Brady, Jr.
By Senator French; Representative Berkowitz

Honoring - Mr. William "Bill" J. Tobin
By Senator French; Representative Berkowitz

In Memoriam - Cynthia E. Samuelson
By Representative Moses

In Memoriam - Dr. Harriet "Rusty" Bellringer
By Representatives Stoltze, Dahlstrom; Senator Ogan

In Memoriam - Ivar Wallin
By Representative Ogg; Senator Gary Stevens

In Memoriam - Charles Edwin Saunders
By Representative Ogg, Senator Gary Stevens

**The presence of Representative Weyhrauch was noted.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 416**

HOUSE BILL NO. 416 by Representative Williams by request, entitled:

"An Act relating to physician reports regarding driver safety, to driver's courses, and to driver licensing."

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

**The presence of Representative Croft was noted.

HB 417

HOUSE BILL NO. 417 by Representative Chenault, entitled:

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

was read the first time and referred to the House Special Committee on Oil & Gas and the Resources Committee.

HB 418

HOUSE BILL NO. 418 by the House Labor & Commerce Committee, entitled:

"An Act extending the termination date of the Real Estate Commission; and providing for an effective date."

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

HB 419

HOUSE BILL NO. 419 by Representative Ogg by request of the Joint Legislative Salmon Industry Task Force, entitled:

"An Act relating to regional seafood development associations and to regional seafood development taxes."

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

HB 420

HOUSE BILL NO. 420 by the House Special Committee on Oil & Gas, entitled:

"An Act relating to recovery of shallow natural gas; and providing for an effective date."

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

HB 421

HOUSE BILL NO. 421 by Representative Anderson, entitled:

"An Act relating to reconveyances of deeds of trust."

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

HB 422

HOUSE BILL NO. 422 by the House Finance Committee, entitled:

"An Act repealing the special subaccount established in the constitutional budget reserve fund; relating to the powers of the Department of Revenue for the investment of amounts in the constitutional budget reserve fund; and providing for an effective date."

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

HB 423

HOUSE BILL NO. 423 by Representative Anderson, entitled:

"An Act relating to accidents involving the vehicle of a person under the influence of an alcoholic beverage; and providing for an effective date."

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

HB 424

HOUSE BILL NO. 424 by Representative Holm, entitled:

"An Act relating to review of regulations under the Administrative Procedure Act by the Legislative Affairs Agency; and providing for an effective date."

was read the first time and referred to the joint Administrative Regulation Review Committee and the Judiciary Committee.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 31

The following was read the second time:

HOUSE BILL NO. 31

"An Act relating to initiative and referendum petitions; and providing for an effective date."

with the:

Journal Page

STA RPT 2DP 4NR	703
FN1: ZERO(GOV)	704
JUD RPT 4DP 1DNP 1NR	1088
FN1: ZERO(GOV)	1088

The Rules Committee submitted the following updated fiscal note:

2. Zero, Office of the Governor

Representative Coghill moved and asked unanimous consent that HB 31 be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that HB 31 will advance to third reading on the February 4, 2004, calendar.

HB 374

The following was read the second time:

HOUSE BILL NO. 374

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

with the:	Journal Page
HES RPT 3DP 4NR	2319
FN1: (HSS); FN2: (HSS)	2320
FN3: (HSS); FN4: (HSS)	2320
FN5: (HSS)	2320
FIN RPT CS(FIN) NT 8DP 2NR	2406
FN6: (HSS); FN7: (HSS)	2407
FN8: (HSS); FN9: (HSS)	2407
FN10: (HSS)	2407

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. 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."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Cissna:

Page 1, following line 4:

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:

INTENT TO FUND LONGEVITY BONUS PROGRAM. It is the intent of the legislature to fund the longevity bonus program (AS 47.45) fully for fiscal year 2005."

Page 1, line 5:

Delete "**Section 1**"

Insert "**Sec. 2**"

Renumber the following bill sections accordingly.

Page 4, following line 22:

Insert a new subsection to read:

"(o) An individual who receives a payment under AS 47.45 (longevity bonus program) may not receive cash assistance or prescription drug benefits under this section for the same fiscal year."

Reletter the following subsection accordingly.

Page 5, line 5:

Delete "sec. 1"

Insert "sec. 2"

Page 5, line 23:

Delete "sec. 2"

Insert "sec. 3"

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

Objection was heard.

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

CSHB 374(FIN)
Second Reading
Amendment No. 1

YEAS: 12 NAYS: 23 EXCUSED: 1 ABSENT: 4

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

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

Excused: Heinze

Absent: Anderson, Harris, Kerttula, Weyhrauch

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representative Kapsner:

Page 2, lines 20 - 22, following "program."
Delete all material.

Page 3, lines 22 - 25:
Delete all material.

Reletter the following subsections accordingly.

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

Representative Hawker objected.

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

The Speaker ruled that the question was divisible.

There being no objection, Amendment No. 2 was divided.

Amendment No. 2, Part A:

Page 2, lines 20 - 22, following "program."
Delete all material.

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

CSHB 374(FIN)
Second Reading
Amendment No. 2, Part A

YEAS: 12 NAYS: 24 EXCUSED: 1 ABSENT: 3

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

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

Excused: Heinze

Absent: McGuire, Moses, Samuels

And so, Amendment No. 2, Part A, was not adopted.

Amendment No. 2, Part B:

Page 3, lines 22 - 25:
Delete all material.

Reletter the following subsections accordingly.

Representative Kapsner moved and asked unanimous consent to
withdraw Amendment No. 2, Part B. There being no objection, it was
so ordered.

Amendment No. 3 was not offered.

Amendment No. 4 was offered by Representative Cissna:

Page 2, line 26:

Delete "\$1,600"

Insert "\$2,000"

Page 3, line 2:

Delete "\$1,000"

Insert "\$1,500"

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

Representative Wilson objected.

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

CSHB 374(FIN)

Second Reading

Amendment No. 4

YEAS: 14 NAYS: 22 EXCUSED: 1 ABSENT: 3

Yeas: Anderson, Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kookesh, Lynn, Weyhrauch

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

Excused: Heinze

Absent: McGuire, Moses, Samuels

And so, Amendment No. 4 was not adopted.

Amendment No. 5 was offered by Representative Guttenberg:

Page 2, line 19:

Delete "\$120"

Insert "\$150"

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

Representative Williams objected.

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

CSHB 374(FIN)
Second Reading
Amendment No. 5

YEAS: 13 NAYS: 23 EXCUSED: 1 ABSENT: 3

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

Nays: Anderson, Chenault, Coghill, Dahlstrom, Fate, Foster, Gatto, Harris, Hawker, Holm, Kohring, Kott, Masek, Meyer, Ogg, Rokeberg, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Excused: Heinze

Absent: McGuire, Moses, Samuels

And so, Amendment No. 5 was not adopted.

Amendment No. 6 was offered by Representative Cissna:

Page 2, line 7, following "section;":

Insert "however, for the purposes of determining eligibility under this subparagraph, each individual applicant shall be treated as if that individual were the only individual in the household;"

Page 2, line 11, following "section;":

Insert "however, for the purposes of determining eligibility under this subparagraph, each individual applicant shall be treated as if that individual were the only individual in the household;"

Representative Cissna moved and asked unanimous consent that Amendment No. 6 be adopted.

Representative Hawker objected.

The question being: "Shall Amendment No. 6 be adopted?" The roll was taken with the following result:

CSHB 374(FIN)
Second Reading
Amendment No. 6

YEAS: 16 NAYS: 17 EXCUSED: 1 ABSENT: 6

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

Nays: Anderson, Coghill, Dahlstrom, Fate, Foster, Harris, Hawker, Holm, Kohring, McGuire, Meyer, Ogg, Seaton, Stepovich, Weyhrauch, Williams, Wilson

Excused: Heinze

Absent: Chenault, Masek, Moses, Rokeberg, Samuels, Wolf

And so, Amendment No. 6 was not adopted.

Amendment No. 7 was offered by Representative Berkowitz:

Page 4, line 3:
Delete "30"
Insert "60"

Representative Berkowitz moved and asked unanimous consent that Amendment No. 7 be adopted.

Representative Harris objected.

The question being: "Shall Amendment No. 7 be adopted?" The roll was taken with the following result:

CSHB 374(FIN)
Second Reading
Amendment No. 7

YEAS: 18 NAYS: 19 EXCUSED: 1 ABSENT: 2

Yeas: Anderson, Berkowitz, Cissna, Crawford, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kookesh, Kott, Lynn, McGuire, Ogg, Samuels, Stoltze, Wilson

Nays: Chenault, Coghill, Dahlstrom, Fate, Foster, Gatto, Harris, Hawker, Holm, Kohring, Masek, Meyer, Morgan, Rokeberg, Seaton, Stepovich, Weyhrauch, Williams, Wolf

Excused: Heinze

Absent: Croft, Moses

And so, Amendment No. 7 was not adopted.

The Speaker stated that, without objection, the House would recess until 5:00 p.m.; and so, the House recessed at 12:46 p.m.

AFTER RECESS

The Speaker called the House back to order at 5:12 p.m.

SECOND READING OF HOUSE BILLS (Continued)

HB 374

CSHB 374(FIN) was before the House in second reading.

Amendment No. 8 was offered by Representative Gara:

Page 3, line 27, following "facility":

Insert "For purposes of this subsection, an individual is not considered to be residing in a public institution or nursing facility if the individual is institutionalized for medical services for a period of less than three months and continues to maintain and provide for the expenses of the individual's home or living arrangement to which that individual may return upon discharge from the institution or facility."

Representative Gara moved and asked unanimous consent that Amendment No. 8 be adopted.

Representative Coghill objected and withdrew the objection. There being no further objection, Amendment No. 8 was adopted.

Amendment No. 9 was offered by Representative Gruenberg:

Page 5, line 18, following "operational":

Insert "at the same level"

Representative Gruenberg moved and asked unanimous consent that Amendment No. 9 be adopted.

Objection was heard.

Representative Gruenberg moved and asked unanimous consent to withdraw Amendment No. 9. There being no objection, it was so ordered.

Amendment No. 10 was not offered.

Amendment No. 11 was offered by Representative Berkowitz:

Page 4, lines 1 - 2:

Delete "parent, spouse, sibling, grandchild, child, or stepchild"

Insert "family member"

Page 4, following line 27:

Insert a new paragraph to read:

"(4) "family member" means a person who is

(A) legally related to the individual through marriage or guardianship; or

(B) the individual's sibling, parent, grandparent, son, daughter, grandson, granddaughter, uncle, aunt, niece, nephew, or first cousin."

Renumber the following paragraphs accordingly.

Representative Berkowitz moved and asked unanimous consent that Amendment No. 11 be adopted.

Representative Williams objected and withdrew the objection. There being no further objection, Amendment No. 11 was adopted.

Amendment No. 12 was not offered.

Amendment No. 13 was offered by Representatives Kerttula and Gara:

Page 3, lines 26 - 27:

Delete all material.

Reletter the following subsections accordingly.

Representative Gara moved and asked unanimous consent that Amendment No. 13 be adopted.

Representative Hawker objected.

Representatives Kerttula and Harris moved and asked unanimous consent that they be allowed to abstain from voting because of a conflict of interest. Objection was heard, and the members were required to vote.

The question being: "Shall Amendment No. 13 be adopted?" The roll was taken with the following result:

CSHB 374(FIN) am
Second Reading
Amendment No. 13

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

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

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

Excused: Heinze

Absent: Anderson

And so, Amendment No. 13 was not adopted.

Amendment No. 14 was not offered.

Amendment No. 15 was offered by Representatives McGuire and Kott:

Page 3, lines 17 - 18:

Delete "The brand-name drug is"

Page 3, lines 18 - 19, following "medically necessary":

Delete "and the prescriber states the reason that the brand-name drug is medically necessary"

Representative McGuire moved and asked unanimous consent that Amendment No. 15 be adopted.

Representative Williams objected.

Representatives Rokeberg, Lynn, Ogg, and Gruenberg moved and asked unanimous consent that they be allowed to abstain from voting because of a conflict of interest. Objection was heard, and the members were required to vote.

The question being: "Shall Amendment No. 15 be adopted?" The roll was taken with the following result:

CSHB 374(FIN) am

Second Reading

Amendment No. 15

YEAS: 24 NAYS: 14 EXCUSED: 1 ABSENT: 1

Yeas: Anderson, Berkowitz, Dahlstrom, Fate, Gara, Gatto, Gruenberg, Guttenberg, Harris, Holm, Joule, Kapsner, Kerttula, Kookesh, Kott, Lynn, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Stepovich, Wilson

Nays: Chenault, Cissna, Coghill, Crawford, Croft, Foster, Hawker, Kohring, Masek, Seaton, Stoltze, Weyhrauch, Williams, Wolf

Excused: Heinze

Absent: Moses

And so, Amendment No. 15 was adopted.

Representative Coghill moved and asked unanimous consent that CSHB 374(FIN) am be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that CSHB 374(FIN) am will advance to third reading on the February 4, 2004, calendar.

SECOND READING OF HOUSE RESOLUTIONS

HJR 5

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 5

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

with the:	Journal Page
STA RPT 1DP 5NR	703
FN1: (GOV)	703
JUD RPT 4DP 1DNP 1NR	1087
FN1: (GOV)	1088
FIN RPT 4DP 2DNP 1NR 1AM	1228
FN1: (GOV)	1229

The Rules Committee submitted the following updated fiscal note:

2. Zero, Office of the Governor

Representative Coghill moved and asked unanimous consent that HJR 5 be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

The Speaker stated that HJR 5 will advance to third reading on the February 4, 2004, calendar.

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 - Service High School Hockey Team 2002 - 2003 State Champions

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

Honoring - Kodiak Electric Association for Its Outstanding Efforts to Reduce Raptor Losses

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

In Memoriam - George Wehmhoff

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

UNFINISHED BUSINESS

Representative Coghill moved that the House confirm the appointment of H. Conner Thomas to the Select Committee on Legislative Ethics.

The question being: "Shall the House confirm the appointment of H. Conner Thomas to the Select Committee on Legislative Ethics?"

The roll was taken with the following result:

Select Committee on Legislative Ethics
Confirm Appointment of H. Conner Thomas

YEAS: 38 NAYS: 0 EXCUSED: 1 ABSENT: 1

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

Excused: Heinze

Absent: Moses

And so, the appointment was confirmed.

Representative Coghill moved that the House confirm the appointment of Ann Rabinowitz to the Select Committee on Legislative Ethics.

The question being: "Shall the House confirm the appointment of Ann Rabinowitz to the Select Committee on Legislative Ethics?" The roll was taken with the following result:

Select Committee on Legislative Ethics
Confirm Appointment of Ann Rabinowitz

YEAS: 38 NAYS: 0 EXCUSED: 1 ABSENT: 1

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

Excused: Heinze

Absent: Moses

And so, the appointment was confirmed.

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 Harris - from morning plane time, February 5 to evening plane time, February 8, 2004; and from morning plane time, February 26 to evening plane time, February 29, 2004

Representative Moses - from 7:24 a.m., February 10 to 9:02 p.m., February 16, 2004

HB 423

The Speaker added a State Affairs Committee referral to follow the Judiciary Committee referral for the following:

HOUSE BILL NO. 423

"An Act relating to accidents involving the vehicle of a person under the influence of an alcoholic beverage; and providing for an effective date."

HB 423 is in the Judiciary Committee.

HB 424

The Speaker removed the joint Administrative Regulation Review Committee referral for the following:

HOUSE BILL NO. 424

"An Act relating to review of regulations under the Administrative Procedure Act by the Legislative Affairs Agency; and providing for an effective date."

HB 424 was referred to the Judiciary Committee.

SB 183

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 2126) on the following at this time:

HOUSE CS FOR CS FOR SENATE BILL NO. 183(CRA) am H
"An Act relating to municipal property taxation in annexed and detached areas; and authorizing certain boroughs to use revenue collected on an areawide or nonareawide basis for economic development; and providing for an effective date."

(HCR 24 - title change resolution)

and

CS FOR SENATE BILL NO. 183(STA)
"An Act authorizing certain boroughs to use revenue collected on an areawide or nonareawide basis for economic development."

There being no objection, it was so ordered.

Representative Coghill moved that the House recede from its amendment to CSSB 183(STA), namely HCS CSSB 183(CRA) am H, and recommended that the members vote yes.

Representative Coghill moved and asked unanimous consent to withdraw the motion that the House recede from its amendment to CSSB 183(STA). There being no objection, it was so ordered.

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

HCS CSSB 183(CRA) am H is under Unfinished Business.

HJR 5

Representative Wilson 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 32

Representatives Moses, Coghill, and Wilson added their names as cosponsors to:

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

HB 25

Representative Morgan added his name as cosponsor to:

CS FOR HOUSE BILL NO. 25(JUD)

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

HB 31

Representative Morgan added his name as cosponsor to:

HOUSE BILL NO. 31

"An Act relating to initiative and referendum petitions; and providing for an effective date."

HB 36

Representative Morgan added his name as cosponsor to:

CS FOR HOUSE BILL NO. 36(L&C) am

"An Act relating to unlawful electronic mail activities and making certain electronic mail activities unfair methods of competition or unfair or deceptive acts or practices under the state's unfair trade practices and consumer protection laws; and providing for an effective date."

HB 92

Representative Morgan added his name as cosponsor to:

CS FOR HOUSE BILL NO. 92(JUD) am

"An Act relating to reports by members of the clergy who have reasonable cause to suspect that a child has suffered harm as a result of child abuse or neglect."

HB 98

Representative Morgan added his name as cosponsor to:

HOUSE BILL NO. 98

"An Act relating to sport fishing seasons and areas for persons under 16 years of age."

HB 282

Representative Holm added his name as cosponsor to:

HOUSE BILL NO. 282

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

HB 337

Representative Samuels added his name as cosponsor 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 339

Representative Dahlstrom added her name as cosponsor to:

HOUSE BILL NO. 339

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

HB 367

Representative Dahlstrom added her name as cosponsor to:

HOUSE BILL NO. 367

"An Act relating to the licensing and regulation of sex-oriented businesses and sex-oriented business entertainers; relating to protection of the safety and health of and to education of young persons who perform in adult entertainment establishments; and providing for an effective date."

HB 371

Representative Kapsner added her name as cosponsor to:

HOUSE BILL NO. 371

"An Act requiring a diploma endorsement for students who pass the secondary school competency examination; removing the secondary school competency examination as a graduation requirement; relating to secondary school competency examinations and diplomas; and providing for an effective date."

HB 413

Representative Morgan added his name as cosponsor to:

HOUSE BILL NO. 413

"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."

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., February 4, 2004. There being no objection, the House adjourned at 6:29 p.m.

Suzi Lowell
Chief Clerk