

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Saturday

May 1, 2004

One Hundred Eleventh Day

Pursuant to adjournment the House was called to order by Speaker Kott at 2:09 p.m.

Roll call showed 35 members present. Representatives Cissna and Holm had been previously excused from a call of the House today. Representatives Anderson, Berkowitz, and Kookesh were absent and their presence was noted later.

The invocation was offered by the Chaplain, Representative Coghill.

The Pledge of Allegiance was led by Representative Samuels.

MESSAGES FROM THE GOVERNOR

A letter dated April 30, 2004, from the Director of Boards and Commissions, Office of the Governor, was read stating that James S. Spalding, Anchorage, withdraws his name from legislative confirmation of appointment to the Alaska Labor Relations Agency. The Speaker had referred the appointment to the Labor & Commerce Committee (page 3195).

Letters dated April 30, 2004, were read stating that, in accordance with AS 39.05.080, the Governor submits the following names for legislative confirmation of appointment to the boards and commissions set out below.

The Speaker referred the following to the Health, Education & Social Services Committee:

Board of Dispensing Opticians

Mr. Larry E. Harper - Anchorage
Appointed: 6/14/2000 Reappointed: 4/30/2004
Term Expires: 3/1/2008

Board of Certified Direct-Entry Midwives

Ms. Dana L. Brown - Fairbanks
Appointed: 1/19/2000 Reappointed: 4/30/2004
Term Expires: 3/1/2008

Ms. Sharon K. Evans - Palmer
Appointed: 3/27/2001 Reappointed: 4/30/2004
Term Expires: 3/1/2008

Board of Examiners in Optometry

Dr. Jill Geering Matheson - Juneau
Appointed: 4/30/2004 Term Expires: 3/1/2008

Dr. Jeff Gonnason - Anchorage
Appointed: 4/30/2004 Term Expires: 3/1/2007

The Speaker referred the following to the Labor & Commerce Committee:

Board of Marine Pilots

Mr. Jack G. Poulson, Esq. - Juneau
Appointed: 6/7/2001 Reappointed: 3/24/2004
Term Expires: 3/1/2008

The Speaker referred the following to the Resources Committee:

Board of Game

Mr. Michael R. Fleagle - McGrath
Appointed: 1/21/2003 Reappointed: 4/30/2004
Term Expires: 3/1/2007

Resumes for the appointments are on file in the Chief Clerk's office.

MESSAGES FROM THE SENATE

Messages dated April 22, 26, 27, and 29, 2004, were read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS****SB 69**

CS FOR SENATE BILL NO. 69(RES) by the Senate Resources Committee, entitled:

"An Act relating to participation in matters before the Board of Fisheries by members of the board; and providing for an effective date."

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

SB 297

CS FOR SENATE BILL NO. 297(RES) by the Senate Resources Committee, entitled:

"An Act relating to bear predation management and the donation and sale of bear hides and skulls."

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

SB 365

CS FOR SENATE BILL NO. 365(FIN) by the Senate Finance Committee, entitled:

"An Act relating to the regulation of speech-language pathologist assistants; and providing for an effective date."

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

SB 389

SENATE BILL NO. 389 by the Senate Labor & Commerce Committee, entitled:

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

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

REPORTS OF STANDING COMMITTEES**HB 40**

The State Affairs Committee has considered:

HOUSE BILL NO. 40

"An Act relating to issuance of a driver's license."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 40(STA)

"An Act relating to issuance of identification cards and to issuance of driver's licenses."

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

Do pass (1): Lynn

Do not pass (1): Seaton

No recommendation (3): Gruenberg, Holm, Weyhrauch

The following fiscal note(s) apply to CSHB 40(STA):

2. Zero, Dept. of Administration

HB 40 was referred to the Rules Committee for placement on the calendar.

HB 461

The State Affairs Committee has considered:

HOUSE BILL NO. 461

"An Act relating to enhanced 911 surcharges and to emergency services dispatch systems of municipalities, certain villages, and public corporations established by municipalities."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 461(STA)

"An Act relating to enhanced 911 surcharges and to 911 and emergency services dispatch systems."

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

Do pass (3): Seaton, Lynn, Holm

No recommendation (2): Gruenberg, Weyhrauch

A House State Affairs Committee letter of intent for CSHB 461(STA), signed by Representative Weyhrauch, Chair, follows:

"It is the intent of the House State Affairs Committee that a Statewide '911' Coordinator be established to coordinate and facilitate the implementation and operation of enhanced 911 emergency communications systems throughout the state and enable the receipt of federal funds."

The following fiscal note(s) apply to CSHB 461(STA):

1. Zero, Dept. of Community & Economic Development

HB 461 was referred to the Rules Committee for placement on the calendar.

HB 523

The State Affairs Committee has considered:

HOUSE BILL NO. 523

"An Act relating to qualifications of voters, voter registration, voter residence, precinct boundary modification, recognized political parties, voters unaffiliated with political parties, early voting, absentee voting, ballot counting, voting by mail, initiative, referendum, recall, and definitions; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 523(STA)

"An Act relating to qualifications of voters, requirements and procedures regarding independent candidates for President and Vice-President of the United States, voter registration and voter registration records, voter residence, precinct boundary and polling place designation and modification, recognized political parties, voters unaffiliated with political parties, early voting, absentee voting, ballot design, ballot counting, optically scanned and electronically generated ballots, voting electronically, voting by mail, voting machines, vote tally systems, initiative, referendum, recall, and definitions in the Alaska Election Code; relating to incorporation elections; and providing for an effective date."

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

Do pass (4): Gruenberg, Holm, Seaton, Weyhrauch

Amend (1): Lynn

The following fiscal note(s) apply to CSHB 523(STA):

1. Zero, Dept. of Law
2. Fiscal, Office of the Governor

HB 523 was referred to the Finance Committee.

**The presence of Representatives Anderson and Kookesh was noted.

HB 536

The State Affairs Committee has considered:

HOUSE BILL NO. 536

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 536(STA)

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

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

No recommendation (3): Seaton, Holm, Weyhrauch

Amend (2): Gruenberg, Lynn

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

1. Fiscal, Dept. of Revenue

HB 536 is on today's first supplemental calendar.

**The presence of Representative Berkowitz was noted.

SJR 25

The State Affairs Committee has considered:

SENATE JOINT RESOLUTION NO. 25

Recommending that certain federal funding restrictions be eased so that more villages in Alaska would qualify for assistance relating to flooding and erosion.

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

Do pass (5): Seaton, Gruenberg, Holm, Lynn, Weyhrauch

The following fiscal note(s) apply:

1. Zero, Dept. of Community & Economic Development

SJR 25 was referred to the Rules Committee for placement on the calendar.

SB 203

The Finance Committee has considered:

CS FOR SENATE BILL NO. 203(FIN) am

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

and recommends it be replaced with:

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

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

Do pass (7): Meyer, Hawker, Croft, Moses, Fate, Foster, Williams

No recommendation (4): Stoltze, Joule, Chenault, Harris

The following fiscal note(s) apply to HCS CSSB 203(FIN):

6. Fiscal, Dept. of Administration
7. Fiscal, Dept. of Administration
9. Fiscal, Dept. of Public Safety
10. Zero, Dept. of Health & Social Services
11. Fiscal, Office of the Governor

12. Indeterminate, Dept. of Community & Economic Development
13. Zero, Dept. of Education & Early Development
14. Indeterminate, Dept. of Environmental Conservation
15. Fiscal, Dept. of Community & Economic Development
18. Indeterminate, Dept. of Education & Early Development
19. Fiscal, Dept. of Revenue
20. Fiscal, Dept. of Revenue
21. Zero, Dept. of Community & Economic Development
22. Zero, Dept. of Labor & Workforce Development
23. Zero, Dept. of Labor & Workforce Development
24. Indeterminate, Dept. of Law

SB 203 was referred to the Rules Committee for placement on the calendar.

SB 227

The State Affairs Committee has considered:

CS FOR SENATE BILL NO. 227(STA) am
"An Act relating to municipal runoff elections and to municipal
initiative and referendum elections."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 227(STA)
(same title)

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

Do pass (1): Holm

No recommendation (1): Weyhrauch

Amend (3): Gruenberg, Seaton, Lynn

The following fiscal note(s) apply to HCS CSSB 227(STA):

1. Zero, Dept. of Community & Economic Development

CSSB 227(STA) 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 - Dan Salmon, Igiugig Tribal Administrator
By Representative Ogg

Honoring - Gastineau Channel Little League Senior Girls All-Stars,
State Senior Division Softball Champions, Northwest Region
Champions
By Representatives Kerttula, Weyhrauch; Senator Elton

Honoring - Juneau Jumpers
By Representatives Kerttula, Weyhrauch; Senator Elton

Honoring - Phyllis and Gene Sundberg on Their 50th Golden Wedding
Anniversary
By Senator Gary Stevens

In Memoriam - Henry Warren Brewis
By Representative Harris

In Memoriam - Alys Lucille Brewis
By Representative Harris

In Memoriam - Marina M. Gundersen
By Representative Moses

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 562

HOUSE BILL NO. 562 by the House Community and Regional
Affairs Committee, entitled:

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

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

CONSIDERATION OF THE DAILY CALENDAR

THIRD READING OF HOUSE BILLS

HB 342

The following, which was advanced to third reading from the April 30, 2004, calendar (page 3681), was read the third time:

CS FOR HOUSE BILL NO. 342(FIN) am
"An Act relating to driving while under the influence, to the definition of 'previously convicted,' to alcohol-related offenses, to ignition interlock devices, and to the issuance of limited driver's licenses; and providing for an effective date."

The Speaker stated that, without objection, CSHB 342(FIN) am would be moved to the bottom of the calendar.

HB 459

The following, which was advanced to third reading from the April 30, 2004, calendar (page 3716), was read the third time:

CS FOR HOUSE BILL NO. 459(STA)
"An Act relating to optically scanned and electronically generated ballots; and providing for an effective date."

The question being: "Shall CSHB 459(STA) pass the House?" The roll was taken with the following result:

CSHB 459(STA)
Third Reading
Final Passage

YEAS: 34 NAYS: 0 EXCUSED: 2 ABSENT: 4

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

Excused: Cissna, Holm

Absent: Gruenberg, Kapsner, Masek, Moses

And so, CSHB 459(STA) passed the House.

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

CSHB 459(STA) was referred to the Chief Clerk for engrossment.

HB 543

The following, which was advanced to third reading from the April 30, 2004, calendar (page 3704), was read the third time:

CS FOR HOUSE BILL NO. 543(RLS)

"An Act relating to medical assistance coverage for prescription drugs; and providing for an effective date."

The question being: "Shall CSHB 543(RLS) pass the House?" The roll was taken with the following result:

CSHB 543(RLS)

Third Reading

Final Passage

YEAS: 31 NAYS: 3 EXCUSED: 2 ABSENT: 4

Yeas: Berkowitz, Chenault, Crawford, Croft, Dahlstrom, Fate, Foster, Gara, Gatto, Harris, Hawker, Heinze, Joule, Kapsner, Kerttula, Kookesh, Kott, Lynn, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Nays: Coghill, Kohring, Masek

Excused: Cissna, Holm

Absent: Anderson, Gruenberg, Guttenberg, Moses

And so, CSHB 543(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.

Representative Kohring gave notice of reconsideration of the vote on CSHB 543(RLS).

HB 551

The following, which was advanced to third reading from the April 30, 2004, calendar (page 3707), was read the third time:

CS FOR HOUSE BILL NO. 551(JUD)

"An Act relating to the issuance of teacher certificates to and revocation of teacher certificates of persons convicted of certain felony drug offenses and to the issuance of limited teacher certificates to persons convicted of certain crimes involving a minor and felony drug offenses."

Representative McGuire moved and asked unanimous consent that CSHB 551(JUD) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative McGuire:

Page 2, line 16:

Delete "AS 14.20.030(b) is amended to read"

Insert "AS 14.20.030 is amended by adding a new subsection to read"

Page 2, lines 17 - 23:

Delete all material and insert:

"(c) The commissioner or the Professional Teaching Practices Commission shall revoke the certificate of a person who has been convicted of a crime, or an attempt, solicitation, or conspiracy to

commit a crime, involving misconduct involving a controlled substance under AS 11.71.010, 11.71.020(a)(1), 11.71.030(a)(2), 11.71.030(a)(3), or 11.71.040(a)(4), or a law or ordinance in another jurisdiction with elements similar to an offense described in this subsection."

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

Objection was heard.

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

Delete "or 11.71.040(a)(4),"

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

Representative Gara objected and withdrew the objection.

There being no further objection, Amendment to Amendment No. 1 was adopted.

There being no further objection, Amendment No. 1 as amended was adopted.

Representative Kerttula moved and asked unanimous consent that CSHB 551(JUD) 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 Representatives Kerttula and McGuire:

Page 1, line 11 and Page 2, line 21:

Delete "**or 11.71.040(a)(4),**"

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

The question being: "Shall CSHB 551(JUD) am pass the House?"
The roll was taken with the following result:

CSHB 551(JUD) am
Third Reading
Final Passage

YEAS: 36 NAYS: 0 EXCUSED: 2 ABSENT: 2

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

Excused: Cissna, Holm

Absent: Kapsner, Moses

And so, CSHB 551(JUD) am passed the House and was referred to the Chief Clerk for engrossment.

HB 552

The following, which was advanced to third reading from the April 30, 2004, calendar (page 3682), was read the third time:

CS FOR HOUSE BILL NO. 552(FIN)
"An Act relating to gambling and gaming."

Representative Lynn cited Uniform Rule 39(b) and Mason's Manual 379(2) and moved and asked unanimous consent that CSHB 552(FIN) be referred to the Labor & Commerce Committee.

Objection was heard.

The Speaker ruled the reference to Uniform Rule 39(b) was out of order but the reference to Mason's Manual 379(2) was in order.

Representative Williams placed a call of the House on the bill.

The call was satisfied.

Representative Rokeberg moved and asked unanimous consent to amend the motion to consider CSHB 552(FIN) in the Committee of the Whole.

Representative Crawford objected.

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

Representative Rokeberg moved the previous question.

The question being: "Shall CSHB 552(FIN) be referred to the Labor & Commerce Committee?" The roll was taken with the following result:

CSHB 552(FIN)

Third Reading

Refer to the Labor & Commerce Committee

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

Yeas: Crawford, Gara, Gatto, Joule, Kerttula, Kohring, Lynn

Nays: Anderson, Berkowitz, Chenault, Coghill, Croft, Dahlstrom, Fate, Foster, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Kapsner, Kookesh, Kott, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Excused: Cissna, Holm

And so, the motion failed.

Representative Williams lifted the call.

Representative McGuire placed a call of the House.

The call was satisfied.

The question being: "Shall CSHB 552(FIN) pass the House?" The roll was taken with the following result:

CSHB 552(FIN)
Third Reading
Final Passage

YEAS: 19 NAYS: 19 EXCUSED: 2 ABSENT: 0

Yeas: Anderson, Berkowitz, Chenault, Fate, Foster, Gruenberg, Harris, Hawker, Heinze, Kapsner, Kott, Masek, McGuire, Meyer, Morgan, Moses, Stepovich, Williams, Wolf

Nays: Coghill, Crawford, Croft, Dahlstrom, Gara, Gatto, Guttenberg, Joule, Kerttula, Kohring, Kookesh, Lynn, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Wilson

Excused: Cissna, Holm

Rokeberg changed from "Yea" to "Nay".

And so, CSHB 552(FIN) failed to pass the House.

Representative Williams gave notice of reconsideration of the vote on CSHB 552(FIN)(fld H).

HB 559

The following, which was advanced to third reading from the April 30, 2004, calendar (page 3709), was read the third time:

HOUSE BILL NO. 559

"An Act repealing the termination of the state training and employment program; and providing for an effective date."

Representative Harris moved and asked unanimous consent that HB 559 be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Rokeberg and Harris:

Page 1, line 1 (title amendment):

Delete "**repealing**"

Insert "**extending**"

Page 1, lines 4 - 5, following "*** Section 1.**":

Delete all material.

Insert "The uncodified law of the State of Alaska enacted in sec. 6, ch. 116, SLA 1996, as amended by sec. 9, ch. 85, SLA 1998, and by sec. 47, ch. 86, SLA 2002, is amended to read:

Sec. 6. AS 23.15.620, 23.15.625, 23.15.630, 23.15.635, 23.15.640, 23.15.645, 23.15.651, and 23.15.660 are repealed June 30, **2008** [2004]."

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

Objection was heard and withdrawn. There being no further objection, Amendment No. 1 was adopted and the new title follows:

HOUSE BILL NO. 559 am

"An Act extending the termination of the state training and employment program; and providing for an effective date."

The question being: "Shall HB 559 am pass the House?" The roll was taken with the following result:

HB 559 am

Third Reading

Final Passage

YEAS: 35 NAYS: 1 EXCUSED: 2 ABSENT: 2

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

Nays: Kohring

Excused: Cissna, Holm

Absent: Anderson, Gruenberg

And so, HB 559 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.

HB 559 am was referred to the Chief Clerk for engrossment.

HB 342

The following, which had been read a third time and moved to the bottom of the calendar (page 3735), was again before the House:

CS FOR HOUSE BILL NO. 342(FIN) am

"An Act relating to driving while under the influence, to the definition of 'previously convicted,' to alcohol-related offenses, to ignition interlock devices, and to the issuance of limited driver's licenses; and providing for an effective date."

The question being: "Shall CSHB 342(FIN) am pass the House?" The roll was taken with the following result:

CSHB 342(FIN) am

Third Reading

Final Passage

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

Yeas: Anderson, Berkowitz, Chenault, 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: Cissna, Holm

And so, CSHB 342(FIN) 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 342(FIN) am was referred to the Chief Clerk for engrossment.

**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 536 PFUND APPLICATION DEADLINES: MILITARY

SECOND READING OF HOUSE BILLS

HB 536

The following was read the second time:

HOUSE BILL NO. 536

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

with the:	Journal Page
MLV RPT CS(MLV) NT 4DP 1NR	3253
FN1: (REV)	3254
STA RPT CS(STA)NT 3NR 2AM	3731
FN1: (REV)	3731

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. 536(MLV)

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

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 536(MLV) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 536(MLV) was read the third time.

The question being: "Shall CSHB 536(MLV) pass the House?" The roll was taken with the following result:

CSHB 536(MLV)

Third Reading

Final Passage

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

Yeas: Anderson, Berkowitz, Chenault, 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, Williams, Wilson, Wolf

Excused: Cissna, Holm

Absent: Weyhrauch

And so, CSHB 536(MLV) 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 536(MLV) was referred to the Chief Clerk for engrossment.

CONSIDERATION OF THE DAILY CALENDAR
(continued)

LEGISLATIVE CITATIONS

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

Honoring - Peter Christopher

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

Honoring - Mary Combs

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

Honoring - Sandra Dillon

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

Honoring - Lumen Christi High School 2A Boys State Basketball Champions

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

Honoring - Valley Hospital Women's Hockey Team

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

Celebrating - First Presbyterian Church of Wrangell Alaska, 125 Years of Mission and Ministry

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

In Memoriam - Priscilla Bacon

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

In Memoriam - Mary Richards Sarvela

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

UNFINISHED BUSINESS**HB 468**

The Speaker stated that, without objection, reconsideration (page 3713) of the following will be held to May 3, 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."

CONCUR IN SENATE AMENDMENTS**HB 414**

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 3477) on the following at this time:

CS FOR HOUSE BILL NO. 414(JUD)

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

and

SENATE CS FOR CS FOR HOUSE BILL NO. 414(JUD)

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

(technical title change)

Representative Berkowitz objected and withdrew the objection.

There being no further objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 414(JUD), thus adopting SCS CSHB 414(JUD), and recommended that the members vote no.

The question being: "Shall the House concur in the Senate amendment to CSHB 414(JUD)?" The roll was taken with the following result:

SCS CSHB 414(JUD)

Concur

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

Nays: Anderson, Berkowitz, Chenault, 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, Williams, Wilson, Wolf

Excused: Cissna, Holm

Absent: Weyhrauch

And so, the House failed to concur in the Senate amendment, thus failing to adopt SCS CSHB 414(JUD).

The Chief Clerk notified the Senate and respectfully requested it to recede.

UNFINISHED BUSINESS**HB 342**

Representatives Rokeberg and Wilson added their names as cosponsors to:

CS FOR HOUSE BILL NO. 342(FIN) am

"An Act relating to driving while under the influence, to the definition of 'previously convicted,' to alcohol-related offenses, to ignition interlock devices, and to the issuance of limited driver's licenses; and providing for an effective date."

HB 427

Representative Gruenberg added his name as cosponsor to:

CS FOR HOUSE BILL NO. 427(JUD)

"An Act relating to guardianships and conservatorships, to the public guardian and the office of public advocacy, to private professional guardians and private professional conservators, to court visitors, court-appointed attorneys, guardians ad litem, and fiduciaries, and to the protection of the person or property of certain individuals, including minors; amending Rule 17(c), Alaska Rules of Civil Procedure, and Rules 16(f) and 17(e), Alaska Rules of Probate Procedure; and providing for an effective date."

HB 472

Representative Gruenberg removed his name as cosponsor to:

CS FOR HOUSE BILL NO. 472(JUD) am

"An Act relating to claims for personal injury or wrongful death against health care providers; and providing for an effective date."

ENGROSSMENT**HB 342**

CSHB 342(FIN) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 422

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. 422(STA)

"An Act repealing the special subaccount established in the constitutional budget reserve fund; and providing for an effective date."

HB 459

CSHB 459(STA) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 531

The following, which passed the House (page 3701), was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

CS FOR HOUSE BILL NO. 531(FIN) am

"An Act relating to natural gas exploration and development and to nonconventional gas, and amending the section under which shallow natural gas leases may be issued; and providing for an effective date."

HB 536

CSHB 536(MLV) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 551

CSHB 551(JUD) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 559

HB 559 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.

HOUSE JOURNAL

May 1, 2004

3751

The following meetings today have been changed as indicated:

Community & Regional Affairs Committee

CHANGED TO:

upon adj., 5/1

Labor & Commerce Committee

CANCELED:

3:00 p.m., 5/1

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 11:00 a.m., May 3, 2004. There being no objection, the House adjourned at 5:31 p.m.

Suzi Lowell
Chief Clerk