

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Tuesday

May 11, 2004

One Hundred Twenty-first Day

Pursuant to adjournment the House was called to order by Speaker Kott at 2:02 p.m.

Roll call showed 32 members present. Representatives Anderson, Croft, Gruenberg, Kookesh, Moses, Stoltze, Weyhrauch, and Williams were absent and their presence was noted later.

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

God on high, hear our prayer. We raise our unified voice to You in thankfulness for our life; for this beautiful day so reflective of Your glory.

Over the past two years many prayers have been spoken in these chambers; many hearts have been touched. As we close the Twenty-third Legislative Session, let us cherish the bittersweet memories that we have shared together: the heartaches and laughter that have resonated in these chambers, these halls, and in committee rooms.

God, humble us enough to learn from our errors and apologize for our mistakes. In retrospect, let us each examine whether we as a body collectively raised the bar - did each of us give our best to one another, to our constituents, and to ourselves. And in the stillness of the evening, may that answer individually be yes.

Lift us up in the palm of Your hand. Walk beside us and keep us safe. Amen.

The Pledge of Allegiance was led by Representative Fate.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 119th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

HB 347

A message dated May 7, 2004, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE BILL NO. 347

"An Act exempting taxicabs from the passenger vehicle rental tax; and providing for an effective date."

Chapter No. 29, SLA 2004

Effective Date: May 8, 2004

**The presence of Representative Moses was noted.

MESSAGES FROM THE SENATE

HCR 29

A message dated May 10, 2004, was read stating the Senate has passed:

HOUSE CONCURRENT RESOLUTION NO. 29 am

Relating to support for therapeutic courts for repeat driving while under the influence offenders.

HCR 29 am was referred to the Chief Clerk for enrollment.

HB 188

A message dated May 10, 2004, was read stating the Senate has passed:

HOUSE BILL NO. 188

"An Act relating to the authority of the Department of Natural Resources to issue citations for certain skiing violations; relating to establishing a bail schedule for certain skiing violations and to procedures for issuing a citation for a skiing violation."

HB 188 was referred to the Chief Clerk for enrollment.

HB 227

A message dated May 10, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 227(JUD)

"An Act increasing the jurisdictional limit for small claims and for magistrates from \$7,500 to \$10,000; increasing the jurisdictional limit of district courts in certain civil cases from \$50,000 to \$100,000; expanding the jurisdiction of district courts; limiting magistrates from hearing certain small claims cases; and amending Rule 11(a)(4), Alaska District Court Rules of Civil Procedure, relating to service of process for small claims."

CSHB 227(JUD) was referred to the Chief Clerk for enrollment.

HB 285

A message dated May 10, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 285(JUD)

"An Act adopting the Uniform Electronic Transactions Act; repealing certain statutes relating to electronic records and electronic signatures; amending Rule 402, Alaska Rules of Evidence; and providing for an effective date."

CSHB 285(JUD) was referred to the Chief Clerk for enrollment.

HB 366

A message dated May 10, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 366(FIN)

"An Act relating to animal classic charitable gaming; and providing for an effective date."

CSHB 366(FIN) was referred to the Chief Clerk for enrollment.

HB 421

A message dated May 10, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 421(JUD)

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

CSHB 421(JUD) was referred to the Chief Clerk for enrollment.

HB 489

A message dated May 10, 2004, was read stating the Senate has passed:

HOUSE BILL NO. 489

"An Act relating to the administration of the Alaska Vocational Technical Center; and providing for an effective date."

HB 489 was referred to the Chief Clerk for enrollment.

HB 500

A message dated May 10, 2004, was read stating the Senate has passed:

HOUSE BILL NO. 500(title am)

"An Act including the Joint Commission on Accreditation of Healthcare Organizations under the definition of medical review organizations."

HB 500(title am) was referred to the Chief Clerk for enrollment.

HB 534

A message dated May 10, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 534(FIN)

"An Act repealing the scheduled termination date of the office of victims' rights."

CSHB 534(FIN) was referred to the Chief Clerk for enrollment.

HB 536

A message dated May 10, 2004, was read stating the Senate has passed:

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."

CSHB 536(MLV) was referred to the Chief Clerk for enrollment.

HB 559

A message dated May 10, 2004, was read stating the Senate has passed:

HOUSE BILL NO. 559 am

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

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

HB 15

A message dated May 10, 2004, was read stating the Senate has passed CSHB 15(FIN) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 15(FIN)

"An Act relating to fair trade practices and consumer protection, to telephone solicitations, to charitable solicitations; and providing for an effective date."

CSHB 15(FIN) am is under Unfinished Business.

HB 93

A message dated May 10, 2004, was read stating the Senate has passed CSHB 93(FIN) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 93(TRA)

"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."

CSHB 93(FIN) is under Unfinished Business.

HB 252

A message dated May 10, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 252(STA)

"An Act relating to the terms and duties of the members of the State Board of Registration for Architects, Engineers and Land Surveyors."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 252(JUD)

"An Act relating to the terms and duties of the members of the State Board of Registration for Architects, Engineers and Land Surveyors; and relating to the employment and classification of an executive secretary for the board."

(SCR 24 - title change resolution)

CSHB 252(STA) is under Unfinished Business.

HB 272

A message dated May 10, 2004, was read stating the Senate has passed CSHB 272(STA) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 272(L&C) am S
"An Act relating to the advertising of motor vehicles, including trailers, for sale by motor vehicle dealers; relating to the financing of motor vehicle purchases; relating to motor vehicle sales contracts; relating to the disclosures required to be made by motor vehicle dealers when selling motor vehicles, including trailers, or when their service employees work on commission; relating to a motor vehicle dealer's selling as a new or current model vehicle, a motor vehicle required to be registered under AS 28.10; relating to a motor vehicle dealer's advertising an offer for the sale, lease, or purchase of a motor vehicle, including a trailer; relating to a motor vehicle dealer's conditioning the sale and delivery of a motor vehicle, including a trailer, on the buyer's purchase of other items; and relating to the return of a buyer's trade-in by a motor vehicle dealer."

CSHB 272(STA) am is under Unfinished Business.

**The presence of Representative Gruenberg was noted.

HB 273

A message dated May 10, 2004, was read stating the Senate has passed CSSH B 273(JUD) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR SS FOR HOUSE BILL NO.
273(JUD)
"An Act relating to the right of a parent to waive an unemancipated child's claim of negligence against a provider of sports or recreational activities."

CSSH B 273(JUD) am is under Unfinished Business.

HB 288

A message dated May 10, 2004, was read stating the Senate has passed:

2d CS FOR HOUSE BILL NO. 288(RLS)

"An Act changing the name of the Department of Community and Economic Development to the Department of Commerce and Community and Economic Development."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 288(STA)

"An Act changing the name of the Department of Community and Economic Development to the Department of Commerce, Community, and Economic Development."

(SCR 20 - title change resolution failed passage)

2d CSHB 288(RLS) is under Unfinished Business.

HB 385

A message dated May 10, 2004, was read stating the Senate has passed CSHB 385(JUD) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 385(JUD)

"An Act relating to awarding child custody; and providing for an effective date."

CSHB 385(JUD) is under Unfinished Business.

HB 418

A message dated May 10, 2004, was read stating the Senate has passed CSHB 418(FIN) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 418(FIN)

"An Act extending the termination date of the Real Estate Commission; relating to real estate; relating to home inspectors; relating to real estate licensees; and providing for an effective date."

CSHB 418(FIN) is under Unfinished Business.

HB 419

A message dated May 10, 2004, was read stating the Senate has passed CSHB 419(RES) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 419(FIN)

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

CSHB 419(RES) is under Unfinished Business.

HB 459

A message dated May 10, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 459(STA)

"An Act relating to optically scanned and electronically generated ballots; and providing for an effective date."

with the following amendment and it is transmitted for consideration:

CS FOR HOUSE BILL NO. 459(STA) am S

"An Act relating to optically scanned and electronically generated ballots and to early voting; and providing for an effective date."

(SCR 28 - title change resolution)

CSHB 459(STA) is under Unfinished Business.

HB 467

A message dated May 10, 2004, was read stating the Senate has passed CSHB 467(FIN) with the following amendment and it is transmitted for consideration:

CS FOR HOUSE BILL NO. 467(FIN) am S

"An Act establishing an Alaska Commemorative Coin Commission to develop the design concepts and to make recommendations regarding the final design of the Alaska quarter under the 50 States Commemorative Coin Program Act; and providing for an effective date."

CSHB 467(FIN) is under Unfinished Business.

HB 476

A message dated May 10, 2004, was read stating the Senate has passed CSHB 476(STA) with the following amendment and it is transmitted for consideration:

CS FOR HOUSE BILL NO. 476(STA) am S

"An Act establishing the Alaska Statehood Celebration Commission; and providing for an effective date."

CSHB 476(STA) is under Unfinished Business.

**The presence of Representative Kookesh was noted.

HB 494

A message dated May 10, 2004, was read stating the Senate has passed CSHB 494(FIN) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 494(FIN)

"An Act relating to the methods of disbursement of money by the state, including employment compensation, unemployment payments, and permanent fund dividends, and to bank investments and deposits by the state; and providing for an effective date."

CSHB 494(FIN) am is under Unfinished Business.

**The presence of Representative Croft was noted.

HB 531

A message dated May 10, 2004, was read stating the Senate has passed CSHB 531(FIN) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 531(FIN)

"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."

CSHB 531(FIN) am is under Unfinished Business.

HB 533

A message dated May 10, 2004, was read stating the Senate has passed CSHB 533(JUD) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 533(FIN)

"An Act relating to the state's administrative procedures and to judicial oversight of administrative matters."

CSHB 533(JUD) is under Unfinished Business.

SB 301

A message dated May 10, 2004, was read stating the President has appointed the following members to a Conference Committee:

Senator Bunde, Chair
Senator Stedman
Senator Olson

to meet with a like committee from the House to consider:

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

"An Act relating to the Alaska Pioneers' Home and the Alaska Veterans' Home; relating to eligibility for admission to the Alaska Pioneers' Home and Alaska Veterans' Home; relating to the

eligibility of residents for the Alaska Pioneers' Home and the Alaska Veterans' Home for general relief assistance; relating to state veterans' home facilities; making conforming amendments; and providing for an effective date."

and

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

The House members of the Conference Committee are Representatives Foster (Chair), Wilson, and Gruenberg (page 4082).

**The presence of Representative Anderson was noted.

Messages dated May 10, 2004, were read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS**

SCR 24

SENATE CONCURRENT RESOLUTION NO. 24 by the Senate Judiciary Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 252, relating to boards under AS 08.01.

was read the first time and taken up later as a Special Order of Business.

SCR 27

SENATE CONCURRENT RESOLUTION NO. 27 by the Senate Resources Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 452, relating to sport fishing operators and sport fishing guides.

was read the first time and taken up later as a Special Order of Business.

COMMUNICATIONS

The following letter dated May 10, 2004, was received:

"Re: Medical Services of Senator Donny Olson.

Dear Chief Clerk Lowell,

With this letter we wish to acknowledge and record our sincere and deep appreciation for the medical services that Senator Donny Olson has rendered to members and staff of the Alaska State Legislature. Too frequently, we have had medical events where fortunately he has been on scene in seconds, assessing and stabilizing the situation until other medical personnel and equipment can arrive.

The events themselves give us a sense of our vulnerability in this stressful arena of public service. His quick response, professionalism and take charge attitude has been a relief and comfort to us. His actions exemplify the value of medical care givers.

Moreover, he has been generously available to all of us to respond to personal medical complaints and uncertainties. In effect, he has been our resident doctor, not only making "House calls," but also "Senate calls."

We are most grateful for the actions and attention of Dr. Donny Olson, and express our sincere appreciation for the professionalism and compassion of this true friend who is always there in time of need.

Sincerely,

/s/

Representative Bill Stoltze
House District 16

/s/

Representative Lesil McGuire
House District 28"

REPORTS OF STANDING COMMITTEES

SB 306

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 306(FIN) am
"An Act relating to the practice of naturopathic medicine; and
providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 306(JUD)
(same title)

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

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

The following fiscal note(s) apply to HCS CSSB 306(JUD):

2. Zero, Dept. of Community & Economic Development

CSSB 306(FIN) am is on today's calendar.

REPORTS OF SPECIAL COMMITTEES

SB 301

The Conference Committee considering:

HOUSE CS FOR CS FOR SENATE BILL NO. 301(FIN) am H
"An Act relating to the Alaska Pioneers' Home and the Alaska
Veterans' Home; relating to eligibility for admission to the Alaska
Pioneers' Home and Alaska Veterans' Home; relating to the
eligibility of residents for the Alaska Pioneers' Home and the
Alaska Veterans' Home for general relief assistance; relating to
state veterans' home facilities; making conforming amendments;
and providing for an effective date."

and

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

requests limited powers of free conference on the following specific point(s):

House Changes to CSSB 301(FIN):

Change to section 2 amending Sec. 15.05.020. Rules for determining residence of voter:

Page 3, line 3, changed "by the voter notifying" to "if the voter notifies".

Changes to section 15 amending Sec. 47.55.010. Maintenance and operation of Alaska Pioneers' Home and Alaska Veterans' Home:

1. On page 6, line 31, and page 7, lines 2 and 5, the words "and operate" were added following the word "maintain".
2. On page 7, "Anchorage, Fairbanks, Juneau, Ketchikan, Palmer" were added after the word "Sitka" to indicate the places where Pioneers' Homes are operated.
3. Page 8, added lines 12 - 14, to read "(f) The department shall conduct, at least annually, an unannounced inspection of each site of the Alaska Pioneers' Home and the Alaska Veterans' Home to determine compliance of the facilities with all applicable laws and regulations."
4. Page 6, line 30, added the phrase "Except as otherwise provided in this subsection," after (a).

Changes to section 16 amending Sec. 47.55.020. Admission to a home:

1. Page 8, Line 27, changes the amount of income an individual who is being subsidized for the cost of care can keep from \$100 to \$150 each month.
2. Page 9, line 17, makes conforming change increasing \$100 to \$150.
3. Page 10, line 8, increases the value of personal property a subsidized resident may keep from \$5,000 to \$10,000.

The request was signed by Representatives Foster (Chair), Wilson, Gruenberg; and Senators Bunde (Chair), Stedman, Olson.

The Speaker granted the limited powers of free conference (page 4082).

HB 375

The Conference Committee with limited powers of free conference considering CSHB 375(FIN) am and SCS CSHB 375(FIN) am S(brf sup maj fld S) recommends the following be adopted:

CONFERENCE CS FOR HOUSE BILL NO. 375

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; and providing for an effective date."

The report was signed by Representatives Harris (Chair), Williams, Croft; and Senators Green, Wilken, Hoffman.

The report was received at 1:37 a.m., May 10, 2004, and is under Unfinished Business.

**The presence of Representative Stoltze was noted.

HB 377

The Conference Committee with limited powers of free conference considering CSHB 377(FIN) and SCS CSHB 377(FIN) recommends the following be adopted:

CONFERENCE CS FOR HOUSE BILL NO. 377

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

The report was signed by Representatives Harris (Chair), Williams, Croft; and Senators Green, Wilken, Hoffman.

The report was received at 1:37 a.m., May 10, 2004, and is under Unfinished Business.

SB 30

The Conference Committee considering HCS CSSB 30(JUD) and CSSB 30(JUD) am recommends the following be adopted:

CONFERENCE CS FOR SENATE BILL NO. 30

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

The report was signed by Representatives Dahlstrom (Chair), Coghill, Cissna; and Senators Dyson (Chair), Seekins, Lincoln.

The following fiscal note(s) apply to CCS SB 30:

3. Fiscal, Dept. of Health & Social Services
4. Fiscal, Dept. of Health & Social Services

The report is under Unfinished Business.

SB 283

The Free Conference Committee considering CSSB 283(FIN) am H and CSSB 283(FIN) recommends the following be adopted:

FREE CONFERENCE CS FOR SENATE BILL NO. 283

"An Act making, amending, and repealing appropriations, including capital appropriations, supplemental appropriations, reappropriations, and appropriations to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

(SCR 30 - title change resolution)

The report was signed by Representatives Williams (Chair), Kott, Joule; and Senators Wilken (Chair), Therriault, Hoffman.

The report was received at 6:55 a.m., May 11, 2004, and is under Unfinished Business.

**The presence of Representative Williams was noted.

SB 301

The Conference Committee with limited powers of free conference considering HCS CSSB 301(FIN) am H and CSSB 301(FIN) recommends the following be adopted:

CONFERENCE CS FOR SENATE BILL NO. 301

"An Act relating to the Alaska Pioneers' Home and the Alaska Veterans' Home; relating to eligibility for admission to the Alaska Pioneers' Home and Alaska Veterans' Home; relating to the eligibility of residents for the Alaska Pioneers' Home and the Alaska Veterans' Home for general relief assistance; relating to state veterans' home facilities; making conforming amendments; and providing for an effective date."

A Legislative letter of intent (Senate Journal page 2364) and a House letter of intent (page 3320) were attached.

The following fiscal note(s) apply to CCS SB 301:

1. Fiscal, Health, Education & Social Services

The report was signed by Representatives Foster (Chair), Wilson, Gruenberg; and Senators Bunde (Chair), Stedman, Olson.

The report is under Unfinished Business.

INTRODUCTION OF CITATIONS

The following citations were introduced and taken up later as the First Special Order Citation Calendar:

Honoring - Representative Hugh "Bud" Fate
By Representative Heinze

Honoring - Greg Pease
By Representatives Kerttula, Weyhrauch; Senator Elton

Honoring - Kim Rampmeyer, Darrell Vincek, Bowman Elementary School
By Representative Lynn

Honoring - Mae M. Tischer
By Representative Masek

Honoring - Centennial of Hope School
By Representative Hawker

Honoring - Valdez City School District
By Representative Harris; Senator Therriault

Honoring - Delta/Greely School District
By Representative Harris; Senator Therriault

Honoring - Academy Charter School
By Representative Gatto

Honoring - AARP Alaska, Annual Day of Service
By Representative Masek

Honoring - Dollars for Dogs, Inc.
By Representative Hawker

Honoring - Vonda K. Brown
By Senator Therriault

Honoring - Kenai Chamber of Commerce 2003 Community Awards
By Senator Wagoner

In Memoriam - William Kozlowski
By Representatives Kerttula, Weyhrauch; Senator Elton

In Memoriam - Leo A. Grasso, Sr.
By Representative Chenault

In Memoriam - Francis Frazier
By Representative Chenault

In Memoriam - Randy Dean Esquiro
By Representative Chenault

In Memoriam - Matilda S. Dzinich
By Representatives Kerttula, Weyhrauch; Senator Elton

In Memoriam - Lois A. Calvin
By Representative Chenault

In Memoriam - Lisa Danette Bird
By Representative Chenault

In Memoriam - Jack Austin III
By Representative Chenault

In Memoriam - Katie Ann Gilila Rael *Taassi*
By Representative Kapsner; Senator Hoffman

In Memoriam - Keli Ann Mahoney
By Representative Masek

In Memoriam - Kenneth Huizenga
By Representative McGuire

In Memoriam - Margaret "Maggie" Wigen
By Representatives Kerttula, Weyhrauch; Senators Lincoln, Elton

In Memoriam - Bethany Rose Correia
By Senator Ogan; Representative Masek

**The presence of Representative Weyhrauch was noted.

The Speaker stated that, without objection, all members of the House would be shown as cosponsors of the citation Honoring - Representative Hugh "Bud" Fate.

Representative Holm moved and asked unanimous consent that the House advance to Special Orders. There being no objection, it was so ordered.

SPECIAL ORDER OF BUSINESS

Representative Kerttula moved and asked unanimous consent that the following, which was offered by Representatives Heinze and Foster in honor of Representative Fate, be spread on the journal. There being no objection, it was so ordered.

1949 - Hugh Bud Fate grabbed saddle, boots, chaps,
headed to Hollywood.

Stopped in Washington to see his dad.
Sent his dad to Alaska.
Dad gets to Alaska and calls Bud for a job.

In Point Barrow and Umiat as a driller.
Paid \$1200 a month.

1950 and Bud's drafted to Korea,
came back to Alaska.

Traded his oil rig drill in for a dental drill.

Met Mary Jane

Bud then spent his life serving
and raising his family.

Bud has served in some capacity
under every single Governor.

Bud, we have been honored to have you in our
presence and you will be sorely missed.

Representative Holm led the members in singing the following:

You don't have to stay forever
We all understand
Even though you're far away
You'll still be close at hand

Believe us, believe us

We don't have to make a motion
Or join in a debate
We don't have to reconsider
We all know you're great
Believe us, believe us

Oh, Bud Fate
We will miss you so.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF SENATE BILLS

SB 302

The following, which is on today's calendar, is in the Finance Committee:

CS FOR SENATE BILL NO. 302(FIN)

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

SB 306

The following was read the second time:

CS FOR SENATE BILL NO. 306(FIN) am

"An Act relating to the practice of naturopathic medicine; and providing for an effective date."

with the:

Journal Page

JUD RPT HCS(JUD) 5DP

4213

FN2: ZERO(CED)

4214

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

HOUSE CS FOR CS FOR SENATE BILL NO. 306(JUD)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS CSSB 306(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 306(JUD) was read the third time.

The question being: "Shall HCS CSSB 306(JUD) pass the House?"
The roll was taken with the following result:

HCS CSSB 306(JUD)
Third Reading
Final Passage

YEAS: 35 NAYS: 5 EXCUSED: 0 ABSENT: 0

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

Nays: Foster, Kapsner, Kookesh, Lynn, Morgan

And so, HCS CSSB 306(JUD) passed the House.

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

HCS CSSB 306(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 368

The following, which is on today's calendar, is in the Finance Committee:

CS FOR SENATE BILL NO. 368(FIN) am

"An Act relating to taxes on cigarettes and tobacco products, to tax stamps on cigarettes, to forfeiture of cigarettes and of property used in the manufacture, transportation, or sale of unstamped cigarettes, and to licenses and licensees under the Cigarette Tax Act; and providing for an effective date."

THIRD READING OF SENATE BILLS**SB 224**

The following, which was advanced to third reading from the May 10, 2004, calendar (page 4120), was read the third time:

CS FOR SENATE BILL NO. 224(STA)

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

The question being: "Shall CSSB 224(STA) pass the House?" The roll was taken with the following result:

CSSB 224(STA)

Third Reading

Final Passage

YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

And so, CSSB 224(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.

CSSB 224(STA) was signed by the Speaker and Chief Clerk and returned to the Senate.

SB 227

The following, which was advanced to third reading from the May 10, 2004, calendar (page 4182), was read the third time:

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

The Speaker stated that, without objection, CSSB 227(STA) am would be returned to the Rules Committee.

RECONSIDERATION**SB 132**

Representative Rokeberg brought up reconsideration of the vote (page 4181) on the following and withdrew the motion.

CS FOR SENATE BILL NO. 132(RES)
"An Act removing the Old Minto townsite from the Minto Flats State Game Refuge; and authorizing the Department of Natural Resources to convey certain land at the historic Old Minto site to the Native Village of Minto."

SB 306

Representative Croft moved and asked unanimous consent that the House rescind previous action in passing the following (page 4223):

HOUSE CS FOR CS FOR SENATE BILL NO. 306(JUD)
"An Act relating to the practice of naturopathic medicine; and providing for an effective date."

The Speaker stated the motion was out of order because HCS CSSB 306(JUD) was not in possession of the House (page 4223).

SB 179

Representative Rokeberg brought up reconsideration of the vote on CSSB 179(FIN) (page 4156).

The following was again before the House in third reading:

CS FOR SENATE BILL NO. 179(FIN)

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

The question to be reconsidered: "Shall CSSB 179(FIN) pass the House?" The roll was taken with the following result:

CSSB 179(FIN)--RECONSIDERATION

Third Reading

Final Passage

YEAS: 28 NAYS: 6 EXCUSED: 0 ABSENT: 6

Yeas: Chenault, Crawford, Croft, Dahlstrom, Fate, Foster, Gatto, Gruenberg, Guttenberg, Harris, Holm, Joule, Kapsner, Kookesh, Kott, Lynn, Masek, Meyer, Morgan, Moses, Ogg, Rokeberg, Seaton, Stepovich, Stoltze, Williams, Wilson, Wolf

Nays: Berkowitz, Coghill, Hawker, Kerttula, Kohring, Samuels

Absent: Anderson, Cissna, Gara, Heinze, McGuire, Weyhrauch

Kohring changed from "Yea" to "Nay".

And so, CSSB 179(FIN) passed the House on reconsideration.

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

CSSB 179(FIN) was signed by the Speaker and Chief Clerk and returned to the Senate.

SB 232

Representative Rokeberg brought up reconsideration of the vote on CSSB 232(FIN) (page 4121).

The following was again before the House in third reading:

CS FOR SENATE BILL NO. 232(FIN)

"An Act relating to federal tax requirements for and other provisions of the teachers' retirement system, the public employees' retirement system, and the judicial retirement system; removing village public safety officers from the public employees' retirement system; eliminating the public employees' retirement system conditional duty to refund contributions under \$1,000 to inactive employees; limiting service credit for village public safety officer service in the public employees' retirement system to five years; and providing for an effective date."

The question to be reconsidered: "Shall CSSB 232(FIN) pass the House?" The roll was taken with the following result:

CSSB 232(FIN)--RECONSIDERATION

Third Reading

Final Passage

YEAS: 34 NAYS: 0 EXCUSED: 0 ABSENT: 6

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

Absent: Anderson, Cissna, Gara, Heinze, McGuire, Weyhrauch

And so, CSSB 232(FIN) passed the House on reconsideration.

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

CSSB 232(FIN) was signed by the Speaker and Chief Clerk and returned to the Senate.

CONCUR IN SENATE AMENDMENTS

HB 10

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4029) on the following at this time:

CS FOR HOUSE BILL NO. 10(HES)

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

and

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

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 10(HES), thus adopting SCS CSHB 10(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 10(HES)?" The roll was taken with the following result:

SCS CSHB 10(FIN)

Concur

YEAS: 39 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Weyhrauch

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 10(FIN).

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

The Chief Clerk notified the Senate.

SCS CSHB 10(FIN) was referred to the Chief Clerk for enrollment.

HB 93

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4206) on the following at this time:

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."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 93(TRA)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 93(FIN), thus adopting SCS CSHB 93(TRA), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 93(FIN)?" The roll was taken with the following result:

SCS CSHB 93(TRA)
Concur

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

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

Nays: Holm, Kohring, Stoltze

Absent: Weyhrauch

Holm changed from "Yea" to "Nay".

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 93(TRA).

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

The Chief Clerk notified the Senate.

SCS CSHB 93(TRA) was referred to the Chief Clerk for enrollment.

HB 467

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4210) on the following at this time:

CS FOR HOUSE BILL NO. 467(FIN)

"An Act establishing an Alaska Commemorative Coin Commission to develop the design concepts and to make recommendations regarding the final design of the Alaska quarter under the 50 States Commemorative Coin Program Act; and providing for an effective date."

and

CS FOR HOUSE BILL NO. 467(FIN) am S
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 467(FIN), thus adopting CSHB 467(FIN) am S, and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 467(FIN)?" The roll was taken with the following result:

CSHB 467(FIN) am S

Concur

YEAS: 39 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Rokeberg

And so, the House concurred in the Senate amendment, thus adopting CSHB 467(FIN) am S.

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

The Chief Clerk notified the Senate.

CSHB 467(FIN) am S was referred to the Chief Clerk for enrollment.

HB 476

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4210) on the following at this time:

CS FOR HOUSE BILL NO. 476(STA)

"An Act establishing the Alaska Statehood Celebration Commission; and providing for an effective date."

and

CS FOR HOUSE BILL NO. 476(STA) am S
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 476(STA), thus adopting CSHB 476(STA) am S, and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 476(STA)?" The roll was taken with the following result:

CSHB 476(STA) am S

Concur

YEAS: 39 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Kohring

And so, the House concurred in the Senate amendment, thus adopting CSHB 476(STA) am S.

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

The Chief Clerk notified the Senate.

CSHB 476(STA) am S was referred to the Chief Clerk for enrollment.

RECONSIDERATION

SB 357

Representative Croft brought up reconsideration of the vote on the following (page 4161):

HOUSE CS FOR CS FOR SENATE BILL NO. 357(FIN) am H
"An Act relating to the regulation of insurance, insurance licenses, qualifications of insurance producers, surplus lines, fraud investigations, electronic transactions, and compliance with federal law and national standards; and providing for an effective date."

HCS CSSB 357(FIN) am H was again before the House in third reading.

Representative Croft moved and asked unanimous consent that HCS CSSB 357(FIN) am H 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 Croft:

Page 30, line 30, following "AS 21.34.080(c);":
Insert "AS 21.39.155(c);"

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

The question to be reconsidered: "Shall HCS CSSB 357(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 357(FIN) am H--RECONSIDERATION

Third Reading

Final Passage

YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

And so, HCS CSSB 357(FIN) am H passed the House on reconsideration.

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

Representative Coghill moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on adoption of the House Finance Committee letter of intent (page 4049). There being no objection, it was so ordered.

HCS CSSB 357(FIN) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration. The House later receded from its amendments.

CONCUR IN SENATE AMENDMENTS

HB 494

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4210) on the following at this time:

CS FOR HOUSE BILL NO. 494(FIN) am

"An Act relating to the methods of disbursement of money by the state, including employment compensation, unemployment payments, and permanent fund dividends, and to bank investments and deposits by the state; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 494(FIN)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 494(FIN) am, thus adopting SCS CSHB 494(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 494(FIN) am?" The roll was taken with the following result:

SCS CSHB 494(FIN)
Concur

YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 494(FIN).

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

The Chief Clerk notified the Senate.

SCS CSHB 494(FIN) was referred to the Chief Clerk for enrollment.

HB 123

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4029) on the following at this time:

CS FOR HOUSE BILL NO. 123(FIN)

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

and

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

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 123(FIN), thus adopting SCS CSHB 123(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 123(FIN)?" The roll was taken with the following result:

SCS CSHB 123(FIN)

Concur

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

Yeas: Berkowitz, Chenault, Coghill, Crawford, Croft, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Heinze, Joule, Kapsner, Kerttula, Kohring, Lynn, Masek, McGuire, Meyer, Moses, Ogg, Samuels, Seaton, Stoltze, Weyhrauch, Wilson

Nays: Rokeberg, Wolf

Absent: Anderson, Cissna, Harris, Holm, Kookesh, Kott, Morgan, Stepovich, Williams

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 123(FIN).

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

The Chief Clerk notified the Senate.

SCS CSHB 123(FIN) was referred to the Chief Clerk for enrollment.

HB 336

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4004) on the following at this time:

CS FOR HOUSE BILL NO. 336(JUD) am

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

and

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

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

(technical title change)

There being no objection, it was so ordered.

Representative Meyer placed a call of the House.

The Speaker stated the call was satisfied.

Representative Rokeberg moved the previous question.

Representative Croft objected.

The question being: "Shall the question be called?" The roll was taken with the following result:

SCS CSHB 336(JUD)(efd fld S)

Concur

Call for the Question

YEAS: 29 NAYS: 11 EXCUSED: 0 ABSENT: 0

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

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

And so, the motion passed.

The Speaker stated the question being: "Shall the House concur in the Senate amendment to CSHB 336(JUD) am?" The roll was taken with the following result:

SCS CSHB 336(JUD)(efd fld S)

Concur

YEAS: 21 NAYS: 19 EXCUSED: 0 ABSENT: 0

Yeas: Anderson, Chenault, Dahlstrom, Fate, Foster, Gatto, Harris, Hawker, Heinze, Kohring, Kott, Lynn, McGuire, Meyer, Morgan, Moses, Rokeberg, Samuels, Stoltze, Williams, Wilson

Nays: Berkowitz, Cissna, Coghill, Crawford, Croft, Gara, Gruenberg, Guttenberg, Holm, Joule, Kapsner, Kerttula, Kookesh, Masek, Ogg, Seaton, Stepovich, Weyhrauch, Wolf

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 336(JUD)(efd fld S).

The Chief Clerk notified the Senate.

SCS CSHB 336(JUD)(efd fld S) was referred to the Chief Clerk for enrollment.

HB 459

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4209) on the following at this time:

CS FOR HOUSE BILL NO. 459(STA)

"An Act relating to optically scanned and electronically generated ballots; and providing for an effective date."

and

CS FOR HOUSE BILL NO. 459(STA) am S

"An Act relating to optically scanned and electronically generated ballots and to early voting; and providing for an effective date."

(SCR 28 - title change resolution)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 459(STA), thus adopting CSHB 459(STA) am S, and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 459(STA)?" The roll was taken with the following result:

CSHB 459(STA) am S

Concur

YEAS: 35 NAYS: 0 EXCUSED: 0 ABSENT: 5

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

Absent: Dahlstrom, Joule, Morgan, Moses, Stepovich

And so, the House concurred in the Senate amendment, thus adopting CSHB 459(STA) am S.

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

The Chief Clerk notified the Senate.

CSHB 459(STA) am S was referred to the Chief Clerk for enrollment.

Representative Berkowitz moved and asked unanimous consent that the House move down the calendar to Second Reading of Senate Resolutions. There being no objection, the House advanced to:

CONSIDERATION OF THE DAILY CALENDAR

(continued)

SECOND READING OF SENATE RESOLUTIONS

SCR 28

The House moved down the calendar to consider the following:

SENATE CONCURRENT RESOLUTION NO. 28

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 459, relating to optically scanned and electronically generated ballots.

The question being: "Shall SCR 28 pass the House?" The roll was taken with the following result:

SCR 28

Final Passage

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

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

Absent: Joule, Moses

And so, SCR 28 passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

CONCUR IN SENATE AMENDMENTS

HB 524

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 3783) on the following at this time:

HOUSE BILL NO. 524 am

"An Act relating to the protection of land and water from waste disposal; providing for the regulation of waste management; making conforming amendments; and providing for an effective date."

and

SENATE CS FOR HOUSE BILL NO. 524(RES)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to HB 524 am, thus adopting SCS HB 524(RES), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to HB 524 am?" The roll was taken with the following result:

SCS HB 524(RES)

Concur

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

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

Absent: Joule, Kookesh, Moses

And so, the House concurred in the Senate amendment, thus adopting SCS HB 524(RES).

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

The Chief Clerk notified the Senate.

SCS HB 524(RES) was referred to the Chief Clerk for enrollment.

HB 272

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4207) on the following at this time:

CS FOR HOUSE BILL NO. 272(STA) am

"An Act relating to the advertising of motor vehicles, including trailers, for sale by motor vehicle dealers; relating to the financing of motor vehicle purchases; relating to motor vehicle sales contracts; relating to the disclosures required to be made by motor vehicle dealers when selling motor vehicles, including trailers, or when their service employees work on commission; relating to a motor vehicle dealer's selling as a new or current model vehicle, a motor vehicle required to be registered under AS 28.10; relating to a motor vehicle dealer's advertising an offer for the sale, lease, or purchase of a motor vehicle, including a trailer; relating to a motor vehicle dealer's conditioning the sale and delivery of a motor vehicle, including a trailer, on the buyer's purchase of other items; and relating to the return of a buyer's trade-in by a motor vehicle dealer."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 272(L&C) am S
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 272(STA) am, thus adopting SCS CSHB 272(L&C) am S, and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 272(STA) am?" The roll was taken with the following result:

SCS CSHB 272(L&C) am S
Concur

YEAS: 39 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Joule

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 272(L&C) am S.

The Chief Clerk notified the Senate.

SCS CSHB 272(L&C) am S was referred to the Chief Clerk for enrollment.

HB 273

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4207) on the following at this time:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.
273(JUD) am

"An Act relating to the right of a parent to waive an unemancipated child's claim of negligence against a provider of sports or recreational activities."

and

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

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSSSHB 273(JUD) am, thus adopting SCS CSSSHB 273(JUD), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSSSHB 273(JUD) am?" The roll was taken with the following result:

SCS CSSSHB 273(JUD)

Concur

YEAS: 39 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Berkowitz

And so, the House concurred in the Senate amendment, thus adopting SCS CSSSHB 273(JUD).

The Chief Clerk notified the Senate.

SCS CSSSHB 273(JUD) was referred to the Chief Clerk for enrollment.

HB 418

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4208) on the following at this time:

CS FOR HOUSE BILL NO. 418(FIN)

"An Act extending the termination date of the Real Estate Commission; relating to real estate; relating to home inspectors; relating to real estate licensees; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 418(FIN)
(same title)

There being no objection, it was so ordered.

Representative Lynn declared a conflict of interest.

The Speaker stated the question being: "Shall the House concur in the Senate amendment to CSHB 418(FIN)?" The roll was taken with the following result:

SCS CSHB 418(FIN)

Concur

YEAS: 28 NAYS: 11 EXCUSED: 0 ABSENT: 1

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

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

Absent: Morgan

Kapsner changed from "Yea" to "Nay".

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 418(FIN).

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

The Chief Clerk notified the Senate.

SCS CSHB 418(FIN) was referred to the Chief Clerk for enrollment.

HB 419

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4209) on the following at this time:

CS FOR HOUSE BILL NO. 419(RES)

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

and

SENATE CS FOR CS FOR HOUSE BILL NO. 419(FIN)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 419(RES), thus adopting SCS CSHB 419(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 419(RES)?" The roll was taken with the following result:

SCS CSHB 419(FIN)

Concur

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

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

Nays: Berkowitz, Crawford, Kerttula, Kohring

Absent: Gara

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 419(FIN).

The Chief Clerk notified the Senate.

SCS CSHB 419(FIN) was referred to the Chief Clerk for enrollment.

HB 438

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4005) on the following at this time:

CS FOR HOUSE BILL NO. 438(JUD) am
"An Act relating to motorists moving over or slowing down for emergency vehicles."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 438(STA)
(same title) ."

There being no objection, it was so ordered.

The Speaker stated the question being: "Shall the House concur in the Senate amendment to CSHB 438(JUD) am?" The roll was taken with the following result:

SCS CSHB 438(STA)
Concur

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

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

Absent: Berkowitz, Gara

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 438(STA).

The Chief Clerk notified the Senate.

SCS CSHB 438(STA) was referred to the Chief Clerk for enrollment.

HB 531

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4211) on the following at this time:

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."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 531(FIN)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 531(FIN) am, thus adopting SCS CSHB 531(FIN), and recommended that the members vote yes.

Representatives Kerttula and Rokeberg 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 the House concur in the Senate amendment to CSHB 531(FIN) am?" The roll was taken with the following result:

SCS CSHB 531(FIN)

Concur

YEAS: 32 NAYS: 5 EXCUSED: 0 ABSENT: 3

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

Nays: Cissna, Crawford, Croft, Guttenberg, Kerttula

Absent: Foster, McGuire, Samuels

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 531(FIN).

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

The Chief Clerk notified the Senate.

SCS CSHB 531(FIN) was referred to the Chief Clerk for enrollment.

HB 15

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4205) on the following at this time:

CS FOR HOUSE BILL NO. 15(FIN) am

"An Act relating to fair trade practices and consumer protection, to telephone solicitations, to charitable solicitations; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 15(FIN)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 15(FIN) am, thus adopting SCS CSHB 15(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 15(FIN) am?" The roll was taken with the following result:

SCS CSHB 15(FIN)
Concur

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

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

Nays: Kohring

Absent: McGuire, Samuels

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 15(FIN).

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

The Chief Clerk notified the Senate.

SCS CSHB 15(FIN) was referred to the Chief Clerk for enrollment.

HB 385

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4208) on the following at this time:

CS FOR HOUSE BILL NO. 385(JUD)

"An Act relating to awarding child custody; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 385(JUD)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 385(JUD), thus adopting SCS CSHB 385(JUD), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 385(JUD)?" The roll was taken with the following result:

SCS CSHB 385(JUD)

Concur

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

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

Nays: Kohring

Absent: Chenault, Dahlstrom, Samuels

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 385(JUD).

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

The Chief Clerk notified the Senate.

SCS CSHB 385(JUD) was referred to the Chief Clerk for enrollment.

HB 260

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4004) on the following at this time:

CS FOR HOUSE BILL NO. 260(JUD)

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

and

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

There being no objection, it was so ordered.

Representative Lynn declared a conflict of interest.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 260(JUD), thus adopting SCS CSHB 260(JUD), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 260(JUD)?" The roll was taken with the following result:

SCS CSHB 260(JUD)

Concur

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

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

Nays: Kohring, Lynn

Absent: Chenault, Hawker, Kookesh

Anderson changed from "Nay" to "Yea".

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 260(JUD).

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

The Chief Clerk notified the Senate.

SCS CSHB 260(JUD) was referred to the Chief Clerk for enrollment.

The Speaker stated that, without objection, the House would recess; and so, the House recessed at 4:47 p.m.

AFTER RECESS

The Speaker called the House back to order at 8:27 p.m.

Without objection, the House reverted to:

MESSAGES FROM THE SENATE

HB 29

A message dated May 11, 2004, was read stating the Senate has passed CSSH B 29(JUD) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR SS FOR HOUSE BILL NO. 29(JUD)
"An Act relating to real estate licensees and real estate transactions; and providing for an effective date."

CSSH B 29(JUD) am is under Unfinished Business.

HB 309

A message dated May 11, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 309(JUD) am
"An Act relating to nonindigenous fish."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO 309(RES) am S
"An Act relating to nonindigenous fish and consecutive sentencing; and providing for an effective date."

(SCR 33 - title change resolution)

The message further stated that under Rule 43(b) of the Uniform Rules engrossment had been waived and the following certified amendment was attached:

Page 1, line 1, following "**nonindigenous fish**" (title amendment):

Insert "**and consecutive sentencing; and providing for an effective date**"

Page 1, line 5, following "that":

Insert "section 4 of"

Page 1, following line 8:

Insert new bill sections to read:

**** Sec. 2.** AS 12.55.025(c) is amended to read:

(c) Except as provided in (d) [AND (e)] of this section, when a defendant is sentenced to imprisonment, the term of confinement commences on the date of imposition of sentence unless the court specifically provides that the defendant must report to serve the sentence on another date. If the court provides another date to begin the term of confinement, the court shall provide the defendant with written notice of the date, time, and location of the correctional facility to which the defendant must report. A defendant shall receive credit for time spent in custody pending trial, sentencing, or appeal, if the detention was in connection with the offense for which sentence was imposed. A defendant may not receive credit for more than the actual time spent in custody pending trial, sentencing, or appeal. The time during which a defendant is voluntarily absent from official detention after the defendant has been sentenced may not be credited toward service of the sentence.

*** Sec. 3.** AS 12.55 is amended by adding a new section to read:

Sec. 12.55.127. Consecutive and concurrent terms of

imprisonment. (a) If a defendant is required to serve a term of imprisonment under a separate judgment, a term of imprisonment imposed in a later judgment, amended judgment, or probation revocation shall be consecutive.

(b) Except as provided in (c) of this section, if a defendant is being sentenced for two or more crimes in a single judgment, terms of imprisonment may be concurrent or partially concurrent.

(c) If the defendant is being sentenced for

(1) escape, the term of imprisonment shall be consecutive to the term for the underlying crime;

(2) two or more crimes under AS 11.41, a consecutive term of imprisonment shall be imposed for at least

(A) the mandatory minimum term under AS 12.55.125(a) for each additional crime that is murder in the first degree;

(B) the mandatory minimum term for each additional crime that is an unclassified felony governed by AS 12.55.125(b);

(C) the presumptive term specified in AS 12.55.125(c) or the active term of imprisonment, whichever is less, for each additional crime that is

(i) manslaughter; or

(ii) kidnapping that is a class A felony;

(D) two years or the active term of imprisonment, whichever is less, for each additional crime that is criminally negligent homicide;

(E) one-fourth of the presumptive term under AS 12.55.125(c) or (i) for each additional crime that is sexual assault in the first degree under AS 11.41.410 or sexual abuse of a minor in the first degree under AS 11.41.434, or an attempt, solicitation or conspiracy to commit those offenses; and

(F) some additional term of imprisonment for each additional crime, or each additional attempt or solicitation to commit the offense, under AS 11.41.200 - 11.41.250, 11.41.420 - 11.41.432, 11.41.436 - 11.41.458, or 11.41.500 - 11.41.520.

(d) In this section,

(1) "active term of imprisonment" means the total term of imprisonment imposed for a crime, minus suspended

imprisonment;

(2) "additional crime" means a crime that is not the primary crime;

(3) "primary crime" means the crime

(A) for which the sentencing court imposes the longest active term of imprisonment; or

(B) that is designated by the sentencing court as the primary crime when no single crime has the longest active term of imprisonment."

Renumber the following bill sections accordingly.

Page 2, following line 23:

Insert new bill sections to read:

"* **Sec. 5.** AS 33.16.090(b) is amended to read:

(b) Except as provided in (e) of this section, a prisoner is not eligible for discretionary parole during the term of a presumptive sentence; however, a prisoner is eligible for discretionary parole during a term of sentence enhancement imposed under AS 12.55.155(a) or during the term of a consecutive or partially consecutive presumptive sentence imposed under **AS 12.55.127** [AS 12.55.025(e) OR (g)]. A prisoner sentenced to a mandatory 99-year term under AS 12.55.125(a) or a definite term under AS 12.55.125(l) is not eligible for discretionary parole during the entire term.

* **Sec. 6.** AS 33.16.090(c) is amended to read:

(c) Except as provided in (e) of this section, a prisoner eligible for discretionary parole during a period of sentence enhancement imposed under AS 12.55.155(a) or during a consecutive or partially consecutive presumptive sentence imposed under **AS 12.55.127** [AS 12.55.025(e) OR (g)] shall serve the unenhanced portion of the sentence or the initial presumptive sentence before being otherwise eligible for discretionary parole under AS 33.16.100(c) or (d). For purposes of this subsection, the sentence for the most serious offense in the case of consecutive or partially consecutive presumptive sentences shall be considered the initial presumptive sentence. The unenhanced sentence or the initial presumptive sentence is considered served for purposes of discretionary parole on the date the unenhanced or initial presumptive sentence is due to expire less good time earned under AS 33.20.010.

* **Sec. 7.** AS 12.55.025(e), 12.55.025(g), and 12.55.025(h) are repealed.

* **Sec. 8.** APPLICABILITY. Sections 2, 3, and 5 - 7 of this Act apply to offenses occurring on or after the effective date of those sections of this Act.

* **Sec. 9.** Sections 2, 3, 5-9 of this Act take effect July 1, 2004."

CSHB 309(JUD) am is under Unfinished Business.

HB 452

A message dated May 11, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 452(FIN) am

"An Act relating to licensing and regulation of sport fishing operators and sport fishing guides; authorizing the Department of Fish and Game and the Alaska Commercial Fisheries Entry Commission to release records and reports to the Department of Natural Resources and the Department of Public Safety; and providing for an effective date."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 452(RES)

"An Act relating to licensing and regulation of sport fishing operators and sport fishing guides; relating to licensing and registration of sport fishing vessels; authorizing the Department of Fish and Game and the Alaska Commercial Fisheries Entry Commission to release records and reports to the Department of Natural Resources and the Department of Public Safety; and providing for an effective date."

(SCR 27 - title change resolution)

CSHB 452(FIN) am is under Unfinished Business.

HB 464

A message dated May 11, 2004, was read stating the Senate has passed:

HOUSE BILL NO. 464

"An Act extending the termination date of the Board of Certified Real Estate Appraisers."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR HOUSE BILL NO. 464(FIN) am S

"An Act extending the termination date of the Board of Certified Real Estate Appraisers; relating to the Big Game Commercial Services Board and to the regulation of big game hunting services and transportation services; and providing for an effective date."

(SCR 31 - title change resolution)

The message further stated that under Rule 43(b) of the Uniform Rules engrossment had been waived and the following certified amendment was attached:

Page 1, line 2, following "**appraisers**" (title amendment):

Insert "**; relating to the Big Game Commercial Services Board and to the regulation of big game hunting services and transportation services; and providing for an effective date**"

Page 1, following line 3:

Insert a new bill section to read:

**** Section 1.** AS 08.01.010(7) is amended to read:

(7) Big Game Commercial Services Board
(AS 08.54.591) and regulation of big game guides and transporters under AS 08.54;"

Page 1, line 4:

Delete "**Section 1**"

Insert "**Sec. 2**"

Page 1, following line 6:

Insert new bill sections to read:

**** Sec. 3.** AS 08.03.010(c) is amended by adding a new paragraph to read:

(22) Big Game Commercial Services Board
(AS 08.54.591) -- June 30, 2007.

* **Sec. 4.** AS 08.54 is amended by adding new sections to article 1 to read:

Sec. 08.54.591. Creation and membership of board. (a)

For the purposes of licensing and regulating the activities of providers of commercial services to big game hunters in the interest of the state's wildlife resources, there is created the Big Game Commercial Services Board. For administrative purposes, the board is in the Department of Community and Economic Development.

(b) The board consists of seven members as follows:

(1) two members who are current, licensed registered guide-outfitters;

(2) two members who are licensed transporters;

(3) one member of the Board of Game who is chosen by the Board of Game and who does not hold a guide or transport license;

(4) one member who represents private landholders affected by guided hunting activities or transportation services and who does not hold a license issued under this chapter; and

(5) one public member.

Sec. 08.54.595. Board assistance. The Department of Fish and Game, Department of Natural Resources, Department of Law, and Department of Public Safety shall provide the board with information, data, or technical assistance requested by the board for the purposes of licensing and regulating the activities of providers of commercial services to big game hunters.

* **Sec. 5.** AS 08.54.600 is amended to read:

Sec. 08.54.600. Duties of board [DEPARTMENT]. (a)

The board [DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT] shall

(1) prepare and [,] grade [, AND ADMINISTER]

(A) a qualification examination for a registered guide-outfitter [GUIDE] license that requires demonstration that the applicant is qualified generally to provide guided and outfitted hunts and, in particular, possesses knowledge of fishing, hunting, and guiding laws and regulations; and

(B) a certification examination for each game management unit in which the registered guide-outfitter [GUIDE] intends to provide big game hunting services; the examination must require demonstration that the registered

guide-outfitter [GUIDE] is qualified to provide guided and outfitted hunts in the game management unit for which the registered **guide-outfitter** [GUIDE] seeks to be certified and, in particular, must require demonstration that the registered **guide-outfitter** [GUIDE] possesses knowledge of the terrain, transportation problems, game, and other characteristics of the game management unit;

(2) **authorize the issuance of** [ISSUE] registered **guide-outfitter** [GUIDE], master **guide-outfitter** [GUIDE], class-A assistant guide, assistant guide, and transporter licenses;

(3) [COMPILE, MAINTAIN, AND PUBLISH AN ANNUAL ROSTER OF REGISTERED GUIDES AND MASTER GUIDES LICENSED UNDER THIS CHAPTER; A PERSON LISTED IN THE ROSTER WHOSE LICENSE IS REVOKED OR SUSPENDED SHALL BE REMOVED FROM THE ROSTER WHILE THE PERSON'S LICENSE IS REVOKED OR SUSPENDED;

(4) impose appropriate disciplinary sanctions on a licensee under AS 08.54.600 - 08.54.790;

(4) [(5)] require an applicant for issuance or renewal of any class of guide license or of a transporter license to state in a written and signed document whether the applicant's right to obtain, or exercise the privileges granted by, a hunting, guiding, outfitting, or transportation services license is revoked or suspended in this state or another state or in Canada;

(5) [(6)] regularly disseminate information regarding examinations and other qualifications for all classes of guide licenses to residents of the rural areas of the state;

(6) [(7)] adopt procedural and substantive regulations required by this chapter;

(7) **provide for administration of** [(8) ADMINISTER] examinations for registered **guide-outfitters** [GUIDES] at least twice a year [; AN EXAMINATION MAY NOT BE GIVEN WITHIN 90 DAYS AFTER THE PREVIOUS EXAMINATION; AT LEAST ONCE EVERY OTHER YEAR THE DEPARTMENT SHALL GIVE THE EXAMINATION AT A LOCATION OTHER THAN ANCHORAGE].

(b) The **board** [DEPARTMENT] shall provide for administration of an oral examination for a registered **guide-outfitter** [GUIDE] license or for a game management unit

certification if **requested at the time of application for the license** [AN APPLICANT EXPERIENCES A SPECIFIC LANGUAGE DISABILITY].

* **Sec. 6.** AS 08.54.600 is amended by adding a new subsection to read:

(c) The board may adopt regulations as the board considers appropriate to

(1) establish a code of ethics for professions regulated by the board;

(2) establish requirements for the contents of written contracts to provide big game hunting services and transportation services to clients;

(3) authorize the department to request a copy of a big game hunting services or transportation services contract entered into by a person licensed under this chapter.

* **Sec. 7.** AS 08.54.605(a) is amended to read:

(a) Notwithstanding AS 08.54.610, 08.54.620, 08.54.630, 08.54.650, and 08.54.660, a person may not receive or renew a registered **guide-outfitter** [GUIDE] license, master **guide-outfitter** [GUIDE] license, class-A assistant guide license, assistant guide license, or transporter license if

(1) the person has been convicted of

(A) a violation of a state **or federal** hunting, guiding, or transportation services statute or regulation [WITHIN THE LAST FIVE YEARS] for which the person was

(i) [FINED MORE THAN \$1,000 OR] imprisoned for more than five days **within the previous five years;**

(ii) fined more than \$1,000 in the previous 12 months;

(iii) fined more than \$3,000 in the previous 36 months; or

(iv) fined more than \$5,000 in the previous 60 months;

(B) a felony within the last five years; or

(C) a felony offense against the person under AS 11.41 within the last 10 years; or

(2) the person's right to obtain, or exercise the privileges granted by, a hunting, guiding, outfitting, or transportation services license is suspended or revoked in this state or another

state or in Canada.

* **Sec. 8.** AS 08.54.605(c) is amended to read:

(c) A person may not receive a certification for a game management unit if the person is prohibited by (a) of this section from receiving or renewing a registered **guide-outfitter** [GUIDE] license or master **guide-outfitter** [GUIDE] license.

* **Sec. 9.** AS 08.54.610 is amended to read:

Sec. 08.54.610. Registered guide-outfitter [GUIDE] license. (a) A natural person is entitled to a registered **guide-outfitter** [GUIDE] license if the person

(1) is 21 years of age or older;

(2) has practical field experience in the handling of firearms, hunting, judging trophies, field preparation of meat and trophies, first aid, photography, and related guiding and outfitting activities;

(3) either

(A) has passed the qualification examination prepared [AND ADMINISTERED] by the **board** [DEPARTMENT] under AS 08.54.600; or

(B) provides evidence of 25 years of experience as a class-A assistant guide or class-A assistant guide-outfitter;

(4) has passed a certification examination prepared [AND ADMINISTERED] by the **board** [DEPARTMENT] under AS 08.54.600 for at least one game management unit;

(5) has legally hunted **big game** in the state for part of each of any five years in a manner directly contributing to the person's experience and competency as a guide;

(6) has been licensed as and performed the services of a class-A assistant guide or assistant guide, or of a class-A assistant guide-outfitter or assistant guide-outfitter under former AS 08.54.300 - 08.54.590, in the state for a part of each of three years;

(7) is capable of performing the essential duties associated with guiding and outfitting;

(8) has been favorably recommended in writing by eight big game hunters whose recommendations have been solicited by the department from a list provided by the applicant, including at least two favorable recommendations for each year of any three years during which the person was a class-A assistant guide or assistant guide, or a class-A assistant guide-outfitter or assistant

guide-outfitter under former AS 08.54.300 - 08.54.590;

(9) has provided proof of financial responsibility if required by the department under AS 08.54.680; and

(10) has applied for a registered **guide-outfitter** [GUIDE] license on a form provided by the department and paid the license application fee and the registered **guide-outfitter** [GUIDE] license fee.

(b) A master **guide-outfitter** [GUIDE] license authorizes a registered **guide-outfitter** [GUIDE] to use the title master **guide-outfitter** [GUIDE], but is for all other purposes under this chapter a registered **guide-outfitter** [GUIDE] license. A natural person is entitled to receive a renewable master **guide-outfitter** [GUIDE] license if the person

(1) is, at the time of application for a master **guide-outfitter** [GUIDE] license, licensed as a registered **guide-outfitter** [GUIDE] under this section;

(2) has been licensed in this state as a registered guide or a guide-outfitter, under former AS 08.54.010 - 08.54.240, former AS 08.54.300 - 08.54.590, or this chapter, for at least 12 of the last 15 years, including the year immediately preceding the year in which the person applies for a master **guide-outfitter** [GUIDE] license;

(3) submits a list to the department of at least 25 clients for whom the person has personally provided guiding or outfitting services and the person receives a favorable evaluation from 10 of the clients selected from the list by the department; and

(4) applies for a master **guide-outfitter** [GUIDE] license on a form provided by the department and pays the application fee, if any.

(c) A registered **guide-outfitter** [GUIDE] may contract to guide or outfit hunts for big game and may provide transportation services, personally or through an assistant, to big game hunters who are clients of the **registered guide-outfitter** [GUIDE].

(d) A person who is licensed as a registered **guide-outfitter** [GUIDE] may be employed by another registered **guide-outfitter** [GUIDE] to perform the functions of a registered **guide-outfitter** [GUIDE] or class-A assistant guide in the game management unit for which the person is certified under AS 08.54.600 or of an assistant guide in any game management unit.

(e) A registered **guide-outfitter** [GUIDE] who contracts for a

guided hunt shall be

(1) physically present in the field with the client at least once during the contracted hunt; and

(2) in the field and participating in the contracted hunt, unless the hunt is being conducted by a class-A assistant guide or a registered **guide-outfitter** [GUIDE] employed by the contracting registered **guide-outfitter** [GUIDE].

* **Sec. 10.** AS 08.54.620 is amended to read:

Sec. 08.54.620. Class-A assistant guide license. (a) A natural person is entitled to a class-A assistant guide license if the person

(1) is 21 years of age or older;

(2) applies for a class-A assistant guide license on a form provided by the department and pays the license application fee and the license fee; [AND]

(3) possesses a current first aid card issued by the Red Cross or a similar organization; and

(4) either

(A) has

(i) been employed during at least three calendar years as any class of licensed guide in the game management unit for which the license is sought; and

(ii) at least 10 years' hunting experience in the state; military service outside of the state for not more than three years shall be accepted as part of the required 10 years' hunting experience; [OR]

(B) provides

(i) evidence that the person physically resides in the game management unit in which the person is to be employed;

(ii) evidence that the person has had at least 15 years' hunting experience in the game management unit in which the person is to be employed; military service outside of the state for not more than three years shall be accepted as part of the required 15 years' hunting experience; and

(iii) a written recommendation from a registered **guide-outfitter** [GUIDE, STATE TROOPER, STATE FISH AND WILDLIFE LAW ENFORCEMENT OFFICER, OR STATE FISH OR GAME BIOLOGIST

WHO IS FAMILIAR WITH THE PERSON OR] who intends to employ the person as a class-A assistant guide;
or

(C) provides evidence that the person

(i) physically resides in the game management unit in which the person is to be employed;

(ii) has at least 10 years' hunting experience in the state; military service outside of the state for not more than three years shall be accepted as part of the required 10 years' hunting experience; and

(iii) has passed a class-A assistant guide training course approved by the board.

(b) A class-A assistant guide

(1) may not contract to guide or outfit a big game hunt;

(2) shall be employed by and under the supervision of a registered **guide-outfitter** [GUIDE] who has contracted with the client for whom the class-A assistant guide is conducting the hunt;

(3) may take charge of a camp and **provide** [CONDUCT] guide **services** [ACTIVITIES] from the camp without the contracting registered **guide-outfitter** [GUIDE] being in the field and participating in the contracted hunt if the contracting registered **guide-outfitter** [GUIDE] is supervising the guiding activities;

(4) may not perform functions of a class-A assistant guide outside of the game management unit for which the license is issued; and

(5) may be employed by a registered **guide-outfitter** [GUIDE] to perform the functions of an assistant guide in any game management unit.

* **Sec. 11.** AS 08.54.630 is amended to read:

Sec. 08.54.630. Assistant guide license. (a) A natural person is entitled to an assistant guide license if the person

(1) is 18 years of age or older;

(2) has legally hunted **big game** in the state during two calendar years;

(3) possesses a first aid card issued by the Red Cross or a similar organization;

(4) **either**

(A) obtains a written recommendation from a registered **guide-outfitter** [GUIDE, STATE TROOPER,

STATE FISH AND WILDLIFE LAW ENFORCEMENT OFFICER, OR STATE FISH OR GAME BIOLOGIST WHO IS FAMILIAR WITH THE PERSON OR] who intends to employ the person as an assistant guide; **or**

(B) provides evidence that the person passed an assistant guide training course approved by the board; and

(5) applies for an assistant guide license on a form provided by the department and pays the license application fee and the license fee.

(b) An assistant guide

(1) may not contract to guide or outfit a big game hunt;

(2) shall be employed by a registered **guide-outfitter** [GUIDE] and under the supervision of a registered **guide-outfitter** [GUIDE] or class-A assistant guide while the assistant guide is in the field on guided hunts; and

(3) may not take charge of a camp or **provide** [CONDUCT] guide **services** [ACTIVITIES] unless the contracting registered **guide-outfitter** [GUIDE] is in the field and participating in the contracted hunt or a registered **guide-outfitter** [GUIDE] or class-A assistant guide employed by the contracting guide is physically present and supervising the hunt.

* **Sec. 12.** AS 08.54.640(a) is amended to read:

(a) Notwithstanding AS 08.54.610 - 08.54.630 and except as provided in (b) of this section, a person may not hold, or earn experience credits to apply for, a registered **guide-outfitter** [GUIDE] license under this chapter, while the person is a law enforcement officer and for three months after terminating the person's status as a law enforcement officer.

* **Sec. 13.** AS 08.54.640(b) is amended to read:

(b) A registered **guide-outfitter** [GUIDE] license, class-A assistant guide license, or assistant guide license issued under this chapter, or under former provisions of AS 08.54.300 - 08.54.590, after May 16, 1992, is suspended if the person to whom the license is issued subsequently becomes a law enforcement officer. A person whose license is subject to suspension under this subsection shall notify the department that the person has become a law enforcement officer within 30 days after becoming a law enforcement officer. The suspension of a license under this subsection remains in effect until three months have elapsed from the date on which the licensee provides written notification to the

department of the fact that the person is no longer a law enforcement officer. A person whose license is suspended under this subsection is not required to renew the license or pay license renewal fees for the period of suspension. Once a suspension of a license is terminated, the licensee may provide, without further payment of a guide license fee, the guide services authorized by the license for the remainder of the licensing period in which the suspension is terminated. Notwithstanding other provisions of this subsection, if a person whose license is suspended under this subsection fails to notify the department within one year after the person is no longer a law enforcement officer, the person's license lapses and the person is eligible for reissuance of the license only as provided in AS 08.54.670. The **board** [DEPARTMENT] may adopt regulations to implement this subsection.

* **Sec. 14.** AS 08.54.650(c) is amended to read:

(c) A transporter shall provide an annual activity report on a form provided by the department. An activity report must contain **all** information required by the **board** [DEPARTMENT] by regulation.

* **Sec. 15.** AS 08.54.660 is amended to read:

Sec. 08.54.660. Renewal of guide and transporter licenses.

(a) An applicant for renewal of a registered **guide-outfitter** [GUIDE], class-A assistant guide, assistant guide, or transporter license shall submit

(1) a request for renewal of the license on a form provided by the department; and

(2) the appropriate license fee for the next licensing period.

(b) The department may not renew a registered **guide-outfitter** [GUIDE] license under this section unless all fees have been paid in full and **the registered guide-outfitter has signed an affidavit that** all hunt records due during the term of the current license have been filed with the department.

(c) The department may not renew a transporter license unless all fees have been paid in full and **the transporter has signed an affidavit that** all activity reports due during the term of the current license have been filed with the department.

* **Sec. 16.** AS 08.54.670 is amended to read:

Sec. 08.54.670. Failure to renew. The department may not issue a license to a person who held a registered **guide-outfitter**

[GUIDE], class-A assistant guide, or assistant guide license and who has failed to renew the license under this chapter for four consecutive years unless the person again meets the qualifications for initial issuance of the license.

* **Sec. 17.** AS 08.54.680(b) is amended to read:

(b) If a registered **guide-outfitter** [GUIDE], class-A assistant guide, or an assistant guide personally pilots an aircraft to transport clients during the provision of big game hunting services, the registered **guide-outfitter** [GUIDE], class-A assistant guide, or assistant guide shall have a commercial pilot's rating or a minimum of 500 hours of flying time in the state.

* **Sec. 18.** AS 08.54.680 is amended by adding a new subsection to read:

(c) On or after January 1, 2005, a registered guide may not provide big game hunting services and a transporter may not provide transportation services unless the registered guide or transporter has entered into a written contract with the client for the provision of those services.

* **Sec. 19.** AS 08.54.710(a) is amended to read:

(a) The **board** [DEPARTMENT] may impose a disciplinary sanction in a timely manner under (c) of this section if the **board** [DEPARTMENT] finds after a hearing, that a licensee

(1) is convicted of a violation of **any** [A] state **or federal** statute or regulation relating to hunting or to provision of big game hunting services or transportation services; [OR]

(2) has failed to file records or reports required under this chapter;

(3) has negligently misrepresented or omitted a material fact on an application for any class of guide license or a transporter license; or

(4) has breached a contract to provide big game hunting services or transportation services to a client.

* **Sec. 20.** AS 08.54.710(b) is amended to read:

(b) The **board** [DEPARTMENT] may impose a disciplinary sanction in a timely manner under (c)(3) - (7) of this section if the **board** [DEPARTMENT] finds, after a hearing, that a licensee **has acted unethically** [IS INCOMPETENT] as a registered **guide-outfitter** [GUIDE], class-A assistant guide, assistant guide, or transporter.

* **Sec. 21.** AS 08.54.710(c) is amended to read:

(c) The **board** [DEPARTMENT] may impose the following disciplinary sanctions, singly or in combination:

- (1) permanently revoke a license;
- (2) suspend a license for a specified period;
- (3) censure or reprimand a licensee;
- (4) impose limitations or conditions on the professional practice of a licensee;
- (5) impose requirements for remedial professional education to correct deficiencies in the education, training, and skill of the licensee;
- (6) impose probation requiring a licensee to report regularly to the **board** [DEPARTMENT] on matters related to the grounds for probation;
- (7) impose a civil fine not to exceed **\$5,000** [\$1,000].

* **Sec. 22.** AS 08.54.710(d) is amended to read:

(d) The **board** [DEPARTMENT] shall permanently revoke a transporter license or any class of guide license if the **board** [DEPARTMENT] finds after a hearing that the license was obtained through fraud, deceit, or [INNOCENT] misrepresentation.

* **Sec. 23.** AS 08.54.710(e) is amended to read:

(e) The **board** [DEPARTMENT] shall suspend or permanently revoke a transporter license or any class of guide license without a hearing if the court orders the **board** [DEPARTMENT] to suspend or permanently revoke the license as a penalty for conviction of an unlawful act [UNDER AS 08.54.720]. If the **board** [DEPARTMENT] suspends or permanently revokes a license under this subsection, the **board** [DEPARTMENT] may not also impose an administrative disciplinary sanction of suspension or permanent revocation of the same license for the same offense for which the court ordered the suspension or permanent revocation under AS 08.54.720.

* **Sec. 24.** AS 08.54.710(h) is amended to read:

(h) If the **board** [DEPARTMENT] revokes a license under this section, the person whose license has been revoked shall immediately surrender the license to the department.

* **Sec. 25.** AS 08.54.710(i) is amended to read:

(i) The **board** [DEPARTMENT] may summarily suspend a licensee from practice of the profession under this chapter, for a period of not more than 30 days, before a final hearing is held or

during an appeal if the **board** [DEPARTMENT] finds that the licensee poses a clear and immediate danger to the public health and safety. A person is entitled to a hearing before the **board** [DEPARTMENT] to appeal the summary suspension within seven days after the order of suspension is issued. A person may appeal an adverse decision of the **board** [DEPARTMENT] on an appeal of summary suspension to a court of competent jurisdiction.

* **Sec. 26.** AS 08.54.720(a) is amended to read:

(a) It is unlawful for a

(1) person who is licensed under this chapter to knowingly fail to promptly report, **unless a reasonable means of communication is not reasonably available,** to the Department of Public Safety, [DIVISION OF FISH AND WILDLIFE PROTECTION,] and in no event later than 20 days, a violation of a state **or federal wildlife or** game, guiding, or transportation services statute or regulation that the person reasonably believes was committed by a client or an employee of the person;

(2) person who is licensed under this chapter to intentionally obstruct or hinder or attempt to obstruct or hinder lawful hunting engaged in by a person who is not a client of the person;

(3) class-A assistant guide or an assistant guide to knowingly guide a **big game** hunt except while employed and supervised by a registered **guide-outfitter** [GUIDE];

(4) person who holds any class of guide license **or transporter license** to knowingly enter or remain on private, **state, or federal** land without prior authorization during the course of providing big game hunting services **or transportation services**;

(5) registered **guide-outfitter** [GUIDE] to knowingly engage in providing big game hunting services outside of

(A) a game management unit for which the registered **guide-outfitter** [GUIDE] is certified; or

(B) a use area for which the registered **guide-outfitter** [GUIDE] is registered under AS 08.54.750 unless the registration requirement for the area has been suspended by the Department of Fish and Game;

(6) person to knowingly guide without having a current registered **guide-outfitter** [GUIDE], class-A assistant guide, or assistant guide license and **a valid Alaska** hunting license in

actual possession;

(7) registered **guide-outfitter** [GUIDE] to knowingly fail to comply with AS 08.54.610(e);

(8) person who is licensed under this chapter to knowingly

(A) commit or aid in the commission of a violation of this chapter, a regulation adopted under this chapter, or a state **or federal wildlife or** game statute or regulation; or

(B) permit the commission of a violation of this chapter, a regulation adopted under this chapter, or a state **or federal wildlife or** game statute or regulation that the person knows or reasonably believes is being or will be committed without

(i) attempting to prevent it, short of using force;

and

(ii) reporting the violation;

(9) person without a current registered **guide-outfitter** [GUIDE] license to knowingly guide, advertise as a registered **guide-outfitter** [GUIDE], or represent to be a registered **guide-outfitter** [GUIDE];

(10) person without a current master **guide-outfitter** [GUIDE] license to knowingly advertise as, or represent to be, a master **guide-outfitter** [GUIDE];

(11) person without a current registered **guide-outfitter** [GUIDE] license to knowingly outfit a big game hunt, **provide outfitting services**, advertise as an outfitter of big game hunts, or represent to be an outfitter of big game hunts;

(12) person to knowingly provide transportation services to big game hunters without holding a current registered **guide-outfitter** [GUIDE] license or transporter license;

(13) person without a current transporter license to knowingly advertise as, or represent to be, a transporter;

(14) class-A assistant guide or an assistant guide to knowingly contract to guide or outfit a hunt;

(15) person licensed under this chapter to knowingly violate a state statute or regulation prohibiting waste of a wild food animal or hunting on the same day airborne;

(16) person to knowingly provide big game hunting service or transportation services during the period for which the person's license to provide that service is suspended or revoked;

(17) registered **guide-outfitter** [GUIDE], except in the defense of life or property, to knowingly personally take

(A) big game while accompanying a client in the field; or

(B) a species of big game if the registered **guide-outfitter** [GUIDE] is under contract with a client to provide a guided hunt for that species of big game and the client is in the field;

(18) person who is licensed as a registered **guide-outfitter** [GUIDE], a class-A assistant guide, or an assistant guide, except in the defense of life or property, to knowingly personally take big game while a client of the registered **guide-outfitter** [GUIDE] by whom the person is employed is in the field unless the person is not participating in, supporting, or otherwise assisting in providing big game hunting services to a client of the registered **guide-outfitter** [GUIDE] by whom the person is employed; or

(19) person who is licensed as a transporter, or who provides transportation services under a transporter license, to knowingly accompany or remain in the field with a big game hunter who is a client of the person except as necessary to perform the specific duties of embarking or disembarking big game hunters, their equipment, or big game animals harvested by hunters; this paragraph does not apply to a person who holds both a transporter license and **a registered guide-outfitter** [ANY CLASS OF GUIDE] license issued under this chapter **when the person has a contract to provide guiding services for the client.**

* **Sec. 27.** AS 08.54.720(f) is amended to read:

(f) In addition to the penalties set out in (b) - (e) of this section and a disciplinary sanction imposed under AS 08.54.710,

(1) the court may order the **board** [DEPARTMENT] to suspend the guide license or transporter license of a person who commits a misdemeanor offense set out in (a)(1), (3) - (5), (7), (17), (18), or (19) of this section for a specified period of not more than three years;

(2) the court shall order the **board** [DEPARTMENT] to suspend the guide license or transporter license of a person who commits a misdemeanor offense set out in (a)(2) or (8) - (14) of this section for a specified period of not less than one year and not

more than five years;

(3) the court shall order the **board** [DEPARTMENT] to suspend the guide license or transporter license for a specified period of not less than three years, or to permanently revoke the guide license or transporter license, of a person who commits an offense set out in (a)(15) or (16) of this section; and

(4) all guns, fishing tackle, boats, aircraft, automobiles, or other vehicles, camping gear, and other equipment and paraphernalia used in, or in aid of, a violation of (a) of this section may be seized by persons authorized to enforce this chapter and may be forfeited to the state as provided under AS 16.05.195.

* **Sec. 28.** AS 08.54.730 is amended to read:

Sec. 08.54.730. Injunction against unlawful action. When in the judgment of the **board** [DEPARTMENT], a person has engaged in an act in violation of AS 08.54.620(b), 08.54.630(b), 08.54.650(b), 08.54.710(g), or 08.54.720(a) or the regulations adopted under these statutes, the **board** [DEPARTMENT] may apply to the appropriate court for an order enjoining the action. Upon a showing by the **board** [DEPARTMENT] that the person is engaging in the act, the court shall grant injunctive relief or other appropriate order without bond.

* **Sec. 29.** AS 08.54.740 is amended to read:

Sec. 08.54.740. Responsibility of guide or transporter for violations. (a) A registered **guide-outfitter** [GUIDE] who contracts to guide or outfit a big game hunt is equally responsible under AS 08.54.710 for a violation of a state **or federal wildlife or game or** [,] guiding [, OR TRANSPORTATION SERVICES] statute or regulation committed by a person while in the course of the person's employment for the registered **guide-outfitter** [GUIDE].

(b) A transporter who provides transportation services is equally responsible under AS 08.54.710 for a violation of a state **or federal wildlife or game**, guiding, or transportation services statute or regulation committed by a person while in the course of the person's employment for the transporter.

* **Sec. 30.** AS 08.54.750 is amended to read:

Sec. 08.54.750. Use area registration. (a) At least 30 days before conducting big game hunting services within a guide use area, a registered **guide-outfitter** [GUIDE] shall inform the department, in person or by registered mail on a registration form

provided by the department, that the **guide-outfitter** [GUIDE] will be conducting big game hunting services in the use area. **A registered guide may not withdraw or amend a guide use area registration during the calendar year in which the registration was submitted to the department.**

(b) A registered **guide-outfitter** [GUIDE] may not register for, or conduct big game hunting services in,

(1) more than three guide use areas during a calendar year; or

(2) a guide use area that is outside of a game management unit for which the registered **guide-outfitter** [GUIDE] is certified under AS 08.54.600.

(c) Notwithstanding (a) and (b) of this section, a registered **guide-outfitter** [GUIDE] may register to conduct big game hunting services within a guide use area at any time before beginning operations in the guide use area and may conduct big game hunting services in a guide use area, or for a big game species in a guide use area, that is not one of the three guide use areas for which the registered **guide-outfitter** [GUIDE] has registered under (b) of this section if the Department of Fish and Game has determined by regulation that it is in the public interest to suspend the registration requirements for that guide use area or for all guide use areas in a game management unit or game management subunit for a big game species within those guide use areas.

(d) Notwithstanding (b) of this section, a registered **guide-outfitter** [GUIDE] who is registered in three guide use areas may also register for and conduct big game hunting services in a portion of one additional guide use area on federal land adjacent to a guide use area in which the registered **guide-outfitter** [GUIDE] is already registered if the **board** [DEPARTMENT] finds that the portion of the adjacent guide use area for which the registered **guide-outfitter** [GUIDE] is seeking to be registered would otherwise remain unused by a registered **guide-outfitter** [GUIDE] because the boundaries of guide use areas do not coincide with boundaries of federal big game guide concession or permit areas.

(e) In this section, "guide use area" means a geographic area of the state identified as a guide-outfitter use area by the former Big Game Commercial Services Board **established under former AS 08.54.300** and described on a set of maps titled Guide-

Outfitter Use Area Maps, dated June 22, 1994, **as amended by the board as the board considers necessary.**

* **Sec. 31.** AS 08.54.750 is amended by adding new subsections to read:

(f) Notwithstanding (b) of this section, a registered guide who is registered in three guide use areas may also register for and conduct big game hunting services for wolf, black bear, brown bear, or grizzly bear in guide use areas within a game management unit or portion of a game management unit where the Board of Game has identified predation by wolf, black bear, brown bear, or grizzly bear as a cause of the depletion of a big game prey population or a reduction of the productivity of a big game prey population that is the basis for the establishment of an intensive management program in the game management unit or portion of the game management unit or for the declaration of the biological emergency in the game management unit or portion of the game management unit. A registered guide may only conduct hunts in a guide use area under this subsection for the big game species identified by the Board of Game as the cause of the depletion or reduction of productivity a big game prey population.

(g) At least 60 days before providing transportation services to, from, or in an area as may be determined by the board, a transporter shall inform the department, in person or by registered mail on a registration form provided by the department, that the transporter will be providing transportation services to, from, or in the use area. The board may establish transporter use areas and adopt regulations to implement this subsection as the board considers necessary.

* **Sec. 32.** AS 08.54.760 is amended to read:

Sec. 08.54.760. Hunt records; confidentiality of hunt records and activity reports. (a) The department shall collect and maintain hunt records provided by a registered **guide-outfitter** [GUIDE]. A registered **guide-outfitter** [GUIDE] shall submit to the department a hunt record for each contracted hunt within **60** [30] days after the completion of the hunt. A hunt record must include a list of all big game hunters who used the guiding or outfitting services of the registered **guide-outfitter** [GUIDE], the number of each big game species taken, and other information required by the **board** [DEPARTMENT]. The department shall provide forms for reporting hunt records.

(b) The department shall make hunt records received under this section, and activity reports received under AS 08.54.650, available to state agencies, [AND] federal **law enforcement agencies and other** [FISH AND WILDLIFE] law enforcement agencies [CHARGED WITH THE ENFORCEMENT OF STATUTES AND REGULATIONS RELATING TO GUIDING, OUTFITTING, TRANSPORTATION SERVICES, OR GAME OR WITH MANAGEMENT OF GAME] if requested [FOR GAME MANAGEMENT OR LAW ENFORCEMENT PURPOSES]. Aggregated data compiled from hunt records and activity reports may be included in reports by the department. For all other purposes, the hunt records and activity reports are confidential and are not subject to inspection or copying under AS 40.25.110 - 40.25.125.

* **Sec. 33.** AS 08.54.770 is amended to read:

Sec. 08.54.770. License and examination fees. (a) The department shall set fees under AS 08.01.065 for each of the following:

- (1) registered **guide-outfitter** [GUIDE] license;
- (2) class-A assistant guide license;
- (3) assistant guide license;
- (4) transporter license;
- (5) license application fee.

(b) The license fee for the registered **guide-outfitter** [GUIDE], class-A assistant guide, or assistant guide license is in addition to the fee required for a hunting license **issued by the Department of Fish and Game under AS 16.05.340**.

(c) An applicant for a qualifying examination for a registered **guide-outfitter** [GUIDE] license shall pay a fee established by regulations adopted under AS 08.01.065.

(d) The fee for the transporter license must be equal to the fee for the registered **guide-outfitter** [GUIDE] license.

(e) **The** [FOR LICENSES ISSUED UNDER THIS CHAPTER FOR 1997 AND SUBSEQUENT YEARS, THE] amount of the license fee for a nonresident shall be two times the amount of the license fee for a resident.

* **Sec. 34.** AS 08.54.790 is amended to read:

Sec. 08.54.790. Definitions. In this chapter,

- (1) "big game" means brown bear, grizzly bear, caribou, moose, black bear, bison, Sitka blacktail deer, elk, mountain goat,

musk-ox, and mountain or Dall sheep; "big game" includes wolf and wolverine when taken under hunting regulations;

(2) "big game hunting service" means a service for which the provider of the service must obtain a registered **guide-outfitter** [GUIDE], class-A assistant guide, or assistant guide license; "big game hunting service" includes guiding services and outfitting services;

(3) **"board" means the Big Game Commercial Services Board;**

(4) "compensation" means payment for services including wages or other remuneration but not including reimbursement for actual expenses incurred;

(5) [(4)] "department" means the Department of Community and Economic Development;

(6) [(5)] "field" means an area outside of established year-round dwellings, businesses, or other developments [USUALLY] associated with a city, town, or village; "field" does not include permanent hotels or roadhouses on the state road system or state or federally maintained airports;

(7) [(6)] "game management unit" means one of the 26 geographic areas defined by the Board of Game for game management purposes;

(8) [(7)] "guide" means to provide, for compensation or with the intent or with an agreement to receive compensation, services, equipment, or facilities to a big game hunter in the field by a person who accompanies or is present with the big game hunter in the field either personally or through an assistant; in this paragraph, "services" includes

(A) contracting to guide or outfit big game hunts;

(B) stalking, pursuing, tracking, killing, or attempting to kill big game;

(C) packing, preparing, salvaging, or caring for meat, except that which is required to properly and safely load the meat on the mode of transportation being used by a transporter;

(D) field preparation of trophies, including skinning and caping;

(E) selling, leasing, or renting goods when the transaction occurs in the field;

(F) using guiding or outfitting equipment, including

spotting scopes and firearms, for the benefit of a hunter; and

(G) providing camping or hunting equipment or supplies **that** [WHICH] are already located in the field;

(9) [(8)] "outfit" means to provide, for compensation or with the intent to receive compensation, services, supplies, or facilities to a big game hunter in the field, by a person who neither accompanies nor is present with the big game hunter in the field either personally or by an assistant;

(10) [(9)] "transportation services" means the carriage for compensation of big game hunters, their equipment, or big game animals harvested by hunters to, from, or in the field; "transportation services" does not include the carriage by aircraft of big game hunters, their equipment, or big game animals harvested by hunters

(A) on nonstop flights between airports listed in the Alaska supplement to the Airmen's Guide published by the Federal Aviation Administration; or

(B) by an air taxi operator or air carrier for which the carriage of big game hunters, their equipment, or big game animals harvested by hunters is only an incidental portion of its business; in this subparagraph, "incidental" means transportation provided to a big game hunter by an air taxi operator or air carrier who does not

(i) charge more than the usual tariff or charter rate for the carriage of big game hunters, their equipment, or big game animals harvested by hunters; or

(ii) advertise transportation services or big game hunting services to the public; in this sub-subparagraph, "advertise" means soliciting big game hunters to be customers of an air taxi operator or air carrier for the purpose of providing air transportation to, from, or in the field through the use of print or electronic media, including advertising at trade shows, or the use of hunt broker services or other promotional services.

* **Sec. 35.** AS 16.05.407(a) is amended to read:

(a) It is unlawful for a nonresident to hunt, pursue, or take brown bear, grizzly bear, mountain goat, or sheep in this state, unless personally accompanied by

(1) a person who is licensed as

(A) a registered **guide-outfitter** [GUIDE] or a

master **guide-outfitter** [GUIDE] under AS 08.54 and who is providing big game hunting services to the nonresident under a contract with the nonresident; or

(B) a class-A assistant guide or an assistant guide under AS 08.54 and who is employed by a registered **guide-outfitter** [GUIDE] or a master **guide-outfitter** [GUIDE] who has a contract to provide big game hunting services to the nonresident; or

(2) a resident over 19 years of age who is

(A) the spouse of the nonresident; or

(B) related to the nonresident, within and including the second degree of kindred, by marriage or blood.

* **Sec. 36.** AS 16.05.407(f) is amended to read:

(f) An applicant for a nonresident hunt permit for the taking of an animal specified in (a) of this section shall, if requested by the department, first furnish to the department proof of prior authorization to use federal, **state**, or private land where the permit hunt will occur. The authorization shall be provided to the applicant by the registered **guide-outfitter** [GUIDE] or master **guide-outfitter** [GUIDE] with whom the applicant has contracted to guide the permit hunt.

* **Sec. 37.** AS 16.05.408(a) is amended to read:

(a) It is a class A misdemeanor for a nonresident alien to hunt, pursue, or take a big game animal as defined by the Board of Game unless personally accompanied by

(1) a registered **guide-outfitter** [GUIDE] or a master **guide-outfitter** [GUIDE] licensed under AS 08.54 who is providing big game hunting services to the nonresident alien under a contract with the nonresident alien; or

(2) a class-A assistant guide or an assistant guide licensed under AS 08.54 who is employed by a registered **guide-outfitter** [GUIDE] or a master **guide-outfitter** [GUIDE] who has a contract to provide big game hunting services to the nonresident alien.

* **Sec. 38.** AS 16.05.408(c) is amended to read:

(c) Before obtaining a nonresident hunt permit for the taking of an animal specified in (a) of this section, a nonresident alien shall, if requested by the department, first furnish to the department proof of prior authorization to use federal or private land where the permit hunt will occur. The authorization shall be

provided to the nonresident alien by the registered **guide-outfitter** [GUIDE] or master **guide-outfitter** [GUIDE] with whom the nonresident alien has contracted to guide the permit hunt.

* **Sec. 39.** AS 23.10.055 is amended to read:

Sec. 23.10.055. Exemptions. The provisions of AS 23.10.050 - 23.10.150 do not apply to

(1) an individual employed in agriculture, which includes farming in all its branches and, among other things, includes the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities, the raising of livestock, bees, fur-bearing animals, or poultry, and any practices, including forestry and lumbering operations, performed by a farmer or on a farm as an incident to or in conjunction with the farming operations, including preparation for market, delivery to storage or to market or to carriers for transportation to market;

(2) an individual employed in the catching, trapping, cultivating, or farming, netting or taking of any kind of fish, shellfish, or other aquatic forms of animal and vegetable life;

(3) an individual employed in the hand picking of shrimp;

(4) an individual employed in domestic service, including a baby-sitter, in or about a private home;

(5) an individual employed by the United States or by the state or political subdivision of the state, except as provided in AS 23.10.065(b), including prisoners not on furlough detained or confined in prison facilities;

(6) an individual engaged in the nonprofit activities of a nonprofit religious, charitable, cemetery, or educational organization or other nonprofit organization where the employer-employee relationship does not, in fact, exist, and where services rendered to the organization are on a voluntary basis and are related only to the organization's nonprofit activities; for purposes of this paragraph, "nonprofit activities" means activities for which the nonprofit organization does not incur a liability for unrelated business income tax under 26 U.S.C. 513, as amended;

(7) an employee engaged in the delivery of newspapers to the consumer;

(8) an individual employed solely as a watchman or caretaker of a plant or property that is not in productive use for a

period of four months or more;

(9) an individual employed in a bona fide executive, administrative, or professional capacity or in the capacity of an outside salesman or a salesman who is employed on a straight commission basis;

(10) an individual employed in the search for placer or hard rock minerals;

(11) an individual under 18 years of age employed on a part-time basis not more than 30 hours in a week;

(12) employment by a nonprofit educational or child care facility to serve as a parent of children while the children are in residence at the facility if the employment requires residence at the facility and is compensated on a cash basis exclusive of room and board at an annual rate of not less than

(A) \$10,000 for an unmarried person; or

(B) \$15,000 for a married couple;

(13) an individual who drives a taxicab, is compensated for taxicab services exclusively by customers of the service, whose written contractual arrangements with owners of taxicab vehicles, taxicab permits, or radio dispatch services are based upon flat contractual rates and not based on a percentage share of the individual's receipts from customers, and whose written contract with owners of taxicab vehicles, taxicab permits, or radio dispatch services specifically provides that the contract places no restrictions on hours worked by the individual or on areas in which the individual may work except to comply with local ordinances;

(14) a person who holds a license under AS 08.54 and who is employed by a registered **guide-outfitter** [GUIDE] or master **guide-outfitter** [GUIDE] licensed under AS 08.54, for the first 60 work days in which the person is employed by the registered **guide-outfitter** [GUIDE] or master **guide-outfitter** [GUIDE] during a calendar year;

(15) an individual engaged in activities for a nonprofit religious, charitable, civic, cemetery, recreational, or educational organization where the employer-employee relationship does not, in fact, exist, and where services are rendered to the organization under a work activity requirement of AS 47.27 (Alaska temporary assistance program); or

(16) an individual who

(A) provides emergency medical services only on a voluntary basis;

(B) serves with a full-time fire department only on a voluntary basis; or

(C) provides ski patrol services on a voluntary basis.

* **Sec. 40.** AS 39.50.200(b) is amended by adding a new paragraph to read:

(58) Big Game Commercial Services Board (AS 08.54.591).

* **Sec. 41.** AS 41.23.420(d) is amended to read:

(d) The provisions of AS 41.23.400 - 41.23.510 do not affect the authority of

(1) the Department of Fish and Game, the Board of Fisheries, the Board of Game, or the **Big Game Commercial Services Board** [DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT] under AS 08.54, AS 16, or AS 41.99.010;

(2) the Department of Environmental Conservation under AS 46.03; or

(3) state agencies and municipalities under AS 46.39.010 and AS 46.40.100.

* **Sec. 42.** AS 44.62.330(a)(35) is amended to read:

(35) **Big Game Commercial Services Board** [DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT UNDER AS 08.54 AS TO LICENSING AND RELATED FUNCTIONS FOR BIG GAME GUIDES AND TRANSPORTERS];

* **Sec. 43.** The uncodified law of the State of Alaska is amended by adding a new section to read:

INITIAL APPOINTMENT OF MEMBERS OF THE BIG GAME COMMERCIAL SERVICES BOARD. (a) Notwithstanding AS 08.54.591, added by sec. 4 of this Act, and AS 39.05.055, the initially appointed members of the Big Game Commercial Services Board shall be appointed by the governor to terms as follows: one member serves for one year, two members serve for two years, two members serve for three years, and two members serve for four years.

(b) The governor shall appoint the initial members of the Big Game Commercial Services Board, as provided for under AS 08.54.591(a), added by sec. 4 of this Act, before December 1, 2004.

(c) The governor shall appoint persons who are active, licensed registered guides at the time of appointment to fill the initial registered guide-outfitter positions on the Big Game Commercial Services Board.

* **Sec. 44.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: LICENSES. (a) Notwithstanding AS 08.54.610(a), as amended by sec. 9 of this Act, a person who holds a registered guide license in good standing on the day before the first meeting of the Big Game Commercial Services Board established under AS 08.54.591, added by sec. 4 of this Act, shall, after the effective date of sec. 9 of this Act, be considered to hold a registered guide-outfitter license issued under AS 08.54.610, as amended by sec. 9 of this Act and may renew the license as a registered guide-outfitter license under AS 08.54.660, as amended by sec. 15 of this Act.

(b) Notwithstanding AS 08.54.610(b), as amended by sec. 9 of this Act, a person who holds a master guide license in good standing on the day before the first meeting of the Big Game Commercial Services Board established under AS 08.54.591, added by sec. 4 of this Act, shall, after the effective date of sec. 9 of this Act, be considered to hold a master guide-outfitter license issued under AS 08.54.610, as amended by sec. 9 of this Act and may renew the license as a master guide-outfitter license under AS 08.54.660, as amended by sec. 15 of this Act.

* **Sec. 45.** The uncodified law of the State of Alaska is amended by adding a new section to read:

SAVING CLAUSE. Litigation, hearings, investigations, and other proceedings pending under a law amended or repealed by this Act, or in connection with functions transferred by this Act, continue in effect and may be continued and completed notwithstanding a transfer or amendment or repeal provided for by this Act. Regulations adopted under authority of a law amended or repealed by this Act remain in effect for the term adopted or until repealed or otherwise amended under the provisions of this Act.

* **Sec. 46.** The uncodified law of the State of Alaska is amended by adding a new section to read:

SUSPENSION OF A PROVISION OF AS 44.66.050(e). The provision of AS 44.66.050(e) regarding the continuance or reestablishment of more than one board, commission, or agency program in a single legislative bill is suspended as to this Act.

* **Sec. 47.** Sections 4, 18, and 43 - 46 of this Act take effect immediately under AS 01.10.070(c).

* **Sec. 48.** Except as provided in sec. 47 of this Act, this Act takes effect on the day on which the Big Game Commercial Services Board convenes its first meeting. The commissioner of community and economic development shall inform the revisor of statutes and the lieutenant governor of the date on which the Big Game Commercial Services Board convenes its first meeting."

HB 464 is under Unfinished Business.

HB 511

A message dated May 11, 2004, was read stating the Senate has passed CSHB 511(HES) am with the following amendment and it is transmitted for consideration with a Senate letter of intent:

SENATE CS FOR CS FOR HOUSE BILL NO. 511(FIN)

"An Act relating to the certificate of need program for health care facilities; and providing for an effective date."

CSHB 511(HES) am is under Unfinished Business.

HB 513

A message dated May 11, 2004, was read stating the Senate has passed HB 513 with the following amendment and it is transmitted for consideration:

SENATE CS FOR HOUSE BILL NO. 513(JUD)

"An Act relating to the enforcement of support orders through suspension of drivers' licenses; changing the name of the child support enforcement agency to the child support services agency; amending Rules 90.3 and 90.5, Alaska Rules of Civil Procedure; and providing for an effective date."

HB 513 is under Unfinished Business.

HB 514

A message dated May 11, 2004, was read stating the Senate has passed CSHB 514(FIN) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 514(FIN)

"An Act relating to child support modification and enforcement, to the establishment of paternity by the child support enforcement agency, and to the crimes of criminal nonsupport and aiding the nonpayment of child support; amending Rule 90.3, Alaska Rules of Civil Procedure; and providing for an effective date."

CSHB 514(FIN) am is under Unfinished Business.

SB 338

A message dated May 11, 2004, was read stating the Senate has failed to concur in the House amendment to CSSB 338 (STA), namely:

CS FOR SENATE BILL NO. 338(STA) am H

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

and respectfully requests the House to recede from its amendment.

In the event the House fails to recede, the President appointed the following members to a Conference Committee to meet with the like committee from the House to consider the bills:

Senator Seekins, Chair
Senator Green
Senator French

CSSB 338 (STA) am H is under Unfinished Business.

SB 357

A message dated May 11, 2004, was read stating the Senate has failed to concur in the House amendment to CSSB 357(FIN), namely:

HOUSE CS FOR CS FOR SENATE BILL NO. 357(FIN) am H
"An Act relating to the regulation of insurance, insurance licenses, qualifications of insurance producers, surplus lines, fraud investigations, electronic transactions, and compliance with federal law and national standards; and providing for an effective date."

and respectfully requests the House to recede from its amendment.

HCS CSSB 357(FIN) am H is under Unfinished Business.

SB 382

A message dated May 11, 2004, was read stating the Senate has failed to concur in the House amendment to CSSB 382(CRA) am, namely:

CS FOR SENATE BILL NO. 382(CRA) am H
"An Act relating to replat approval; relating to the platting of right-of-way acquired through eminent domain proceedings; and providing for an effective date."

and respectfully requests the House to recede from its amendment.

CSSB 382(CRA) am H is under Unfinished Business.

Messages dated May 11, 2004, were read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS**

SCR 30

SENATE CONCURRENT RESOLUTION NO. 30 by the Senate Finance Committee:

Suspending Rules 24(c), 35, 41(b), 42(c) and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 283, relating to appropriations from the constitutional budget reserve fund.

was read the first time and taken up later as a Special Order of Business.

SCR 31

SENATE CONCURRENT RESOLUTION NO. 31 by the Senate Resources Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 464, relating to the termination date of the Board of Certified Real Estate Appraisers.

was read the first time.

SCR 33

SENATE CONCURRENT RESOLUTION NO. 33 by the Senate Judiciary Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 309, relating to nonindigenous fish.

was read the first time and taken up later as a Special Order of Business.

UNFINISHED BUSINESS**SB 337**

Representative Berkowitz moved and asked unanimous consent that that the House rescind previous action in passing the following (page 3908):

HOUSE CS FOR CS FOR SENATE BILL NO. 337(FIN)

"An Act relating to the powers of the Alaska Energy Authority to make grants and loans, to enter into contracts, and to improve, equip, operate, and maintain bulk fuel, waste energy, energy conservation, energy efficiency, and alternative energy facilities and equipment; relating to the bulk fuel revolving loan fund; relating to the Alaska Energy Authority's liability for the provision of technical assistance to rural utilities; relating to the continuation of the motor fuel tax rate for fuel produced from the processing of lignocellulose from wood or waste seafood; relating to the Alaska

Energy Authority's investment of the power development fund; repealing the electrical service extension fund; and providing for an effective date."

There being no objection, it was so ordered.

HCS CSSB 337(FIN) was again before the House in third reading.

Representative Berkowitz moved and asked unanimous consent that HCS CSSB 337(FIN) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Berkowitz:

Page 1, line 11:

Insert a new bill section to read:

"* **Section 1.** AS 41.98 is amended by adding a new section to read:

Sec. 41.98.190. Hydrogen energy partnership. (a) There is established in the Department of Community and Economic Development the hydrogen energy partnership.

(b) Members of the partnership shall be appointed by the commissioner of community and economic development to represent

- (1) the federal government;
- (2) state government;
- (3) the University of Alaska;
- (4) political subdivisions of the state;
- (5) tribal organizations of the state;
- (6) the electric utility industry;
- (7) the fossil fuel industry;
- (8) nonfossil fuel energy industry; and
- (9) private environmental conservation groups.

(c) The partnership members shall serve without compensation but are entitled to transportation expenses and per diem as authorized for members of boards and commissions under AS 39.20.180.

(d) The hydrogen energy partnership shall facilitate the development of a hydrogen fuel industry in Alaska by means including

- (1) meeting with hydrogen energy interests to plan hydrogen energy research and development;
- (2) proposing policy to promote federal and private industry investment in hydrogen energy research and development;
- (3) evaluating the market for hydrogen energy production;
- (4) proposing tax incentives for investment in a hydrogen energy infrastructure; and
- (5) reporting annually to the legislature on or before the 20th day of each regular session on the development of hydrogen energy production in the state."

Renumber the following bill sections accordingly.

Page 7, line 8:

Insert new bill sections to read:

"* **Sec. 11.** AS 44.33.020 is amended by adding a new paragraph to read:

(44) provide staff support for the hydrogen energy partnership established under AS 41.98.190, and the University of Alaska shall provide assistance to the commissioner upon request."

Renumber the following bill sections accordingly.

Page 9, line 23:

Insert new bill sections to read:

"* **Sec. 17.** The uncodified law of the State of Alaska is amended by adding a new section to read:

FUNDING FOR HYDROGEN ENERGY PARTNERSHIP. The commissioner of community and economic development shall seek federal and private sources of funding to cover the costs of the establishment of and operation of the hydrogen energy partnership established in sec. 2 of this Act.

* **Sec. 18.** The uncodified law of the State of Alaska is amended by adding a new section to read:

CONDITIONAL EFFECT. Sections 11 and 17 of this Act take effect only if the Department of Community and Economic Development obtains sufficient funding under sec. 4 of this Act."

Renumber the following bill sections accordingly.

Page 9, line 26:

Insert new bill sections to read:

*** Sec. 20.** If secs. 1 and 11 of this Act have not taken effect under sec. 18 of this Act by June 30, 2009, secs. 1, 11, 17, and 18 of this Act are repealed June 30, 2009.

*** Sec. 21.** If secs. 1 and 11 of this Act have not taken effect under sec. 18 of this Act by June 30, 2009, sec. 22 of this Act is repealed on June 30, 2009.

*** Sec. 22.** Sections 1 and 11 of this Act take effect 30 days after the commissioner of community and economic development notifies the revisor of statutes that sufficient funding required under sec. 17 of this Act has been obtained.

*** Sec. 23.** Section 17 of this Act takes effect immediately under AS 01.10.070(c)."

Renumber the following bill sections and internal references accordingly.

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

Objection was heard.

Amendment to Amendment No. 1 (title amendment) was offered by Representative Berkowitz:

Page 1, line 7, following "**seafood**":

Insert "**establishing a hydrogen energy partnership**"

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

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

HCS CSSB 337(FIN)

Second Reading

Amendment No. 1 as amended

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

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

Nays: Rokeberg

Absent: Anderson

And so, Amendment No. 1 as amended was adopted and the new title follows:

HOUSE CS FOR CS FOR SENATE BILL NO. 337(FIN) am H

"An Act relating to the powers of the Alaska Energy Authority to make grants and loans, to enter into contracts, and to improve, equip, operate, and maintain bulk fuel, waste energy, energy conservation, energy efficiency, and alternative energy facilities and equipment; relating to the bulk fuel revolving loan fund; relating to the Alaska Energy Authority's liability for the provision of technical assistance to rural utilities; relating to the continuation of the motor fuel tax rate for fuel produced from the processing of lignocellulose from wood or waste seafood; establishing a hydrogen energy partnership; relating to the Alaska Energy Authority's investment of the power development fund; repealing the electrical service extension fund; and providing for an effective date."

The question being: "Shall HCS CSSB 337(FIN) am H pass the House?" The roll was taken with the following result:

HCS CSSB 337(FIN) am H

Third Reading

Final Passage

YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

And so, HCS CSSB 337(FIN) am H passed the House.

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

In accordance with Rule 43(b) of the Uniform Rules, the Speaker waived engrossment of HCS CSSB 337(FIN) am H. It was signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration with copies of certified amendments attached.

SB 30

Representative Coghill moved and asked unanimous consent that the House consider the Conference Committee report on the following, which is under Unfinished Business (page 4217), at this time:

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

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

and

CS FOR SENATE BILL NO. 30(JUD) am

"An Act relating to information and services available to pregnant women and other persons; and ensuring informed consent before an abortion may be performed, except in cases of medical emergency."

There being no objection, it was so ordered.

Representative Coghill moved that the House adopt the Conference Committee report, thus adopting CCS SB 30 and recommended that the members vote yes.

Representative Lynn declared a conflict of interest.

The question being: "Shall the House adopt the Conference Committee report?" The roll was taken with the following result:

CCS SB 30

Adopt

YEAS: 30 NAYS: 9 EXCUSED: 0 ABSENT: 1

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

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

Absent: Samuels

And so, the House adopted the Conference Committee report, thus adopting:

CONFERENCE CS FOR SENATE BILL NO. 30

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

The Chief Clerk notified the Senate.

The Senate adopted the Conference Committee report (Senate journal page 3697).

CONCUR IN SENATE AMENDMENTS**HB 452**

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4257) on the following at this time:

CS FOR HOUSE BILL NO. 452(FIN) am

"An Act relating to licensing and regulation of sport fishing operators and sport fishing guides; authorizing the Department of Fish and Game and the Alaska Commercial Fisheries Entry Commission to release records and reports to the Department of Natural Resources and the Department of Public Safety; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 452(RES)

"An Act relating to licensing and regulation of sport fishing operators and sport fishing guides; relating to licensing and registration of sport fishing vessels; authorizing the Department of Fish and Game and the Alaska Commercial Fisheries Entry Commission to release records and reports to the Department of Natural Resources and the Department of Public Safety; and providing for an effective date."

(SCR 27 - title change resolution)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 452(FIN) am, thus adopting SCS CSHB 452(RES), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 452(FIN) am?" The roll was taken with the following result:

SCS CSHB 452(RES)

Concur

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

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

Nays: Chenault, Kohring, Stoltze, Wolf

Absent: Berkowitz, Croft

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 452(RES).

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

The Chief Clerk notified the Senate.

SCS CSHB 452(RES) was referred to the Chief Clerk for enrollment.

RECEDE

SB 338

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4285) on the following at this time:

CS FOR SENATE BILL NO. 338(STA) am H
"An Act relating to actionable claims against state employees; and providing for an effective date."

and

CS FOR SENATE BILL NO. 338(STA)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House recede from its amendment to CSSB 338(STA), namely CSSB 338(STA) am H, and recommended that the members vote yes.

The question being: "Shall the House recede from its amendment to CSSB 338(STA)?" The roll was taken with the following result:

CSSB 338(STA) am H

Recede

YEAS: 22 NAYS: 18 EXCUSED: 0 ABSENT: 0

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

Nays: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Jولة, Kapsner, Kerttula, Kohring, Kookesh, Lynn, Masek, Moses, Ogg, Seaton, Wolf

Dahlstrom changed from "Nay" to "Yea".

Gatto changed from "Nay" to "Yea".

Williams changed from "Nay" to "Yea".

Cissna changed from "Yea" to "Nay".

And so, the House receded from its amendment, thus adopting CSSB 338(STA).

CSSB 338(STA) was signed by the Speaker and Chief Clerk and returned to the Senate.

CONCUR IN SENATE AMENDMENTS

HB 29

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4253) on the following at this time:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.
29(JUD) am

"An Act relating to real estate licensees and real estate transactions; and providing for an effective date."

and

SENATE CS FOR CS FOR SS FOR HOUSE BILL NO. 29(JUD)
(same title)

There being no objection, it was so ordered.

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

Representative Coghill moved that the House concur in the Senate amendment to CSSSHB 29(JUD) am, thus adopting SCS CSSSHB 29(JUD), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSSSHB 29(JUD) am?" The roll was taken with the following result:

SCS CSSSHB 29(JUD)

Concur

YEAS: 24 NAYS: 14 EXCUSED: 0 ABSENT: 2

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

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

Absent: Dahlstrom, Masek

And so, the House concurred in the Senate amendment, thus adopting SCS CSSSHB 29(JUD).

Representative Coghill moved the effective date clause.

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

SCS CSSSHB 29(JUD)

Concur

Effective Date

YEAS: 25 NAYS: 11 EXCUSED: 0 ABSENT: 4

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

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

Absent: Chenault, Dahlstrom, Masek, Williams

And so, the effective date clause was not adopted and the new title follows:

SENATE CS FOR CS FOR SS FOR HOUSE BILL NO.
29(JUD)(efd fld)

"An Act relating to real estate licensees and real estate transactions."

Representative Rokeberg moved that the House rescind previous action in failing to adopt the effective date clause on SCS CSSSHB 29(JUD)(efd fld).

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

The question being: "Shall the House rescind previous action in failing to adopt the effective date clause?" The roll was taken with the following result:

SCS CSSSHB 29(JUD)(efd fld)

Concur

Rescind Previous Action/In Failing to Adopt the Effective Date

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

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

Nays: Crawford, Guttenberg

And so, the motion passed.

Representative Croft moved and asked unanimous consent that the House rescind previous action in concurring in the Senate amendment to CSSSHB 29(JUD) am, namely SCS CSSSHB 29(JUD).

The question being: "Shall the House rescind previous action in concurring in the Senate amendment to CSSSHB 29(JUD) am?" The roll was taken with the following result:

SCS CSSSHB 29(JUD)

Concur

Rescind Previous Action/In Concurrence

YEAS: 18 NAYS: 22 EXCUSED: 0 ABSENT: 0

Yeas: Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gatto, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Masek, Moses, Ogg, Wilson, Wolf

Nays: Anderson, Chenault, Fate, Foster, Harris, Hawker, Heinze, Holm, Kohring, Kookesh, Kott, Lynn, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams

And so, the motion failed.

The motion to adopt the effective date clause was before the House.

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

SCS CSSSHB 29(JUD)

Concur

Effective Date

YEAS: 40 NAYS: 0 EXCUSED: 0 ABSENT: 0

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

And so, the effective date clause was adopted.

The Chief Clerk notified the Senate.

SCS CSSSHB 29(JUD) was referred to the Chief Clerk for enrollment.

SPECIAL ORDER OF BUSINESS

Representative Berkowitz moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - Rosemary Karish, be taken up as a Special Order of Business at this time. There being no objection, it was so ordered.

The Speaker stated that, without objection, all members of the House would be shown as cosponsors of the citation.

Representative Coghill moved and asked unanimous consent that the House approve the citation. There being no objection, the following citation was approved and sent to enrolling:

Honoring – Rosemary Karish

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

CONCUR IN SENATE AMENDMENTS

HB 288

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4208) on the following at this time:

2d CS FOR HOUSE BILL NO. 288(RLS)

"An Act changing the name of the Department of Community and Economic Development to the Department of Commerce and Community and Economic Development."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 288(STA)

"An Act changing the name of the Department of Community and Economic Development to the Department of Commerce, Community, and Economic Development."

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to 2d CSHB 288(RLS), thus adopting SCS CSHB 288(STA), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to 2d CSHB 288(RLS)?" The roll was taken with the following result:

SCS CSHB 288(STA)

Concur

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

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

Nays: Croft

Absent: Kapsner, McGuire

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 288(STA).

The Chief Clerk notified the Senate.

SCS CSHB 288(STA) was referred to the Chief Clerk for enrollment.

HB 513

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4284) on the following at this time:

HOUSE BILL NO. 513

"An Act relating to the enforcement of support orders through suspension of drivers' licenses; changing the name of the child support enforcement agency to the child support services agency; amending Rules 90.3 and 90.5, Alaska Rules of Civil Procedure; and providing for an effective date."

and

SENATE CS FOR HOUSE BILL NO. 513(JUD)

(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to HB 513, thus adopting SCS HB 513(JUD), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to HB 513?" The roll was taken with the following result:

SCS HB 513(JUD)

Concur

YEAS: 39 NAYS: 0 EXCUSED: 0 ABSENT: 1

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

Absent: Kapsner

Kohring changed from "Nay" to "Yea".

And so, the House concurred in the Senate amendment, thus adopting SCS HB 513(JUD).

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

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

The Chief Clerk notified the Senate.

SCS HB 513(JUD) was referred to the Chief Clerk for enrollment.

HB 511

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4284) on the following at this time:

CS FOR HOUSE BILL NO. 511(HES) am
"An Act relating to the certificate of need program for health care facilities; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 511(FIN)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 511(HES) am, thus adopting SCS CSHB 511(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 511(HES) am?" The roll was taken with the following result:

SCS CSHB 511(FIN)

Concur

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

Yeas: Anderson, Cissna, Coghill, Crawford, Croft, Fate, Foster, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kookesh, Kott, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stepovich, Weyhrauch, Williams, Wilson

Nays: Chenault, Dahlstrom, Kohring, Lynn, Masek, Stoltze, Wolf

Absent: Berkowitz, Gara

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 511(FIN).

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

The Chief Clerk notified the Senate.

SCS CSHB 511(FIN) was referred to the Chief Clerk for enrollment.

HB 514

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4285) on the following at this time:

CS FOR HOUSE BILL NO. 514(FIN) am
"An Act relating to child support modification and enforcement, to the establishment of paternity by the child support enforcement agency, and to the crimes of criminal nonsupport and aiding the nonpayment of child support; amending Rule 90.3, Alaska Rules of Civil Procedure; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 514(FIN)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 514(FIN) am, thus adopting SCS CSHB 514(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 514(FIN) am?" The roll was taken with the following result:

SCS CSHB 514(FIN)
Concur

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

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

Nays: Kohring, Wolf

Absent: Berkowitz, Holm

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 514(FIN).

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

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

The Chief Clerk notified the Senate.

SCS CSHB 514(FIN) was referred to the Chief Clerk for enrollment.

HB 533

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4211) on the following at this time:

CS FOR HOUSE BILL NO. 533(JUD)

"An Act relating to the state's administrative procedures and to judicial oversight of administrative matters."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 533(FIN)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 533(JUD), thus adopting SCS CSHB 533(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 533(JUD)?" The roll was taken with the following result:

SCS CSHB 533(FIN)

Concur

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

Yeas: Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, 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

Absent: Guttenberg, Holm

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 533(FIN).

The Chief Clerk notified the Senate.

SCS CSHB 533(FIN) was referred to the Chief Clerk for enrollment.

HB 252

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4206) on the following at this time:

CS FOR HOUSE BILL NO. 252(STA)

"An Act relating to the terms and duties of the members of the State Board of Registration for Architects, Engineers and Land Surveyors."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 252(JUD)

"An Act relating to the terms and duties of the members of the State Board of Registration for Architects, Engineers and Land Surveyors; and relating to the employment and classification of an executive secretary for the board."

(SCR 24 - title change resolution)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 252(STA), thus adopting SCS CSHB 252(JUD), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 252(STA)?" The roll was taken with the following result:

SCS CSHB 252(JUD)

Concur

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

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

Absent: Holm, Joule

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 252(JUD).

The Chief Clerk notified the Senate.

SCS CSHB 252(JUD) was referred to the Chief Clerk for enrollment.

SPECIAL ORDER OF BUSINESS

SCR 24

The following was taken up as a Special Order of Business at this time:

SENATE CONCURRENT RESOLUTION NO. 24

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 252, relating to boards under AS 08.01.

The question being: "Shall SCR 24 pass the House?" The roll was taken with the following result:

SCR 24
Special Order of Business

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

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

Absent: Holm, Joule

And so, SCR 24 passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

CONCUR IN SENATE AMENDMENTS

HB 309

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4253) on the following at this time:

CS FOR HOUSE BILL NO. 309(JUD) am
"An Act relating to nonindigenous fish."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 309(RES) am S
"An Act relating to nonindigenous fish and consecutive sentencing; and providing for an effective date."

(SCR 33 - title change resolution)

There being no objection, it was so ordered.

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

**Representative Coghill moved and asked unanimous consent that Representative Moses be excused from a call of the House for the remainder of this legislative day. There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 309(JUD) am, thus adopting SCS CSHB 309(RES) am S, and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 309(JUD) am?" The roll was taken with the following result:

SCS CSHB 309(RES) am S
Concur

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

Yeas: Anderson, Chenault, Cissna, Coghill, Croft, Dahlstrom, Fate, Foster, Harris, Hawker, Heinze, Holm, Kohring, Kott, Lynn, McGuire, Meyer, Rokeberg, Samuels, Stepovich, Stoltze, Weyhrauch, Wilson, Wolf

Nays: Berkowitz, Crawford, Gara, Gatto, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Masek, Morgan, Ogg, Seaton

Excused: Moses

Absent: Kookesh, Williams

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 309(RES) am S.

UNFINISHED BUSINESS

SB 301

Representative Coghill moved and asked unanimous consent that the House consider the Conference Committee with limited powers of free conference report on the following, which is under Unfinished Business (page 4218), at this time:

HOUSE CS FOR CS FOR SENATE BILL NO. 301(FIN) am H
"An Act relating to the Alaska Pioneers' Home and the Alaska Veterans' Home; relating to eligibility for admission to the Alaska Pioneers' Home and Alaska Veterans' Home; relating to the eligibility of residents for the Alaska Pioneers' Home and the Alaska Veterans' Home for general relief assistance; relating to state veterans' home facilities; making conforming amendments; and providing for an effective date."

and

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

There being no objection, it was so ordered.

Representative Coghill moved that the House adopt the Conference Committee with limited powers of free conference report, thus adopting CCS SB 301.

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

CCS SB 301

Adopt

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

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

Nays: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Kerttula, Kookesh

Excused: Moses

Absent: Williams

And so, the House adopted the Conference Committee with limited powers of free conference report, thus adopting:

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

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 Coghill moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on adoption of the Legislative letter of intent (Senate Journal page 2364) and the House letter of intent (page 3320). There being no objection, it was so ordered.

The Chief Clerk notified the Senate.

The Senate has adopted the Conference Committee with limited powers of free conference report (Senate Journal page 3703).

HB 309

Representative Coghill moved the effective date clause for the following:

SENATE CS FOR CS FOR HOUSE BILL NO. 309(RES) am S
"An Act relating to nonindigenous fish and consecutive sentencing; and providing for an effective date."

The House adopted SCS CSHB 309(RES) am S (page 4310).

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

SCS CSHB 309(RES) am S

Concur

Effective Date

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

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

Nays: Berkowitz, Kerttula

Excused: Moses

And so, the effective date clause was adopted.

The Chief Clerk notified the Senate.

SCS CSHB 309(RES) am S was referred to the Chief Clerk for enrollment.

RECEDE

SB 357

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4285) on the following at this time:

HOUSE CS FOR CS FOR SENATE BILL NO. 357(FIN) am H
"An Act relating to the regulation of insurance, insurance licenses, qualifications of insurance producers, surplus lines, fraud investigations, electronic transactions, and compliance with federal law and national standards; and providing for an effective date."

and

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

There being no objection, it was so ordered.

Representative Coghill moved that the House recede from its amendment to CSSB 357(FIN), namely HCS CSSB 357(FIN) am H.

The question being: "Shall the House recede from its amendment to CSSB 357(FIN)?" The roll was taken with the following result:

HCS CSSB 357(FIN) am H
Recede

YEAS: 23 NAYS: 16 EXCUSED: 1 ABSENT: 0

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

Nays: Berkowitz, Cissna, Crawford, Croft, Dahlstrom, Gara, Gruenberg, Guttenberg, Hawker, Joule, Kapsner, Kerttula, Kookesh, Lynn, Masek, Wolf

Excused: Moses

And so, the House receded from its amendment, thus adopting CSSB 357(FIN).

CSSB 357(FIN) was signed by the Speaker and Chief Clerk and returned to the Senate.

SPECIAL ORDER OF BUSINESS

SCR 33

The following was taken up as a Special Order of Business at this time:

SENATE CONCURRENT RESOLUTION NO. 33
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 309, relating to nonindigenous fish.

The question being: "Shall SCR 33 pass the House?" The roll was taken with the following result:

SCR 33
Special Order of Business

YEAS: 28 NAYS: 11 EXCUSED: 1 ABSENT: 0

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

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

Excused: Moses

And so, SCR 33 passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

UNFINISHED BUSINESS

HB 511

Representative Coghill moved the Senate letter of intent (Senate Journal page 3418) for the following:

SENATE CS FOR CS FOR HOUSE BILL NO. 511(FIN)

"An Act relating to the certificate of need program for health care facilities; and providing for an effective date."

The House adopted SCS CSHB 511(FIN) (page 4304).

The question being: "Shall the House adopt the Senate letter of intent for SCS CSHB 511(FIN)?" The roll was taken with the following result:

SCS CSHB 511(FIN)

Concur

Letter of Intent

YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0

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

Excused: Moses

And so, the Legislative letter of intent was adopted.

SPECIAL ORDER OF BUSINESS

SCR 27

The following was taken up as a Special Order of Business at this time:

SENATE CONCURRENT RESOLUTION NO. 27

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 452, relating to sport fishing operators and sport fishing guides.

The question being: "Shall SCR 27 pass the House?" The roll was taken with the following result:

SCR 27

Special Order of Business

YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0

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

Excused: Moses

And so, SCR 27 passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

MESSAGES FROM THE SENATE

SB 337

A message dated May 11, 2004, was received stating the Senate has failed to concur in the House amendment to CSSB 337(L&C), namely:

HOUSE CS FOR CS FOR SENATE BILL NO. 337(FIN) am H

"An Act relating to the powers of the Alaska Energy Authority to make grants and loans, to enter into contracts, and to improve, equip, operate, and maintain bulk fuel, waste energy, energy conservation, energy efficiency, and alternative energy facilities and equipment; relating to the bulk fuel revolving loan fund; relating to the Alaska Energy Authority's liability for the provision of technical assistance to rural utilities; relating to the continuation of the motor fuel tax rate for fuel produced from the processing of lignocellulose from wood or waste seafood; establishing a hydrogen energy partnership; relating to the Alaska Energy Authority's investment of the power development fund; repealing the electrical service extension fund; and providing for an effective date."

and respectfully requests the House to recede from its amendment.

RECEDE

SB 337

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4316) at this time. There being no objection, it was so ordered.

Representative Coghill moved that the House recede from its amendment to CSSB 337(L&C), namely HCS CSSB 337(FIN) am H.

The question being: "Shall the House recede from its amendment to CSSB 337(L&C)?" The roll was taken with the following result:

HCS CSSB 337(FIN) am H

Recede

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

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

Excused: Moses

Absent: Anderson

And so, the House receded from its amendment, thus adopting CSSB 337(L&C).

CSSB 337(L&C) was signed by the Speaker and Chief Clerk and returned to the Senate.

Without objection, the House reverted to:

MESSAGES FROM THE SENATE

HB 196

A message dated May 11, 2004, was read stating the Senate has passed CSHB 196(RES) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 196(RES) am S
"An Act relating to carbon sequestration; and providing for an effective date."

The message further stated that under Rule 43(b) of the Uniform Rules engrossment had been waived and the following certified amendment was attached:

Page 1, line 5:
Delete "(a)"

Page 1, lines 6 - 10:
Delete all material.

Renumber the following paragraphs accordingly.

Page 1, lines 13 - 14:
Delete "and help offset carbon dioxide emissions from other sectors of the economy"

Page 2, lines 4 - 6:
Delete all material.

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Page 3, lines 23 - 26:
Delete all material.

Renumber the following paragraphs accordingly.

Page 4, lines 9 - 10:
Delete ", The Pew Charitable Trusts,"

CSHB 196(RES) is under Unfinished Business.

HB 233

A message dated May 11, 2004, was read stating the Senate has passed CSHB 233(EDU) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 233(FIN)
"An Act increasing the base student allocation used in the formula for state funding of public education; and providing for an effective date."

CSHB 233(EDU) am is under Unfinished Business.

HB 275

A message dated May 11, 2004, was read stating the Senate has passed CSHB 275(FIN) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 275(JUD)
"An Act relating to animals, and to the care of and to cruelty to animals."

CSHB 275(FIN) is under Unfinished Business.

HB 495

A message dated May 11, 2004, was read stating the Senate has passed CSHB 495(FIN) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 495(FIN)

"An Act allowing a joint action agency to encumber property interests for security purposes; declaring certain joint action agencies to be political subdivisions for certain purposes; restricting the sale of property of the joint action agency; allowing the joint action agency to transfer property to security interest holders under a security interest or to other parties without legislative approval; and providing for an effective date."

CSHB 495(FIN) is under Unfinished Business.

HB 503

A message dated May 11, 2004, was read stating the Senate has passed:

HOUSE BILL NO. 503

"An Act relating to the tobacco product Master Settlement Agreement; and providing for an effective date."

with the following amendment and it is transmitted for consideration:

HOUSE BILL NO. 503 am S

"An Act relating to taxes on cigarettes and tobacco products, to tax stamps on cigarettes, to forfeiture of cigarettes and of property used in the manufacture, transportation, facilitation of transportation, possession, offering for sale, or sale of unstamped cigarettes, to unfair cigarette sales, and to licenses and licensees under the Cigarette Tax Act; the tobacco product Master Settlement Agreement; and providing for an effective date."

(SCR 32 - title change resolution)

The message further stated that under Rule 43(b) of the Uniform Rules engrossment had been waived and the following certified amendment was attached:

Page 1, line 1, following "**relating to**":

Insert "**taxes on cigarettes and tobacco products, to tax stamps on cigarettes, to forfeiture of cigarettes and of property used in the manufacture, transportation, facilitation of transportation,**

possession, offering for sale, or sale of unstamped cigarettes, to unfair cigarette sales, and to licenses and licensees under the Cigarette Tax Act;"

Page 1, line 3:

Insert new bill sections to read:

*** Section 1.** AS 43.50.030(d) is amended to read:

(d) For each license issued to a direct-buying retailer, and for each renewal, the fee is **\$50** [\$25].

*** Sec. 2.** AS 43.50.035 is repealed and reenacted to read:

Sec. 43.50.035. Wholesaler-distributor license. (a) A person outside of this state who sells or distributes cigarettes into this state and is not required to be licensed under AS 43.50.010 may apply for a wholesaler-distributor license.

(b) A person outside of this state who sells or distributes cigarettes into this state, who is not required to be licensed under AS 43.50.010, and who wishes to purchase stamps under this chapter shall be licensed as a wholesaler-distributor.

(c) The department shall adopt reasonable regulations necessary for the collection of cigarette taxes on cigarette sales or distributions made by a wholesaler-distributor licensee into this state and standards for

(1) application and issuance of the license; and

(2) refusal to issue the license.

*** Sec. 3.** AS 43.50.090(a) is amended to read:

(a) There is levied an excise tax of 38 mills on each cigarette imported or acquired in the state. The tax shall be paid through the use of stamps as provided in AS 43.50.500 - 43.50.700. **A person who imports or acquires cigarettes in the state upon which a stamp required by this chapter has not been affixed in accordance with AS 43.50.500 - 43.50.700, who fails to apply to purchase stamps as required by AS 43.50.540(a), and who fails to pay the tax through the use of stamps is not relieved** [THE FAILURE TO PAY THE TAX THROUGH THE USE OF STAMPS DOES NOT RELIEVE A PERSON] of the obligation to pay taxes due under this chapter. The person shall still pay the tax, and the tax is due on or before the end of the month following the month in which cigarettes were manufactured, imported, acquired, or sold in this state. Cigarettes upon which the excise is imposed are not again subject to the excise when acquired by another person.

- * **Sec. 4.** AS 43.50.170(1) is amended to read:
(1) "buyer" means a person who imports or acquires cigarettes for the person's own consumption from any source other than a manufacturer, distributor, direct-buying retailer, [OR] retailer, **or wholesaler-distributor;**
- * **Sec. 5.** AS 43.50.170(3) is amended to read:
(3) "direct-buying retailer" means a person who is engaged in the sale of cigarettes at retail in this state, and who brings **cigarettes** or causes **cigarettes** to be brought [CIGARETTES] into the state **that are not purchased from a wholesaler-distributor;**
- * **Sec. 6.** AS 43.50.170(4) is amended to read:
(4) "distributor" means a person who brings cigarettes **that are not purchased from a wholesaler-distributor,** or has cigarettes **that are not purchased from a wholesaler-distributor** brought into the state, and who sells or distributes at least **75 percent** [PER CENT] of the cigarettes to others for resale in the state;
- * **Sec. 7.** AS 43.50.170(12) is amended to read:
(12) "wholesaler-distributor" means a person outside this state who sells or distributes cigarettes into this state, [AND] who is not required to be licensed under AS 43.50.010, **and who is licensed under AS 43.50.035.**
- * **Sec. 8.** AS 43.50.190(a) is amended to read:
(a) There is levied an excise tax of **62** [12] mills on each cigarette imported or acquired in this state.
- * **Sec. 9.** AS 43.50.300 is amended to read:
Sec. 43.50.300. Excise tax levied. An excise tax is levied on tobacco products in the state at the rate of **100** [75] percent of the wholesale price of the tobacco products. The tax is levied when a person
(1) brings, or causes to be brought, a tobacco product into the state from outside the state for sale;
(2) makes, manufactures, or fabricates a tobacco product in the state for sale in the state; [OR]
(3) ships or transports a tobacco product to a retailer in the state for sale by the retailer **or to an individual for personal consumption; or**
(4) brings, or causes to be brought, a tobacco product into the state from outside the state for personal consumption.

- * **Sec. 10.** AS 43.50.320(a) is repealed and reenacted to read:
- (a) Except as provided in (g) of this section, a person engaging in an activity described in AS 43.50.300(1) - (3) must be licensed by the department as a distributor, and a person engaging in an activity described in AS 43.50.300(4) must be licensed as a buyer.
- * **Sec. 11.** AS 43.50.320(b) is amended to read:
- (b) The department, upon application and payment of a fee of \$50, shall issue a license for one year to a person who applies for a **distributor** license [UNDER (a) OF THIS SECTION]. **The department, upon application and payment of a fee of \$25, shall issue a license for one year to a person who applies for a buyer license.**
- * **Sec. 12.** AS 43.50.320(d) is amended to read:
- (d) A **distributor** license issued under this section must include the name and address of the licensee, the type of business to be conducted, and the year for which the license is issued.
- * **Sec. 13.** AS 43.50.320(e) is amended to read:
- (e) The department may renew a **distributor** license issued under this section for a fee of \$50. **The department may renew a buyer license issued under this section for a fee of \$25.**
- * **Sec. 14.** AS 43.50.330(a) is amended to read:
- (a) On or before the last day of each calendar month, a licensee shall file a return with the department. The return must state the number or amount of tobacco products sold **or imported for personal consumption** by the licensee during the preceding calendar month, the selling price **or purchase price** of the tobacco products, and the amount of tax imposed on the tobacco products.
- * **Sec. 15.** AS 43.50.390(2) is amended to read:
- (2) "licensee" means a distributor **or buyer** who is
- (A) licensed under AS 43.50.320; or
- (B) exempted by AS 43.50.320(g) from licensing under AS 43.50.320;
- * **Sec. 16.** AS 43.50.390 is amended by adding a new paragraph to read:
- (6) "buyer" means a person who imports tobacco products for the person's own consumption from any source other than a licensee.
- * **Sec. 17.** AS 43.50.540(f) is amended to read:
- (f) Title to the stamps passes immediately to the licensee at

the time the stamps are obtained in person or, if the stamps are shipped or transported, at the time the stamps are placed in the United States mail or received by the common or private carrier. The licensee bears all costs associated with shipping or transporting the stamps. **The department may replace stamps lost or damaged in transit if the licensee provides proof acceptable to the department verifying that the loss or damage occurred while the stamps were in the possession of the shipping company and the shipping company substantiates the loss or damage. Damaged stamps must be returned to the department before the department may replace them** [AND ALL RISKS OF POSSIBLE LOSS OR DAMAGE WHILE IN TRANSIT].

* **Sec. 18.** AS 43.50.550(b) is amended to read:

(b) A licensee who submits an application for the purchase of stamps on a deferred-payment basis shall, **as a condition of approval of the application**, post a bond acceptable to the department in an amount equal to

(1) 200 percent of the maximum dollar amount of allowed monthly purchases under this section; or

(2) 100 percent of the maximum dollar amount of allowed monthly purchases under this section if the licensee

(A) holds a license issued under AS 43.50.010 for a physical location in this state; and

(B) has been in full compliance with the provisions of this title and regulations adopted under this title during the preceding 60 months [AS A CONDITION OF APPROVAL OF THE APPLICATION].

* **Sec. 19.** AS 43.50.580(b) is amended to read:

(b) A licensee may possess unstamped cigarettes in this state if

(1) the licensee posts a surety bond in an amount satisfactory to the department to ensure performance of its duties under this chapter; and

(2) unstamped cigarettes are necessary for the conduct of the licensee's business in making sales or distributions

(A) to an instrumentality of the federal government or an Indian tribal organization authorized by law to possess cigarettes not taxed under this chapter; or

(B) to customers outside the state and the licensee

provides proof acceptable to the department that the licensee is properly licensed in the jurisdictions outside the state where the sales or distributions are made.

* **Sec. 20.** AS 43.50.590(a) is amended to read:

(a) The department shall adopt procedures for a refund or credit to a licensee in the amount of the denominated value, less the discount given under AS 43.50.540, for

(1) unused or damaged stamps; [OR]

(2) stamps affixed to cigarette packages that have become unfit for use or sale, are destroyed, or are returned to the manufacturer for credit or replacement if the licensee provides proof acceptable to the department that the cigarettes have not been and will not be consumed in this state; **or**

(3) stamps affixed to cigarette packages that are sold or distributed outside the state if the licensee provides proof acceptable to the department that the cigarettes have not been and will not be consumed in this state and the licensee is properly licensed in the jurisdictions outside the state where the sales or distributions are made.

* **Sec. 21.** AS 43.50 is amended by adding a new section to read:

Sec. 43.50.625. Forfeiture of other property. (a) Upon a showing of probable cause that a person has committed the crime of misconduct involving unstamped cigarettes or stamps in the first degree under AS 43.50.640, the following are subject to forfeiture:

(1) material and equipment used in the manufacture, sale, offering for sale, or possession for sale of cigarettes in this state in violation of AS 43.50.500 - 43.50.640 or 43.50.660 - 43.50.700;

(2) aircraft, vehicles, or vessels used to transport or facilitate the transportation of cigarettes manufactured, sold, offered for sale, or possessed for sale in this state in violation of AS 43.50.500 - 43.50.640 or 43.50.660 - 43.50.700;

(3) money, securities, negotiable instruments, or other things of value used in financial transactions derived from activity prohibited under AS 43.50.500 - 43.50.640 or 43.50.660 - 43.50.700.

(b) Property subject to forfeiture under this section may be actually or constructively seized under an order issued by the superior court upon a showing of probable cause that the property is subject to forfeiture under this section. Constructive seizure is

effected upon posting a signed notice of seizure on the item to be forfeited, stating the violation and the date and place of seizure. Seizure without a court order may be made if

- (1) the seizure is incident to a valid arrest or search;
- (2) the property subject to seizure is the subject of a prior judgment in favor of the state; or
- (3) there is probable cause to believe that the property is subject to forfeiture under (a) of this section; property seized under this paragraph may be held for not more than 48 hours unless an order of forfeiture is issued by the court before the end of that time period.

(c) Within 30 days after a seizure under this section, the Department of Public Safety shall make reasonable efforts to ascertain the identity and whereabouts of any person holding an interest, or an assignee of a person holding an interest, in the property seized, including a right to possession, or a lien, mortgage, or conditional sales contract. The Department of Public Safety shall notify the person ascertained to have an interest in the seized property of the impending forfeiture, and, before forfeiture, the Department of Public Safety shall publish, once a week for four consecutive calendar weeks, a notice of the impending forfeiture in a newspaper of general circulation in the judicial district in which the seizure was made, or if a newspaper is not published in that judicial district, in a newspaper published in the state and distributed in that judicial district.

(d) Property subject to forfeiture under (a) of this section may be forfeited

- (1) upon conviction of a person for a violation of AS 43.50.640; or
- (2) upon judgment by the superior court in a proceeding in rem that the property was used in a manner subjecting it to forfeiture under (a) of this section.

(e) The owner of property subject to forfeiture under (a) of this section is entitled to relief from the forfeiture in the nature of remission of the forfeiture if, in an action under (d) of this section, the owner shows that the owner

- (1) was not a party to the violation;
- (2) did not have actual knowledge or reasonable cause to believe that the property was used or was to be used in violation of the law; and

(3) did not have actual knowledge or reasonable cause to believe that the person committing the violation had, within the last 10 years,

(A) a criminal record for violating this chapter; or

(B) committed other violations of this chapter.

(f) The court may allow the owner of property that is subject to forfeiture under (a) of this section to redeem the property by paying an amount determined by the court to be the fair market value of the property.

(g) A person other than the owner holding, or the assignee of, a lien, mortgage, or conditional sales contract on, or the right to possession of property subject to forfeiture under (a) of this section is entitled to relief from the forfeiture in the nature of remission of the forfeiture if, in an action under (d) of this section, the person shows that the person

(1) was not a party to the violation subjecting the property to forfeiture;

(2) did not have actual knowledge or reasonable cause to believe that the property was used or was to be used in violation of the law; and

(3) did not have actual knowledge or reasonable cause to believe that the person committing the violation had, within the last 10 years,

(A) a criminal record for violating this chapter; or

(B) committed other violations of this chapter.

(h) It is not a defense in an in rem forfeiture proceeding brought under (d)(2) of this section that a criminal proceeding is pending or has resulted in conviction or acquittal of a person charged with violating AS 43.50.640.

(i) Property forfeited under this section shall be placed in the custody of the commissioner of public safety for disposition according to an order entered by the court. The court shall order destroyed any property forfeited under this section that is harmful to the public and may order any property forfeited under this section that was seized in a municipality to be transferred to the municipality in which the property was seized or to another municipality affected by the crime for which the property was forfeited. The state shall notify all municipalities affected by the crime of the forfeiture proceeding. Other property shall be ordered sold and the proceeds used for payment of expenses of the

proceedings for forfeiture and sale, including expenses of seizure, custody, and court costs. The remainder of the proceeds shall be deposited in the general fund.

(j) The title to a vehicle or vessel forfeited to the state under this section may be transferred by the state to a municipality or the local governing body of a village for official use by the municipality or village, on condition that the vehicle or vessel not be available for use by the defendant.

* **Sec. 22.** AS 43.50.640(a) is amended to read:

(a) A person commits the crime of misconduct involving unstamped cigarettes or stamps in the first degree if the person

(1) with reckless disregard that the cigarettes are unstamped

(A) sells or distributes 5,000 [1,000] or more unstamped cigarettes in a single transaction;

(B) owns or possesses 5,000 [1,000] or more unstamped cigarettes with the intent to sell; or

(C) acquires, holds, transports, imports, or possesses 10,000 or more unstamped cigarettes; or

(2) with reckless disregard that the stamp was previously affixed to another cigarette package[;]

(A) affixes a previously used stamp to a cigarette package; or

(B) possesses, sells, or distributes a previously used stamp.

* **Sec. 23.** AS 43.50.650(a) is amended to read:

(a) A person commits the crime of misconduct involving unstamped cigarettes or stamps in the second degree if the person

(1) with reckless disregard that the cigarettes are unstamped

(A) sells or distributes at least one but fewer than 5,000 [1,000] unstamped cigarettes in a single transaction;

(B) owns or possesses at least one but fewer than 5,000 [1,000] unstamped cigarettes, with intent to sell; or

(C) acquires, holds, transports, imports, or possesses at least one but fewer than 10,000 unstamped cigarettes; or

(2) is not licensed under this chapter or otherwise authorized by the department to possess stamps and possesses a stamp that is not affixed to a cigarette package.

* **Sec. 24.** AS 43.50.710 is amended by adding a new subsection to

read:

(e) Nothing in this section prohibits a manufacturer from offering promotions to a wholesaler or a retailer provided the wholesale promotion is the same for all participating wholesalers and the retail promotion is the same for all participating retailers.

* **Sec. 25.** AS 43.50.720 is amended to read:

Sec. 43.50.720. Sale at less than cost; with gift or concession. In all advertisements, offers for sale, or sales involving two or more items when at least one of the items is cigarettes at a combined price, and in all advertisements, offers for sale, or sales involving the giving of any gift, concession, or coupon of any kind in conjunction with the sale of cigarettes, the wholesaler's or retailer's combined selling price may not be below the actual cost to the wholesaler or the actual cost to the retailer, respectively, of the total of all articles, products, commodities, gifts, and concessions included in the transactions, except that, if any articles, products, commodities, gifts, or concessions are not cigarettes, the **actual** [BASIC] cost shall be determined as provided under AS 43.50.800.

* **Sec. 26.** AS 43.50.760(b) is amended to read:

(b) The presumptive **actual** [WHOLESALE AND PRESUMPTIVE RETAIL] cost of cigarettes as determined by the department **under AS 43.50.800** [FROM THE MANUFACTURER'S PRICE LIST] is considered competent evidence in a court action or proceeding as tending to prove actual cost to the wholesaler or retailer complained against. A party against whom the presumptive **actual** [WHOLESALE OR PRESUMPTIVE RETAIL] cost as determined by the department is introduced in evidence has the right to offer evidence tending to prove any inaccuracy of the presumptive **actual** [WHOLESALE OR PRESUMPTIVE RETAIL] cost or any statement of facts that would impair its probative value.

* **Sec. 27.** AS 43.50.770 is amended to read:

Sec. 43.50.770. Determination of cost of cigarettes purchased outside of ordinary channels of trade. In establishing the **actual** [BASIC] cost of cigarettes to a wholesaler or retailer, the invoice cost [OR THE ACTUAL COST] of cigarettes purchased at a forced, bankrupt, or closeout sale, or other sale outside the ordinary channels of trade may not be used.

* **Sec. 28.** AS 43.50.790(a) is amended to read:

(a) The department

(1) shall administer AS 43.50.710 - 43.50.849;

(2) may adopt regulations relating to the administration and enforcement of AS 43.50.710 - 43.50.849;

(3) may determine the **actual** [BASIC] cost of cigarettes to a wholesaler or retailer **as provided in AS 43.50.800** [FROM INFORMATION OBTAINED FROM A MANUFACTURER];

(4) may, after reasonable notice and hearing, revoke or suspend a license issued under AS 43.50.010 or 43.50.035 to a person who refuses or neglects to comply with a provision of AS 43.50.710 - 43.50.849.

* **Sec. 29.** AS 43.50.800 is repealed and reenacted to read:**Sec. 43.50.800. Presumptions applicable to determination of cost.**

(a) The presumptive actual cost of cigarettes to a wholesaler is, for purposes of AS 43.50.710 - 43.50.849, the presumptive wholesale cost as calculated by the department plus an amount equal to four and one-half percent of the presumptive wholesale cost to account for business costs. For purposes of this section, the presumptive wholesale cost is the manufacturer's list price, less trade discounts, plus the full face value of all cigarette taxes.

(b) The presumptive actual cost of cigarettes to a retailer is, for purposes of AS 43.50.710 - 43.50.849, the presumptive actual cost of cigarettes to the wholesaler as calculated by the department under (a) of this section, plus an amount equal to six percent of the presumptive actual cost of cigarettes to the wholesaler to account for business costs.

(c) A wholesaler or retailer that wishes to advertise, offer to sell, or sell cigarettes at less than the presumptive actual cost to the wholesaler or retailer as calculated under (a) or (b) of this section must first obtain approval from the department. The department may grant approval only if the wholesaler or retailer provides proof satisfactory to the department that the wholesaler or retailer's actual cost is lower than presumed. Approval for cigarette sales at less than the presumptive actual cost as determined under (a) or (b) of this section may not be granted for a period longer than one year. In reviewing proof of actual wholesale or retail cost, the department may consider the costs reflected on the actual invoice, but may not consider cash discounts. In reviewing proof of actual costs, the department may

consider the standards and methods of accounting regularly employed, and must include labor costs, rent, depreciation, selling costs, maintenance of equipment, delivery costs, all types of licenses, taxes, insurance, advertising, preopening expenses, provision for impaired assets and closing costs, interest expenses, and provision for merger and restructuring expenses. The department shall adopt regulations under which the wholesaler's and retailer's actual costs are determined for purposes of AS 43.50.710 - 43.50.849."

Renumber the following bill sections accordingly.

Page 3, following line 22:

Insert new bill sections to read:

"* **Sec. 33.** The uncodified law of the State of Alaska enacted in sec. 4, ch. 48, SLA 1997, is repealed and reenacted to read:

Sec. 4. AS 43.50.190(a) is repealed and reenacted to read:

(a) There is levied an excise tax of 97.5 mills on each cigarette imported or acquired in this state.

* **Sec. 34.** AS 43.50.740(b), 43.50.849(1), 43.50.849(6), and 43.50.849(7) are repealed."

Renumber the following bill sections accordingly.

Page 3, line 25:

Delete "Section 2"

Insert "Section 31"

Page 3, line 26:

Delete "sec. 1"

Insert "sec. 30"

Page 3, line 28:

Delete "Section 3"

Insert "Section 32"

Delete "sec. 1"

Insert "sec. 30"

Page 3, line 29:

Delete "sec. 2"

Insert "sec. 31"

Page 3, line 30:

Delete all material.

Insert a new bill section to read:

**** Sec. 36.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: FLOOR STOCK TAX FOR CERTAIN CIGARETTES IN THE STATE ON THE EFFECTIVE DATE OF THIS SECTION. (a) Notwithstanding any other provision to the contrary, a floor stock tax is imposed at 12:01 a.m. on the effective date of this section upon every person in control or possession of cigarettes for sale or distribution in the state that were taxed at the rate in effect before the effective date of this section. The floor stock tax is the difference between the tax computed on each cigarette as provided in AS 43.50.190, as amended by sec. 8 of this Act, on the effective date of this section and the tax actually paid on each cigarette as required by AS 43.50.190 as it read on the day before the effective date of this section. The person subject to the floor stock tax under this section must provide proof that the tax required by AS 43.50.190, as it read on the day before the effective date of this section, on each cigarette was previously paid or the tax actually paid on each cigarette is considered to be zero.

(b) A person subject to the floor stock tax under this section shall file a report on a form prescribed by the Department of Revenue and pay the tax to the Department of Revenue in six sequential monthly installments. The first installment shall be paid not later than the last day of the month in which this section takes effect. The penalty, interest, and taxpayer remedy provisions of AS 43.05 apply to the floor stock tax under this section."

ReNUMBER the following bill sections accordingly.

Page 3, line 31:

Delete "sec. 2"

Insert "sec. 31"

Delete "sec. 4(a)"

Insert "sec. 35(a)"

Page 4, line 2:

Delete "sec. 1"

Insert "sec. 30"

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Page 4, line 3:

Delete "sec. 3"
Insert "sec. 32"
Delete "sec. 4(b)"
Insert "sec. 35(b)"

Page 4, line 5:

Delete "sec. 2"
Insert "sec. 31"

Page 4, following line 5:

Insert a new bill section to read:

"* **Sec. 39.** Except as provided in secs. 37 and 38 of this Act, this Act takes effect July 1, 2004. "

HB 503 is under Unfinished Business.

HB 549

A message dated May 11, 2004, was read stating the Senate has passed CSHB 549(JUD) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 549(JUD) am S
"An Act relating to unsolicited communications following an aircraft accident."

The message further stated that under Rule 43(b) of the Uniform Rules engrossment had been waived and the following certified amendment was attached:

Page 2, lines 8 - 12:

Delete all material and insert:

"(d) The attorney general or an aggrieved person may institute a civil action against a person who violates this section. In addition to injunctive and compensatory relief, a civil penalty not to exceed \$10,000 may be imposed for each violation."

CSHB 549(JUD) am is under Unfinished Business.

A message dated May 11, 2004, was read stating the Senate has passed the following and it is transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS**

SCR 32

SENATE CONCURRENT RESOLUTION NO. 32 by the Senate Finance Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 503, relating to the tobacco product Master Settlement Agreement.

was read the first time.

CONCUR IN SENATE AMENDMENTS

HB 275

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4319) on the following at this time:

CS FOR HOUSE BILL NO. 275(FIN)

"An Act relating to animals, and to the care of and to cruelty to animals."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 275(JUD)

(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 275(FIN), thus adopting SCS CSHB 275(JUD), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 275(FIN)?" The roll was taken with the following result:

SCS CSHB 275(JUD)

Concur

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

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

Excused: Moses

Absent: Hawker

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 275(JUD).

The Chief Clerk notified the Senate.

SCS CSHB 275(JUD) was referred to the Chief Clerk for enrollment.

HB 233

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4319) on the following at this time:

CS FOR HOUSE BILL NO. 233(EDU) am

"An Act increasing the base student allocation used in the formula for state funding of public education; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 233(FIN)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 233(EDU) am, thus adopting SCS CSHB 233(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 233(EDU) am?" The roll was taken with the following result:

SCS CSHB 233(FIN)

Concur

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

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

Nays: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Kerttula, Kookesh

Excused: Moses

Absent: Hawker

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 233(FIN).

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

The Chief Clerk notified the Senate.

SCS CSHB 233(FIN) was referred to the Chief Clerk for enrollment.

HB 196

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4318) on the following at this time:

CS FOR HOUSE BILL NO. 196(RES)

"An Act relating to carbon sequestration; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 196(RES) am S
(same title)

There being no objection, it was so ordered.

The Speaker stated the question being: "Shall the House concur in the Senate amendment to CSHB 196(RES)?" The roll was taken with the following result:

SCS CSHB 196(RES) am S
Concur

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, Heinze, Holm, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Excused: Moses

Absent: Rokeberg

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 196(RES) am S.

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

The Chief Clerk notified the Senate.

SCS CSHB 196(RES) am S was referred to the Chief Clerk for enrollment.

HB 495

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4319) on the following at this time:

CS FOR HOUSE BILL NO. 495(FIN)

"An Act allowing a joint action agency to encumber property interests for security purposes; declaring certain joint action agencies to be political subdivisions for certain purposes; restricting the sale of property of the joint action agency; allowing the joint action agency to transfer property to security interest holders under a security interest or to other parties without legislative approval; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 495(FIN)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 495(FIN), thus adopting SCS CSHB 495(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 495(FIN)?" The roll was taken with the following result:

SCS CSHB 495(FIN)

Concur

YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0

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

Excused: Moses

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 495(FIN).

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

The Chief Clerk notified the Senate.

SCS CSHB 495(FIN) was referred to the Chief Clerk for enrollment.

HB 549

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4333) on the following at this time:

CS FOR HOUSE BILL NO. 549(JUD) am
"An Act relating to unsolicited communications following an aircraft accident."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 549(JUD) am S
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 549(JUD) am, thus adopting SCS CSHB 549(JUD) am S, and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 549(JUD) am?" The roll was taken with the following result:

SCS CSHB 549(JUD) am S
Concur

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

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

Nays: Kohring

Excused: Moses

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 549(JUD) am S.

The Chief Clerk notified the Senate.

SCS CSHB 549(JUD) am S was referred to the Chief Clerk for enrollment.

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

MESSAGES FROM THE SENATE

HCR 32

A message dated May 11, 2004, was read stating the Senate has passed CSHCR 32(EDT) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE CONCURRENT
RESOLUTION NO. 32(FIN)

Relating to information infrastructure and establishing the Alaska Information Infrastructure Policy Task Force.

CSHCR 32(EDT) am is under Unfinished Business.

HCR 39

A message dated May 11, 2004, was read stating the Senate has passed:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 39(RLS)
am
Establishing the Alaska Royalty and Revenue Committee.

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE CONCURRENT
RESOLUTION NO. 39(RES)
Requesting a study and report on the competitiveness of the state's
oil and gas tax and royalty structure.

(pending title change resolution)

CSHCR 39(RLS) am is under Unfinished Business.

HJR 36

A message dated May 11, 2004, was read stating the Senate has passed HJR 36 with the following amendment and it is transmitted for consideration:

SENATE CS FOR HOUSE JOINT RESOLUTION NO. 36(RES)
Requesting the National Park Service to mitigate the adverse
economic effects of commercial fishing closures and restrictions
in Glacier Bay National Park and Preserve.

CONCUR IN SENATE AMENDMENTS**HJR 36**

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

Representative Coghill moved that the House concur in the Senate amendment to HJR 36, thus adopting SCS HJR 36(RES), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to HJR 36?" The roll was taken with the following result:

SCS CSHJR 36(RES)

Concur

YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0

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

Excused: Moses

And so, the House concurred in the Senate amendment, thus adopting SCS HJR 36(RES).

The Chief Clerk notified the Senate.

SCS HJR 36(RES) was referred to the Chief Clerk for enrollment.

HCR 39

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4341) on the following at this time:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 39(RLS)

am

Establishing the Alaska Royalty and Revenue Committee.

and

SENATE CS FOR CS FOR HOUSE CONCURRENT
RESOLUTION NO. 39(RES)

Requesting a study and report on the competitiveness of the state's
oil and gas tax and royalty structure.

(pending title change resolution)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate
amendment to CSHCR 39(RLS) am, thus adopting SCS CSHCR
39(RES), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate
amendment to CSHCR 39(RLS) am?" The roll was taken with the
following result:

SCS CSHCR 39(RES)

Concur

YEAS: 19 NAYS: 20 EXCUSED: 1 ABSENT: 0

Yeas: Chenault, Coghill, Dahlstrom, Fate, Foster, Gatto, Harris,
Hawker, Holm, Lynn, Masek, Meyer, Rokeberg, Samuels, Seaton,
Stoltze, Weyhrauch, Williams, Wilson

Nays: Anderson, Berkowitz, Cissna, Crawford, Croft, Gara,
Gruenberg, Guttenberg, Heinze, Joule, Kapsner, Kerttula, Kohring,
Kookesh, Kott, McGuire, Morgan, Ogg, Stepovich, Wolf

Excused: Moses

And so, the House failed to concur in the Senate amendment to
CSHCR 39(RLS) am.

The Chief Clerk notified the Senate.

CSHCR 39(RLS) am was referred to the Chief Clerk for permanent
filing.

HCR 32

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 4340) on the following at this time:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 32(EDT)
am
Relating to information infrastructure and establishing the Alaska Information Infrastructure Policy Task Force.

and

SENATE CS FOR CS FOR HOUSE CONCURRENT
RESOLUTION NO. 32(FIN)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHCR 32(EDT) am, thus adopting SCS CSHCR 32(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHCR 32(EDT) am?" The roll was taken with the following result:

SCS CSHCR 32(FIN)
Concur

YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0

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

Excused: Moses

And so, the House concurred in the Senate amendment, thus adopting SCS CSHCR 32(FIN).

The Chief Clerk notified the Senate.

SCS CSHCR 32(FIN) was referred to the Chief Clerk for enrollment.

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

MESSAGES FROM THE SENATE

HB 405

A message dated May 11, 2004, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 405(EDU)

"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."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 405(HES)

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

(technical title change)

CSHB 405(EDU) is under Unfinished Business.

CONCUR IN SENATE AMENDMENTS

HB 405

Representative Coghill moved and asked unanimous consent that the House consider the Senate message at this time. There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 405(EDU), thus adopting SCS CSHB 405(HES), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 405(EDU)?" The roll was taken with the following result:

SCS CSHB 405(HES)
Concur

YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0

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

Excused: Moses

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 405(HES).

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

The Chief Clerk notified the Senate.

SCS CSHB 405(HES) was referred to the Chief Clerk for enrollment.

UNFINISHED BUSINESS

HB 375

Representative Coghill moved and asked unanimous consent that the House consider the Conference Committee with limited powers of free conference report on the following, which is under Unfinished Business (page 4216), at this time:

CS FOR HOUSE BILL NO. 375(FIN) am
"An Act making appropriations for the operating and loan
program expenses of state government, for certain programs, and
to capitalize funds; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 375(FIN) am
S(brf sup maj fld S)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House adopt the Conference
Committee with limited powers of free conference report, thus
adopting CCS HB 375.

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

CCS HB 375
Adopt

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

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

Nays: Berkowitz, Cissna, Gara, Guttenberg, Kerttula

Excused: Moses

And so, the House adopted the Conference Committee with limited
powers of free conference report, thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 375
(same title)

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

The Chief Clerk notified the Senate.

The Senate has adopted the Conference Committee with limited powers of free conference report (Senate Journal page 3698).

CCS HB 375 was referred to the Chief Clerk for engrossment and enrollment.

HB 377

Representative Coghill moved and asked unanimous consent that the House consider the Conference Committee with limited powers of free conference report on the following, which is under Unfinished Business (page 4216), at this time:

CS FOR HOUSE BILL NO. 377(FIN)

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 377(FIN)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House adopt the Conference Committee with limited powers of free conference report, thus adopting CCS HB 377.

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

CCS HB 377

Adopt

YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0

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

Excused: Moses

And so, the House adopted the Conference Committee with limited powers of free conference report, thus adopting:

CONFERENCE CS FOR HOUSE BILL NO. 377
(same title)

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

The Chief Clerk notified the Senate.

The Senate has adopted the Conference Committee with limited powers of free conference report (Senate Journal page 3699).

CCS HB 377 was referred to the Chief Clerk for engrossment and enrollment.

SB 283

Representative Coghill moved and asked unanimous consent that the House consider the Free Conference Committee report on the following, which is under Unfinished Business (page 4217), at this time:

CS FOR SENATE BILL NO. 283(FIN) am H

"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 for investment management fees for the constitutional budget reserve fund for fiscal year 2004; making an appropriation for investment management fees for the

constitutional budget reserve fund for fiscal year 2005; making appropriations to the Department of Education and Early Development for K-12 educational programs; making appropriations to the University of Alaska and the Alaska Court System; making an appropriation to reverse the deposit of money available for appropriation in the general fund at the end of fiscal year 2004 into the constitutional budget reserve fund; making an appropriation of the amount necessary to balance revenue and general fund appropriations for fiscal years 2004 and 2005; making appropriations for power cost equalization and for grants to municipalities, unincorporated communities, and designated recipients; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

and

CS FOR SENATE BILL NO. 283(FIN)

"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 for investment management fees for the constitutional budget reserve fund; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

(SCR 30 - title change resolution)

Representative Berkowitz objected, stating that the motion was in violation of Uniform Rule 42, and withdrew the objection.

Representative Coghill moved that the House adopt the Free Conference Committee report, thus adopting FCCS SB 283(Corrected).

The question being: "Shall the House adopt the Free Conference Committee report?" The roll was taken with the following result:

FCCS SB 283(Corrected)
Adopt

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

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

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

Excused: Moses

And so, the House adopted the Free Conference Committee report, thus adopting:

FREE CONFERENCE CS FOR SENATE BILL NO.
283(Corrected)

"An Act making, amending, and repealing appropriations, including capital appropriations, supplemental appropriations, reappropriations, and appropriations to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

Representative Coghill moved that the appropriations from the constitutional budget reserve fund (Article IX, Section 17(c), Constitution of the State of Alaska) be adopted.

The question being: "Shall the House adopt the appropriations from the constitutional budget reserve fund (Article IX, Section 17(c), Constitution of the State of Alaska)? The roll was taken with the following result:

FCCS SB 283(Corrected)
Adopt

Constitutional Budget Reserve Appropriations

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

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

Nays: Cissna, Crawford, Gara, Guttenberg

Excused: Moses

And so, the House adopted the appropriations from the constitutional budget reserve fund.

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

The Chief Clerk notified the Senate.

The Senate has adopted the Free Conference Committee report (Senate Journal page 3763).

SPECIAL ORDER OF BUSINESS

SCR 30

The following was taken up as a Special Order of Business at this time.

SENATE CONCURRENT RESOLUTION NO. 30

Suspending Rules 24(c), 35, 41(b), 42(c) and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 283, relating to appropriations from the constitutional budget reserve fund.

The question being: "Shall SCR 30 pass the House?" The roll was taken with the following result:

SCR 30

Special Order of Business

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

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

Nays: Berkowitz

Excused: Moses

And so, SCR 30 passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

LEGISLATIVE CITATIONS

Representative Coghill moved and asked unanimous consent that the notice and publication requirements be waived and the citations on the first and second special order citation calendars be taken up as a Special Order of Business at this time. There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that the House approve the citations on the first and second special order citation calendars. There being no objection, the following citations were approved and sent to enrolling:

Honoring - Representative Hugh "Bud" Fate

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

Honoring - Greg Pease

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

Honoring - Kim Rampmeyer, Darrell Vincek, Bowman Elementary School

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

Honoring - Mae M. Tischer

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

Honoring - Centennial of Hope School

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

Honoring - Valdez City School District

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

Honoring - Delta/Greely School District

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

Honoring - Academy Charter School

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

Honoring - AARP Alaska, Annual Day of Service

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

Honoring - Dollars for Dogs, Inc.

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

Honoring - Vonda K. Brown

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

Honoring - Kenai Chamber of Commerce 2003 Community Awards

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

In Memoriam - William Kozlowski

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

In Memoriam - Leo A. Grasso, Sr.

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

In Memoriam - Francis Frazier

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

In Memoriam - Randy Dean Esquiro

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

In Memoriam - Matilda S. Dzinich

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

In Memoriam - Lois A. Calvin

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

In Memoriam - Lisa Danette Bird

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

In Memoriam - Jack Austin III

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

In Memoriam - Katie Ann Gilila Rael Taassi

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

In Memoriam - Keli Ann Mahoney

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

In Memoriam - Kenneth Huizenga

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

In Memoriam - Margaret "Maggie" Wigen

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

In Memoriam - Bethany Rose Correira

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

Honoring – Cindy Aillaud, DisneyHand Teacher Award

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

Honoring – Charles R. Brenton

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

Honoring – Clara "Billie Lewis"

By Senator Ellis; Representatives Kott, Anderson, Berkowitz, Chenault, Cissna, Crawford, Croft, Dahlstrom, Fate, Gara, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, Kookesh, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson

In Memoriam – Bernard "Bernie" White

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

CONSIDERATION OF THE DAILY CALENDAR

THIRD READING OF SENATE BILLS

(continued)

SB 254

The following, which was advanced to third reading from the May 10, 2004, calendar (page 4122), was read the third time:

CS FOR SENATE BILL NO. 254(FIN)(efd fld)
"An Act relating to tourism marketing contracts."

The question being: "Shall CSSB 254(FIN)(efd fld) pass the House?"
The roll was taken with the following result:

CSSB 254(FIN)(efd fld)

Third Reading

Final Passage

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

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

Nays: Berkowitz, Cissna, Crawford, Croft, Gara, Joule, Kapsner, Kookesh

Excused: Moses

And so, CSSB 254(FIN)(efd fld) passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

SB 269

The following, which was advanced to third reading from the May 10, 2004, calendar (page 4189), was read the third time:

CS FOR SENATE BILL NO. 269(CRA) am H

"An Act relating to access to library records, including access to the library records of a child by a parent or guardian."

The question being: "Shall CSSB 269(CRA) am H pass the House?"
The roll was taken with the following result:

CSSB 269(CRA) am H

Third Reading

Final Passage

YEAS: 17 NAYS: 22 EXCUSED: 1 ABSENT: 0

Yeas: Anderson, Chenault, Coghill, Croft, Dahlstrom, Gatto, Harris, Holm, Kohring, Lynn, Meyer, Rokeberg, Stepovich, Stoltze, Weyhrauch, Wilson, Wolf

Nays: Berkowitz, Cissna, Crawford, Fate, Foster, Gara, Gruenberg, Guttenberg, Hawker, Heinze, Joule, Kapsner, Kerttula, Kookesh, Kott, Masek, McGuire, Morgan, Ogg, Samuels, Seaton, Williams

Excused: Moses

Weyhrauch changed from "Nay" to "Yea".

Fate changed from "Yea" to "Nay".

Wilson changed from "Nay" to "Yea".

Anderson changed from "Nay" to "Yea".

Morgan changed from "Yea" to "Nay".

Wolf changed from "Nay" to "Yea".

And so, CSSB 269(CRA) am H failed to pass the House.

CSSB 269(CRA) am H(fld H) was referred to the Chief Clerk for engrossment.

SB 277

The following, which was advanced to third reading from the May 10, 2004, calendar (page 4123), was read the third time:

CS FOR SENATE BILL NO. 277(FIN)

"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."

The question being: "Shall CSSB 277(FIN) pass the House?" The roll was taken with the following result:

CSSB 277(FIN)

Third Reading

Final Passage

YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0

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

Excused: Moses

And so, CSSB 277(FIN) passed the House.

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

CSSB 277(FIN) was signed by the Speaker and Chief Clerk and returned to the Senate.

SB 376

The following, which was advanced to third reading from the May 10, 2004, calendar (page 4125), was read the third time:

CS FOR SENATE BILL NO. 376(HES) am

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

The question being: "Shall CSSB 376(HES) am pass the House?"
The roll was taken with the following result:

CSSB 376(HES) am

Third Reading

Final Passage

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

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

Nays: Kohring

Excused: Moses

And so, CSSB 376(HES) am passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

SB 392

The following, which was advanced to third reading from the May 10, 2004, calendar (page 4126), was read the third time:

SENATE BILL NO. 392

"An Act relating to the expenses of investigation, hearing, or public advocacy before the Regulatory Commission of Alaska, to calculation of the regulatory cost charge for public utilities and pipeline carriers to include the Department of Law's costs of its public advocacy function, to inspection of certain books and

records by the attorney general when participating as a party in a matter before the Regulatory Commission of Alaska; and providing for an effective date."

The question being: "Shall SB 392 pass the House?" The roll was taken with the following result:

SB 392

Third Reading

Final Passage

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

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

Nays: Stoltze

Excused: Moses

And so, SB 392 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.

SB 392 was signed by the Speaker and Chief Clerk and returned to the Senate.

SB 393

The following, which was advanced to third reading from the May 10, 2004, calendar (page 4127), was read the third time:

CS FOR SENATE BILL NO. 393(FIN)

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

The question being: "Shall CSSB 393(FIN) pass the House?" The roll was taken with the following result:

CSSB 393(FIN)
Third Reading
Final Passage

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

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

Nays: Kohring

Excused: Moses

And so, CSSB 393(FIN) passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

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 - Rear Admiral James Underwood

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

Honoring - KTOO-FM's 30th and KTOO-TV's 25th Anniversary of Broadcasting

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

Honoring - Sgt. Alvin Cates

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

Honoring - Spc. Phillip Pitts

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

Honoring - Betty & Abner Nelson

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

Honoring - Max C. Brewer

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

Honoring - Kevin Ferry

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

Honoring - George V. Larson, II

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

Honoring - Dana Phillips

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

Honoring - Don Skewis

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

Honoring - SAIL, Southeast Alaska Independent Living

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

Honoring - Big Brothers and Big Sisters of Southeast Alaska

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

Honoring - The Filipino Heritage in Juneau and Alaska

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

Honoring - Mountain View School

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

Honoring - Donald and Christina Gregory

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

Honoring - Wilhelmenia and Reverend William Greene

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

Honoring - James N. Wanamaker

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

Honoring - Melody Douglas

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

Honoring - Fred Miller, Nikiski Chamber of Commerce 2004 Community Service Award

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

Honoring - Mayor John J. Williams, City of Kenai

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

Honoring - John R. Kito, William Tyson Elementary School Principal

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

Honoring - Sigrid Aas

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

Honoring - UAF Men's Basketball Team

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

Honoring - Soldotna Chamber of Commerce 2003 Community Awards

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

Commemorating - National Correctional Officers' Week, May 2-8, 2004

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

In Memoriam - Jack L. Rhines

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

In Memoriam - Joseph Graham

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

In Memoriam - Phil Anderson

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

In Memoriam - Joshua Alexander Boycott

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

In Memoriam - James Magoffin, Sr.

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

In Memoriam - Dottie Magoffin

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

In Memoriam - Veronica Stromile

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

In Memoriam - James C. Parson

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

In Memoriam - Alpine Nichols Kameroff

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

In Memoriam - Michael Joseph Fenster

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

In Memoriam - Patricia N. Stevens

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

Without objection, the House reverted to:

REPORTS OF STANDING COMMITTEES

SB 302

The Finance Committee has considered:

CS FOR SENATE BILL NO. 302(FIN)

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

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 302(STA)
(same title)

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

Do pass (6): Meyer, Stoltze, Moses, Chenault, Fate, Williams

No recommendation (2): Hawker, Harris

The following fiscal note(s) apply to HCS CSSB 302(STA):

1. Fiscal, Office of the Governor

CSSB 302(FIN) is on today's first supplemental calendar.

SB 368

The Finance Committee has considered:

CS FOR SENATE BILL NO. 368(FIN) am

"An Act relating to taxes on cigarettes and tobacco products, to tax stamps on cigarettes, to forfeiture of cigarettes and of property used in the manufacture, transportation, or sale of unstamped

cigarettes, and to licenses and licensees under the Cigarette Tax Act; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 368(FIN)

"An Act relating to taxes on cigarettes and tobacco products, to tax stamps on cigarettes, to forfeiture of cigarettes and of property used in the manufacture, transportation, facilitation of transportation, possession, offering for sale, or sale of unstamped cigarettes, to accounting for and use of part of the proceeds of the additional cigarette tax, and to licenses and licensees under the Cigarette Tax Act; relating to unfair cigarette sales; relating to supercedeas bonds in certain tobacco-related litigation; amending Rules 204 and 205, Alaska Rules of Appellate Procedure; and providing for an effective date."

(HCR 43 - title change resolution)

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

Do pass (3): Hawker, Joule, Croft

No recommendation (7): Meyer, Stoltze, Moses, Fate, Foster, Harris, Williams

Amend (1): Chenault

The following fiscal note(s) apply to HCS CSSB 368(FIN):

2. Fiscal, Dept. of Public Safety
3. Fiscal, Dept. of Revenue

CSSB 368(FIN) am is on today's first supplemental calendar.

**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:

SB 302 OATHS; NOTARIES PUBLIC; STATE SEAL
SB 368 TOBACCO TAX; LICENSING; PENALTIES

* * * * *

Senators Lincoln and Stedman entered the Chamber to announce that the Senate had adjourned sine die.

RECEDE**SB 382**

Representative Rokeberg moved that the House recede from its amendment to:

CS FOR SENATE BILL NO. 382(CRA) am
"An Act relating to replat approval; relating to the platting of right-of-way acquired through eminent domain proceedings; and providing for an effective date."

namely,

CS FOR SENATE BILL NO. 382(CRA) am H
(same title)

The Senate message is on page 4286.

The question being: "Shall the House recede from its amendment to CSSB 382(CRA) am?" The roll was taken with the following result:

CSSB 382(CRA) am H
Recede

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

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

Nays: Berkowitz, Gara, Gatto, Guttenberg, Kookesh, Masek, Stoltze

Excused: Moses

And so, the House receded from its amendment, thus adopting CSSB 382(CRA) am.

CSSB 382(CRA) am was signed by the Speaker and Chief Clerk and returned to the Senate.

CONCUR IN SENATE AMENDMENTS

HB 503

Representative Croft moved and asked unanimous consent that the House consider the Senate message (page 4320) on the following at this time:

HOUSE BILL NO. 503

"An Act relating to the tobacco product Master Settlement Agreement; and providing for an effective date."

and

HOUSE BILL NO. 503 am S

"An Act relating to taxes on cigarettes and tobacco products, to tax stamps on cigarettes, to forfeiture of cigarettes and of property used in the manufacture, transportation, facilitation of transportation, possession, offering for sale, or sale of unstamped cigarettes, to unfair cigarette sales, and to licenses and licensees under the Cigarette Tax Act; the tobacco product Master Settlement Agreement; and providing for an effective date."

(SCR 32 - title change resolution)

Objection was heard.

The House adjourned sine die.

FIRST SUPPLEMENTAL CALENDAR

SB 302

The following, on today's supplemental calendar, was not taken up this legislative day:

CS FOR SENATE BILL NO. 302(FIN)

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

SB 368

The following, on today's supplemental calendar, was not taken up this legislative day:

CS FOR SENATE BILL NO. 368(FIN) am

"An Act relating to taxes on cigarettes and tobacco products, to tax stamps on cigarettes, to forfeiture of cigarettes and of property used in the manufacture, transportation, or sale of unstamped cigarettes, and to licenses and licensees under the Cigarette Tax Act; and providing for an effective date."

MESSAGES FROM THE SENATE

Messages dated April 16 and May 10, 2004, were received stating the Senate has passed the following and they are transmitted for consideration:

SCR 12

SENATE CONCURRENT RESOLUTION NO. 12 by Senators Wilken, Bunde, Cowdery, Green, Ogan, Seekins, Ben Stevens, Gary Stevens, and Wagoner:

Requesting the Local Boundary Commission to consider borough incorporation for certain unorganized areas.

SB 308

CS FOR SENATE BILL NO. 308(JUD) by the Senate Judiciary Committee, entitled:

"An Act relating to warnings on domestic violence and stalking forms; and increasing the duration of certain provisions of domestic violence protective orders from six months to up to one year."

A Senate letter of intent was attached.

UNFINISHED BUSINESS**HCR 41**

HCR 41 was not introduced.

HB 15

Representative Lynn added his name as cosponsor to:

SENATE CS FOR CS FOR HOUSE BILL NO. 15(FIN)

"An Act relating to fair trade practices and consumer protection, to telephone solicitations, to charitable solicitations; and providing for an effective date."

HB 25

Representatives Anderson, Williams, Stepovich, Wolf, Holm, Rokeberg, Chenault, Gatto, Dahlstrom, Foster, Kohring, Gruenberg, Stoltze, Harris, and Kapsner added their names as cosponsors to:

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

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

HB 233

Representative Weyhrauch added his name as cosponsor to:

SENATE CS FOR CS FOR HOUSE BILL NO. 233(FIN)

"An Act increasing the base student allocation used in the formula for state funding of public education; and providing for an effective date."

HB 273

Representative Anderson added his name as cosponsor to:

SENATE CS FOR CS FOR SS FOR HOUSE BILL NO. 273(JUD)

"An Act relating to the right of a parent to waive an unemancipated child's claim of negligence against a provider of sports or recreational activities."

HB 275

Representatives Croft and Wolf added their names as cosponsors to:

SENATE CS FOR CS FOR HOUSE BILL NO. 275(JUD)

"An Act relating to animals, and to the care of and to cruelty to animals."

HB 288

Representative Lynn added his name as cosponsor to:

SENATE CS FOR CS FOR HOUSE BILL NO. 288(STA)

"An Act changing the name of the Department of Community and Economic Development to the Department of Commerce, Community, and Economic Development."

HB 438

Representatives Lynn and Dahlstrom added their names as cosponsors to:

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

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

HB 467

Representatives Dahlstrom and McGuire added their names as cosponsors to:

CS FOR HOUSE BILL NO. 467(FIN) am S

"An Act establishing an Alaska Commemorative Coin Commission to develop the design concepts and to make recommendations regarding the final design of the Alaska quarter under the 50 States Commemorative Coin Program Act; and providing for an effective date."

HB 476

Representative McGuire added her name as cosponsor to:

CS FOR HOUSE BILL NO. 476(STA) am S

"An Act establishing the Alaska Statehood Celebration Commission; and providing for an effective date."

HCR 38

The following, which was engrossed and signed by the Speaker and Chief Clerk (page 3922), was transmitted to the Senate for consideration:

HOUSE CONCURRENT RESOLUTION NO. 38

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 337, relating to the powers of the Alaska Energy Authority to make grants and loans, to enter into contracts, and to improve, equip, operate, and maintain bulk fuel, waste energy, energy conservation, energy efficiency, and alternative energy facilities and equipment; relating to the bulk fuel revolving loan fund; relating to the Alaska Energy Authority's liability for the provision of technical assistance to rural utilities; relating to the Alaska Energy Authority's investment of the power development fund; and repealing the electrical service extension fund.

SB 285

The following, which passed the House (page 3858), was returned to the Senate:

SENATE BILL NO. 285

"An Act relating to medical assistance coverage for targeted case management services and for rehabilitative services furnished or

paid for by a school district on behalf of certain children; and providing for an effective date."

SB 132

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

CS FOR SENATE BILL NO. 132(RES)

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

ENGROSSMENT**SB 269**

CS CSSB 269(CRA) am H(fld H) was engrossed.

ADJOURNMENT

Representative Kapsner yielded to Representative Fate who moved and asked unanimous consent that the House adjourn sine die (page 4376). There being no objection, the House adjourned at 12:00 a.m., May 12, 2004.

Suzi Lowell
Chief Clerk