

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-THIRD LEGISLATURE
FIRST SPECIAL SESSION

Juneau, Alaska

Wednesday

June 23, 2004

Second Day

Pursuant to adjournment the House was called to order by Speaker Kott at 2:46 p.m.

Roll call showed 36 members present. Representative Moses was absent and his presence was noted later. Representative Wolf was absent.

Representative Coghill moved and asked unanimous consent that Representatives Heinze and Wilson be excused from a call of the House today. There being no objection, it was so ordered.

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

Unto thee O Lord our God, we give thanks for the beauty of the land we live in; for the bounty of resources we have been given to manage; for the people who love this state and look to us to represent them in this legislature; for the freedom to openly debate our views and the system that gives us tools to arrive at some agreements.

Our gratitude leads us to look beyond ourselves to be respectful to one another and to honor the institution given us by our forefathers; and we look to You for guidance, wisdom, and clarity of mind for the work before us.

We ask for Your gracious healing touch for those members and their families who are absent with health problems. We also give thanks for the health we all here enjoy by Your grace.

Thank You for this beautiful day! Please bless us with Your presence and help today. In the name of Jesus Christ the Lord, we pray. Amen.

The Pledge of Allegiance was led by Representative Dahlstrom.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the First Supplement, Second Session and the journal for the first legislative day of the First Special Session be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

SB 179

A message dated June 17, 2004, and received June 23 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:

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."

Chapter No. 79, SLA 2004
Effective Date: June 18, 2004

SB 306

A message dated June 17, 2004, and received June 23 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 CS FOR CS FOR SENATE BILL NO. 306(JUD)

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

Chapter No. 78, SLA 2004

Effective Date: June 18, 2004

SB 323

A message dated June 17, 2004, and received June 23 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:

CS FOR SENATE BILL NO. 323(JUD) am H

"An Act relating to a subcontractor's, contractor's, and project owner's liability for workers' compensation, to sole proprietors and partnerships without employees, and managers or managing members of limited liability companies, and to the exclusiveness of liability for workers' compensation."

Chapter No. 80, SLA 2004

Effective Date: September 15, 2004

SB 327

A message dated June 17, 2004, and received June 23 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:

CS FOR SENATE BILL NO. 327(STA) am H

"An Act relating to pedestrians using rollerblades, roller skates, and roller skis."

Chapter No. 81, SLA 2004
Effective Date: September 15, 2004

SB 344

A message dated June 17, 2004, and received June 23 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 CS FOR SENATE BILL NO. 344(JUD) am H
"An Act relating to the Uniform Probate Code and trusts, including pleadings, orders, nonprobate assets, estates of decedents, minors, protected persons, incapacitated persons, guardians, conservators, trustees, foreign trusts, principal and income, and transfer restrictions; relating to corporate voting trusts; and providing for an effective date."

Chapter No. 82, SLA 2004
Effective Date: See Chapter

REPORTS OF STANDING COMMITTEES**HJR 101**

The Judiciary Committee has considered:

HOUSE JOINT RESOLUTION NO. 101
Proposing amendments to the Constitution of the State of Alaska relating to and limiting appropriations from the Alaska permanent fund based on an averaged percent of the fund market value.

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

Do pass (4): Ogg, Samuels, Holm, McGuire

No recommendation (2): Gruenberg, Anderson

Amend (1): Gara

The following fiscal note(s) apply:

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

HJR 101 was referred to the Finance Committee.

HJR 102

The Judiciary Committee has considered:

HOUSE JOINT RESOLUTION NO. 102

Proposing amendments to the Constitution of the State of Alaska relating to and limiting appropriations from the Alaska permanent fund based on an averaged percent of the fund market value and relating to permanent fund dividend payments.

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

No recommendation (6): Holm, Ogg, Gruenberg, Samuels, Anderson, McGuire

Amend (1): Gara

The following fiscal note(s) apply:

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

HJR 102 was referred to the Finance Committee.

HJR 103

The Judiciary Committee has considered:

HOUSE JOINT RESOLUTION NO. 103

Proposing amendments to the Constitution of the State of Alaska relating to an appropriation limit.

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

Do pass (3): Samuels, Anderson, McGuire

No recommendation (3): Holm, Gruenberg, Ogg

Amend (1): Gara

The following fiscal note(s) apply:

1. Fiscal, Office of the Governor

HJR 103 was referred to the Finance Committee.

HB 1001

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 1001

"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, possession, 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; and providing for an effective date."

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

Do pass (6): Crawford, Guttenberg, Dahlstrom, Gatto, Rokeberg, Anderson

Do not pass (1): Lynn

The following fiscal note(s) apply:

1. Fiscal, Dept. of Public Safety
2. Fiscal, Dept. of Revenue
3. Fiscal, Dept. of Health & Social Services

HB 1001 was referred to the Finance Committee.

ANNOUNCEMENTS

The following meeting today has been changed as indicated:

Finance Committee

CHANGED TO:

3:30 p.m., 6/23

The Speaker stated that, without objection, the House would recess to 5:00 p.m.; and so, the House recessed at 2:59 p.m.

AFTER RECESS

The Speaker called the House back to order at 8:33 p.m.

**The presence of Representative Moses was noted.

The Speaker stated that without objection, the House would revert to:

MESSAGES FROM THE SENATE

A message dated June 23, 2004, was read stating the Senate has passed the following and it is transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS**

SB 1001

SENATE BILL NO. 1001 by the Senate Rules Committee by request of the Governor, entitled:

"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, possession, 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; and providing for an effective date."

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

REPORTS OF STANDING COMMITTEES**HJR 101**

The Finance Committee has considered:

HOUSE JOINT RESOLUTION NO. 101

Proposing amendments to the Constitution of the State of Alaska relating to and limiting appropriations from the Alaska permanent fund based on an averaged percent of the fund market value.

The report was signed by Representative Williams, Co-chair, with the following individual recommendations:

Do pass (3): Hawker, Foster, Williams

Do not pass (1): Chenault

No recommendation (5): Meyer, Stoltze, Joule, Croft, Fate

The following fiscal note(s) apply:

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

HJR 101 was referred to the Rules Committee for placement on the calendar.

HJR 102

The Finance Committee has considered:

HOUSE JOINT RESOLUTION NO. 102

Proposing amendments to the Constitution of the State of Alaska relating to and limiting appropriations from the Alaska permanent fund based on an averaged percent of the fund market value and relating to permanent fund dividend payments.

The report was signed by Representative Williams, Co-chair, with the following individual recommendations:

Do pass (1): Williams

Do not pass (4): Hawker, Croft, Chenault, Fate

No recommendation (3): Meyer, Moses, Foster

Amend (2): Stoltze, Joule

The following fiscal note(s) apply:

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

HJR 102 was referred to the Rules Committee for placement on the calendar.

HJR 103

The Finance Committee has considered:

HOUSE JOINT RESOLUTION NO. 103
Proposing amendments to the Constitution of the State of Alaska
relating to an appropriation limit.

The report was signed by Representative Williams, Co-chair, with the following individual recommendations:

Do pass (3): Stoltze, Chenault, Foster

Do not pass (3): Joule, Croft, Fate

No recommendation (4): Meyer, Hawker, Moses, Williams

The following fiscal note(s) apply:

1. Fiscal, Office of the Governor

HJR 103 was referred to the Rules Committee for placement on the calendar.

HB 1003

The Finance Committee has considered:

HOUSE BILL NO. 1003

"An Act relating to the income of and appropriations from the Alaska permanent fund under art. IX, sec. 15(b), Constitution of the State of Alaska, and making conforming amendments; relating to permanent fund dividend payments of at least \$1,000; relating to the determination of net income of the mental health trust fund; and providing for an effective date."

The report was signed by Representative Williams, Co-chair, with the following individual recommendations:

Do pass (2): Hawker, Foster

Do not pass (2): Fate, Croft

No recommendation (3): Meyer, Moses, Williams

Amend (2): Stoltze, Joule

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue

HB 1003 was referred to the Rules Committee for placement on the calendar.

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 9:00 a.m., June 24, 2004. There being no objection, the House adjourned at 8:36 p.m.

Suzi Lowell
Chief Clerk