

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Wednesday

February 26, 2003

#### Thirty-seventh Day

Pursuant to adjournment the House was called to order by Speaker Kott at 10:13 a.m.

Roll call showed 38 members present. Representative Kerttula had been previously excused from a call of the House today. There was one vacancy.

The invocation was offered by the Chaplain, Pastor Patrick Brayton of Valley Chapel. Representative McGuire moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Heavenly Father, in Jesus' Name I look to You and acknowledge You as sovereign over all of earth's affairs. Without Your favor, I know we will not succeed. Except we seek Your will, Your favor will not come. So bless us today with the knowledge of Your will and with the grace to achieve it. Show us the wisdom of Your way and teach us to unselfishly adhere to it. For these men and women who make up this legislative body, I pray for Your continued blessing. Give them Your vision to see all that this state may become. Give them Your insight to know how to bring the vision to pass, and give them unity so that their combined strength will not be blunted. With earnest heart, I pray for their success in bringing Alaska forward with hope and confidence into a future rife with the blessings of Your hand, blessings born out of adherence to the wisdom You supply. Thank You, Father, for loving us as You do. Thank You for hearing our prayer and granting these petitions. In Jesus' Name I praise You. Amen.

The Pledge of Allegiance was led by Representative Stoltze.

### **CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the 35th and 36th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE GOVERNOR**

A letter dated February 24, 2003, was read stating that, in accordance with AS 39.05.080, the Governor submits the following names for legislative confirmation of appointment to the board set out below:

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

#### **Board of Education and Early Development**

Shirley Holloway - Anchorage

Appointed: 03/03/2003 Term Expires: 01/31/2005

Richard I. Mauer - Delta Junction

Appointed: 02/20/2003 Term Expires: 01/31/2008

Sylvia Reynolds - Soldotna

Appointed: 02/20/2003 Term Expires: 01/31/2004

Rex A. Rock - Point Hope

Appointed: 02/20/2003 Term Expires: 01/31/2004

Tim R. Scott - Anchorage

Appointed: 02/20/2003 Reappointed: 03/01/2003

Term Expires: 03/01/2008

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

**REPORTS OF STANDING COMMITTEES**

The Health, Education & Social Services Committee has reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

Esther Cox  
Patsy DeWitt

as members of the Board of Education and Early Development.

The reports were signed by Representative Wilson, Chair; and Representatives Gatto, Wolf, Heinze, Seaton, Cissna, and Kapsner.

The State Affairs Committee has reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Mike Miller

as Commissioner of the Department of Administration.

The report was signed by Representative Weyhrauch, Chair; and Representatives Seaton, Holm, Lynn, Dahlstrom, and Berkowitz.

**HB 21**

The Health, Education & Social Services Committee has considered:

**HOUSE BILL NO. 21**

"An Act relating to an optional group of persons eligible for medical assistance who require treatment for breast or cervical cancer."

and recommends it be replaced with:

**CS FOR HOUSE BILL NO. 21(HES)**

"An Act relating to an optional group of persons eligible for medical assistance who require treatment for breast or cervical cancer; and providing for an effective date."

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

Do pass (7): Gatto, Wolf, Heinze, Cissna, Kapsner, Seaton, Wilson

The following fiscal note(s) apply to CSHB 21(HES):

1. Fiscal, Dept. of Health & Social Services

HB 21 was referred to the Finance Committee.

**HB 59**

The Judiciary Committee has considered:

HOUSE BILL NO. 59

"An Act relating to the evaluation and cleanup of sites where certain controlled substances may have been manufactured or stored; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 59(JUD)  
(same title)

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

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

No recommendation (1): Coghill

The following fiscal note(s) apply to CSHB 59(JUD):

1. Zero, Dept. of Public Safety
2. Fiscal, Dept. of Environmental Conservation

HB 59 was referred to the Finance Committee.

**HB 82**

The Judiciary Committee has considered:

## HOUSE BILL NO. 82

"An Act making certain activities related to commercial electronic mail unlawful as unfair methods of competition or unfair or deceptive acts or practices under the Act enumerating unfair trade practices and consumer protections."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 82(L&amp;C)

"An Act making certain activity related to commercial electronic mail unlawful and an unfair method of competition or an unfair or deceptive act or practice under the Act enumerating unfair trade practices and consumer protections."

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

Do pass (6): Gara, Holm, Anderson, Coghill, Gruenberg, McGuire

The following fiscal note(s) apply to CSHB 82(L&C):

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

HB 82 was referred to the Rules Committee for placement on the calendar.

**HB 101**

The Finance Committee has considered:

## HOUSE BILL NO. 101

"An Act making a special appropriation for a grant to Arctic Power to promote the opening of the Arctic National Wildlife Refuge for oil and gas exploration and development; and providing for an effective date."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 101(FIN)

"An Act making special appropriations to promote the opening of the Arctic National Wildlife Refuge for oil and gas exploration and development; and providing for an effective date."

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

Do pass (10): Meyer, Hawker, Whitaker, Stoltze, Joule, Croft, Chenault, Foster, Harris, Williams

Do not pass (1): Moses

HB 101 is on today's calendar.

**HB 107**

The Health, Education & Social Services Committee has considered:

## SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 107

"An Act relating to an optional group of persons eligible for medical assistance who require treatment for breast or cervical cancer; relating to cost sharing by those recipients under the medical assistance program; and providing for an effective date."

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

Do pass (4): Wolf, Heinze, Seaton, Wilson

No recommendation (1): Gatto

Amend (2): Kapsner, Cissna

The following fiscal note(s) apply:

1. Fiscal, Dept. of Health & Social Services

SSHB 107 was referred to the Finance Committee.

**REPORTS OF SPECIAL COMMITTEES****HB 57**

The House Special Committee on Oil & Gas has considered:

HOUSE BILL NO. 57

"An Act amending the manner of determining the royalty received by the state on gas production as it relates to the manufacture of certain value-added products."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 57(O&G)  
(same title)

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

Do pass (6): Chenault, Crawford, Rokeberg, Fate, McGuire, Kohring

The following fiscal note(s) apply to CSHB 57(O&G):

1. Zero, Dept. of Natural Resources

HB 57 was referred to the Resources Committee.

**INTRODUCTION OF CITATIONS**

The following citations were introduced and referred to the Rules Committee for placement on the calendar:

Honoring - United States Space Shuttle Columbia  
By Representative Anderson

Honoring - Katie and Doyle Currier, 50th Wedding Anniversary  
By Representative Masek

Honoring - Jason P. Quinn  
By Senator Gary Stevens

In Memoriam - Lee M. Fett, Alaskan Pioneer and Homesteader, Delta Junction Farmer and Family Man  
By Representative Harris

In Memoriam - Michael Lee Mikkelsen  
By Senator Ogan

In Memoriam - Patricia Marie Acton  
By Senator Ogan; Representative Masek

### **INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS**

#### **HB 125**

HOUSE BILL NO. 125 by Representative Meyer, entitled:

"An Act relating to assisted living homes; relating to the rights of a resident in an assisted living home; and prohibiting an assisted living home from taking certain actions with respect to residents and employees of the home."

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

#### **HB 126**

HOUSE BILL NO. 126 by Representative Holm, entitled:

"An Act authorizing municipalities to provide for economic development and authorizing boroughs to expend revenue collected on an areawide or nonareawide basis to provide for economic development."

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

#### **HB 127**

HOUSE BILL NO. 127 by Representative Whitaker, entitled:



"An Act allowing certain roadside memorials to be placed within the right-of-way of a state highway."

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

**HB 128**

HOUSE BILL NO. 128 by Representative Gatto, entitled:

"An Act relating to strikes by employees of a municipal school district, a regional educational attendance area, or a state boarding school, and requiring notice of at least 72 hours of a strike by those employees."

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

**HB 129**

HOUSE BILL NO. 129 by Representative Holm, entitled:

"An Act relating to recovery of punitive damages resulting from an aviation accident; and providing for an effective date."

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

**HB 130**

HOUSE BILL NO. 130 by Representatives Weyhrauch and Harris, entitled:

"An Act relating to the award of damages, costs, and attorney fees in an action against a seafood processor under certain state laws that prohibit unfair trade practices, monopolies, and restraints of trade; stating legislative intent regarding the appropriation and use of money obtained by the state from the operation of this Act; amending Rules 54, 58, and 82, Alaska Rules of Civil Procedure; and providing for an effective date."

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

**HB 131**

HOUSE BILL NO. 131 by Representative Weyhrauch, entitled:

"An Act making a supplemental appropriation to the Alaska Seafood Marketing Institute; and providing for an effective date."

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

**HB 132**

HOUSE BILL NO. 132 by Representative Weyhrauch, entitled:

"An Act relating to the duties of the attorney general; requiring the attorney general to participate in all actions affecting the management and jurisdiction of the natural resources of the state; amending Rule 24(c), Alaska Rules of Civil Procedure; and amending Rule 514, Alaska Rules of Appellate Procedure."

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

**HB 133**

HOUSE BILL NO. 133 by Representative Berkowitz, entitled:

"An Act relating to sentencing and to the earning of good time deductions for certain sexual offenses."

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

**HB 134**

HOUSE BILL NO. 134 by Representatives Stoltze, Masek, Gatto, and Crawford, entitled:

"An Act authorizing the Department of Corrections to enter into agreements with municipalities for new or expanded public correctional facilities in the Fairbanks North Star Borough, the Matanuska-Susitna Borough, Bethel, and the Municipality of Anchorage."

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

**HB 135**

HOUSE BILL NO. 135 by Representative Wilson, entitled:

"An Act relating to marital and family therapists."

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

**HB 136**

HOUSE BILL NO. 136 by Representative Gatto, entitled:

"An Act 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; and providing for an effective date."

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

**CONSIDERATION OF THE DAILY CALENDAR****SECOND READING OF HOUSE BILLS****HB 9**

The following was read the second time:

HOUSE BILL NO. 9

"An Act relating to the registration of individuals who perform home inspections; relating to regulation of contractors; relating to registration fees for specialty contractors, home inspectors, and associate home inspectors; relating to home inspection requirements for residential loans purchased or approved by the Alaska Housing Finance Corporation; relating to civil actions by and against home inspectors and to civil actions arising from residential unit inspections; and providing for an effective date."

with the:	Journal Page
L&C RPT CS(L&C) 6DP	98
FN1: ZERO(REV)	99
FN2: ZERO(LAW)	99
FN3: ZERO(LWF)	99
FN4: (CED)	99
JUD RPT CS(JUD) 4DP 2NR 1AM	145
FN1: ZERO(REV)	145
FN2: ZERO(LAW)	145
FN3: ZERO(LWF)	145
FN4: (CED)	145
FIN RPT CS(FIN) NT 5DP 4NR	265
FN1: ZERO(REV)	266
FN2: ZERO(LAW)	266
FN3: ZERO(LWF)	266
FN4: (CED)	266

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

CS FOR HOUSE BILL NO. 9(FIN)

"An Act relating to the registration of individuals who perform home inspections; relating to regulation of contractors; relating to registration fees for specialty contractors, home inspectors, and associate home inspectors; relating to home inspection requirements for residential loans purchased or approved by the Alaska Housing Finance Corporation; relating to civil actions by and against home inspectors and to civil actions arising from residential unit inspections; repealing a law that limits liability for damages based on a duty to inspect a residential unit to damages caused by gross negligence or intentional misconduct; and providing for an effective date."

There being no objection, it was so ordered.

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

Page 10, line 19:

Delete "or"

Page 10, line 21:

Delete the period.

Insert the following material:

"; or

(3) acquired the property for which the home inspection report was conducted by inheritance or bequest from a person who could have brought an action under (1) or (2) of this subsection."

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

Representative Coghill moved and asked unanimous consent that CSHB 9(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 9(FIN) am was read the third time.

The question being: "Shall CSHB 9(FIN) am pass the House?" The roll was taken with the following result:

CSHB 9(FIN) am

Third Reading

Final Passage

**YEAS: 24 NAYS: 11 EXCUSED: 1 ABSENT: 3 VACANT: 1**

Yeas: Anderson, Berkowitz, Cissna, Crawford, Fate, Foster, Gara, Gruenberg, Harris, Hawker, Heinze, Holm, Kott, Lynn, McGuire, Meyer, Moses, Rokeberg, Samuels, Seaton, Weyhrauch, Williams, Wilson, Wolf

Nays: Coghill, Croft, Dahlstrom, Gatto, Guttenberg, Joule, Kapsner, Kohring, Kookesh, Masek, Stoltze

Excused: Kerttula

Absent: Chenault, Morgan, Whitaker

And so, CSHB 9(FIN) am passed the House.

Representative Coghill moved the effective date clauses.

The question being: "Shall the effective date clauses be adopted?"  
The roll was taken with the following result:

CSHB 9(FIN) am  
Third Reading  
Effective Dates

**YEAS: 32 NAYS: 5 EXCUSED: 1 ABSENT: 1 VACANT: 1**

Yeas: Anderson, Chenault, Coghill, Crawford, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kookesh, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Rokeberg, Samuels, Seaton, Stoltze, Whitaker, Williams, Wilson, Wolf

Nays: Berkowitz, Cissna, Croft, Guttenberg, Kohring

Excused: Kerttula

Absent: Weyhrauch

And so, the effective date clauses were adopted.

Representative Stoltze later gave notice of reconsideration of the vote on CSHB 9(FIN) am.

### **HB 79**

The following was read the second time:

HOUSE BILL NO. 79

"An Act extending the termination date of the Alaska regional economic assistance program; and providing for an effective date."

with the:	Journal Page
CRA RPT 4DP 2NR	184
FN1: (CED)	184
FIN RPT 8DP 1NR	268
FN2: (CED)	268

Representative Coghill moved and asked unanimous consent that HB 79 be considered engrossed, advanced to third reading, and placed on final passage.

Representative Croft objected and withdrew the objection.

There being no further objection, it was so ordered.

HB 79 was read the third time.

The question being: "Shall HB 79 pass the House?" The roll was taken with the following result:

HB 79

Third Reading

Final Passage

**YEAS: 36 NAYS: 1 EXCUSED: 1 ABSENT: 1 VACANT: 1**

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

Nays: Kohring

Excused: Kerttula

Absent: Williams

And so, HB 79 passed the House.

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

HB 79 was referred to the Chief Clerk for engrossment.

The Speaker stated that, without objection, the House would recess for a Majority Caucus; and so, the House recessed at 11:13 a.m.

#### **AFTER RECESS**

The Speaker called the House back to order at 12:34 p.m.

#### **SECOND READING OF HOUSE BILLS**

(Continued)

##### **HB 101**

Representative Coghill moved and asked unanimous consent that the following be moved to the bottom of the calendar:

HOUSE BILL NO. 101

"An Act making a special appropriation for a grant to Arctic Power to promote the opening of the Arctic National Wildlife Refuge for oil and gas exploration and development; and providing for an effective date."

There being no objection, it was so ordered.

#### **SECOND READING OF SENATE RESOLUTIONS**

##### **SJR 4**

The following was read the second time:

SENATE JOINT RESOLUTION NO. 4

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, Alaska, to oil and gas exploration, development, and production.

with the:

Journal Page

RES RPT 6DP	284
FN1: ZERO(DNR)	284
FN2: ZERO(REV)	284



Representative Coghill moved and asked unanimous consent that SJR 4 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SJR 4 was read the third time.

The question being: "Shall SJR 4 pass the House?" The roll was taken with the following result:

SJR 4

Third Reading

Final Passage

**YEAS: 36 NAYS: 2 EXCUSED: 1 ABSENT: 0 VACANT: 1**

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

Nays: Cissna, Gara

Excused: Kerttula

And so, SJR 4 passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

## **SECOND READING OF HOUSE BILLS**

(Continued)

### **HB 101**

The following, which had been moved to the bottom of the calendar (page 312), was read the second time:

HOUSE BILL NO. 101

"An Act making a special appropriation for a grant to Arctic Power to promote the opening of the Arctic National Wildlife Refuge for oil and gas exploration and development; and providing for an effective date."

with the:

Journal Page

FIN RPT CS(FIN) NT 10DP 1DNP

301

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

CS FOR HOUSE BILL NO. 101(FIN)

"An Act making special appropriations to promote the opening of the Arctic National Wildlife Refuge for oil and gas exploration and development; and providing for an effective date."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Harris:

Page 1, line 8, following "Congress":

Insert "and the Office of the Governor"

Page 1, line 11, through page 2, line 3:

Delete all material and insert:

**\* Sec. 2. GRANT TO ARCTIC POWER.** The sum of \$1,100,000 is appropriated from the general fund to the Department of Community and Economic Development for payment as a grant under AS 37.05.316 to Arctic Power for education efforts from January 1, 2003, until June 30, 2003, inclusive, to open the coastal plain of the Arctic National Wildlife Refuge for oil and gas exploration and development.

**\* Sec. 3. GRANT TO NATIVE VILLAGE OF KAKTOVIK.** The sum of \$100,000 is appropriated from the general fund to the Department of Community and Economic Development for payment as a grant under AS 37.05.316 to the Native village of Kaktovik for support of the education efforts undertaken by Arctic Power to open the coastal plain of the Arctic National Wildlife Refuge for oil and gas exploration and development."

Renumber the following bill sections accordingly.

Page 2, line 4:

Delete "\$300,000"

Insert "\$100,000"

Page 2, line 8, following "by":

Insert "secs. 3 and 4 of"

Adjust funding information accordingly.

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

Representative Croft objected.

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

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

CSHB 101(FIN)  
Second Reading  
Amendment No. 1

**YEAS: 34 NAYS: 4 EXCUSED: 1 ABSENT: 0 VACANT: 1**

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

Nays: Crawford, Croft, Lynn, Masek

Excused: Kerttula

And so, Amendment No. 1 was adopted.

Amendment No. 2 was offered by Representatives Coghill and Berkowitz:

Page 1, line 11, following "**\* Sec. 2.**":

Insert "(a)"

Page 2, following line 3:

Insert "(b) Arctic Power shall submit monthly detailed progress reports of activities and expenditures of state funds by the first of each month to the Alaska Congressional Delegation, the Governor of the State of Alaska, and the Majority and Minority Leadership of the Alaska State House of Representatives and the Alaska State Senate."

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

Representative Whitaker objected.

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

New Amendment No. 2 was offered by Representatives Coghill, Berkowitz, Gruenberg, and Hawker:

Page 1, line 11, following "**Sec. 2.**":

Insert "(a)"

Page 2, following line 3:

Insert "(b) Arctic Power shall submit monthly detailed progress reports of activities and expenditures of state funds by the first day of the second month following the month of expenditure to the Alaska Congressional Delegation, the Governor of the State of Alaska, and the members of the Alaska State House of Representatives and the Alaska State Senate."

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

Amendment No. 3 was offered by Representative Berkowitz:

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

Insert "**and making an appropriation to the Alaskan Natural Gas Development Authority for initial operations costs**"

Page 2, following line 7:

Insert new section to read:

"**Sec. 4.** THE ALASKAN NATURAL GAS DEVELOPMENT AUTHORITY. The sum of \$350,000 is appropriated from the general

fund to the Department of Revenue for the Alaskan Natural Gas Development Authority for the cost of start up and operations."

Renumber remaining bill sections accordingly.

Representative Berkowitz moved and asked unanimous consent that Amendment No. 3 be adopted.

Representative Harris objected.

Representative Berkowitz moved and asked unanimous consent to withdraw Amendment No. 3. There being no objection, it was so ordered.

Amendment No. 4 was offered by Representative Cissna:

Page 1, line 11, through page 2, line 3:

Delete all material and insert:

**\*\* Sec. 2. GRANT TO ARCTIC POWER.** An amount, not to exceed \$1,400,000, that is equal to the amount received by Arctic Power before June 30, 2007, from private, nongovernmental sources for education efforts to open the coastal plain of the Arctic National Wildlife Refuge to oil and gas exploration and development is appropriated from the general fund to the Department of Community and Economic Development for payment as a grant under AS 37.05.316 to Arctic Power for education efforts on or after January 1, 2003, to open the coastal plain of the Arctic National Wildlife Refuge for oil and gas exploration and development. The amount appropriated in this section includes up to \$100,000 for the participation of the Native village of Kaktovik in support of the education efforts undertaken by Arctic Power under this section."

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

Representative Harris objected.

Amendment to Amendment No. 4 was offered by Representative Cissna:

Delete "\$1,400,000"  
Insert "\$550,000"

Representative Cissna moved and asked unanimous consent that Amendment to Amendment No. 4 be adopted. There being no objection, it was so ordered.

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

CSHB 101(FIN) am  
Second Reading  
Amendment No. 4 as amended

**YEAS: 5 NAYS: 31 EXCUSED: 1 ABSENT: 2 VACANT: 1**

Yeas: Cissna, Gara, Guttenberg, Kookesh, Moses

Nays: Anderson, Chenault, Coghill, Crawford, Dahlstrom, Fate, Foster, Gatto, Gruenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kohring, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Williams, Wilson, Wolf

Excused: Kerttula

Absent: Berkowitz, Croft

And so, Amendment No. 4 as amended was not adopted.

Representative Coghill moved and asked unanimous consent that CSHB 101(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 101(FIN) am was read the third time.

The question being: "Shall CSHB 101(FIN) am pass the House?" The roll was taken with the following result:

CSHB 101(FIN) am  
Third Reading  
Final Passage

**YEAS: 34 NAYS: 3 EXCUSED: 1 ABSENT: 1 VACANT: 1**

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

Nays: Cissna, Gara, Moses

Excused: Kerttula

Absent: Berkowitz

And so, CSHB 101(FIN) am passed the House.

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

Representative Harris gave notice of reconsideration of the vote on CSHB 101(FIN) am.

### **RECONSIDERATION**

#### **HB 101**

Representative Harris moved and asked unanimous consent that reconsideration of CSHB 101(FIN) am be taken up on the same day. There being no objection, it was so ordered.

CSHB 101(FIN) am was again before the House in third reading.

The question to be reconsidered: "Shall CSHB 101(FIN) am pass the House?" The roll was taken with the following result:

CSHB 101(FIN) am--RECONSIDERATION

Third Reading

Final Passage

**YEAS: 36 NAYS: 2 EXCUSED: 1 ABSENT: 0 VACANT: 1**

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

Nays: Cissna, Gara

Excused: Kerttula

And so, CSHB 101(FIN) am 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.

CSHB 101(FIN) am was referred to the Chief Clerk for engrossment.

### **HB 9**

Representative Rokeberg gave notice of reconsideration of the vote on the following:

CS FOR HOUSE BILL NO. 9(FIN) am

"An Act relating to the registration of individuals who perform home inspections; relating to regulation of contractors; relating to registration fees for specialty contractors, home inspectors, and associate home inspectors; relating to home inspection requirements for residential loans purchased or approved by the Alaska Housing Finance Corporation; relating to civil actions by and against home inspectors and to civil actions arising from residential unit inspections; repealing a law that limits liability for damages based on a duty to inspect a residential unit to damages caused by gross negligence or intentional misconduct; and providing for an effective date."



Representative Rokeberg moved and asked unanimous consent that reconsideration of CSHB 9(FIN) am be taken up on the same day.

Objections were heard.

Representative Rokeberg moved and asked unanimous consent to withdraw the motion to take up reconsideration of CSHB 9(FIN) am on the same day. There being no objection, it was so ordered.

Representative Rokeberg withdrew the notice of reconsideration of CSHB 9(FIN) am.

Representative Stoltze gave notice of reconsideration of the vote on CSHB 9(FIN) am.

### 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 - Prudential Spirit of Community Awards, Latoya Barrett  
By Senator French; Representatives Croft, Kott, Anderson, Berkowitz, Chenault, Cissna, Crawford, Dahlstrom, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kookesh, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Weyhrauch, Williams, Wilson, Wolf

In Memoriam - Jeannie Ratchner  
By Representatives Rokeberg, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Masek, McGuire, Meyer, Morgan, Samuels, Seaton, Williams, Wilson, Wolf

In Memoriam - Norman Richard Bucy  
By Representatives Rokeberg, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Lynn, Masek, McGuire, Meyer, Morgan, Samuels, Seaton, Williams, Wilson, Wolf

In Memoriam - Dorothy Mary Volkheimer "Doe-Doe"

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

In Memoriam - Larry L. Clendenen

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

In Memoriam - Jonathan Bruce Perry

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

#### **UNFINISHED BUSINESS**

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

Representative Chenault - from evening plane time, February 27 to evening plane time, March 2, 2003

Representative Whitaker - from evening plane time, February 27 to morning plane time, March 3, 2003

Representative Anderson - from 7:00 p.m., February 28 to 11:00 p.m., plane time, March 2, 2003

Representative Dahlstrom - from 7:00 p.m., February 28 to 11:00 p.m., plane time, March 2, 2003

February 26, 2003

323

Representative Fate - from 7:00 p.m., February 28 to 11:00 p.m., plane time, March 2, 2003

Representative Hawker - from noon, February 28 to evening plane time, March 2, 2003

Representative Morgan - from noon, February 28 to evening plane time, March 2, 2003

Representative Samuels - from noon, February 28 to evening plane time, March 2, 2003

Representative Wolf - from 7:00 p.m., February 28 to morning plane time, March 3, 2003

**HB 21**

Representative Moses added his name as cosponsor to:

## HOUSE BILL NO. 21

"An Act relating to an optional group of persons eligible for medical assistance who require treatment for breast or cervical cancer."

**HB 107**

Representative Seaton added his name as cosponsor to:

## SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 107

"An Act relating to an optional group of persons eligible for medical assistance who require treatment for breast or cervical cancer; relating to cost sharing by those recipients under the medical assistance program; and providing for an effective date."

**HB 115**

Representatives Gruenberg, Guttenberg, and Foster added their names as cosponsors to:

## HOUSE BILL NO. 115

"An Act extending the termination date of the Alaska Minerals Commission."

**SJR 4**

Representatives Kohring, McGuire, Harris, Chenault, Gruenberg, Wilson, Rokeberg, and Anderson added their names as cross sponsors to:

## SENATE JOINT RESOLUTION NO. 4

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, Alaska, to oil and gas exploration, development, and production.

**ENGROSSMENT****HB 79**

HB 79 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 101**

CShB 101(FIN) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**ANNOUNCEMENTS**

House committee schedules are published daily under separate cover.

The following meetings today have been changed as indicated:

Judiciary Committee  
CHANGED TO:

2:15 p.m., 2/26

Finance Committee  
CHANGED TO:

2:45 p.m., 2/26

Resources Committee  
POSTPONED TO:

1:00 p.m., 2/28

**ADJOURNMENT**

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., February 28, 2003. There being no objection, the House adjourned at 2:16 p.m.

Suzi Lowell  
Chief Clerk