

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Monday

March 3, 2003

#### Forty-second Day

Pursuant to adjournment the House was called to order by Speaker Kott at 11:02 a.m.

Roll call showed 31 members present. Representatives Coghill, Kerttula, and Kookesh had been previously excused from a call of the House today. There was one vacancy.

Representative Foster, Acting Majority Leader, moved and asked unanimous consent that Representatives Holm, Kohring, McGuire, and Wolf be excused from a call of the House today; and that Representative Whitaker be excused from a call of the House from today to evening plane time, March 7, 2003. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Pastor Ariel Yadao of Word of Life Christian Center. Representative Fate moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With the deepest respect for the religious beliefs of all Alaskans, I offer the following prayer.

Heavenly Father, I come to You in Jesus' Name. I ask that You grant Your wisdom, guidance, and understanding for today's meeting. May Your abundant blessing be upon us now. This I pray in Jesus' Name. Amen.

The Pledge of Allegiance was led by Representative Seaton.

**CERTIFICATION OF THE JOURNAL**

Representative Foster moved and asked unanimous consent that the journal for the 39th, 40th, and 41st legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

**MESSAGES FROM THE SENATE**

A message dated February 28, 2003, was read stating the Senate has accepted the House invitation to meet in joint session at noon, March 4, 2003, for limited confirmation of the Governor's appointees.

A message dated February 28, 2003, was read stating the Senate has accepted the House invitation to meet in joint session at 7:00 p.m., March 5, 2003, to hear the Governor's Budget Address.

**REPORTS OF STANDING COMMITTEES**

The Labor & Commerce Committee has reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

Dan F. Kennedy  
Laura Welles

as members of the Alaska State Board of Public Accountancy.

Michael W. Gordon

as a member of the Alcoholic Beverage Control Board.

Robert E. Gilfilian  
Kimberly Mills

as members of the State Board of Registration for Architects, Engineers, and Land Surveyors.

Diana L. Straub

as a member of the Board of Barbers and Hairdressers.

Sean C. Siegel

as a member of the Board of Chiropractic Examiners.

Dr. David L. Eichler  
Dr. Robert E. Warren

as members of the Board of Dental Examiners.

Roberta Rawcliffe

as a member of the Board of Dispensing Opticians.

Captain David A. Anderson  
Robert J. Arts  
Les Cronk

as members of the Board of Marine Pilots.

Dr. G. Bert Flaming  
Debra I. Joslin  
Dr. John Troxel

as members of the State Medical Board.

Mila Cosgrove

as a member of the Board of Certified Direct-Entry Midwives.

Thomas N. Carter  
Dr. John C. Cobbett

as members of the Board of Examiners in Optometry.

Mary Ann Paul

as a member of the State Physical Therapy and Occupational Therapy Board.

Stephanie I. Friese  
Anne L. Henry

as members of the Board of Professional Counselors.

Steve MacSwain

as a member of the Board of Certified Real Estate Appraisers.

Dr. Timothy L. Bowser  
Dr. James L. Morris

as members of the Board of Veterinary Examiners.

Sally Ann Carey  
Curtis Hall  
Royce R. Rock  
Dale R. Walaszek

as members of the Alaska Workers' Compensation Board.

The reports were signed by Representative Anderson Chair; and Representatives Dahlstrom, Crawford, Guttenberg, and Rokeberg.

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

Tom Irwin

as Commissioner of the Department of Natural Resources.

The report was signed by Representative Fate, Co-chair; and Representatives Heinze, Guttenberg, Wolf, and Masek.

**HB 16**

The Resources Committee has considered:

HOUSE BILL NO. 16

"An Act amending the standards applicable to determining whether, for purposes of the Alaska Stranded Gas Development Act, a proposed new investment constitutes a qualified project, and repealing the deadline for applications relating to the development of contracts for payments in lieu of taxes and for royalty adjustments that may be submitted for consideration under that Act; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 16(RES)

"An Act amending, for purposes of the Alaska Stranded Gas Development Act, the standards applicable to determining whether a proposed new investment constitutes a qualified project, the standards used to determine whether a person or group qualifies as a project sponsor or project sponsor group, and the deadline for applications relating to the development of contracts for payments in lieu of taxes and for royalty adjustments that may be submitted for consideration, and modifying the conditions bearing on the use of independent contractors to evaluate applications or to develop contract terms; and providing for an effective date."

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

Do pass (5): Heinze, Masek, Wolf, Guttenberg, Fate

The following fiscal note(s) apply to CSHB 16(RES):

1. Zero, Dept. of Community & Economic Development
2. Fiscal, Dept. of Natural Resources
3. Fiscal, Dept. of Revenue

HB 16 was referred to the Finance Committee.

### **HB 23**

The Judiciary Committee has considered:

HOUSE BILL NO. 23

"An Act relating to court-ordered restitution and compensation following a criminal conviction."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 23(JUD)  
(same title)

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

Do pass (4): Gara, Gruenberg, Anderson, McGuire

The following fiscal note(s) apply to CSHB 23(JUD):

1. Indeterminate, Dept. of Administration

HB 23 was referred to the Rules Committee for placement on the calendar.

## **REPORTS OF SPECIAL COMMITTEES**

### **HB 113**

The House Special Committee on Oil & Gas has considered:

## HOUSE BILL NO. 113

"An Act extending the renewal period for oil discharge prevention and contingency plans; and providing for an effective date."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 113(O&amp;G)

"An Act extending the renewal period and expiration date for oil discharge prevention and contingency plans; and providing for an effective date."

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

Do pass (5): McGuire, Rokeberg, Fate, Crawford, Kohring

The following fiscal note(s) apply to CSHB 113(O&G):

1. Zero, Dept. of Environmental Conservation
2. Zero, Dept. of Law

HB 113 was referred to the Resources Committee.

**HB 118**

The House Special Committee on Fisheries has considered:

## HOUSE BILL NO. 118

"An Act relating to the transportation and sale of certain commercially caught fish by an agent of a commercial fishing permit holder and to the sale of fish; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 118(FSH)  
(same title)

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

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

No recommendation (2): Berkowitz, Samuels

The following fiscal note(s) apply to CSHB 118(FSH):

1. Zero, Dept. of Fish & Game
2. Indeterminate, Dept. of Law

HB 118 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 - Resource Center for Parents and Children, 30th Anniversary

By Representative Guttenberg

In Memoriam - Anna LaVerne Griffin

By Senators Green, Ogan

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

#### HB 142

HOUSE BILL NO. 142 by Representative Heinze, entitled:

"An Act relating to provider responsibility for ocular postoperative care; and providing for an effective date."

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

#### HB 143

HOUSE BILL NO. 143 by Representative Heinze, entitled:



"An Act relating to permanent fund dividend program notice requirements and to the ineligibility for permanent fund dividends of certain persons sentenced for driving while under the influence of an alcoholic beverage, inhalant, or controlled substance, or for refusal to submit to a chemical test."

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

**HB 144**

HOUSE BILL NO. 144 by Representative Heinze, entitled:

"An Act relating to permanent fund dividend program notice requirements and to the ineligibility for permanent fund dividends of certain persons sentenced for crimes involving mandatory motor vehicle liability insurance."

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

**HB 145**

HOUSE BILL NO. 145 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to public interest litigants and to attorney fees; and amending Rule 82, Alaska Rules of Civil Procedure."

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

The following fiscal note(s) apply:

1. Zero, Dept. of Law
2. Indeterminate, Dept. of Administration

The Governor's transmittal letter dated February 28, 2003, follows:

"Dear Speaker Kott:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that would change the Alaska Rules of Civil Procedure as they apply to the award of attorney's fees. First, the bill provides for specific rules that govern the award of attorney's fees to or against certain public interest litigants. The bill does so by specifically requiring that any award of attorney's fees to or against public interest litigants for cases contesting decisions by the Department of Environmental Conservation, the Department of Fish and Game, or the Department of Natural Resources making a coastal consistency determination, adopting regulations, or in which the public had an opportunity to comment to the agency and seek administrative review before the agency, be governed by Alaska Rule of Civil Procedure 82 (Rule 82). The bill would then amend Rule 82 to require that attorney's fees be awarded to or against a public interest litigant in those situations in the same manner as attorney's fees are awarded to or against non-public interest litigants under Rule 82(b). Second, the bill provides, for all litigants, that in the absence of exceptional circumstances, courts may award increased fees only for issues upon which a party prevailed.

Under Rule 82, attorney's fees are awarded to the prevailing party. By rule, the attorney's fee awards are limited to a specified percentage of the actual fees, with the precise percentage dependent upon a number of factors, including whether the case is contested or goes to trial, and whether or not a money judgment is received. The complexity of the case and length of trial are among a list of other factors that may be used by the court to vary the size of the award. Upon consideration of a variety of factors, a court may apportion fees based upon the issues and whether a party prevailed. In contrast, current Alaska case law creates an exception to Rule 82 by which, in most circumstances, public interest litigants who prevail receive full attorney's fees, with no apportionment by issue, but are not liable for an opposing party's fees if the public interest litigant loses the case.

The attorney's fee exception for public interest litigants creates several undesirable incentives when decisions of the state are called into question. First, those seeking to preserve an action of the state have an incentive to avoid litigation because of the possibility of full attorney's

fees being awarded against them. This is compounded by the fact that those seeking to overturn actions of the state have an affirmative incentive to take a chance on doubtful claims because they may win and earn large rewards in the form of full fees, without the counterbalancing risk of even partial fees being awarded against them. This is of particular concern in the area of resource development where well-financed groups have sought to use litigation to impede the state's efforts to proceed with the orderly development of its resources.

This bill would redress this imbalance in the narrow group of cases involving the resource agencies.

I urge your prompt consideration and passage of this bill.

Sincerely,

/s/

Frank H. Murkowski

Governor"

## CONSIDERATION OF THE DAILY CALENDAR

### SECOND READING OF HOUSE BILLS

#### HB 52

The following was read the second time:

#### HOUSE BILL NO. 52

"An Act relating to the forfeiture of property used to possess or distribute child pornography, to commit indecent viewing or photography, to commit a sex offense, or to solicit the commission of, attempt to commit, or conspire to commit possession or distribution of child pornography, indecent viewing or photography, or a sexual offense."

with the:

Journal Page

STA RPT 6DP 1AM	181
FN1: ZERO(ADM)	182
FN2: ZERO(DPS)	182
JUD RPT CS(JUD) 7DP	266

FN1: ZERO(ADM)	267
FN2: ZERO(DPS)	267

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

CS FOR HOUSE BILL NO. 52(JUD)  
(same title)

There being no objection, it was so ordered.

The Speaker stated that, without objection, CSHB 52(JUD) would be held in second reading to the March 5, 2003, calendar.

#### **HB 74**

The following was read the second time:

HOUSE BILL NO. 74  
"An Act extending the termination date of the Board of Nursing."

with the:	Journal Page
L&C RPT 6DP 1AM	183
FN1: (CED)	183
FIN RPT CS(FIN) 10DP	334
FN2: (CED)	335

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

CS FOR HOUSE BILL NO. 74(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Foster moved and asked unanimous consent that CSHB 74(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 74(FIN) was read the third time.

The question being: "Shall CSHB 74(FIN) pass the House?" The roll was taken with the following result:

CSHB 74(FIN)  
Third Reading  
Final Passage

**YEAS: 31 NAYS: 0 EXCUSED: 8 ABSENT: 0 VACANT: 1**

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

Excused: Coghill, Holm, Kerttula, Kohring, Kookesh, McGuire, Whitaker, Wolf

And so, CSHB 74(FIN) passed the House.

Representative Gruenberg later gave notice of reconsideration of the vote on CSHB 74(FIN), and the reconsideration was taken up then.

### **HB 82**

The following was read the second time:

#### 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."

with the:

Journal Page

L&C RPT CS(L&C) NT 7DP	212
FN1: ZERO(LAW)	213
JUD RPT CS(L&C) NT 6DP	300
FN2: ZERO(LAW)	301
FN3: ZERO(DPS)	301

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

CS FOR HOUSE BILL NO. 82(L&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."

There being no objection, it was so ordered.

Representative Foster moved and asked unanimous consent that CSHB 82(L&C) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 82(L&C) was read the third time.

The question being: "Shall CSHB 82(L&C) pass the House?" The roll was taken with the following result:

CSHB 82(L&C)

Third Reading

Final Passage

**YEAS: 31 NAYS: 0 EXCUSED: 8 ABSENT: 0 VACANT: 1**

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

Excused: Coghill, Holm, Kerttula, Kohring, Kookesh, McGuire, Whitaker, Wolf

And so, CSHB 82(L&C) passed the House and was referred to the Chief Clerk for engrossment.

#### LEGISLATIVE CITATIONS

Representative Foster 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 - Jon Misewicz, Eagle Scout

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

Honoring - North Star Volunteer Fire Department

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

Honoring - The UAF Men's Basketball Team, 2002 BP Top of the World Classic Champions

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

Honoring - Susan B. English Volleyball Team, 2002 Class 1-2A West Champions

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

Honoring - Francis Pete, Sr., Alaska Recipient of the Head Start Father of the Year

By Senator Olson; Representatives Foster, 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, Rokeberg, Samuels, Seaton, Stoltze, Williams, Wilson, Wolf

Honoring - Lisa B. Nelson

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

Honoring - Warren Wilson

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

Honoring - Rafael S. Castanos

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

In Memoriam - William Robert Keys

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

In Memoriam - Celebrating the Life of Alaskan Artist, Fred Machetanz

By Representatives Kohring, Gatto, Masek, Stoltze, Harris, Dahlstrom, Kott, Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Weyhrauch, Williams, Whitaker, Wilson, Wolf; Senators Ogan, Green, Therriault



In Memoriam - Leo Franklin Rhode

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

In Memoriam - Billy Joe Smart

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

### UNFINISHED BUSINESS

#### **HB 118**

The Speaker added a Finance Committee referral to follow the Resources Committee referral for the following:

HOUSE BILL NO. 118

"An Act relating to the transportation and sale of certain commercially caught fish by an agent of a commercial fishing permit holder and to the sale of fish; and providing for an effective date."

HB 118 is in the Resources Committee.

#### **HB 23**

The Speaker added a Finance Committee referral for the following:

HOUSE BILL NO. 23

"An Act relating to court-ordered restitution and compensation following a criminal conviction."

HB 23 was removed from the Rules Committee and referred to the Finance Committee.

**RECONSIDERATION****HB 74**

Representative Gruenberg gave notice of reconsideration of the vote on CSHB 74(FIN) (page 363).

Representative Gruenberg moved and asked unanimous consent that the reconsideration of CSHB 74(FIN) be taken up on the same day. There being no objection, it was so ordered.

The following was again before the House in third reading:

CS FOR HOUSE BILL NO. 74(FIN)

"An Act extending the termination date of the Board of Nursing."

Representative Gruenberg moved and asked unanimous consent that CSHB 74(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 Representatives Gruenberg, Dahlstrom, and Wilson:

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

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

Page 1, following line 4:

Insert a new bill section to read:

"\* **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c)."

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

The following was again before the House in third reading:

CS FOR HOUSE BILL NO. 74(FIN)(efd add)

"An Act extending the termination date of the Board of Nursing; and providing for an effective date."

The question to be reconsidered: "Shall CSHB 74(FIN)(efd add) pass the House?" The roll was taken with the following result:

CSHB 74(FIN)(efd add)--RECONSIDERATION

Third Reading

Final Passage

**YEAS: 30 NAYS: 0 EXCUSED: 8 ABSENT: 1 VACANT: 1**

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

Excused: Coghill, Holm, Kerttula, Kohring, Kookesh, McGuire, Whitaker, Wolf

Absent: Kapsner

And so, CSHB 74(FIN)(efd add) passed the House on reconsideration.

Representative Berkowitz 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 74(FIN)(efd add) was referred to the Chief Clerk for engrossment.

## UNFINISHED BUSINESS

### HB 23

Representative Lynn added his name as cosponsor to:

HOUSE BILL NO. 23

"An Act relating to court-ordered restitution and compensation following a criminal conviction."

### HB 52

Representatives Samuels and Hawker added their names as cosponsors to:

**CS FOR HOUSE BILL NO. 52(JUD)**

"An Act relating to the forfeiture of property used to possess or distribute child pornography, to commit indecent viewing or photography, to commit a sex offense, or to solicit the commission of, attempt to commit, or conspire to commit possession or distribution of child pornography, indecent viewing or photography, or a sexual offense."

**HB 74**

Representatives Heinze and Cissna added their names as cosponsors to:

**CS FOR HOUSE BILL NO. 74(FIN)(efd add)**

"An Act extending the termination date of the Board of Nursing; and providing for an effective date."

**HB 82**

Representatives Hawker and Gara added their names as cosponsors to:

**CS FOR HOUSE BILL NO. 82(L&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."

**HB 115**

Representative Dahlstrom added her name as cosponsor to:

**HOUSE BILL NO. 115**

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

**HB 128**

Representative Chenault added his name as cosponsor to:

**HOUSE BILL NO. 128**

"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."

**ENGROSSMENT**

**HB 74**

CSHB 74(FIN)(efd add) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 82**

CSHB 82(L&C) 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 meeting today has been changed as indicated:

Judiciary Committee

CANCELED:

1:00 p.m., 3/3

**ADJOURNMENT**

Representative Foster moved and asked unanimous consent that the House adjourn until 11:45 a.m., March 4, 2003, for a joint session. There being no objection, the House adjourned at 12:09 p.m.

Suzi Lowell  
Chief Clerk

**HOUSE JOURNAL INDEX**

HB 16	355-356
HB 23	356, 367, 369
HB 52	361-362, 369-370
HB 74	362-363, 368-371
HB 82	363-364, 370-371
HB 113	356-357
HB 115	370
HB 118	357-358, 367
HB 128	370
HB 142	358
HB 143	358-359
HB 144	359
HB 145	359-361