

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Friday

March 28, 2003

Sixty-seventh Day

Pursuant to adjournment the House was called to order by Speaker Kott at 10:24 a.m.

Roll call showed 39 members present. Representative Kookesh had been previously excused from a call of the House today.

The invocation was offered by the Chaplain, Major Larry Fankhauser of The Salvation Army. Representative McGuire moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Dear Lord,

I come before You today and ask for Your blessing upon each Representative here. They have been called to a tremendous task in leading this state and its people into the days ahead. Founded as one nation under God, I would pray that each of us would know the importance of seeking Your direction. These are difficult days, and as we come to You, I know You will be found faithful and willing to help us to proceed the way You would have for us.

I would continue to lift up to You the Johnson family in Anchorage, as well as those families who have lost loved ones in the Middle East. May Your peace and love surround them.

These things I would pray in Jesus' Name. 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 65th and 66th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Dahlstrom introduced Justin Shattuck, Guest Page, from Chugiak.

Representative McGuire introduced Tonya Parish, Guest Page, from Anchorage.

Representative Seaton introduced Adrian Ryan, Guest Page, from Homer.

Representative Weyhrauch introduced Chelsea Lara, Guest Page, from Juneau.

MESSAGES FROM THE GOVERNOR**HCR 6**

A message dated March 27, 2003, was read stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(FSH)
Relating to the continuation of the Joint Legislative Salmon Industry Task Force until 2004.

Legislative Resolve No. 3

HCR 8

A message dated March 27, 2003, was read stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 8

Requesting the Governor to declare March 16 - 22, 2003, to be Inhalants and Poisons Awareness Week.

Legislative Resolve No. 5

HB 74

A message dated March 27, 2003, 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 HOUSE BILL NO. 74(FIN)(efd add)

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

Chapter No. 2, SLA 2003

Effective Date: March 28, 2003

SJR 4

A message dated March 27, 2003, was read stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

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.

Legislative Resolve No. 4

MESSAGES FROM THE SENATE

A message dated March 26, 2003, was read stating the Senate has passed the following and it is transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS****SJR 10**

SENATE JOINT RESOLUTION NO. 10 by Senators Green, Bunde, Cowdery, Dyson, Ogan, Seekins, Ben Stevens, Gary Stevens, Taylor, Therriault, Wagoner, Wilken, Davis, Ellis, Elton, French, Lincoln, Olson, and Guess:

Relating to the Pledge of Allegiance.

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

REPORTS OF STANDING COMMITTEES**HB 11**

The Finance Committee has considered:

HOUSE BILL NO. 11

"An Act relating to deposits to the Alaska permanent fund from mineral lease rentals, royalties, royalty sale proceeds, net profit shares under AS 38.05.180(f) and (g), federal mineral revenue sharing payments received by the state from mineral leases, and bonuses received by the state from mineral leases, and limiting deposits from those sources to the 25 percent required under art. IX, sec. 15, Constitution of the State of Alaska; and providing for an effective date."

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

Do pass (7): Meyer, Hawker, Joule, Whitaker, Foster, Harris, Williams

Do not pass (2): Croft, Moses

No recommendation (1): Stoltze

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue
2. Fiscal, Dept. of Revenue
3. Fiscal, Dept. of Revenue

HB 11 was referred to the Rules Committee for placement on the calendar.

HB 159

The Finance Committee has considered:

HOUSE BILL NO. 159

"An Act relating to the frequency of examinations of certain persons licensed to engage in the business of making loans of money, credit, goods, or things in action; repealing the requirement for a state examination and evaluation of the Alaska Commercial Fishing and Agriculture Bank; and providing for an effective date."

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

Do pass (5): Meyer, Hawker, Foster, Harris, Williams

No recommendation (3): Stoltze, Joule, Whitaker

Amend (1): Croft

The following fiscal note(s) apply:

2. Fiscal, Dept. of Community & Economic Development

HB 159 was referred to the Rules Committee for placement on the calendar.

HB 160

The Finance Committee has considered:

HOUSE BILL NO. 160

"An Act relating to the emission control permit program; relating to fees for that program and to the accounting of receipts

deposited in the emission control permit receipts account; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 160(FIN)
(same title)

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

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

The following fiscal note(s) apply to CSHB 160(FIN):

2. Zero, Dept. of Environmental Conservation

HB 160 was referred to the Rules Committee for placement on the calendar.

HB 174

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 174

"An Act relating to the state centralized correspondence study program, to funding for educational programs that occur primarily outside school facilities, and to the duties of school boards of borough and city school districts and regional educational attendance areas; and providing for an effective date."

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

Do pass (2): Coghill, Wolf

Do not pass (2): Seaton, Kapsner

No recommendation (2): Gatto, Wilson

The following fiscal note(s) apply:

1. Fiscal, Dept. of Education & Early Development
2. Fiscal, Dept. of Education & Early Development

HB 174 was referred to the Finance Committee.

SCR 1

The Transportation Committee has considered:

CS FOR SENATE CONCURRENT RESOLUTION NO. 1(FIN)
 Relating to economic development generated by new road construction and to the design and construction of the Hot Springs Loop Road to connect Chena Hot Springs and Circle Hot Springs, of a highway along the Bradfield/Iskut Rivers transportation corridor, of the Knik Arm Crossing, of a road from Iliamna Bay to Pile Bay, and of other roads and highways.

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE CONCURRENT
 RESOLUTION NO. 1(TRA)
 (same title)

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

Do pass (5): Kohring, Kapsner, Kookesh, Ogg, Holm

No recommendation (2): Fate, Masek

The following fiscal note(s) apply to HCS CSSCR 1(TRA):

1. Zero, Dept. of Transportation & Public Facilities

CSSCR 1(FIN) was referred to the Rules Committee for placement on the calendar.

SCR 4

The State Affairs Committee has considered:

CS FOR SENATE CONCURRENT RESOLUTION NO. 4(STA)
Relating to Avalanche Awareness Month.

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE CONCURRENT
RESOLUTION NO. 4(STA)
(same title)

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

Do pass (7): Seaton, Gruenberg, Holm, Lynn, Dahlstrom, Berkowitz, Weyhrauch

The following fiscal note(s) apply to HCS CSSCR 4(STA):

1. Zero, Senate State Affairs Committee

CSSCR 4(STA) was referred to the Rules Committee for placement on the calendar.

SB 20

The Finance Committee has considered:

CS FOR SENATE BILL NO. 20(FIN)

"An Act relating to the Board of Marine Pilots and to marine pilotage; extending the termination date of the Board of Marine Pilots; 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, Stoltze, Joule, Croft, Moses, Whitaker, Foster, Harris, Williams

The following fiscal note(s) apply:

1. Fiscal, Dept. of Community & Economic Development

CSSB 20(FIN) was referred to the Rules Committee for placement on the calendar.

REPORTS OF SPECIAL COMMITTEES

HJR 17

The House Special Committee on Oil & Gas has considered:

HOUSE JOINT RESOLUTION NO. 17

Strongly encouraging the Secretary of the Interior to conduct additional competitive oil and gas lease sales within the National Petroleum Reserve in Alaska.

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

Do pass (2): Crawford, Kohring

Do not pass (1): Fate

No recommendation (2): Holm, Rokeberg

Amend (2): McGuire, Kerttula

The following fiscal note(s) apply:

1. Zero, Dept. of Natural Resources

HJR 17 was referred to the Resources Committee.

HB 98

The House Special Committee on Fisheries has considered:

HOUSE BILL NO. 98

"An Act relating to sport fishing seasons and areas for persons under 16 years of age."

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

Do pass (6): Ogg, Heinze, Wilson, Samuels, Guttenberg, Seaton

The following fiscal note(s) apply:

1. Zero, Dept. of Fish & Game
2. Zero, Dept. of Public Safety

HB 98 was referred to the Resources Committee.

SJR 9

The House Special Committee on Military & Veterans' Affairs has considered:

CS FOR SENATE JOINT RESOLUTION NO. 9(STA)

Expressing confidence in and support for all members of the military, their families, and employers of members of the National Guard.

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

Do pass (5): Cissna, Gruenberg, Dahlstrom, Masek, Lynn

The following fiscal note(s) apply:

1. Zero, Senate State Affairs Committee

CSSJR 9(STA) is on today's calendar.

HSCR 1

The Speaker waived the House Special Committee on Fisheries referral for the following at the request of Representative Seaton, Chair:

HOUSE SPECIAL CONCURRENT RESOLUTION NO. 1

Disapproving Executive Order No. 107, relating to the transfer of certain functions of the Department of Fish and Game to the Department of Natural Resources and to the transfer of certain functions within the Department of Natural Resources.

HSCR 1 was removed from the House Special Committee on Fisheries and referred to the Resources Committee.

INTRODUCTION OF CITATIONS

The following citation was introduced and referred to the Rules Committee for placement on the calendar:

Honoring - Ellie Claus, 2003 Junior Iditarod Champion
By Senator Bunde

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HR 6

HOUSE RESOLUTION NO. 6 by the House Rules Committee:

Establishing a House Special Committee on Ways and Means.

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

HJR 20

HOUSE JOINT RESOLUTION NO. 20 by Representatives Masek and Wilson:

Proposing amendments to the Constitution of the State of Alaska repealing the prohibition on dedicated funds.

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

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 184

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 184 by Representatives Coghill and Harris, entitled:

"An Act relating to individual deferred annuities; and providing for an effective date."

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

HB 218

HOUSE BILL NO. 218 by the House Rules Committee by request of the Legislative Budget & Audit Committee, entitled:

"An Act relating to the exercise of peace officer powers by employees of the Alcoholic Beverage Control Board, and continuing the existence of the Alcoholic Beverage Control Board."

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

HB 219

HOUSE BILL NO. 219 by Representative Chenault, entitled:

"An Act relating to cigarette sales."

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

HB 220

HOUSE BILL NO. 220 by Representative Gara, entitled:

"An Act relating to the base student allocation used in the formula for state funding of public education; 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 and Finance Committees.

HB 221

HOUSE BILL NO. 221 by Representative Holm, entitled:

"An Act making it a class C felony to knowingly make a false statement relating to citizenship or residency on an application for voter registration or reregistration."

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

HB 222

HOUSE BILL NO. 222 by Representatives Kapsner, Kohring, and Guttenberg, entitled:

"An Act requiring an annual inflation adjustment of the base student allocation used in the formula for state funding of public education; 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 and Finance Committees.

HB 223

HOUSE BILL NO. 223 by the House Labor & Commerce Committee, entitled:

"An Act relating to suspension of a business license endorsement for sales of tobacco products and to a tobacco sales education course; and providing for an effective date."

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

HB 224

HOUSE BILL NO. 224 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to a tobacco product manufacturer's compliance with certain statutory requirements regarding cigarette sales; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Zero, Dept. of Law
2. Zero, Dept. of Revenue

The Governor's transmittal letter dated March 27, 2003, follows:

"Dear Speaker Kott:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to a tobacco product manufacturer's compliance with certain statutory requirements regarding cigarette sales.

The model for the bill was drafted by the National Association of Attorneys General in cooperation with a working group of participating states and is designed to aid state enforcement of the tobacco product Master Settlement Agreement and AS 45.53, and thus preserve, to the fullest extent possible, the revenue stream under the Master Settlement Agreement. We understand that most of the 46 participating states will seek to pass this legislation in their respective upcoming legislative sessions. We also understand that the bill has been reviewed and approved by two of the principal tobacco parties to the Master Settlement Agreement, Phillip Morris and RJ Reynolds.

In 1999, 46 states, including Alaska, collectively settled their claims against certain tobacco manufacturers and entered into the "Master Settlement Agreement" (MSA). Under the MSA, the participating tobacco product manufacturers agreed to pay certain amounts to the settling states in perpetuity in exchange for dismissal of the states' lawsuits. One of the provisions of the MSA, however, required that the states enact legislation that would "level the playing field" for non-participating tobacco manufacturers. This leveling legislation required such non-participating tobacco manufacturers to deposit money into escrow for every cigarette they sold in the state. The intent of this escrow requirement was to prevent the non-participants from undermining the overall goals of MSA by guaranteeing "a source of compensation and to prevent such manufacturers from deriving large, short-term profits and then becoming judgment-proof before liability may arise." See sec. 1, ch. 46, SLA 1999.

Since 1999, the participating states have detected concerted efforts by non-participating tobacco manufacturers to evade the legislated escrow requirements. Various schemes have been employed, often through use of elusive foreign tobacco manufacturers, to attempt to circumvent the requirement of escrow deposits.

This bill seeks to bring an end to these schemes. In order to sell cigarettes in this state, a tobacco product manufacturer will have to annually certify that it is in compliance with AS 45.53. Additionally, tobacco product manufacturers must include certain information that will assist the Department of Revenue in its enforcement efforts in this regard.

The Department of Revenue will publish and update a directory of cigarettes that are approved for sale in this state. Cigarettes that are not listed in this directory are contraband and may not be sold in the state. The bill provides for civil penalties for selling or possessing contraband cigarettes.

The enactment of this bill will bring an end to efforts by non-participating manufacturers to evade their obligations to deposit escrow for their in-state cigarette sales.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Frank H. Murkowski
Governor"

HB 225

HOUSE BILL NO. 225 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to certain civil actions brought by the attorney general under monopoly and restraint of trade statutes; relating to the award of damages in actions brought under those statutes; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Indeterminate, Dept. of Law

The Governor's transmittal letter dated March 26, 2003, follows:

"Dear Speaker Kott:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to legal action brought by the attorney general on behalf of direct and indirect purchasers under the statutes on monopolies and restraint of trade (antitrust statutes).

This bill updates the Alaska antitrust statutes consistent with recent United States Supreme Court precedent to provide a statutory basis for the attorney general to bring a parens patrie action on behalf of state businesses, residents, and governmental entities as indirect purchasers for violations of our antitrust statutes and to recover damages. In contrast to other states, under current Alaska antitrust statutes, indirect purchasers are without any remedy for antitrust injuries. Indirect purchasers are usually consumers, governmental entities, and small businesses in the wholesale and retail distribution chain of goods and services. Alaska antitrust statutes currently allow a cause of action only for purchasers who buy directly from the person or manufacturer that violated the antitrust statutes. By allowing only the attorney general a cause of action on behalf of both direct and indirect purchasers, Alaska consumers, businesses, and governmental entities will have a remedy for redress of antitrust violations without clogging the courts with multiple lawsuits individually brought by those purchasers.

Parens patrie actions typically involve civil actions on behalf of numerous persons and sometimes on behalf of numerous governmental entities. Accordingly, the bill provides for proof of antitrust damages by way of statistical methods consistent with federal law.

The bill also removes the current requirement in the antitrust statutes that any antitrust plaintiff must prove willful conduct before a court may award treble damages. Under federal law, a plaintiff does not have to prove willful conduct to receive treble damages. The current law has the effect of chilling plaintiffs from bringing antitrust cases in Alaska courts, in favor of resolving issues important to Alaska businesses and consumers in the federal courts.

I urge your support of this important legislation.

Sincerely,

/s/

Frank H. Murkowski
Governor"

HB 226

HOUSE BILL NO. 226 by Representatives Stoltze, Gatto, Harris, and Wilson, entitled:

"An Act relating to the sale, offer for sale, representation, and labeling of food or other agricultural products as organic, and to the state organic certification program; and providing for an effective date."

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

HB 227

HOUSE BILL NO. 227 by the House Judiciary Committee, entitled:

"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 \$75,000; and amending Rule 11(a)(4), Alaska District Court Rules of Civil Procedure, relating to service of process for small claims."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 59**

The following was read the second time:

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."

with the:	Journal Page
JUD RPT CS(JUD) 5DP 1NR	300
FN1: ZERO(DPS)	300
FN2: (DEC)	300
FIN RPT CS(FIN) 5DP 2NR 1AM	533
FN1: ZERO(DPS)	533
FN2: (DEC)	533

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. 59(FIN)
(same title)

Representative Gruenberg objected and withdrew the objection.

There being no further objection, it was so ordered.

Amendment No. 1 was offered by Representative Holm:

Page 7, line 4:
Delete "(a)"

Page 7, lines 6 - 13:
Delete all material.

Representative Holm 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 59(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no further objection, it was so ordered.

CSHB 59(FIN) am was read the third time.

The question being: "Shall CSHB 59(FIN) am pass the House?" The roll was taken with the following result:

CSHB 59(FIN) am
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, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Williams, Wilson, Wolf

Excused: Kookesh

And so, CSHB 59(FIN) am passed the House.

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

CSHB 59(FIN) am was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE BILLS

SB 54

The following was read the second time:

SENATE BILL NO. 54

"An Act exempting flight crew members of certain air carriers from overtime pay requirements."

with the:	Journal Page
L&C RPT 6DP	582
FN1: ZERO(LWF)	582

Representative Coghill moved and asked unanimous consent that SB 54 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 54 was read the third time.

Representative Samuels moved and asked unanimous consent that he be allowed to abstain from voting because of a conflict of interest. Objection was heard, and Representative Samuels was required to vote.

The question being: "Shall SB 54 pass the House?" The roll was taken with the following result:

SB 54
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, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Williams, Wilson, Wolf

Excused: Kookesh

And so, SB 54 passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

THIRD READING OF SENATE BILLS**SB 78**

The following, which was read the second time and returned to the Rules Committee (page 620), was read the third time:

SENATE BILL NO. 78

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

Representative McGuire moved and asked unanimous consent that SB 78 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 McGuire and Kerttula:

Page 1, following line 4:

Insert a new bill section to read:

**** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section to read:

LEGISLATIVE INTENT. It is the legislature's intent that AS 47.07.020(b)(15), enacted by sec. 2 of this Act, take effect regardless of whether AS 47.07.042(e), enacted by sec. 3 of this Act, can be implemented under the federal laws that exist on the effective date of this Act and that the provisions of AS 47.07.042(e) be implemented by the Department of Health and Social Services only when implementation of those provisions would comply with federal law."

Page 1, line 5:

Delete "**Section 1**"

Insert "**Sec. 2**"

Renumber the following bill sections accordingly.

Page 2, line 10:
Delete "sec. 1"
Insert "sec. 2"

Page 2, line 11:
Delete "sec. 1"
Insert "sec. 2"

Page 2, line 12:
Delete "sec. 1"
Insert "sec. 2"

Page 2, line 26:
Delete "sec. 1"
Insert "sec. 2"

Page 2, line 27:
Delete "sec. 2"
Insert "sec. 3"

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

Representative Rokeberg objected and withdrew the objection.

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

The question being: "Shall SB 78 am H pass the House?" The roll was taken with the following result:

SB 78 am H
Third Reading
Final Passage

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, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Williams, Wilson, Wolf

Excused: Kookesh

Absent: Moses

And so, SB 78 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.

Representative Dahlstrom gave notice of reconsideration of the vote on SB 78 am H.

RECONSIDERATION

SB 78

Representative Dahlstrom moved and asked unanimous consent that reconsideration of SB 78 am H 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:

SENATE BILL NO. 78 am H

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

The question to be reconsidered: "Shall SB 78 am H pass the House?"
The roll was taken with the following result:

SB 78 am H--RECONSIDERATION

Third Reading

Final Passage

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, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Williams, Wilson, Wolf

Excused: Kookesh

Absent: Moses

And so, SB 78 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.

SB 78 am H was referred to the Chief Clerk for engrossment.

CONSIDERATION OF THE DAILY CALENDAR
(Continued)

SECOND READING OF SENATE RESOLUTIONS

SJR 9

The following was read the second time:

CS FOR SENATE JOINT RESOLUTION NO. 9(STA)

Expressing confidence in and support for all members of the military, their families, and employers of members of the National Guard.

with the:	Journal Page
MLV RPT 5DP	670
FN1: ZERO(S.STA)	670

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

CSSJR 9(STA) was read the third time.

The question being: "Shall CSSJR 9(STA) pass the House?" The roll was taken with the following result:

CSSJR 9(STA)
 Third Reading
 Final Passage

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, Holm, Joule, Kapsner, Kerttula, Kohring, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Williams, Wilson, Wolf

Excused: Kookesh

Absent: Heinze

And so, CSSJR 9(STA) 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 - Prince William Sound Community College, 25th Anniversary

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

In Memoriam - Douglas V. Euers

By Representatives Morgan, 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, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Williams, Wilson, Wolf

In Memoriam - Representative Marco Pignalberi
By Senators Cowdery, Lincoln; Representatives Kookesh, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kohring, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, 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 Dahlstrom - from evening plane time, March 30 to evening plane time, April 1, 2003

Representative Chenault - from 7:00 p.m., March 28 to evening plane time, March 31, 2003

SPECIAL ORDER OF BUSINESS

HR 6

Representative Coghill moved and asked unanimous consent that the following be taken up as a Special Order of Business:

HOUSE RESOLUTION NO. 6
Establishing a House Special Committee on Ways and Means.

There being no objection, it was so ordered.

HR 6 was read the second time.

The Rules Committee submitted the following fiscal note:

1. Zero, House Rules Committee

The question being: "Shall HR 6 pass the House?" The roll was taken with the following result:

HR 6
Second Reading
Special Order of Business

YEAS: 35 NAYS: 1 EXCUSED: 1 ABSENT: 3

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

Nays: Masek

Excused: Kookesh

Absent: Heinze, Moses, Williams

And so, HR 6 passed the House and was referred to the Chief Clerk for engrossment and enrollment.

UNFINISHED BUSINESS

HCR 11

Representative McGuire added her name as cosponsor to:

HOUSE CONCURRENT RESOLUTION NO. 11
Relating to Alaska Salmon Day.

HJR 9

Representative Rokeberg added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 9
Proposing amendments to the Constitution of the State of Alaska relating to an appropriation limit and a spending limit.

HJR 16

Representative Kerttula added her name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 16
Expressing confidence in and support for all members of the military, their families, and employers of members of the National Guard.

HB 1

Representative Heinze added her name as first joint prime sponsor to:

HOUSE BILL NO. 1

"An Act relating to stalking and to violating a protective order; and amending Rules 4 and 65, Alaska Rules of Civil Procedure, and Rule 9, Alaska Rules of Administration."

The sponsors are HEINZE and CRAWFORD, McGuire, and Gara.

HB 59

Representative Heinze added her name as cosponsor to:

CS FOR HOUSE BILL NO. 59(FIN) am

"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."

HB 102

Representative Anderson added his name as cosponsor to:

HOUSE BILL NO. 102

"An Act relating to concealed deadly weapons."

HB 119

Representative Rokeberg added his name as cosponsor to:

HOUSE BILL NO. 119

"An Act permitting grants to certain regulated public utilities for water quality enhancement projects and water supply and wastewater systems."

HB 127

Representatives Holm, Lynn, Chenault, and Meyer added their names as cosponsors to:

HOUSE BILL NO. 127

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

HB 177

Representative Anderson added his name as cosponsor to:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 177
"An Act relating to concealed handguns."

HB 210

Representative Stoltze added his name as cosponsor to:

HOUSE BILL NO. 210
"An Act relating to the Chitina dip net fishery; and providing for an effective date."

HB 214

Representatives Rokeberg and Meyer added their names as cosponsors to:

HOUSE BILL NO. 214
"An Act relating to the recovery of punitive damages against an employer who is determined to be vicariously liable for the act or omission of an employee; and providing for an effective date."

SJR 9

Representatives Cissna, Berkowitz, Heinze, Masek, Harris, Stoltze, Rokeberg, and Meyer added their names as cross sponsors to:

CS FOR SENATE JOINT RESOLUTION NO. 9(STA)
Expressing confidence in and support for all members of the military, their families, and employers of members of the National Guard.

SJR 10

Representatives Lynn and Wilson added their names as cross sponsors to:

SENATE JOINT RESOLUTION NO. 10
Relating to the Pledge of Allegiance.

SB 54

Representatives Rokeberg, Heinze, and Anderson added their names as cross sponsors to:

SENATE BILL NO. 54

"An Act exempting flight crew members of certain air carriers from overtime pay requirements."

SB 78

Representatives Samuels, Anderson, Meyer, and Heinze added their names as cross sponsors to:

SENATE BILL NO. 78 am H

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

ENGROSSMENT**HB 59**

CSHB 59(FIN) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 78

SB 78 am H 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.

Majority Caucus Speaker's Chamber upon adj., 3/28

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:45 a.m., March 31, 2003. There being no objection, the House adjourned at 11:46 a.m.

Suzi Lowell
Chief Clerk