

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Monday

May 12, 2003

One Hundred Twelfth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 11:36 a.m.

Roll call showed 34 members present. Representatives Joule, Kapsner, and Kookesh had been previously excused from a call of the House today. Representatives Berkowitz and Williams were absent and their presence was noted later.

Representative Coghill moved and asked unanimous consent that Representative Croft be excused from a call of the House from today until morning plane time, May 15, 2003. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Pastor Gary Waterhouse of Juneau and Sitka Seventh-day Adventist Churches. Representative Fate moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Lord, You have said that if any lack wisdom they should ask it of God and it will be given them. Well, Lord, we are asking for that wisdom just now as we seek for the best solutions to some of our pressing needs here in the state of Alaska.

We turn to You for our help, for we find when we look to ourselves or others for the solution to our problems, we fall short. So we turn to the One who is all knowing and all wise and whose understanding and power is infinite and who holds the solution to every problem imaginable in His hands. You

are a refuge to whom we must fly, and also, You are our strength and our courage to enable us to stand up to the storms and conflicts of this life.

You have given to us the key that unlocks heaven's storehouse of blessings - help in times of trouble and victory in times of conflict. "And they that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run, and not be weary; they shall walk and not faint." With this key in our hand today, we cannot fail. Amen.

The Pledge of Allegiance was led by Representative Kerttula.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 110th and 111th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Kerttula introduced Lou Taylor, Guest Page, from Downtown Juneau.

MESSAGES FROM THE SENATE

HB 170

A message dated May 12, 2003, was read stating the Senate has passed:

HOUSE BILL NO. 170

"An Act increasing certain motor vehicle registration fees; and providing for an effective date."

with a technical title change:

HOUSE BILL NO. 170(efd fld S)

"An Act increasing certain motor vehicle registration fees."

HB 170(efd fld S) was referred to the Chief Clerk for enrollment.

**The presence of Representative Berkowitz was noted.

Messages dated May 10 and 11, 2003, were read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 56

CS FOR SENATE BILL NO. 56(FIN) by the Senate Finance Committee, entitled:

"An Act relating to sport fishing license fees and anadromous king salmon tag fees for residents of Yukon, Canada; and providing for an effective date."

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

SB 93

CS FOR SENATE BILL NO. 93(JUD) am by the Senate Judiciary Committee, entitled:

"An Act relating to limitations on actions to quiet title to, eject a person from, or recover real property or the possession of it; relating to adverse possession; and providing for an effective date."

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

SB 168

CS FOR SENATE BILL NO. 168(FIN) am by the Senate Finance Committee, entitled:

"An Act relating to issuance and revocation of licenses for the importation, sale, distribution, or manufacture of cigarettes and tobacco products; relating to a tax refund or credit for unsaleable, returned, or destroyed tobacco products; relating to restrictions on

and penalties for shipping or transporting cigarettes; relating to records concerning the sale of cigarettes; amending and adding definitions relating to cigarette taxes; relating to the payment of cigarette taxes; relating to penalties applicable to cigarette taxes; relating to the definition of the wholesale price of tobacco products; relating to payment of cigarette taxes through the use of cigarette tax stamps; relating to provisions making certain cigarettes contraband and subject to seizure and forfeiture; relating to certain crimes, penalties, and interest concerning tobacco taxes and stamps; relating to cigarette sales; and providing for an effective date."

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

**The presence of Representative Williams was noted.

SB 192

CS FOR SENATE BILL NO. 192(L&C) by the Senate Labor & Commerce Committee, entitled:

"An Act relating to teachers and training programs in the Department of Labor and Workforce Development, to the placement in the exempt service of certified teachers employed by the Department of Labor and Workforce Development, to their eligibility to participate in the Teachers' Retirement System of Alaska, and to the functions of the Alaska Workforce Investment Board regarding the Kotzebue Technical Center and the Alaska Vocational Technical Center; relating to local workforce investment areas and boards; repealing the business incentive training program; and providing for an effective date."

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

REPORTS OF STANDING COMMITTEES

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

Z. Kent Sullivan, Esq.

as a member of the Real Estate Commission.

The report was signed by Representative Anderson, Chair; and Representatives Lynn, Gatto, Crawford, Guttenberg, and Rokeberg.

HCR 5

The Finance Committee has considered:

HOUSE CONCURRENT RESOLUTION NO. 5

Establishing a task force to make recommendations regarding a new design for the official seal of the State of Alaska.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 5(FIN)
(same title)

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

Do pass (8): Meyer, Kerttula, Berkowitz, Moses, Chenault, Foster, Harris, Williams

No recommendation (2): Hawker, Stoltze

The following fiscal note(s) apply to CSHCR 5(FIN):

2. Fiscal, Legislative Agency

HCR 5 was referred to the Rules Committee for placement on the calendar.

HJR 22

The Rules Committee has considered:

HOUSE JOINT RESOLUTION NO. 22

Relating to the USA PATRIOT Act and to defending the Bill of Rights, the Constitution of the State of Alaska, and civil liberties.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 22(RLS)

Relating to the USA PATRIOT Act, the Bill of Rights, the Constitution of the State of Alaska, and the civil liberties, peace, and security of the citizens of our country.

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

Do pass (6): McGuire, Berkowitz, Kott, Coghill, Morgan, Kerttula

No recommendation (1): Rokeberg

The following fiscal note(s) apply to CSHJR 22(RLS):

1. Zero, Dept. of Law

HJR 22 is on today's calendar.

HB 162

The Rules Committee has considered:

HOUSE BILL NO. 162

"An Act increasing the fee for a state business license; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 162(RLS)

"An Act relating to fees charged by certain state agencies; and providing for an effective date."

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

Do pass (2): Kott, Coghill

Do not pass (1): Berkowitz

No recommendation (3): McGuire, Morgan, Rokeberg

The following fiscal note(s) apply to CSHB 162(RLS):

2. Zero, Dept. of Natural Resources
Fiscal note(s) forthcoming.

HB 162 was returned to the Rules Committee for placement on the calendar.

HB 230

The State Affairs Committee has considered:

HOUSE BILL NO. 230
"An Act relating to political signs on private property."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 230(STA)
(same title)

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

Do pass (3): Gruenberg, Holm, Lynn

No recommendation (3): Seaton, Dahlstrom, Weyhrauch

The following fiscal note(s) apply to CSHB 230(STA):

1. Zero, Dept. of Transportation & Public Facilities

HB 230 was referred to the Rules Committee for placement on the calendar.

HB 241

The Community & Regional Affairs Committee has considered:

HOUSE BILL NO. 241

"An Act relating to optional exemptions from municipal property taxes on residential property."

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

Do pass (3): Kott, Wolf, Morgan

No recommendation (1): Cissna

The following fiscal note(s) apply:

1. Zero, Dept. of Community & Economic Development

HB 241 was referred to the State Affairs Committee.

HB 244

The Judiciary Committee has considered:

HOUSE BILL NO. 244

"An Act relating to the Code of Criminal Procedure; relating to defenses, affirmative defenses, and justifications to certain criminal acts; relating to rights of prisoners after arrest; relating to discovery, immunity from prosecution, notice of defenses, admissibility of certain evidence, and right to representation in criminal proceedings; relating to sentencing, probation, and discretionary parole; amending Rule 16, Alaska Rules of Criminal Procedure, and Rules 404, 412, 609, and 803, Alaska Rules of Evidence; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 244(JUD)

"An Act relating to the Code of Criminal Procedure; relating to rights of prisoners after arrest; relating to discovery, immunity from prosecution, notice of defenses, admissibility of certain

evidence, and right to representation in criminal proceedings; relating to sentencing, probation, and discretionary parole; amending Rule 16, Alaska Rules of Criminal Procedure, and Rules 412, 609, and 803, Alaska Rules of Evidence; and providing for an effective date."

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

Do pass (1): Samuels

Do not pass (1): Gara

No recommendation (4): Holm, Ogg, Gruenberg, McGuire

The following fiscal note(s) apply to CSHB 244(JUD):

1. Zero, Dept. of Law
2. Fiscal, Dept. of Corrections
3. Fiscal, Dept. of Administration

HB 244 was referred to the Finance Committee.

HB 269

The Finance Committee has considered:

HOUSE BILL NO. 269

"An Act establishing the Safety Code Task Force; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 269(FIN)
(same title)

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

Do pass (4): Meyer, Chenault, Harris, Williams

No recommendation (4): Hawker, Stoltze, Berkowitz, Foster

Amend (2): Whitaker, Kerttula

The following fiscal note(s) apply to CSHB 269(FIN):

1. Zero, Dept. of Community & Economic Development
4. Zero, House Finance Committee/Dept. of Public Safety
5. Zero, House Finance Committee/Legislative Agency

HB 269 is on today's calendar.

HB 272

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 272
"An Act relating to motor vehicle dealers."

and recommends it be replaced with:

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

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

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

Amend (1): Guttenberg

The following fiscal note(s) apply to CSHB 272(L&C):

1. Zero, Dept. of Law

HB 272 was referred to the State Affairs Committee.

SB 89

The Rules Committee has considered:

CS FOR SENATE BILL NO. 89(JUD) am

"An Act amending the Regulation of Lobbying Act and the definition of 'lobbyist' as it applies in the act setting standards of conduct for legislators and legislative employees; and amending the Regulation of Lobbying Act and the legislative standards of conduct to allow a lobbyist to give and a person covered by legislative standards of conduct to accept tickets to a charity event during a legislative session."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 89(RLS)
(same title)

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

Do pass (4): McGuire, Kott, Coghill, Rokeberg

Do not pass (2): Berkowitz, Kerttula

No recommendation (1): Morgan

The following fiscal note(s) apply to HCS CSSB 89(RLS):

1. Zero, Dept. of Administration

CSSB 89(JUD) am was returned to the Rules Committee for placement on the calendar.

REPORTS OF SPECIAL COMMITTEES

HB 293

The House Special Committee on Ways & Means has considered:

HOUSE BILL NO. 293

"An Act levying and collecting a state sales and use tax; and providing for an effective date."

and recommends it be replaced with a forthcoming House Special Committee on Ways & Means CS.

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

Do pass (2): Whitaker, Hawker

Do not pass (3): Kohring, Wilson, Moses

No recommendation (1): Gruenberg

Amend (3): Rokeberg, Weyhrauch, Heinze

The following fiscal note(s) apply to CSHB 293(W&M):

Fiscal note(s) forthcoming.

HB 293 was referred to the Finance Committee.

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 318

HOUSE BILL NO. 318 by the House Finance Committee, entitled:

"An Act relating to missions and measures to be applied to certain expenditures by the executive branch of state government and the University of Alaska and by the judicial branch of state government from the state operating budget for the fiscal year ending June 30, 2004; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 245**

The following was read the second time:

HOUSE BILL NO. 245

"An Act relating to certain suits and claims by members of the military services or regarding acts or omissions of the organized militia; relating to liability arising out of certain search and rescue, civil defense, homeland security, and fire management and firefighting activities; and providing for an effective date."

with the:	Journal Page
MLV RPT CS(MLV) NT 1DP 2DNP 1NR 2AM	1007
FN1: ZERO(LAW)	1008
FN2: ZERO(DNR)	1008
FN3: INDETERMINATE(ADM)	1008
JUD RPT CS(JUD) NT 1DP 2DNP 3NR	1387
FN1: ZERO(LAW)	1388
FN2: ZERO(DNR)	1388
FN3: INDETERMINATE(ADM)	1388
FIN RPT CS(JUD) NT 5DP 1NR	1493
FN1: ZERO(LAW)	1493
FN2: ZERO(DNR)	1493
FN3: INDETERMINATE(ADM)	1493

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. 245(JUD)

"An Act relating to certain suits and claims by members of the military services; relating to certain suits and claims regarding acts or omissions of the organized militia; relating to workers' compensation and death benefits for members of the organized militia; relating to liability arising out of certain search and rescue,

civil defense, fire management, and fire fighting activities; and providing for an effective date."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 245(JUD) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

CSHB 245(JUD) will advance to third reading on tomorrow's calendar.

HB 251

The following was read the second time:

HOUSE BILL NO. 251

"An Act exempting certain foreign pleasure craft from the mandatory pilotage requirement."

with the:

Journal Page

L&C RPT CS(L&C) NT 6DP 1NR	1122
FN1: ZERO(H.L&C/CED)	1122
FIN RPT CS(FIN) NT 3DP 4NR	1494
FN2: (CED)	1494

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. 251(FIN)

"An Act relating to exemption of certain foreign pleasure craft from the mandatory pilotage requirement and to civil fines imposed on the owner or operator of a pleasure craft of foreign registry; and providing for an effective date."

There being no objection, it was so ordered.

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

Page 3, line 5, following "more than":

Delete "173"

Insert "180"

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

Objection was heard.

Representative Weyhrauch offered Amendment to Amendment No. 1.

Delete "180"

Insert "170"

Objection was heard.

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

CSHB 251(FIN)

Second Reading

Amendment to Amendment No. 1

YEAS: 13 NAYS: 20 EXCUSED: 4 ABSENT: 3

Yeas: Coghill, Foster, Gara, Gatto, Holm, Kerttula, Moses, Ogg, Rokeberg, Seaton, Stoltze, Weyhrauch, Wilson

Nays: Berkowitz, Cissna, Crawford, Dahlstrom, Fate, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Kohring, Kott, Lynn, Masek, Meyer, Morgan, Samuels, Whitaker, Williams, Wolf

Excused: Croft, Joule, Kapsner, Kookesh

Absent: Anderson, Chenault, McGuire

And so, Amendment to Amendment No. 1 was not adopted.

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

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

CSHB 251(FIN)
Second Reading
Amendment No. 1

YEAS: 22 NAYS: 13 EXCUSED: 4 ABSENT: 1

Yeas: Berkowitz, Chenault, Cissna, Coghill, Dahlstrom, Gara, Gatto, Gruenberg, Harris, Hawker, Heinze, Kohring, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Samuels, Whitaker, Williams

Nays: Crawford, Fate, Foster, Guttenberg, Holm, Kerttula, Ogg, Rokeberg, Seaton, Stoltze, Weyhrauch, Wilson, Wolf

Excused: Croft, Joule, Kapsner, Kookesh

Absent: Anderson

And so, Amendment No. 1 was adopted.

Representative Coghill moved and asked unanimous consent that CSHB 251(FIN) am be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSHB 251(FIN) am will advance to third reading on tomorrow's calendar.

HB 269

The following was read the second time:

HOUSE BILL NO. 269

"An Act establishing the Safety Code Task Force; and providing for an effective date."

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with the:	Journal Page
L&C RPT CS(L&C) 2DP 1DNP 3NR	1269
FN1: ZERO(CED)	1269
FN2: (LEG)	1269
FN3: (DPS)	1269
FIN RPT CS(FIN) 4DP 4NR 2AM	1559
FN1: ZERO(CED)	1560
FN4: ZERO(H.FIN/DPS)	1560
FN5: ZERO(H.FIN/LEG)	1560

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. 269(FIN)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Kerttula:

Page 1, line 6, following "consist of":

Delete "nine"
Insert "eleven"

Page 2, line 3:

Delete "and"

Page 2, line 4:

Delete "."
Insert ";

Page 2, following line 4:

Insert "(G) a local building official; and
(H) a local fire prevention official."

Page 2, lines 18 - 19:

Delete all material.

Renumber remaining paragraphs accordingly.

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

Representative Dahlstrom objected.

Representative Kerttula moved and asked unanimous consent to withdraw Amendment No. 1. There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 269(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSHB 269(FIN) will advance to third reading on tomorrow's calendar.

SECOND READING OF SENATE BILLS

SB 95

The following was read the second time:

SENATE BILL NO. 95

"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."

with the:

Journal Page

EDU RPT 5DP 1NR	1179
FN1: ZERO(LWF)	1179
L&C RPT 4DP 1NR	1315
FN1: ZERO(LWF)	1315

Amendment No. 1 was offered by Representative Crawford:

Page 1, lines 1 - 3 (title amendment):

Delete "**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**"

Insert "**, and unilateral actions by, municipal school districts, regional educational attendance areas, or state boarding schools, and requiring notice of at least 72 hours of a strike by those employees or of a unilateral action by those employers to the other party**"

Page 2, line 26, following "strike":

Insert "by employees or unilateral action by the employer"

Page 2, line 27, following "strike":

Insert "by the employees or unilateral action by the employer"

Page 2, line 28, following "strike":

Insert "by the employees or unilateral action by the employer"

Page 2, line 30, following "strike":

Insert "by the employees or unilateral action by the employer"

Following "given":

Delete "by the employees"

Page 2, line 31, following "party":

Insert "; a municipal school district, regional educational attendance area, or state boarding school shall give notice of unilateral action under this paragraph to the labor organization representing the employees and may not directly contact employees in advance of the unilateral action; in this paragraph, "unilateral action" means an action taken by an employer against the employer's employees, such as a lockout of employees during implementation of new terms and conditions of employment"

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

Representative Gatto objected.

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

SB 95

Second Reading

Amendment No. 1

YEAS: 20 NAYS: 10 EXCUSED: 4 ABSENT: 6

Yeas: Berkowitz, Cissna, Crawford, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Kerttula, Kott, Lynn, McGuire, Meyer, Morgan, Moses, Samuels, Weyhrauch, Williams, Wilson

Nays: Chenault, Coghill, Fate, Gatto, Kohring, Masek, Ogg, Rokeberg, Seaton, Wolf

Excused: Croft, Joule, Kapsner, Kookesh

Absent: Anderson, Dahlstrom, Foster, Gara, Stoltze, Whitaker

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

SENATE BILL NO. 95 am H

"An Act relating to strikes by employees of, and unilateral actions by, municipal school districts, regional educational attendance areas, or state boarding schools, and requiring notice of at least 72 hours of a strike by those employees or of a unilateral action by those employers to the other party."

Representative Coghill moved and asked unanimous consent that SB 95 am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 95 am H was read the third time.

The question being: "Shall SB 95 am H pass the House?" The roll was taken with the following result:

SB 95 am H

Third Reading

Final Passage

YEAS: 36 NAYS: 0 EXCUSED: 4 ABSENT: 0

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

Excused: Croft, Joule, Kapsner, Kookesh

And so, SB 95 am H passed the House.

Representative Rokeberg gave notice of reconsideration of the vote on SB 95 am H.

Representative Berkowitz moved and asked unanimous consent that reconsideration of SB 95 am H be taken up on the same day.

Objection was heard.

Representative Berkowitz moved and asked unanimous consent to withdraw the motion. There being no objection, it was so ordered.

SB 124

The following was read the second time:

SENATE BILL NO. 124(efd fld)

"An Act relating to grants for alcoholism and drug abuse programs."

with the:

Journal Page

HES RPT HCS(HES) NT 4DP 1DNP 1NR	1068
TECHNICAL TITLE CHANGE	1068
FN1: (HSS); FN2: (HSS)	1068
FN3: (HSS); FN4: (HSS)	1068
FIN RPT HCS(FIN) NT 4DP 2DNP 3NR	1269
TECHNICAL TITLE CHANGE	1269
FN1: (HSS); FN2: (HSS)	1270
FN3: (HSS); FN4: (HSS)	1270

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

HOUSE CS FOR SENATE BILL NO. 124(FIN)

"An Act relating to grants for alcoholism and drug abuse programs; and providing for an effective date."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Cissna:

Page 1, line 5:

Delete "75"

Insert "85"

Delete "25"

Insert "15"

Page 2, line 2, insert a new section to read:

"* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION. Notwithstanding AS 47.30.475(c), as amended by sec. 1 of this Act, the grants awarded under AS 47.30.475 shall be adjusted such that the ratio of 85 percent state money to 15 percent community money in FY 2004, shall be adjusted by 5 percent per year until in FY 2006, the ratio shall be 75 percent state money to 25 percent community money."

Renumber remaining section accordingly.

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

Objection was heard.

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

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

HCS SB 124(FIN)
Second Reading
Amendment No. 1

YEAS: 9 NAYS: 25 EXCUSED: 4 ABSENT: 2

Yeas: Anderson, Berkowitz, Cissna, Crawford, Gara, Gruenberg, Guttenberg, Kerttula, Moses

Nays: Chenault, Coghill, Dahlstrom, Fate, Foster, Gatto, Harris, Hawker, Heinze, Holm, Kohring, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Whitaker, Wilson, Wolf

Excused: Croft, Joule, Kapsner, Kookesh

Absent: Weyhrauch, Williams

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representative Cissna:

Page 2, line 2, insert a new section to read:

"* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION. Notwithstanding AS 47.30.475(c), as amended by sec. 1 of this Act, before July 1, 2004, the grants awarded under AS 47.30.475 shall be awarded in a ratio of 82 and one-half percent state money to 17 and one-half percent community money."

Re-number remaining section accordingly.

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

Representative Coghill objected.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

HCS SB 124(FIN)
 Second Reading
 Amendment No. 2

YEAS: 13 NAYS: 22 EXCUSED: 4 ABSENT: 1

Yeas: Anderson, Berkowitz, Cissna, Crawford, Gara, Gruenberg,
 Guttenberg, Kerttula, Kott, Lynn, Moses, Seaton, Wilson

Nays: Chenault, Coghill, Dahlstrom, Fate, Foster, Gatto, Harris,
 Hawker, Heinze, Holm, Kohring, Masek, McGuire, Meyer, Morgan,
 Ogg, Rokeberg, Samuels, Stoltze, Weyhrauch, Whitaker, Wolf

Excused: Croft, Joule, Kapsner, Kookesh

Absent: Williams

And so, Amendment No. 2 was not adopted.

Representative Coghill moved and asked unanimous consent that HCS
 SB 124(FIN) be considered engrossed, advanced to third reading, and
 placed on final passage.

Objection was heard.

HCS SB 124(FIN) will advance to third reading on tomorrow's
 calendar.

SB 151

The following was read the second time:

CS FOR SENATE BILL NO. 151(L&C)

"An Act relating to the regulation of natural gas pipelines under
 the Pipeline Act; and providing for an effective date."

with the:	Journal Page
RES RPT 7DP	1390
FN1: INDETERMINATE(DNR)	1391
FN2: ZERO(CED)	1391

Representative Coghill moved and asked unanimous consent that CSSB 151(L&C) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSSB 151(L&C) will advance to third reading on tomorrow's calendar.

THIRD READING OF HOUSE BILLS

HB 210

The following, which was advanced to third reading from the May 10, 2003, calendar (page 1540), was read the third time:

CS FOR HOUSE BILL NO. 210(RES)

"An Act relating to the Chitina dip net fishery; and providing for an effective date."

The question being: "Shall CSHB 210(RES) pass the House?" The roll was taken with the following result:

CSHB 210(RES)

Third Reading

Final Passage

YEAS: 31 NAYS: 4 EXCUSED: 4 ABSENT: 1

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

Nays: Foster, Kerttula, Morgan, Moses

Excused: Croft, Joule, Kapsner, Kookesh

Absent: Wilson

And so, CSHB 210(RES) 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 210(RES) was referred to the Chief Clerk for engrossment.

SECOND READING OF HOUSE RESOLUTIONS

HJR 22

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 22

Relating to the USA PATRIOT Act and to defending the Bill of Rights, the Constitution of the State of Alaska, and civil liberties.

with the:	Journal Page
STA RPT 3DP 3NR	1345
FN1: ZERO(LAW)	1345
JUD RPT CS(JUD) NT 7DP	1532
FN1: ZERO(LAW)	1532
RLS RPT CS(RLS) NT 6DP 1NR	1555
FN1: ZERO(LAW)	1556

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

CS FOR HOUSE JOINT RESOLUTION NO. 22(RLS)

Relating to the USA PATRIOT Act, the Bill of Rights, the Constitution of the State of Alaska, and the civil liberties, peace, and security of the citizens of our country.

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHJR 22(RLS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 22(RLS) was read the third time.

The question being: "Shall CSHJR 22(RLS) pass the House?" The roll was taken with the following result:

CSHJR 22(RLS)

Third Reading

Final Passage

YEAS: 32 NAYS: 1 EXCUSED: 4 ABSENT: 3

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

Nays: Lynn

Excused: Croft, Joule, Kapsner, Kookesh

Absent: Chenault, Masek, Rokeberg

And so, CSHJR 22(RLS) passed the House and was referred to the Chief Clerk for engrossment.

HJR 28

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 28

Urging the United States Congress to support the granting of official Observer Status to the Republic of China at the World Health Assembly Annual Conference to be held at Geneva, Switzerland, in May 2003, and to support negotiation of a free trade agreement with the Republic of China.

with the:

Journal Page

EDT RPT 3DP 1NR 1AM

1495

FN1: ZERO(CED)

1495

Amendment No. 1 was offered by Representative Heinze:

Page 1, line 7, following "China":

Delete "at"

Insert "in"

Page 2, line 25, following "sent to":

Insert "the Honorable Chen Shui-bian, President of the Republic of China;"

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

Amendment No. 2 was offered by Representative Cissna:

Page 2, following line 3:

Insert "**WHEREAS** the Republic of China is aware of the United States' continuing international concerns with bonded or forced child labor, the rights of workers to organize, the elimination of the use of child soldiers, international environmental degradation, and worker and product safety standards; and"

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

Representative Heinze objected.

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

Representative Coghill moved and asked unanimous consent that HJR 28 am be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

HJR 28 am will advance to third reading on tomorrow's calendar.

LEGISLATIVE CITATIONS

Representative Coghill moved and asked unanimous consent that the House approve the citation on the calendar. There being no objection, the following citation was approved and sent to enrolling:

Honoring - Hydaburg Boys Claim Alaska State Basketball Title
By Representatives Kookesh, Kott, Anderson, Berkowitz, Cissna, Chenault, Coghill, Crawford, Croft, Dahlstrom, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Joule, Kapsner, Kerttula, Kohring, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Williams, Whitaker, Williams, Wolf

SPECIAL ORDER OF BUSINESS**HCR 22**

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

HOUSE CONCURRENT RESOLUTION NO. 22

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 95, 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.

Representative Stoltze objected and withdrew the objection. There being no further objection, it was so ordered.

Representative Berkowitz placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall HCR 22 pass the House?" The roll was taken with the following result:

HCR 22
Special Order of Business

YEAS: 29 NAYS: 7 EXCUSED: 4 ABSENT: 0

Yeas: Berkowitz, Chenault, Cissna, Coghill, Crawford, Fate, Foster, Gara, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Kerttula, Kohring, Kott, Lynn, McGuire, Meyer, Morgan, Moses, Ogg, Samuels, Seaton, Weyhrauch, Whitaker, Williams, Wilson, Wolf

Nays: Anderson, Dahlstrom, Gatto, Holm, Masek, Rokeberg, Stoltze

Excused: Croft, Joule, Kapsner, Kookesh

And so, HCR 22 passed the House.

Representative Stoltze gave notice of reconsideration of the vote on HCR 22.

UNFINISHED BUSINESS

HJR 22

Representatives Ogg, Samuels, Gara, and Gruenberg added their names as cosponsors to:

CS FOR HOUSE JOINT RESOLUTION NO. 22(RLS)
Relating to the USA PATRIOT Act, the Bill of Rights, the Constitution of the State of Alaska, and the civil liberties, peace, and security of the citizens of our country.

SB 56

Representative Gruenberg added his name as cross sponsor to:

CS FOR SENATE BILL NO. 56(FIN)
"An Act relating to sport fishing license fees and anadromous king salmon tag fees for residents of Yukon, Canada; and providing for an effective date."

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., May 13, 2003. There being no objection, the House adjourned at 2:18 p.m.

Suzi Lowell
Chief Clerk