

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Tuesday

May 13, 2003

One Hundred Thirteenth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 10:45 a.m.

Roll call showed 33 members present. Representatives Croft, Joule, Kapsner, and Kookesh had been previously excused from a call of the House today. Representatives Berkowitz, Kerttula, and Weyhrauch were absent and their presence was noted later.

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

Lord, this morning we thank You for the leadership assembled in this chamber. As they face very weighty issues in these last days of the session, I pray that You will help them to be strong and courageous, using their influence and position to advance only the best for the citizens of this great state of Alaska. May they be men and women who cannot be bought or sold, men and women who in their inmost souls are true and honest, men and women whose conscience is as true to duty as is the needle to the pole and who stand for the right though the heavens fall. May this assembly be full of just those individuals today.

And Lord, we would just pause a moment longer to pray for three of our numbers who are absent today because of their surgeries that took place last week. Be with Representatives Croft and Joule as they recuperate from their procedures, and

Lord, thank You for the son given to Representative Kapsner. Be with her in her recovery. We are happy that all went well for the three - that is - the four of them. May they return to us quickly to resume their duties, Lord. We pray on this day. Amen.

The Pledge of Allegiance was led by Representative Moses.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 112th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Samuels introduced Valerie Lindstam, Guest Page, from Anchorage.

MESSAGES FROM THE SENATE

HB 81

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

CS FOR HOUSE BILL NO. 81(STA)

"An Act relating to motor vehicle emissions and to inspection decals and fines relating to motor vehicle emissions; and providing for an effective date."

CSHB 81(STA) was referred to the Chief Clerk for enrollment.

HB 105

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

CS FOR HOUSE BILL NO. 105(FIN)

"An Act relating to loans to satisfy past due federal tax obligations of commercial fishermen and to the commercial fishing loan program."

CSSHB 105(FIN) was referred to the Chief Clerk for enrollment.

HB 184

A message dated May 12, 2003, was read stating the Senate has passed CSSSHB 184(L&C) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR SS FOR HOUSE BILL NO.
184(L&C) am S
"An Act relating to individual deferred annuities; and providing
for an effective date."

CSSSHB 184(L&C) am is under Unfinished Business.

A message dated May 12, 2003, was read stating the Senate has passed the following and it is transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS****SB 106**

CS FOR SENATE BILL NO. 106(FIN)(efd fld) by the Senate Finance Committee, entitled:

"An Act relating to tires."

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

REPORTS OF STANDING COMMITTEES

The Judiciary Committee has reviewed the qualifications of the following and recommends the appointment be forwarded to the House for ratification:

Marianne Stillner - Juneau

as a public member of the Select Committee on Legislative Ethics.

The report was signed by Representative McGuire, Chair; and Representatives Samuels, Holm, Gara, Ogg, and Gruenberg.

HB 111

The Finance Committee has considered:

HOUSE BILL NO. 111

"An Act extending the termination date of the Regulatory Commission 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 (4): Meyer, Whitaker, Foster, Williams

No recommendation (5): Hawker, Kerttula, Berkowitz, Moses, Harris

Amend (1): Stoltze

The following fiscal note(s) apply:

1. Fiscal, Dept. of Community & Economic Development

HB 111 was referred to the Rules Committee for placement on the calendar.

HB 145

The Finance Committee has considered:

HOUSE BILL NO. 145

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 145(FIN)

"An Act prohibiting discrimination in the awarding of attorney fees and costs in civil actions or appeals to or against, or in the posting of bonds or other security by, public interest litigants; and relating to awards of attorney fees and costs in cases involving enforcement of constitutional rights; and providing for an effective date."

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

Do pass (2): Foster, Williams

Do not pass (3): Kerttula, Berkowitz, Moses

No recommendation (6): Meyer, Hawker, Stoltze, Chenault, Whitaker, Harris

The following fiscal note(s) apply to CSHB 145(FIN):

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

HB 145 was referred to the Rules Committee for placement on the calendar.

HB 277

The Resources Committee has considered:

HOUSE BILL NO. 277

"An Act relating to the powers of the Regulatory Commission of Alaska in regard to intrastate pipeline transportation services and pipeline facilities, to the rate of interest for funds to be paid by pipeline shippers or carriers at the end of a suspension of tariff filing, and to the prospective application of increased standards on regulated pipeline utilities; allowing the commission to accept rates set in conformity with a settlement agreement between the state and one or more pipeline carriers and to enforce the terms of a settlement agreement in regard to intrastate rates; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 277(RES)

"An Act relating to the authority of the commissioner of natural resources concerning the investigation of certain leases issued by the state; relating to the powers and jurisdiction of the Regulatory Commission of Alaska in regard to intrastate pipeline

transportation services, pipeline facilities, and pipeline carriers; relating to the rate of interest for funds to be paid by pipeline shippers or carriers at the end of a suspension of tariff filing; relating to the duties and powers of the attorney general regarding pipeline tariff matters and proceedings, and to the application of orders affecting rates of regulated pipeline carriers; and providing for an effective date."

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

Do pass (3): Lynn, Heinze, Fate

Do not pass (1): Guttenberg

No recommendation (2): Masek, Wolf

The following fiscal note(s) apply to CSHB 277(RES):

1. Zero, Dept. of Revenue
2. Zero, Dept. of Natural Resources

HB 277 was referred to the Labor & Commerce Committee.

HB 285

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 285

"An Act adopting the Uniform Electronic Transactions Act; repealing certain statutes relating to electronic records and electronic signatures; amending Rule 402, Alaska Rules of Evidence; and providing for an effective date."

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

Do pass (2): Lynn, Anderson

No recommendation (4): Gatto, Crawford, Guttenberg, Dahlstrom

The following fiscal note(s) apply:

1. Zero, Office of the Governor/All Depts.

HB 285 was referred to the Judiciary Committee.

HB 288

The Community & Regional Affairs Committee has considered:

HOUSE BILL NO. 288

"An Act changing the name of the Department of Community and Economic Development."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 288(STA)

"An Act changing the name of the Department of Community and Economic Development to the Department of Commerce and Economic Development."

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

Do pass (2): Wolf, Kott

No recommendation (3): Samuels, Cissna, Morgan

The following fiscal note(s) apply to CSHB 288(STA):

1. Zero, Dept. of Community & Economic Development

HB 288 was referred to the Rules Committee for placement on the calendar.

HB 303

The Judiciary Committee has considered:

HOUSE BILL NO. 303

"An Act relating to youth courts and to the recommended use of criminal fines to fund the activities of youth courts; and relating to accounting for criminal fines."

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

Do pass (6): Samuels, Holm, Gara, Gruenberg, Ogg, McGuire

The following fiscal note(s) apply:

1. Zero, Alaska Court System

HB 303 was referred to the Finance Committee.

HB 304

The Transportation Committee has considered:

HOUSE BILL NO. 304

"An Act naming the Jack Coghill Bridge to the Interior."

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

Do pass (5): Fate, Ogg, Kohring, Masek, Holm

The following fiscal note(s) apply:

1. Zero, Dept. of Transportation & Public Facilities

HB 304 was referred to the State Affairs Committee.

HB 315

The Transportation Committee has considered:

HOUSE BILL NO. 315

"An Act relating to international airports revenue bonds; and providing for an effective date."

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

Do pass (3): Kohring, Ogg, Fate

No recommendation (2): Masek, Holm

The following fiscal note(s) apply:

1. Fiscal, Dept. of Revenue

HB 315 was referred to the Finance Committee.

SJR 5

The Judiciary Committee has considered:

CS FOR SENATE JOINT RESOLUTION NO. 5(STA)

Urging the President of the United States and the Congress to act to ensure that federal agencies do not retain records relating to lawful purchase or ownership of firearms gathered through the Brady Handgun Bill instant check system.

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

Do pass (6): Samuels, Holm, Gara, Ogg, Gruenberg, McGuire

The following fiscal note(s) apply:

1. Zero, Legislative Agency

CSSJR 5(STA) was referred to the Rules Committee for placement on the calendar.

SB 71

The Finance Committee has considered:

CS FOR SENATE BILL NO. 71(TRA)

"An Act relating to funding for transportation projects; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 71(FIN)
(same title)

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

Do pass (8): Meyer, Hawker, Stoltze, Chenault, Whitaker, Foster, Harris, Williams

No recommendation (1): Moses

Amend (2): Kerttula, Berkowitz

The following fiscal note(s) apply to HCS CSSB 71(FIN):

1. Zero, Dept. of Transportation & Public Facilities

CSSB 71(TRA) was referred to the Rules Committee for placement on the calendar.

SB 98

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 98(TRA)

"An Act relating to civil liability for boat owners and to civil liability for guest passengers on an aircraft or watercraft; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 98(JUD)
(same title)

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

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

No recommendation (2): Gara, Gruenberg

The following fiscal note(s) apply to HCS CSSB 98(JUD):

1. Zero, Dept. of Law

CSSB 98(TRA) was referred to the Rules Committee for placement on the calendar.

SB 210

The Labor & Commerce Committee has considered:

SENATE BILL NO. 210

"An Act regarding the computation of overtime compensation by employers before June 2, 1999; and providing for an effective date."

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

Do pass (7): Lynn, Gatto, Crawford, Guttenberg, Dahlstrom, Rokeberg, Anderson

The following fiscal note(s) apply:

1. Zero, Dept. of Labor & Workforce Development

SB 210 was referred to the Rules Committee for placement on the calendar.

REPORTS OF SPECIAL COMMITTEES

HB 287

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

HOUSE BILL NO. 287

"An Act relating to waiver of permanent fund dividend application requirements in a time of national military emergency; and providing for an effective date."

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

Do pass (6): Cissna, Masek, Dahlstrom, Gruenberg, Fate, Lynn

The following fiscal note(s) apply:

1. Zero, House Special Committee on Military & Veterans' Affairs

HB 287 was referred to the Finance Committee.

**The presence of Representative Kerttula was noted.

SB 146

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

SENATE BILL NO. 146

"An Act relating to a commemorative veterans' license plate; and providing for an effective date."

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

Do pass (6): Cissna, Gruenberg, Fate, Masek, Dahlstrom, Lynn

The following fiscal note(s) apply:

1. Fiscal, Dept. of Administration

SB 146 was referred to the State Affairs Committee.

SB 148

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

SENATE BILL NO. 148

"An Act relating to allowable absences for certain members of the armed forces and their spouses and dependents for purposes of eligibility for permanent fund dividends; and providing for an effective date."

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

Do pass (6): Fate, Gruenberg, Dahlstrom, Cissna, Masek, Lynn

The following fiscal note(s) apply:

1. Fiscal, Dept. of Revenue

SB 148 was referred to the Finance Committee.

**The presence of Representative Berkowitz was noted.

INTRODUCTION OF CITATIONS

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

Honoring - Annette M. DeLong, Wasilla Chamber of Commerce 2002
Business Person of the Year
By Representative Kohring

Honoring - Forrest A. Miles III, Eagle Scout
By Representative Masek

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE RESOLUTIONS****HJR 29**

HOUSE JOINT RESOLUTION NO. 29 by Representatives Lynn, Kerttula, Ogg, and Weyhrauch:

Relating to the establishment of Reserve Officer Training Corps programs in Alaska by the United States Coast Guard.

was read the first time and referred to the House Special Committee on Military & Veterans' Affairs.

**The presence of Representative Weyhrauch was noted.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF SENATE BILLS

SB 25

The following was read the second time:

CS FOR SENATE BILL NO. 25(FIN)

"An Act relating to the acquisition of teachers' housing by regional educational attendance areas and to teachers' housing loan programs in the Alaska Housing Finance Corporation; and providing for an effective date."

with the:

Journal Page

HES RPT HCS(HES) NT 2DP 4NR	1065
FN1: ZERO(REV)	1066
FIN RPT HCS(HES) NT 9DP 2NR	1199
FN1: ZERO(REV)	1200
RLS RPT HCS(RLS) NT 6DP	1313
FN1: ZERO(REV)	1314

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

HOUSE CS FOR CS FOR SENATE BILL NO. 25(RLS)

"An Act relating to the acquisition of teachers' housing by regional educational attendance areas and to a teacher housing loan program and a teachers' and nurses' housing loan program in the Alaska Housing Finance Corporation; and providing for an effective date."

(HCR 17 - title change resolution)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS CSSB 25(RLS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 25(RLS) was read the third time.

The question being: "Shall HCS CSSB 25(RLS) pass the House?"
The roll was taken with the following result:

HCS CSSB 25(RLS)
Third Reading
Final Passage

YEAS: 34 NAYS: 0 EXCUSED: 4 ABSENT: 2

Yeas: Anderson, Berkowitz, Cissna, Coghill, Crawford, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, 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

Absent: Chenault, Harris

And so, HCS CSSB 25(RLS) 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 Berkowitz gave notice of reconsideration of the vote on HCS CSSB 25(RLS).

RECONSIDERATION

SB 95

Representative Gatto brought up reconsideration of the vote on SB 95 am H (page 1570).

The following was again before the House in third reading:

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 Gatto moved and asked unanimous consent that SB 95 am H be returned to second reading for the specific purpose of rescinding previous action in adopting Amendment No. 1.

Objection was heard.

The question being: "Shall SB 95 am H be returned to second reading for the specific purpose of rescinding previous action in adopting Amendment No. 1?" The roll was taken with the following result:

SB 95 am H--RECONSIDERATION

Third Reading

Return to Second/Rescind Previous Action/Amendment No. 1

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

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

Nays: Berkowitz, Cissna, Crawford, Gara, Gruenberg, Kerttula, Moses

Excused: Croft, Joule, Kapsner, Kookesh

And so, SB 95 am H was returned to second reading.

Representative Gatto moved and asked unanimous consent that the House rescind previous action in adopting Amendment No. 1.

Representative Crawford objected and withdrew the objection. There being no further objection, the House rescinded previous action in adopting Amendment No. 1 and the new title follows:

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."

Amendment No. 1 (page 1569) was before the House.

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

SB 95--RECONSIDERATION

Second Reading

Amendment No. 1

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

Yeas: Cissna, Crawford, Gara, Gruenberg, Guttenberg, Harris, Heinze, Kerttula, Moses

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

Excused: Croft, Joule, Kapsner, Kookesh

Absent: Berkowitz, Williams

And so, Amendment No. 1 was not adopted.

The question to be reconsidered: "Shall SB 95 pass the House?" The roll was taken with the following result:

SB 95--RECONSIDERATION

Third Reading

Final Passage

YEAS: 30 NAYS: 5 EXCUSED: 4 ABSENT: 1

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

Nays: Cissna, Crawford, Gruenberg, Guttenberg, Kerttula

Excused: Croft, Joule, Kapsner, Kookesh

Absent: Gara

And so, SB 95 passed the House on reconsideration, was signed by the Speaker and Chief Clerk and returned to the Senate.

HCR 22

Representative Stoltze brought up reconsideration of the vote on HCR 22 (page 1580).

The following was again before the House:

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.

The Speaker stated that, without objection, HCR 22 would be sent to the Rules Committee.

SECOND READING OF SENATE BILLS

(Continued)

SB 87

The following was read the second time:

SENATE BILL NO. 87

"An Act relating to principal and income in the administration of trusts and decedents' estates and the mental health trust fund; adopting a version of the Uniform Principal and Income Act; and providing for an effective date."

with the:

Journal Page

JUD RPT HCS(JUD) 5DP 1NR

1352

FN1: ZERO(LAW)

1352

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. 87(JUD)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS SB 87(JUD) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

HCS SB 87(JUD) will advance to third reading on tomorrow's calendar.

SB 142

The following was read the second time:

SENATE BILL NO. 142

"An Act designating the Department of Natural Resources as lead agency for resource development projects; making conforming amendments; and providing for an effective date."

with the:	Journal Page
RLS RPT 5DP 1AM	1536
FN1: ZERO(DNR)	1537
FN2: ZERO(DEC)	1537

Amendment No. 1 was offered by Representative Kerttula:

Page 2, lines 23 - 24:

Delete all material and insert:

"(9) after consultation with and agreement by another resource agency with a permit required in a resource development project, lead and coordinate all matters relating to the state's review and authorization of that project."

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

Representative Heinze objected.

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

SB 142
Second Reading
Amendment No. 1

YEAS: 8 NAYS: 28 EXCUSED: 4 ABSENT: 0

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

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

Excused: Croft, Joule, Kapsner, Kookesh

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representative Kerttula:

Page 2, line 23, following **(9)**, insert:

"after consultation with and agreement by the other state resource agencies,"

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

Representative Heinze objected.

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

SB 142
Second Reading
Amendment No. 2

YEAS: 10 NAYS: 25 EXCUSED: 4 ABSENT: 1

Yeas: Berkowitz, Cissna, Crawford, Gara, Gruenberg, Guttenberg, Kerttula, Moses, Seaton, Weyhrauch

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

Excused: Croft, Joule, Kapsner, Kookesh

Absent: Morgan

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representative Berkowitz:

Page 2, lines 23 - 24:

Delete all material and insert:

"(9) coordinate the state's review and authorization of resource development projects, other than those directly related to fish and game."

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

Representative Heinze objected.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

SB 142
Second Reading
Amendment No. 3

YEAS: 9 NAYS: 27 EXCUSED: 4 ABSENT: 0

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

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

Excused: Croft, Joule, Kapsner, Kookesh

And so, Amendment No. 3 was not adopted.

The Speaker stated that, without objection, the House would recess until 1:00 p.m.; and so, the House recessed at 12:36 p.m.

AFTER RECESS

The Speaker called the House back to order at 1:38 p.m.

SECOND READING OF SENATE BILLS (Continued)

SB 142

The following was before the House in second reading:

SENATE BILL NO. 142

"An Act designating the Department of Natural Resources as lead agency for resource development projects; making conforming amendments; and providing for an effective date."

Representative Coghill moved and asked unanimous consent that SB 142 be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

SB 142 will advance to third reading on tomorrow's calendar.

THIRD READING OF HOUSE BILLS**HB 245**

The following, which was advanced to third reading from the May 12, 2003, calendar (page 1564), was read the third time:

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."

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.

Representative Rokeberg rose to a point of order regarding impugning the motives of members.

The Speaker stated the point was well taken.

The question being: "Shall CSHB 245(JUD) pass the House?" The roll was taken with the following result:

CSHB 245(JUD)

Third Reading

Final Passage

YEAS: 21 NAYS: 15 EXCUSED: 4 ABSENT: 0

Yeas: Anderson, Chenault, Coghil, Fate, Foster, Gatto, Harris, Hawker, Heinze, Holm, Kohring, McGuire, Meyer, Morgan, Rokeberg, Samuels, Stoltze, Whitaker, Williams, Wilson, Wolf

Nays: Berkowitz, Cissna, Crawford, Dahlstrom, Gara, Gruenberg, Guttenberg, Kerttula, Kott, Lynn, Masek, Moses, Ogg, Seaton, Weyhrauch

Excused: Croft, Joule, Kapsner, Kookesh

And so, CSHB 245(JUD) passed the House.

Representative Coghill moved that the effective date clause be adopted.

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

CSHB 245(JUD)

Third Reading

Effective Date

YEAS: 27 NAYS: 9 EXCUSED: 4 ABSENT: 0

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

Nays: Berkowitz, Cissna, Crawford, Gara, Gruenberg, Guttenberg, Kerttula, Lynn, Moses

Excused: Croft, Joule, Kapsner, Kookesh

And so, the effective date clause was adopted.

Representative Gruenberg gave notice of reconsideration of the vote on CSHB 245(JUD).

**Representative Coghill moved and asked unanimous consent that Representative Ogg be excused from a call of the House today from 3:00 p.m. to 4:15 p.m. There being no objection, it was so ordered.

HB 251

The following, which was advanced to third reading from the May 12, 2003, calendar (page 1566), was read the third time:

CS FOR HOUSE BILL NO. 251(FIN) am

"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."

The question being: "Shall CSHB 251(FIN) am pass the House?" The roll was taken with the following result:

CSHB 251(FIN) am
Third Reading
Final Passage

YEAS: 31 NAYS: 5 EXCUSED: 4 ABSENT: 0

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

Nays: Berkowitz, Gara, McGuire, Stoltze, Weyhrauch

Excused: Croft, Joule, Kapsner, Kookesh

And so, CSHB 251(FIN) am passed the House.

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

Representative Stoltze gave notice of reconsideration of the vote on CSHB 251(FIN) am.

HB 269

The following, which was advanced to third reading from the May 12, 2003, calendar (page 1568), was read the third time:

CS FOR HOUSE BILL NO. 269(FIN)

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

**Representative Ogg, who had been previously excused (page 1608), left the Chamber.

The question being: "Shall CSHB 269(FIN) pass the House?" The roll was taken with the following result:

CSHB 269(FIN)
Third Reading
Final Passage

YEAS: 34 NAYS: 1 EXCUSED: 5 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, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Williams, Wilson, Wolf

Nays: Rokeberg

Excused: Croft, Joule, Kapsner, Kookesh, Ogg

And so, CSHB 269(FIN) 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 269(FIN) was referred to the Chief Clerk for engrossment.

THIRD READING OF SENATE BILLS

SB 124

The following, which was advanced to third reading from the May 12, 2003, calendar (page 1574), was read the third time:

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."

Representative Hawker placed a call of the House.

The call was satisfied.

The question being: "Shall HCS SB 124(FIN) pass the House?" The roll was taken with the following result:

HCS SB 124(FIN)
 Third Reading
 Final Passage

YEAS: 27 NAYS: 8 EXCUSED: 5 ABSENT: 0

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

Nays: Berkowitz, Cissna, Crawford, Gara, Gruenberg, Guttenberg, Kerttula, Moses

Excused: Croft, Joule, Kapsner, Kookesh, Ogg

And so, HCS SB 124(FIN) 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 Gara gave notice of reconsideration of the vote on HCS SB 124(FIN).

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

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

Majority Caucus	Speaker's Chamber	5:00 p.m., 5/13
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The following meetings today have been changed as indicated:

Health, Education & Social Services Committee CANCELED:	3:00 p.m., 5/13
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Finance Committee CHANGED TO:	4:00 p.m., 5/13
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HOUSE JOURNAL

1612

May 13, 2003

Labor & Commerce Committee

CHANGED TO:

4:00 p.m., 5/13

House Special Committee on Oil & Gas

CHANGED TO:

Call of the Chair, 5/13

The Speaker stated that, without objection, the House would recess until 7:00 p.m.; and so, the House recessed at 3:48 p.m.

AFTER RECESS

The Speaker called the House back to order at 7:13 p.m.

THIRD READING OF SENATE BILLS

(Continued)

SB 151

The following, which was advanced to third reading from the May 12, 2003, calendar (page 1575), was read the third 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."

The question being: "Shall CSSB 151(L&C) pass the House?" The roll was taken with the following result:

CSSB 151(L&C)

Third Reading

Final Passage

YEAS: 32 NAYS: 0 EXCUSED: 4 ABSENT: 4

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

Excused: Croft, Joule, Kapsner, Kookesh

Absent: Cissna, Kohring, Moses, Williams

And so, CSSB 151(L&C) 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 Gara gave notice of reconsideration of the vote on CSSB 151(L&C).

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

SECOND READING OF HOUSE RESOLUTIONS

HCR 5

The following was read the second time:

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.

with the:	Journal Page
CRA RPT 5DP 1AM	461
FN1: (LEG)	461
STA RPT 2DP 2NR	759
FN1: (LEG)	760
FIN RPT CS(FIN) 8DP 2NR	1555
FN2: (LEG)	1555

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

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

There being no objection, it was so ordered.

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

Page 2, line 17, following "Development":

Insert ", one of whom shall be an employee of the department who is a certificated teacher and one of whom shall be a member of the Alaska State Council on the Arts"

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

The question being: "Shall CSHCR 5(FIN) am pass the House?" The roll was taken with the following result:

CSHCR 5(FIN) am
Second Reading
Final Passage

YEAS: 29 NAYS: 5 EXCUSED: 5 ABSENT: 1

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

Nays: Dahlstrom, Fate, Gatto, McGuire, Stoltze

Excused: Croft, Joule, Kapsner, Kookesh, Moses

Absent: Masek

And so, CSHCR 5(FIN) am passed the House and was referred to the Chief Clerk for engrossment.

HCR 17

The following was read the second time:

HOUSE CONCURRENT RESOLUTION NO. 17
Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 25, relating to the acquisition of teachers' housing by regional

educational attendance areas and to teachers' housing loan programs in the Alaska Housing Finance Corporation.

The question being: "Shall HCR 17 pass the House?" The roll was taken with the following result:

HCR 17

Second Reading

Final Passage

YEAS: 34 NAYS: 0 EXCUSED: 5 ABSENT: 1

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

Excused: Croft, Joule, Kapsner, Kookesh, Moses

Absent: Masek

And so, HCR 17 passed the House and was referred to the Chief Clerk for engrossment.

THIRD READING OF HOUSE RESOLUTIONS

HJR 28

The following, which was advanced to third reading from the May 12, 2003, calendar (page 1578), was read the third time:

HOUSE JOINT RESOLUTION NO. 28 am

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.

The question being: "Shall HJR 28 am pass the House?" The roll was taken with the following result:

HJR 28 am
Third Reading
Final Passage

YEAS: 34 NAYS: 0 EXCUSED: 5 ABSENT: 1

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

Excused: Croft, Joule, Kapsner, Kookesh, Moses

Absent: Masek

And so, HJR 28 am passed the House and was referred to the Chief Clerk for engrossment.

UNFINISHED BUSINESS

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

Representative Holm - from evening plane time, May 14 to morning plane time, May 16, 2003

HB 56

The Speaker waived the Judiciary Committee referral for the following at the request of Representative McGuire, Chair:

HOUSE BILL NO. 56

"An Act relating to the attorney fees and costs awarded in certain court actions relating to unfair trade practices; and, if considered court rule changes, amending Rules 54(d), 79, and 82, Alaska Rules of Civil Procedure."

HB 56 was removed from the Judiciary Committee and referred to the Finance Committee.

HB 162

The Rules Committee submitted the forthcoming fiscal note to accompany their report (page 1556):

4. Fiscal, Dept. of Community & Economic Development

for the following:

CS FOR HOUSE BILL NO. 162(RLS)

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

HB 162 is in the Rules Committee.

HB 277

The Resources Committee submitted the following corrected CS to accompany their report (page 1589):

CS FOR HOUSE BILL NO. 277(RES)

"An Act relating to the authority of the commissioner of natural resources concerning the investigation of certain leases issued by the state; relating to the powers and jurisdiction of the Regulatory Commission of Alaska in regard to intrastate pipeline transportation services, pipeline facilities, and pipeline carriers; relating to the rate of interest for funds to be paid by pipeline shippers or carriers at the end of a suspension of tariff filing; relating to the duties and powers of the attorney general regarding pipeline tariff matters and proceedings, and to the application of orders affecting rates of regulated pipeline carriers; and providing for an effective date."

HB 277 is in the Labor & Commerce Committee.

HB 293

The House Special Committee on Ways & Means submitted the following forthcoming CS and fiscal note(s) to accompany their report (page 1561):

CS FOR HOUSE BILL NO. 293(W&M)

"An Act relating to a state sales and use tax; relating to taxes levied by cities and boroughs; providing authority to the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement; increasing the motor fuel tax and repealing the special tax rates on blended fuels; and providing for an effective date."

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

1. Fiscal, Dept. of Revenue

HB 293 is in the Finance Committee.

HB 40

Representative Weyhrauch removed his name as joint prime sponsor to:

HOUSE BILL NO. 40

"An Act relating to issuance of a driver's license."

HB 251

Representative Lynn added his name as cosponsor to:

CS FOR HOUSE BILL NO. 251(FIN) am

"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."

HB 303

Representatives McGuire, Holm, and Samuels added their names as cosponsors to:

HOUSE BILL NO. 303

"An Act relating to youth courts and to the recommended use of criminal fines to fund the activities of youth courts; and relating to accounting for criminal fines."

HB 304

Representative Holm added his name as cosponsor to:

HOUSE BILL NO. 304

"An Act naming the Jack Coghill Bridge to the Interior."

SB 25

Representatives Ogg, Dahlstrom, Gara, and Seaton added their names as cross sponsors to:

HOUSE CS FOR CS FOR SENATE BILL NO. 25(RLS)

"An Act relating to the acquisition of teachers' housing by regional educational attendance areas and to a teacher housing loan program and a teachers' and nurses' housing loan program in the Alaska Housing Finance Corporation; and providing for an effective date."

SB 151

Representative Lynn added his name as cross sponsor to:

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."

SB 155

Representative Wolf added his name as cross sponsor to:

CS FOR SENATE BILL NO. 155(RES)

"An Act relating to predator control programs; and providing for an effective date."

ENGROSSMENT

HCR 5

CSHCR 5(FIN) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HJR 28

HJR 28 am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 269

CSHB 269(FIN) 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., 5/13

The following meeting today has been changed as indicated:

Finance Committee
CANCELED:

4:00 p.m., 5/13

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., May 14, 2003. There being no objection, the House adjourned at 7:48 p.m.

Suzi Lowell
Chief Clerk