

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Wednesday

May 14, 2003

One Hundred Fourteenth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 10:22 a.m.

Roll call showed 38 members present. Representatives Croft and Joule had been previously excused from a call of the House today.

Representative Coghill moved and asked unanimous consent that Representative Wilson be excused from a call of the House from 1:30 p.m. to 3:30 p.m. today. 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 Coghill moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

O Lord, our God, Your majesty is reflected in Your creation about us. As long as we have breath in our bodies, we will praise God! You are the One who can heal the wounds and mend the fractures of this disjointed world. We're not on this planet for long, but help each of us to make a positive, lasting impact while we are here. Grant us, our great God, the courage to stand tall in the middle of this life's conflicts. Give to us some success stories with all the defeats that come our way. May we discover Your objectives for our lives, for in You alone is victory and success. We pray in Your name, Amen.

The Pledge of Allegiance was led by the Chief Clerk.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 113th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

* * * * *

Representative Kerttula introduced Irene Muller, Guest Page, from Juneau.

MESSAGES FROM THE GOVERNOR

A letter dated May 12, 2003, was read stating that, in accordance with AS 39.05.080, the Governor submits the following name for legislative confirmation of appointment to the commission set out below.

The Speaker referred the following to the Judiciary Committee:

Regulatory Commission of Alaska (RCA)

Kate Giard - Anchorage

Appointed: 06/01/2003

Term Expires: 03/01/2007

A resume for the appointment is on file in the Chief Clerk's office.

MESSAGES FROM THE SENATE**HB 1**

A message dated May 13, 2003, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 1(JUD)

"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."

CSHB 1(JUD) was referred to the Chief Clerk for enrollment.

COMMUNICATIONS

The following was received:

Dept. of Labor & Workforce Development
Alaska Labor Relations Agency
2002 Annual Report, May 2003
(as required by AS 23.05.370)

REPORTS OF STANDING COMMITTEES**HB 211**

The Finance Committee has considered:

HOUSE BILL NO. 211

"An Act relating to a student loan repayment program for nurses, and amending the duties of the Board of Nursing that relate to this program; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 211(HES)
(same title)

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

Do pass (5): Hawker, Whitaker, Foster, Kerttula, Meyer

No recommendation (2): Berkowitz, Moses

The following fiscal note(s) apply to CSHB 211(HES):

1. Zero, Dept. of Community & Economic Development
3. Fiscal, Dept. of Education & Early Development

HB 211 was referred to the Rules Committee for placement on the calendar.

HB 228

The State Affairs Committee has considered:

HOUSE BILL NO. 228

"An Act relating to state employees who are called to active duty as reserve or auxiliary members of the armed forces of the United States; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 228(MLV)

"An Act relating to state employees who are called to active duty or ordered to full-time service as reserve or auxiliary members of the armed forces of the United States; and providing for an effective date."

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

Do pass (4): Gruenberg, Lynn, Dahlstrom, Crawford

No recommendation (3): Seaton, Holm, Weyhrauch

The following fiscal note(s) apply to CSHB 228(MLV):

1. Zero, Dept. of Military & Veterans' Affairs
2. Indeterminate, Dept. of Administration/All Depts.

HB 228 was referred to the Finance Committee.

HB 295

The State Affairs Committee has considered:

HOUSE BILL NO. 295

"An Act relating to the publishing and furnishing of certain public notices regarding regulations or rules of certain state agencies; relating to distribution of the Alaska Administrative Code, Alaska Administrative Register, and supplements to the code or register; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 295(STA)

"An Act relating to the publishing, furnishing, and contents of certain notices regarding regulations or rules of certain state agencies and entities; relating to distribution of the Alaska Administrative Code, Alaska Administrative Register, and supplements to the code or register; and providing for an effective date."

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

Do pass (4): Seaton, Lynn, Dahlstrom, Weyhrauch

No recommendation (3): Gruenberg, Holm, Crawford

The following fiscal note(s) apply to CSHB 295(STA):

2. Fiscal, Office of the Governor/All Depts.

HB 295 was referred to the Finance Committee.

HB 313

The Finance Committee has considered:

HOUSE BILL NO. 313

"An Act authorizing a pilot program relating to state procurement and the use of electronic commerce tools; and providing for an effective date."

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

Do pass (4): Meyer, Hawker, Foster, Williams

No recommendation (5): Stoltze, Kerttula, Berkowitz, Moses, Chenault

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

HB 313 is on today's calendar.

SB 56

The Resources Committee has considered:

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."

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

Do pass (5): Gatto, Morgan, Wolf, Heinze, Fate

No recommendation (2): Guttenberg, Cissna

The following fiscal note(s) apply:

1. Fiscal, Dept. of Fish & Game

CSSB 56(FIN) was referred to the Finance Committee.

SB 88

The Resources Committee has considered:

SENATE BILL NO. 88

"An Act relating to standards for forest resources and practices; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR SENATE BILL NO. 88(RES)

(same title)

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

Do pass (7): Lynn, Gatto, Cissna, Guttenberg, Heinze, Masek, Fate

The following fiscal note(s) apply to HCS SB 88(RES):

1. Zero, Dept. of Natural Resources

SB 88 was referred to the Rules Committee for placement on the calendar.

SB 109

The Finance Committee has considered:

SENATE BILL NO. 109

"An Act repealing the statute that sets priorities for the Department of Health and Social Services to apply to administration of the medical assistance program when there are insufficient funds allocated in the state budget for that program; authorizing the department to make cost containment decisions that may include decisions about eligibility of persons and availability of services under the medical assistance program; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR SENATE BILL NO. 109(FIN)
(same title)

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

Do pass (6): Meyer, Hawker, Stoltze, Foster, Harris, Williams

Do not pass (2): Kerttula, Berkowitz

No recommendation (2): Moses, Chenault

The following fiscal note(s) apply to HCS SB 109(FIN):

1. Zero, Dept. of Health & Social Services

SB 109 was referred to the Rules Committee for placement on the calendar.

SB 146

The State Affairs Committee 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 Weyhrauch, Chair, with the following individual recommendations:

Do pass (5): Seaton, Gruenberg, Holm, Crawford, Weyhrauch

The following fiscal note(s) apply:

1. Fiscal, Dept. of Administration

SB 146 was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

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

Honoring - Dr. Walter A. Soboleff
By Representative Kookesh; Senator Lincoln

Honoring - Whitney Leman, Ninilchik High School
By Representative Chenault

Honoring - Mark Roberts
By Representatives Stoltze, Dahlstrom; Senators Ogan, Dyson

Honoring - Stan Brown and Ed Bailey
By Representatives Stoltze, Dahlstrom; Senators Ogan, Dyson

Honoring - Cliff Gilmore, 30 Years Service to the CVFD
By Representatives Stoltze, Dahlstrom; Senators Ogan, Dyson

Honoring - Susan Stitham
By Representative Guttenberg

Honoring - Chugiak Girls Basketball Team
By Representatives Stoltze, Dahlstrom, Hawker; Senators Ogan,
Dyson

Honoring - LitSite Alaska
By Representative Cissna

Honoring - Pacific Northern Academy
By Senator Therriault

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 319

HOUSE BILL NO. 319 by Representatives Fate and Wolf, entitled:

"An Act relating to the disposal of state land by lottery; and relating to the disposal, including sale or lease, of remote recreational cabin sites."

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

HB 320

HOUSE BILL NO. 320 by Representative Seaton, entitled:

"An Act relating to apportionment of business income; and providing for an effective date."

was read the first time and referred to the House Special Committee on Ways & Means, the House Special Committee on Economic Development, International Trade, & Tourism, and the Labor & Commerce and Finance Committees.

HB 321

HOUSE BILL NO. 321 by Representative Wilson, entitled:

"An Act relating to taxation, including taxation of income of individuals, estates, and trusts, to a warning about taxation on commercial fishing license applications, and to the taxation of employment; and providing for an effective date."

was read the first time and referred to the House Special Committee on Ways & Means and the State Affairs and Finance Committees.

The Speaker stated that, without objection, the House would recess for a Minority Caucus; and so, the House recessed at 10:38 a.m.

AFTER RECESS

The Speaker called the House back to order at 1:20 p.m.

**Representative Wilson, who had been previously excused (page 1623), left the Chamber.

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

REPORTS OF STANDING COMMITTEES**HB 246**

The Resources Committee has considered:

HOUSE BILL NO. 246

"An Act relating to the limitation on upland acreage that a person may take or hold under oil and gas leases; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 246(RES)

"An Act relating to oil and gas, to certain audits regarding oil and gas royalty and net profits, to audits regarding costs relating to exploration incentive credits and oil and gas exploration licenses,

and to the limitation on upland acreage that a person may take or hold under oil and gas leases; and providing for an effective date."

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

Do pass (4): Gatto, Morgan, Cissna, Fate

No recommendation (1): Wolf

The following fiscal note(s) apply to CSHB 246(RES):

1. Indeterminate, Dept. of Natural Resources

HB 246 was referred to the Rules Committee for placement on the calendar.

HB 312

The State Affairs Committee has considered:

HOUSE BILL NO. 312

"An Act giving notice of and approving the entry into and the issuance of certificates of participation for a lease-purchase agreement for a seafood and food safety laboratory facility; relating to the use of certain investment income for certain construction costs; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 312(STA)

"An Act relating to a lease-purchase agreement for, the construction and equipping of, and the financing of a seafood and food safety laboratory facility in Juneau to be operated by the Department of Environmental Conservation, including the issuance of certificates of participation, and the use of certain investment income for certain construction and equipping costs; and providing for an effective date."

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

Do pass (4): Seaton, Gruenberg, Crawford, Weyhrauch

No recommendation (1): Holm

The following fiscal note(s) apply to CSHB 312(STA):

1. Fiscal, Dept. of Environmental Conservation

HB 312 was referred to the Finance Committee.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 313

The Speaker stated that, without objection, HB 313 would be moved to the top of the calendar. There being no objection, it was so ordered.

The following was read the second time:

HOUSE BILL NO. 313

"An Act authorizing a pilot program relating to state procurement and the use of electronic commerce tools; and providing for an effective date."

with the:

Journal Page

FIN RPT 4DP 5NR

1627

FN1: ZERO(ADM)

1627

Representative Coghill moved and asked unanimous consent that HB 313 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 313 was read the third time.

The question being: "Shall HB 313 pass the House?" The roll was taken with the following result:

HB 313
Third Reading
Final Passage

YEAS: 34 NAYS: 0 EXCUSED: 3 ABSENT: 3

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

Excused: Croft, Joule, Wilson

Absent: Harris, Kookesh, Williams

And so, HB 313 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 HB 313.

RECONSIDERATION

HB 313

Representative Berkowitz moved and asked unanimous consent that reconsideration of HB 313 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:

HOUSE BILL NO. 313

"An Act authorizing a pilot program relating to state procurement and the use of electronic commerce tools; and providing for an effective date."

The question to be reconsidered: "Shall HB 313 pass the House?"
The roll was taken with the following result:

HB 313--RECONSIDERATION

Third Reading

Final Passage

YEAS: 33 NAYS: 0 EXCUSED: 3 ABSENT: 4

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

Excused: Croft, Joule, Wilson

Absent: Harris, Kookesh, Weyhrauch, Williams

And so, HB 313 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.

HB 313 was referred to the Chief Clerk for engrossment.

SECOND READING OF HOUSE BILLS

(Continued)

HB 18

The following was read the second time:

HOUSE BILL NO. 18

"An Act relating to the liability of parents and legal guardians of minors who destroy property."

with the:

Journal Page

STA RPT CS(STA) 2DP 4NR 1AM

486

FN1: ZERO(CRT)

487

JUD RPT CS(JUD) 4DP 1AM

729

FN1: ZERO(CRT)

730

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. 18(JUD)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Gara and Meyer:

Page 2, following line 1:

Insert a new bill section to read:

"* **Sec. 2.** AS 34.50.020 is amended by adding a new subsection to read:

(d) Liability for the conduct described in this section shall not attach to the legal guardian of any child who has been adopted after being in state custody, including foster care."

Representative Gara 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 18(JUD) am be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSHB 18(JUD) am will advance to third reading on tomorrow's calendar.

HB 145

The following was read the second time:

HOUSE BILL NO. 145

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

HOUSE JOURNAL

1638

May 14, 2003

with the:	Journal Page
JUD RPT CS(JUD) NT 2DP 2DNP 3NR	1450
FN1: ZERO(LAW)	1450
FN3: ZERO(ADM)	1450
FIN RPT CS(FIN) NT 2DP 3DNP 6NR	1588
FN1: ZERO(LAW)	1589
FN3: ZERO(ADM)	1589

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. 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."

Representative Gara objected.

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

The Speaker stated that, without objection, HB 145 would be moved to the bottom of the calendar.

HB 288

The following was read the second time:

HOUSE BILL NO. 288

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

with the:	Journal Page
STA RPT CS(STA) NT 3DP 1DNP 3NR	1475
FN1: ZERO(CED)	1475
L&C RPT CS(STA) NT 3DP 1NR 2AM	1534
FN1: ZERO(CED)	1535
CRA RPT CS(STA) NT 2DP 3NR	1591
FN1: ZERO(CED)	1591

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. 288(STA)

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

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 288(STA) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSHB 288(STA) will advance to third reading on tomorrow's calendar.

RECONSIDERATION

HB 245

Representative Gruenberg brought up reconsideration of the vote on CSHB 245(JUD) (page 1608).

The following was again before the House in third reading:

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 McGuire placed a call of the House.

The Speaker stated the call was satisfied.

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

CSHB 245(JUD)--RECONSIDERATION

Third Reading

Final Passage

YEAS: 21 NAYS: 16 EXCUSED: 3 ABSENT: 0

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

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

Excused: Croft, Joule, Wilson

Whitaker changed from "Nay" to "Yea".

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

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)--RECONSIDERATION

Third Reading

Effective Date

YEAS: 24 NAYS: 13 EXCUSED: 3 ABSENT: 0

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

Nays: Berkowitz, Cissna, Crawford, Gara, Gruenberg, Guttenberg, Kapsner, Kerttula, Kookesh, Lynn, Masek, Moses, Wolf

Excused: Croft, Joule, Wilson

And so, lacking the necessary 27 votes, the effective date clause was not adopted and the new title follows:

CS FOR HOUSE BILL NO. 245(JUD)(efd fld)

"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."

CSHB 245(JUD)(efd fld) was referred to the Chief Clerk for engrossment.

CONSIDERATION OF THE DAILY CALENDAR

(Continued)

SECOND READING OF SENATE BILLS

SB 89

The following was read the second time:

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."

HOUSE JOURNAL

1642

May 14, 2003

with the:

Journal Page

RLS RPT HCS(RLS) 4DP 2DNP 1NR
FN1: ZERO(ADM)

1560
1561

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. 89(RLS)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was not offered.

Amendment No. 2 was offered by Representative Gara:

Page 4, lines 14 - 15:

Delete all material and insert:

**"(ii) during more than 12 hours in any
calendar month."**

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

Representative McGuire objected.

**The presence of Representative Wilson was noted.

Representative Weyhrauch placed a call of the House.

Representative Stoltze rose to a point of order regarding confining debate to the amendment.

The Speaker stated the point was well taken and cautioned the member to narrow debate to the amendment.

The call was satisfied.

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

HCS CSSB 89(RLS)
Second Reading
Amendment No. 2

YEAS: 13 NAYS: 25 EXCUSED: 2 ABSENT: 0

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

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

Excused: Croft, Joule

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representative Gara:

Page 4, lines 14 - 15:

Delete all material and insert:

"(ii) during the greater of either part of two calendar days in any month; or more than 12 hours in any calendar month;"

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

Representative McGuire objected.

Representative Coghill placed a call of the House on the bill.

The Speaker stated the call was satisfied.

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

HCS CSSB 89(RLS)
Second Reading
Amendment No. 3

YEAS: 10 NAYS: 28 EXCUSED: 2 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Gara, Gruenberg, Guttenberg, Kapsner, Kerttula, Kookesh, 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

And so, Amendment No. 3 was not adopted.

Amendment No. 4 was offered by Representative Gara:

Page 2, line 29 through page 3, line 16:
Delete all material.

Renumber following bill sections accordingly.

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

Objection was heard.

Representative Gara moved and asked unanimous consent to withdraw Amendment No. 4. There being no objection, it was so ordered.

Amendment No. 5 was not offered.

Amendment No. 6 was offered by Representative Kerttula:

Page 3, line 8, following "use":

Insert "**by the agency authorized to issue, amend, or revoke the permit, license, or entitlement for use**"

Representative Kerttula moved and asked unanimous consent that Amendment No. 6 be adopted.

Objection was heard.

Amendment to Amendment No. 6 was offered by Representative Kerttula:

Following "Insert """:

Insert "**under existing statutes, regulations, or policies**"

Representative Kerttula moved and asked unanimous consent that Amendment to Amendment No. 6 be adopted. There being no objection, it was so ordered.

There being no further objection, Amendment No. 6 as amended was adopted.

Amendment No. 7 was offered by Representative Kerttula:

Page 4, line 24, following "session":

Insert ", except that tickets to or gifts received at a charity event under this paragraph are subject to the calendar year limit on the value of gifts received by a legislator or legislative employee in (a) of this section"

Representative Kerttula moved and asked unanimous consent that Amendment No. 7 be adopted.

Representative Rokeberg objected and withdrew the objection. There being no further objection, Amendment No. 7 was adopted.

Amendment No. 8 was not offered.

Amendment No. 9 was offered by Representative Berkowitz:

Page 3, lines 3 - 4:

Delete "[OR QUASI-JUDICIAL]"

Insert "or quasi-judicial"

Representative Berkowitz moved and asked unanimous consent that Amendment No. 9 be adopted.

Representative Rokeberg objected and withdrew the objection.

There being no further objection, Amendment No. 9 was adopted.

Representative Coghill moved and asked unanimous consent that HCS CSSB 89(RLS) am H be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

HCS CSSB 89(RLS) am H will advance to third reading on tomorrow's calendar.

SB 98

The following was read the second time:

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."

with the:

Journal Page

JUD RPT HCS(JUD) 4DP 2NR
FN1: ZERO(LAW)

1594
1595

Representative Coghill moved and asked unanimous consent that CSSB 98(TRA) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSSB 98(TRA) will advance to third reading on tomorrow's calendar.

THIRD READING OF SENATE BILLS

SB 87

The following, which was advanced to third reading from the May 13, 2003, calendar (page 1603), was read the third time:

HOUSE CS FOR SENATE BILL NO. 87(JUD)

"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."

The question being: "Shall HCS SB 87(JUD) pass the House?" The roll was taken with the following result:

HCS SB 87(JUD)

Third Reading

Final Passage

YEAS: 38 NAYS: 0 EXCUSED: 2 ABSENT: 0

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

Excused: Croft, Joule

And so, HCS SB 87(JUD) 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 SB 87(JUD).

SB 142

The following, which was advanced to third reading from the May 13, 2003, calendar (page 1606), was read the third 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."

The question being: "Shall SB 142 pass the House?" The roll was taken with the following result:

SB 142
Third Reading
Final Passage

YEAS: 28 NAYS: 10 EXCUSED: 2 ABSENT: 0

Yeas: 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

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

Excused: Croft, Joule

And so, SB 142 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 SB 142.

SECOND READING OF SENATE RESOLUTIONS

SJR 10

The following was read the second time:

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

with the:

Journal Page

JUD RPT HCS(JUD) 6DP

1389

FN1: ZERO(S.STA)

1389

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

HOUSE CS FOR SENATE JOINT RESOLUTION NO. 10(JUD)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS SJR 10(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS SJR 10(JUD) was read the third time.

The question being: "Shall HCS SJR 10(JUD) pass the House?" The roll was taken with the following result:

HCS SJR 10(JUD)
Third Reading
Final Passage

YEAS: 38 NAYS: 0 EXCUSED: 2 ABSENT: 0

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

Excused: Croft, Joule

And so, HCS SJR 10(JUD) passed the House and was referred to the Chief Clerk for engrossment.

SECOND READING OF HOUSE BILLS
(Continued)

HB 145

The following, which had been read the second time and moved to the bottom of the calendar (page 1638), was before the House:

HOUSE BILL NO. 145

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

The Speaker stated that, without objection, the House would recess for a Majority Caucus; and so, the House recessed at 5:04 p.m.

AFTER RECESS

The Speaker called the House back to order at 5:33 p.m.

SECOND READING OF HOUSE BILLS

(Continued)

HB 145

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. 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."

Representative Berkowitz objected.

**Representative Holm, who had been previously excused (page 1616), left the Chamber.

Representative Berkowitz moved and asked unanimous consent to amend the motion to adopt the Finance committee substitute by deleting "(FIN)" and inserting "(JUD)".

Representative Whitaker objected.

Representative Berkowitz placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall the motion to adopt the Finance committee substitute be amended?" The roll was taken with the following result:

HB 145

Second Reading

Amend Motion to Adopt Finance CS

YEAS: 9 NAYS: 28 EXCUSED: 3 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Gara, Guttenberg, Kapsner, Kerttula, Kookesh, Moses

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

Excused: Croft, Holm, Joule

And so, the motion failed.

Representative Berkowitz moved and asked unanimous consent that HB 145 be returned to the Judiciary Committee.

Objection was heard.

The question being: "Shall HB 145 be returned to the Judiciary Committee?" The roll was taken with the following result:

HB 145

Second Reading

Return to Judiciary Committee

YEAS: 9 NAYS: 27 EXCUSED: 3 ABSENT: 1

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

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

Excused: Croft, Holm, Joule

Absent: Kapsner

And so, the motion failed.

The question being: "Shall the Finance committee substitute be adopted?" The roll was taken with the following result:

HB 145

Second Reading

Adopt Finance CS

YEAS: 25 NAYS: 12 EXCUSED: 3 ABSENT: 0

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

Nays: Berkowitz, Cissna, Crawford, Gara, Gruenberg, Guttenberg, Kapsner, Kerttula, Kookesh, Moses, Ogg, Weyhrauch

Excused: Croft, Holm, Joule

And so, the Finance committee substitute was adopted.

Amendment No. 1 was offered by Representative Gara:

Page 1, line 6 through page 3, line 23:

Delete all material and insert:

**** Section 1.** AS 09.60.010 is amended to read:

Sec. 09.60.010. Costs and attorney fees allowed prevailing party. The supreme court shall determine by rule or order the costs, if any, that may be allowed a prevailing party in a civil action. Unless specifically authorized by statute or by agreement between the parties, attorney fees may not be awarded to a party in a civil action for personal injury, death, or property damage related to or arising out of fault, as defined in AS 09.17.900, unless the civil action is contested without trial, or fully contested as determined by the court. **In a civil action by a public interest litigant against the state or state agency, the prevailing plaintiff shall be entitled to 65 percent of their full reasonable**

attorney fees. Where a public interest litigant does not prevail, full reasonable attorney fees shall be awarded against a public interest litigant on claims the plaintiff pursued that were frivolous."

Renumber the remaining bill sections accordingly.

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

Representative Whitaker objected.

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

CSHB 145(FIN)
Second Reading
Amendment No. 1

YEAS: 10 NAYS: 27 EXCUSED: 3 ABSENT: 0

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

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

Excused: Croft, Holm, Joule

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was not offered.

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

Amendment No. 3 was offered by Representatives Kerttula and Gara:

Page 3, lines 16 - 23:

Delete all material.

Renumber remaining bill sections accordingly.

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

Representative Whitaker objected.

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

CSHB 145(FIN)
Second Reading
Amendment No. 3

YEAS: 8 NAYS: 25 EXCUSED: 5 ABSENT: 2

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

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

Excused: Croft, Holm, Joule, Kapsner, Moses

Absent: Harris, Meyer

And so, Amendment No. 3 was not adopted.

Amendment No. 4 was offered by Representative Berkowitz:

Page 1, line 1, through page 3, line 23:

Delete all material and insert:

""An Act relating to certain public interest litigation affecting natural resource permitting decisions and to expedited trials and appeals; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* **Section 1.** AS 09.20 is amended by adding a new section to read:

Article 3. Expedited Trial.

* **Sec. 09.20.200. Expedited resolution for certain public interest litigation.** In a civil action contesting a decision of the Department of Environmental Conservation, the Department of Fish and Game, or the Department of Natural Resources making a coastal consistency determination, adopting regulations, or for which there was an opportunity for the public to comment to the agency before the final agency decision and to seek administrative review before the agency following the initial agency decision, the courts of this state shall provide expedited consideration of the action. If the action under this section proceeds to trial or oral argument, the trial or oral argument must commence not more than 120 days following the filing of the action unless the person filing the action agrees to a later date."

Renumber the remaining bill sections accordingly.

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

Representative Whitaker objected.

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

CSHB 145(FIN)
Second Reading
Amendment No. 4

YEAS: 10 NAYS: 24 EXCUSED: 5 ABSENT: 1

Yeas: Berkowitz, Chenault, Cissna, Crawford, Guttenberg, Kerttula, Kookesh, Kott, Ogg, Weyhrauch

Nays: Coghill, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, Harris, Hawker, Heinze, Kohring, Lynn, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stoltze, Whitaker, Williams, Wilson, Wolf

Excused: Croft, Holm, Joule, Kapsner, Moses

Absent: Anderson

And so, Amendment No. 4 was not adopted.

Representative Coghill moved and asked unanimous consent that CS HB 145(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CS HB 145(FIN) will advance to third reading on tomorrow's calendar.

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 - Annette M. DeLong, Wasilla Chamber of Commerce 2002 Business Person of the Year

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

Honoring - Forrest A. Miles III, Eagle Scout

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

RECONSIDERATION**HB 251**

Representative Stoltze brought up reconsideration of the vote on CSHB 251(FIN) am (page 1609).

The following was again before the House in third reading:

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."

Representative Stoltze moved and asked unanimous consent that CSHB 251(FIN) am 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 CSHB 251(FIN) am be returned to second reading for the purpose of rescinding previous action in adopting Amendment No. 1?" The roll was taken with the following result:

CSHB 251(FIN) am--RECONSIDERATION

Third Reading

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

YEAS: 22 NAYS: 13 EXCUSED: 5 ABSENT: 0

Yeas: Anderson, Chenault, Coghill, Fate, Foster, Gara, Gatto, Harris, Heinze, Kerttula, Masek, McGuire, Meyer, Morgan, Ogg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Wilson, Wolf

Nays: Berkowitz, Cissna, Crawford, Dahlstrom, Gruenberg, Guttenberg, Hawker, Kohring, Kookesh, Kott, Lynn, Rokeberg, Williams

Excused: Croft, Holm, Joule, Kapsner, Moses

And so, CSHB 251(FIN) am was returned to second reading.

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

Representative Berkowitz objected.

The question being: "Shall the House rescind previous action in adopting Amendment No. 1?" The roll was taken with the following result:

CSHB 251(FIN) am--RECONSIDERATION
Second Reading
Rescind Previous Action/Amendment No.1

YEAS: 27 NAYS: 3 EXCUSED: 5 ABSENT: 5

Yeas: Anderson, Chenault, Cissna, Coghill, Dahlstrom, Fate, Gara, Gatto, Gruenberg, Harris, Hawker, Kerttula, Kohring, Kookesh, Lynn, Masek, McGuire, Meyer, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Williams, Wilson

Nays: Berkowitz, Guttenberg, Kott

Excused: Croft, Holm, Joule, Kapsner, Moses

Absent: Crawford, Foster, Heinze, Morgan, Wolf

And so, the motion passed.

Amendment No. 1 (page 1565) was before the House.

Amendment to Amendment No. 1 was offered by Representative Stoltze:

Delete "180"

Insert "175"

Representative Gara objected.

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

CSHB 251(FIN)--RECONSIDERATION

Second Reading

Amendment to Amendment No. 1

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

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

Nays: Berkowitz, Guttenberg, Kookesh, Kott

Excused: Croft, Holm, Joule, Kapsner, Moses

And so, Amendment to Amendment No. 1 was adopted.

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

CSHB 251(FIN)--RECONSIDERATION

Second Reading

Amendment No. 1 as amended

YEAS: 33 NAYS: 2 EXCUSED: 5 ABSENT: 0

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

Nays: Kookesh, Kott

Excused: Croft, Holm, Joule, Kapsner, Moses

And so, Amendment No. 1 as amended was adopted.

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

CSHB 251(FIN) am--RECONSIDERATION
 Third Reading
 Final Passage

YEAS: 30 NAYS: 5 EXCUSED: 5 ABSENT: 0

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

Nays: Berkowitz, Gara, McGuire, Stoltze, Weyhrauch

Excused: Croft, Holm, Joule, Kapsner, Moses

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

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

CSHB 251(FIN) am was referred to the Chief Clerk for engrossment.

UNFINISHED BUSINESS

Representative Coghill moved that the House ratify the appointment of Marianne Stillner to the Select Committee on Legislative Ethics.

The question being: "Shall the House ratify the appointment of Marianne Stillner to the Select Committee on Legislative Ethics?"
 The roll was taken with the following result:

Select Committee on Legislative Ethics
 Ratify Appointment of Marianne Stillner

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

Excused: Croft, Holm, Joule, Kapsner, Moses

Absent: Masek

And so, the appointment was ratified.

The Chief Clerk notified the Senate.

SB 147

The Speaker waived the Finance Committee referral for the following at the request of Representative Williams, Co-chair:

SENATE BILL NO. 147

"An Act relating to control of nuisance wild animals; and providing for an effective date."

SB 147 was removed from the Finance Committee and referred to the Rules Committee for placement on the calendar.

HB 111

The Speaker added a Judiciary Committee referral for the following:

HOUSE BILL NO. 111

"An Act extending the termination date of the Regulatory Commission of Alaska; and providing for an effective date."

HB 111 was removed from the Rules Committee and referred to the Judiciary Committee.

HB 277

The Speaker added a Finance Committee referral to follow the Labor & Commerce Committee referral for the following:

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."

HB 277 is in the Labor & Commerce Committee.

CONCUR IN SENATE AMENDMENTS

HB 184

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 1587) on the following at this time:

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

and

SENATE CS FOR CS FOR SS FOR HOUSE BILL NO.
184(L&C) am S
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSSSHB 184(L&C) am, thus adopting SCS CSSSHB 184(L&C) am S, and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSSSHB 184(L&C) am?" The roll was taken with the following result:

SCS CSSSHB 184(L&C) am S
Concur

YEAS: 35 NAYS: 0 EXCUSED: 5 ABSENT: 0

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

Excused: Croft, Holm, Joule, Kapsner, Moses

And so, the House concurred in the Senate amendment, thus adopting SCS CSSSHB 184(L&C) am S.

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.

The Chief Clerk notified the Senate.

SCS CSSSHB 184(L&C) am S was referred to the Chief Clerk for enrollment.

UNFINISHED BUSINESS

HB 196

Representatives Kerttula and Hawker added their names as cosponsors to:

HOUSE BILL NO. 196

"An Act relating to carbon sequestration; and providing for an effective date."

HB 313

Representatives Kott and Lynn added their names as cosponsors to:

HOUSE BILL NO. 313

"An Act authorizing a pilot program relating to state procurement and the use of electronic commerce tools; and providing for an effective date."

HB 317

Representative Crawford added his name as cosponsor to:

HOUSE BILL NO. 317

"An Act requiring certain businesses to recognize postmark dates as the date of payment."

SJR 10

Representatives Dahlstrom, Wolf, Seaton, Weyhrauch, Chenault, and Heinze added their names as cross sponsors to:

HOUSE CS FOR SENATE JOINT RESOLUTION NO. 10(JUD)
Relating to the Pledge of Allegiance.

SB 71

Representative McGuire added her name as cross sponsor to:

CS FOR SENATE BILL NO. 71(TRA)
"An Act relating to funding for transportation projects; and providing for an effective date."

SB 151

Reconsideration of the following was not taken up on this legislative day. It was signed by the Speaker and Chief Clerk and returned to the Senate:

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."

ENGROSSMENT

HCR 17

HCR 17 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 245

CSHB 245(JUD)(efd fld) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 251

CSHB 251(FIN) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 313

HB 313 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SJR 10

HCS SJR 10(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 25

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration:

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 124

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration:

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."

ENROLLMENT**HB 2**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 11:28 a.m., May 14, 2003:

CS FOR HOUSE BILL NO. 2(JUD)(title am)

"An Act relating to the statute of limitations for certain civil actions relating to acts constituting sexual offenses; and providing for an effective date."

HB 34

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 11:28 a.m., May 14, 2003:

HOUSE BILL NO. 34

"An Act relating to negotiated regulation making; and providing for an effective date."

HB 52

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 11:28 a.m., May 14, 2003:

SENATE CS FOR CS FOR HOUSE BILL NO. 52(STA)

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

HB 114

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 11:28 a.m., May 14, 2003:

CS FOR HOUSE BILL NO. 114(JUD)(title am)

"An Act relating to the issuance of a search warrant upon the sworn testimony or affidavit of a person communicated by telephone, other appropriate means, or facsimile machine."

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

The following meetings today have been changed as indicated:

Finance Committee
CHANGED TO: upon adj., 5/14

Judiciary Committee
CHANGED TO: upon adj., 5/14

Labor & Commerce Committee
CHANGED TO: upon adj., 5/14

House Special Committee on Military & Veterans' Affairs
CHANGED TO: upon adj., 5/14

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., May 15, 2003. There being no objection, the House adjourned at 9:10 p.m.

Suzi Lowell
Chief Clerk