

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Thursday

May 15, 2003

One Hundred Fifteenth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 11:13 a.m.

Roll call showed 32 members present. Representatives Holm and Joule had been previously excused from a call of the House today. Representatives Berkowitz, Chenault, Gatto, Rokeberg, and Williams were absent and their presence was noted later.

Representative Coghill moved and asked unanimous consent that Representative Croft be excused from a call of the House 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 Meyer moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

O Lord, You who have set no boundaries to Your love, now grant to the leaders of this state that same love as they make decisions that affect the residents and visitors to the great state of Alaska. That love was stated beautifully when our Lord said in the "golden rule" to "Do unto others as you would have others do unto you." May we live and make decisions based upon that statute.

We are somewhat overwhelmed as we see what must be accomplished in the next seven days. You never disappoint us, so we ask for Your help. Help us to focus on our most

pressing needs, and with You by our side to guide and strengthen us, we cannot fail. Thank You for hearing our prayer. In Your name we pray. Amen.

The Pledge of Allegiance was led by the Sergeant-at-Arms.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 114th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

HB 64

A message dated May 14, 2003, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE BILL NO. 64(JUD)

"An Act relating to court approval of the purchase of structured settlements."

Chapter No. 21, SLA 2003

Effective Date: August 12, 2003

HB 249

A message dated May 14, 2003, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR HOUSE BILL NO. 249(JUD) am

"An Act relating to the award of costs and attorney fees to defendants under court rule in civil actions brought under monopoly and restraint of trade statutes; and providing for an effective date."

Chapter No. 19, SLA 2003

Effective Date: May 15, 2003

SB 43

A message dated May 14, 2003, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR SENATE BILL NO. 43(FIN)

"An Act extending the termination date of the State Medical Board."

Chapter No. 20, SLA 2003

Effective Date: August 12, 2003

MESSAGES FROM THE SENATE**HB 46**

A message dated May 14, 2003, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 46(STA)

"An Act relating to printing of ballot titles and propositions on primary election ballots."

CSHB 46(STA) was referred to the Chief Clerk for enrollment.

HB 109

A message dated May 14, 2003, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 109(FIN)

"An Act relating to the limitation on payment of state treasury warrants and to the payment of a claim for which the appropriation has lapsed; and providing for an effective date."

CSHB 109(FIN) was referred to the Chief Clerk for enrollment.

HB 203

A message dated May 14, 2003, was read stating the Senate has passed:

HOUSE BILL NO. 203

"An Act relating to the definitions of 'net income' and 'unrestricted net income' for purposes of calculating the dividends to be paid to the state by the Alaska Industrial Development and Export Authority; and providing for an effective date."

HB 203 was referred to the Chief Clerk for enrollment.

**The presence of Representatives Chenault and Williams was noted.

HB 11

A message dated May 14, 2003, was read stating the Senate has passed:

HOUSE BILL NO. 11

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

with the following amendment and it is transmitted for consideration:

HOUSE BILL NO. 11 am S(efd fld S)

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

(technical title change)

HB 11 is under Unfinished Business.

HB 90

A message dated May 14, 2003, was read stating the Senate has passed CSHB 90(FIN) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 90(FIN)

"An Act relating to a salmon product development tax credit and a salmon utilization tax credit under the Alaska fisheries business tax; and providing for an effective date."

CSHB 90(FIN) is under Unfinished Business.

**The presence of Representative Rokeberg was noted.

Messages dated May 14, 2003, were read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 13

CS FOR SENATE BILL NO. 13(JUD) by the Senate Judiciary Committee, entitled:

"An Act relating to using credit history or insurance scoring for insurance purposes; and providing for an effective date."

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

SB 85

CS FOR SENATE BILL NO. 85(STA) by the Senate State Affairs Committee, entitled:

"An Act relating to sentencing and to the earning of good time deductions for certain sexual offenses."

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

SB 149

CS FOR SENATE BILL NO. 149(RES) by the Senate Resources Committee, entitled:

"An Act relating to timber, to the sale of timber by the state, and to the management of state forests."

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

SB 175

CS FOR SENATE BILL NO. 175(JUD)(efd fld) by the Senate Judiciary Committee, entitled:

"An Act relating to civil liability for inherent risks in sports or recreational activities."

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

SB 176

CS FOR SENATE BILL NO. 176(JUD) by the Senate Judiciary Committee, entitled:

"An Act relating to civil liability for injuries or death resulting from livestock activities."

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

SB 198

CS FOR SENATE BILL NO. 198(STA) by the Senate State Affairs Committee, entitled:

"An Act relating to recovery of civil damages by a peace officer or fire fighter; and providing for an effective date."

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

**The presence of Representative Berkowitz was noted.

SB 216

SENATE BILL NO. 216 by the Senate Rules Committee by request of the Governor, entitled:

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

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

**The presence of Representative Gatto was noted.

REPORTS OF STANDING COMMITTEES**HJR 27**

The State Affairs Committee has considered:

HOUSE JOINT RESOLUTION NO. 27
Relating to support for a federal appropriation for expansion of the Anchorage Jail.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 27(STA)
(same title)

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

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

The following fiscal note(s) apply to CSHJR 27(STA):

1. Zero, Dept. of Corrections

HJR 27 was referred to the Rules Committee for placement on the calendar.

HB 216

The Finance Committee has considered:

HOUSE BILL NO. 216

"An Act relating to municipal taxation of refined fuel products."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 216(FIN)

"An Act relating to and limiting municipal taxation of refined fuel and wholesale sales of fuel, and to the bulk fuel revolving loan fund."

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

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

No recommendation (3): Stoltze, Kerttula, Berkowitz

The following fiscal note(s) apply to CSHB 216(FIN):

2. Zero, Dept. of Revenue
3. Zero, Dept. of Community & Economic Development
4. Zero, Dept. of Community & Economic Development

HB 216 was referred to the Rules Committee for placement on the calendar.

HB 244

The Finance Committee has considered:

HOUSE BILL NO. 244

"An Act relating to the Code of Criminal Procedure; relating to defenses, affirmative defenses, and justifications to certain criminal acts; relating to rights of prisoners after arrest; relating to discovery, immunity from prosecution, notice of defenses, admissibility of certain evidence, and right to representation in criminal proceedings; relating to sentencing, probation, and

discretionary parole; amending Rule 16, Alaska Rules of Criminal Procedure, and Rules 404, 412, 609, and 803, Alaska Rules of Evidence; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 244(JUD)

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

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

Do not pass (2): Kerttula, Foster

No recommendation (4): Moses, Chenault, Harris, Williams

Amend (4): Hawker, Stoltze, Berkowitz, Whitaker

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

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

The Speaker stated that, without objection, HB 244 would be returned to the Judiciary Committee.

HB 267

The Finance Committee has considered:

HOUSE BILL NO. 267

"An Act relating to the Alaska Railroad; authorizing the Alaska Railroad Corporation to provide financing for the acquisition,

construction, improvement, maintenance, equipping, or operation of facilities for the transportation of natural gas resources within and outside the state by others; authorizing the Alaska Railroad Corporation to issue bonds to finance those facilities; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 267(FIN)

"An Act authorizing the Alaska Railroad Corporation to provide financing for the acquisition, construction, improvement, maintenance, equipping, and operation of a natural gas pipeline and related facilities for the transportation of natural gas recovered from the North Slope of this state; authorizing the Alaska Railroad Corporation to issue bonds to finance those facilities; and providing for an effective date."

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

Do pass (10): Meyer, Hawker, Stoltze, Kerttula, Berkowitz, Chenault, Whitaker, Foster, Harris, Williams

The following fiscal note(s) apply to CSHB 267(FIN):

1. Fiscal, Dept. of Community & Economic Development

HB 267 was referred to the Rules Committee for placement on the calendar.

HB 295

The Finance 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 Representatives Harris and Williams, Co-chairs, with the following individual recommendations:

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

Do not pass (1): Berkowitz

No recommendation (4): Stoltze, Moses, Chenault, Foster

Amend (1): Kerttula

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

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

HB 295 was referred to the Rules Committee for placement on the calendar.

HB 305

The Finance Committee has considered:

HOUSE BILL NO. 305

"An Act relating to the calculation and payment of unemployment compensation benefits; and providing for an effective date."

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

Do pass (6): Kerttula, Berkowitz, Foster, Meyer, Harris, Williams

No recommendation (3): Hawker, Stoltze, Moses

The following fiscal note(s) apply:

1. Zero, Dept. of Labor & Workforce Development

HB 305 was referred to the Rules Committee for placement on the calendar.

SB 128

The Finance Committee has considered:

CS FOR SENATE BILL NO. 128(FIN) am

"An Act relating to licensing common carriers to dispense alcoholic beverages; and providing for an effective date."

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

Do pass (5): Chenault, Whitaker, Foster, Harris, Williams

No recommendation (2): Meyer, Stoltze

Amend (3): Hawker, Kerttula, Berkowitz

The following fiscal note(s) apply:

2. Fiscal, Dept. of Revenue

CSSB 128(FIN) am was referred to the Rules Committee for placement on the calendar.

SB 155

The Community & Regional Affairs Committee has considered:

CS FOR SENATE BILL NO. 155(RES)

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

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

Do pass (3): Kott, Anderson, Morgan

No recommendation (1): Samuels

The following fiscal note(s) apply:

2. Zero, Dept. of Fish & Game

CSSB 155(RES) was referred to the Rules Committee for placement on the calendar.

SB 177

The Finance Committee has considered:

SENATE BILL NO. 177

"An Act relating to cost-of-living benefits for retired members in the public employees' retirement system and the teachers' retirement system who are called to active military duty; and providing for an effective date."

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

Do pass (9): Meyer, Hawker, Stoltze, Kerttula, Berkowitz, Moses, Foster, Harris, Williams

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

SB 177 was referred to the Rules Committee for placement on the calendar.

REPORTS OF SPECIAL COMMITTEES**HJR 29**

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

HOUSE JOINT RESOLUTION NO. 29

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

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

Do pass (7): Dahlstrom, Weyhrauch, Masek, Cissna, Fate, Gruenberg, Lynn

The following fiscal note(s) apply:

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

HJR 29 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 - Harvey Marvin
By Representatives Kerttula, Weyhrauch; Senator Elton

Honoring - Joe L. Hayes
By Representative Guttenberg

Honoring - Christopher Mapes
By Representative Chenault

Honoring - Debra K. Mullins
By Representative Chenault

Honoring - Juneau-Douglas High School Festival Band
By Representatives Kerttula, Weyhrauch; Senator Elton

Honoring - Juneau-Douglas High School Girls Basketball Team
By Representatives Kerttula, Weyhrauch; Senator Elton

Honoring - Petersburg's Viking Swim Club
By Representative Wilson

Honoring - West High School "We the People" Constitutional
Competition Team
By Representative Croft

Honoring - Dorothy Gray
By Senator Wagoner

Honoring - Jason Ohler, Ph.D.
By Senator Elton; Representatives Weyhrauch, Kerttula

Honoring - Future Farmers of America 75th Anniversary
By Senator Green; Representative Stoltze

Honoring - Kenai Central High School Choir
By Senator Wagoner

In Memoriam - Ed Borden
By Representatives Chenault, Masek

In Memoriam - Leelynn Haywood Chumley
By Representative Chenault

In Memoriam - Glenn J. Kipp
By Representative Chenault

In Memoriam - Jim E. Cashen
By Representatives Kerttula, Weyhrauch; Senator Elton

In Memoriam - Frank Donald Pukisiaq Kenworthy Jr., "Ducky"
By Representative Joule

In Memoriam - Carl Frederick Nickel
By Representatives Kerttula, Foster, Weyhrauch; Senators Lincoln,
Elton

In Memoriam - Constance R. Parker
By Representative Berkowitz; Senator French

In Memoriam - Ida Johnson
By Senator Davis

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

HB 322

HOUSE BILL NO. 322 by Representative Seaton, entitled:

"An Act requiring a municipal initiative or municipal referendum to be submitted to the voters at the next regular election occurring not sooner than 60 days after certification of the initiative or referendum petition."

was read the first time and referred to the Community & Regional Affairs and State Affairs Committees.

HB 323

HOUSE BILL NO. 323 by Representative Crawford, entitled:

"An Act relating to the care of and cruelty to animals, and to reports of suspected child abuse or neglect by persons who have a duty to investigate animal cruelty, abuse, or neglect."

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

HB 324

HOUSE BILL NO. 324 by Representative Lynn, entitled:

"An Act relating to posting the national motto in public buildings and schools."

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

HB 325

HOUSE BILL NO. 325 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to receipts of certain state agencies and the accounting for and disposition of those receipts; and providing for an effective date."

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

The following fiscal note(s) apply:

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

The Governor's transmittal letter dated May 14, 2003, follows:

"Dear Speaker Kott:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the receipts of certain state agencies and accounting for those receipts. The bill would eliminate authority for the segregation of and separate accounting for program receipts. These receipts are collected principally under AS 37.10.050 in the form of fees, licenses, taxes, or other money generated by state agency activities. If these receipts were not statutorily designated as "program receipts", they would be considered assets of the unrestricted general fund. Under provisions of existing law, these receipts keep their identity even though they are deposited in the general fund of the state. Separate accounts are kept within the general fund from which the legislature appropriates for purposes usually related to sources from which the receipts are derived.

This bill would repeal the authority for the separate accounting of program receipts. The bill also would amend parts of the enabling statutes of state agencies that authorize separate accounting of specific receipts.

Separate accounting has the effect of segregating these receipts from other amounts in the general fund. It also tends to place artificial restrictions on the ability to expend from the general fund and is contrary to the spirit of the Alaska Constitution's prohibition against dedicated funds. The legislature retains the power to appropriate these receipts for any public purpose and it is this power that distinguishes the practice of designating program receipts from a legal dedication for a specific purpose. However, the designations made by law operate in the same manner as earmarking. It is inefficient fiscal policy and I hope that this bill will serve as a basis for reconsidering the treatment of these valuable state assets.

Finally, eliminating program receipts as a funding source in the various major appropriation bills would lead to a more easily understood and transparent budget. Designated program receipts are general fund assets. However, these receipts currently are declared to be a funding source apart from the general fund for budgeting purposes. By use of this device, funding sources in the budget bills have shifted from the general fund to program receipts. If this practice is eliminated, the public would have a full accounting of all the state's revenue that is earned by the state and appropriated for public purposes.

To avoid disrupting the process for the fiscal year 2004 budgets, the changes made by the bill would not take effect until July 1, 2004.

I urge your favorable consideration of this bill.

Sincerely,
/s/
Frank H. Murkowski
Governor"

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 211

The following was read the second time:

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."

with the:	Journal Page
HES RPT CS(HES) 5DP 1AM	930
FN1: ZERO(CED)	930
FN2: (EED)	930
FIN RPT CS(HES) 5DP 2NR	1625
FN1: ZERO(CED)	1625
FN3: (EED)	1625

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. 211(HES)
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 211(HES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 211(HES) was read the third time.

The question being: "Shall CSHB 211(HES) pass the House?" The roll was taken with the following result:

CSHB 211(HES)
Third Reading
Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 3 ABSENT: 0

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

Excused: Croft, Holm, Joule

And so, CSHB 211(HES) 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 CSHB 211(HES).

RECONSIDERATION

HB 211

Representative Berkowitz moved and asked unanimous consent that reconsideration of CSHB 211(HES) be taken up on the same day. There being no objection, it was so ordered.

The following was again before the House in third reading:

CS FOR HOUSE BILL NO. 211(HES)

"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."

The question to be reconsidered: "Shall CSHB 211(HES) pass the House?" The roll was taken with the following result:

CSHB 211(HES)--RECONSIDERATION

Third Reading

Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 3 ABSENT: 0

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

Excused: Croft, Holm, Joule

And so, CSHB 211(HES) 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 211(HES) was referred to the Chief Clerk for engrossment.

SECOND READING OF HOUSE BILLS

(Continued)

HB 246

The following was read the second time:

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."

with the:

Journal Page

O&G RPT 5DP	1200
FN1: INDETERMINATE(DNR)	1201
RES RPT CS(RES) NT 4DP 1NR	1632
FN1: INDETERMINATE(DNR)	1633

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. 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."

There being no objection, it was so ordered.

Representative Foster, Acting Majority Leader, moved and asked unanimous consent that CSHB 246(RES) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSHB 246(RES) will advance to third reading on tomorrow's calendar.

HB 199

The following was read the second time:

HOUSE BILL NO. 199

"An Act removing the annual adjustment to the minimum wage based on the rate of inflation; and providing for an effective date."

with the:	Journal Page
L&C RPT 2DP 4DNP 1NR	1151
FN1: ZERO(H.L&C/LWF)	1151
FIN RPT 3DP 3DNP 5NR	1348
FN2: ZERO(LWF)	1348

Representative Coghill moved and asked unanimous consent that HB 199 be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

HB 199 will advance to third reading on tomorrow's calendar.

HB 252

The following was read the second time:

HOUSE BILL NO. 252

"An Act relating to the terms of members of boards and commissions that regulate businesses and professions and to the duties of the members of the State Board of Registration for Architects, Engineers and Land Surveyors."

with the:	Journal Page
L&C RPT CS(L&C) NT 4DP	1310
FN1: ZERO(CED)	1311
STA RPT CS(STA) NT 4DP 1NR	1466
FN1: ZERO(CED)	1467

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. 252(STA)

"An Act relating to the terms and duties of the members of the State Board of Registration for Architects, Engineers and Land Surveyors."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 252(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 252(STA) was read the third time.

The Speaker stated that, without objection, the House would recess; and so, the House recessed at 12:04 p.m.

AFTER RECESS

The Speaker called the House back to order at 3:06 p.m.

SECOND READING OF HOUSE BILLS
(Continued)**HB 252**

The question being: "Shall CSHB 252(STA) pass the House?" The roll was taken with the following result:

CSHB 252(STA)

Third Reading

Final Passage

YEAS: 26 NAYS: 0 EXCUSED: 3 ABSENT: 11

Yeas: Anderson, Berkowitz, Coghill, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Kohring, Kookesh, Kott, Lynn, Masek, McGuire, Morgan, Ogg, Samuels, Seaton, Weyhrauch, Whitaker, Wilson, Wolf

Excused: Croft, Holm, Joule

Absent: Chenault, Cissna, Crawford, Dahlstrom, Kapsner, Kerttula, Meyer, Moses, Rokeberg, Stoltze, Williams

And so, CSHB 252(STA) passed the House and was referred to the Chief Clerk for engrossment.

HB 244

The following on today's calendar was returned to the Judiciary Committee (page 1679):

HOUSE BILL NO. 244

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

HB 162

The following was read the second time:

HOUSE BILL NO. 162

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

with the:	Journal Page
L&C RPT CS(L&C) 1DP 2DNP 3NR	838
FN1: (CED)	839
FIN RPT CS(FIN) NT 3DP 1DNP 7NR	1347
FN2: ZERO(DNR)	1347
FN3: (CED)	1347
RLS RPT CS(RLS) NT 2DP 1DNP 3NR	1556
FN2: ZERO(DNR)	1556
FN4: (CED)	1617

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. 162(RLS)

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

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Rokeberg:

Page 2, line 16:

Delete "in implement"

Insert "to implement"

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

Amendment No. 2 was offered by Representative Guttenberg:

Page 2, following line 12, insert:

"the fee for each business license is \$25 per year if the business earns less than \$500 net federally taxable income per year."

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

Representative Rokeberg objected.

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

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

CSHB 162(RLS) am
Second Reading
Amendment No. 2

YEAS: 19 NAYS: 16 EXCUSED: 3 ABSENT: 2

Yeas: Anderson, Berkowitz, Cissna, Crawford, Gara, Gruenberg, Guttenberg, Heinze, Kapsner, Kerttula, Kohring, Kookesh, Lynn, Masek, McGuire, Moses, Ogg, Stoltze, Williams

Nays: Coghill, Dahlstrom, Foster, Gatto, Harris, Hawker, Kott, Meyer, Morgan, Rokeberg, Samuels, Seaton, Weyhrauch, Whitaker, Wilson, Wolf

Excused: Croft, Holm, Joule

Absent: Chenault, Fate

And so, Amendment No. 2 was adopted.

Amendment No. 3 (title amendment) was offered by Representative Berkowitz:

Page 1, lines 1 - 2:

Delete all material and insert:
"An Act relating to fees adopted by the Department of Natural Resources under AS 44.37.025 or 44.37.027 and to business license fees; and providing for an effective date."

Representative Berkowitz moved and asked unanimous consent that Amendment No. 3 be adopted. There being no objection, it was so ordered and the new title follows:

CS FOR HOUSE BILL NO. 162(RLS) am
 "An Act relating to fees adopted by the Department of Natural Resources under AS 44.37.025 or 44.37.027 and to business license fee; and providing for an effective date."

Representative Coghill moved and asked unanimous consent that CSHB 162(RLS) am be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSHB 162(RLS) am will advance to third reading on tomorrow's calendar.

HB 271

The following was read the second time:

HOUSE BILL NO. 271
 "An Act levying and providing for the collection and administration of an excise tax on passenger vehicle rentals; and providing for an effective date."

with the:	Journal Page
W&M RPT CS(W&M) NT 7DP 1DNP	1092
FN1: (REV)	1092
FIN RPT CS(FIN) NT 5DP 1DNP 3NR 1AM	1416
FN2: (REV)	1417
RLS RPT CS(FIN) NT 1DP 1DNP 2NR 2AM	1533
FN2: (REV)	1534

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. 271(FIN)

"An Act levying and providing for the collection and administration of excise taxes on the rental of passenger and recreational vehicles usable on highways and vehicular ways; and providing for an effective date."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Samuels, Kott, and Hawker:

Page 4, line 10:

Delete "July 1, 2003"

Insert "January 1, 2004"

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

Amendment No. 2 was offered by Representative Kerttula:

Page 1, line 13, following "passenger vehicle":

Insert "However if in the preceding fiscal year the legislature appropriated less than \$10,000,000 for tourism marketing, then the rate of tax levied in AS 43.52.010 for the fiscal year is zero."

Page 2, line 6, following "recreational vehicle":

Insert "However if in the preceding fiscal year the legislature appropriated less than \$10,000,000 for tourism marketing, then the rate of tax levied in AS 43.52.010 for the fiscal year is zero."

Renumber the remaining bill sections accordingly.

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

Representative Hawker objected.

Amendment to Amendment No. 2 was offered by Representative Heinze:

Delete "10,000,000"

Insert "4,000,000"

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

Representative Weyhrauch objected.

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

CSHB 271(FIN)(efd am)

Second Reading

Amendment to Amendment No. 2

YEAS: 12 NAYS: 22 EXCUSED: 3 ABSENT: 3

Yeas: Berkowitz, Cissna, Crawford, Guttenberg, Harris, Heinze, Kerttula, Kohring, Kookesh, Moses, Williams, Wilson

Nays: Chenault, Coghill, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, Hawker, Kott, Lynn, Masek, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Wolf

Excused: Croft, Holm, Joule

Absent: Anderson, Kapsner, McGuire

And so, Amendment to Amendment No. 2 was not adopted.

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

CSHB 271(FIN)(efd am)

Second Reading

Amendment No. 2

YEAS: 9 NAYS: 25 EXCUSED: 3 ABSENT: 3

HOUSE JOURNAL

1700

May 15, 2003

Yeas: Cissna, Crawford, Guttenberg, Heinze, Kerttula, Kookesh, Moses, Williams, Wilson

Nays: Berkowitz, Chenault, Coghill, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, Harris, Hawker, Kohring, Kott, Lynn, Masek, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Wolf

Excused: Croft, Holm, Joule

Absent: Anderson, Kapsner, McGuire

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was not offered.

Amendment No. 4 was offered by Representative Samuels:

Page 1, line 11:

Delete "The"

Insert "Except in a municipality that imposes a specific vehicle rental tax on passenger vehicle rentals under AS 29.45, the"

Page 1, line 13, following "passenger vehicle.":

Insert "In a municipality that imposed a specific vehicle rental tax on passenger vehicle rentals under AS 29.45 in effect on January 1, 2003, the rate of the state passenger vehicle rental tax levied under AS 43.52.020 is 10 percent less the amount of the municipal tax. If the municipal tax is greater than 10 percent, then the rate of the state tax is zero."

Page 2, line 4:

Delete "The"

Insert "Except in a municipality that imposes a specific vehicle rental tax on recreational vehicle rentals under AS 29.45, the"

Page 2, line 6, following "recreational vehicle.":

Insert "In a municipality that imposed a specific vehicle rental tax on recreational vehicle rentals under AS 29.45 in effect on January 1, 2003, the rate of the state recreational vehicle rental tax levied under

AS 43.52.030 is three percent less the amount of the municipal tax. If the municipal tax is greater than three percent, then the rate of the state tax is zero."

Page 2, lines 17 - 19:

Delete all material.

Page 2, line 20:

Delete "**Sec. 43.52.080**"

Insert "**Sec. 43.52.070**"

Page 2, line 27:

Delete "**Sec. 43.52.090**"

Insert "**Sec. 43.52.080**"

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

Representative Hawker objected.

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

CSHB 271(FIN)(efd am)

Second Reading

Amendment No. 4

YEAS: 15 NAYS: 22 EXCUSED: 3 ABSENT: 0

Yeas: Anderson, Berkowitz, Cissna, Crawford, Gara, Guttenberg, Kapsner, Kerttula, Kohring, Kookesh, McGuire, Moses, Rokeberg, Stoltze, Williams

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

Excused: Croft, Holm, Joule

Kapsner changed from "Nay" to "Yea".

Cissna changed from "Nay" to "Yea".

And so, Amendment No. 4 was not adopted.

Representative Coghill moved and asked unanimous consent that CSHB 271(FIN)(efd am) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSHB 271(FIN)(efd am) will advance to third reading on tomorrow's calendar.

THIRD READING OF HOUSE BILLS

HB 18

The following, which was advanced to third reading from the May 14, 2003, calendar (page 1637), was read the third time:

CS FOR HOUSE BILL NO. 18(JUD) am

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

The question being: "Shall CSHB 18(JUD) am pass the House?" The roll was taken with the following result:

CSHB 18(JUD) am

Third Reading

Final Passage

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

Yeas: Anderson, Berkowitz, Cissna, Coghill, Crawford, Dahlstrom, Fate, Foster, Gatto, Gruenberg, Guttenberg, Hawker, Heinze, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lynn, Masek, McGuire, Meyer, Ogg, Rokeberg, Samuels, Seaton, Weyhrauch

Nays: Wilson

Excused: Croft, Holm, Joule

Absent: Chenault, Gara, Harris, Morgan, Moses, Stoltze, Whitaker, Williams, Wolf

And so, CSHB 18(JUD) am passed the House.

Representative Stoltze gave notice of reconsideration of the vote on CSHB 18(JUD) am and it was taken up later.

HB 145

The following, which was advanced to third reading from the May 14, 2003, calendar (page 1656), was read the third time:

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 Rokeberg placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall CSHB 145(FIN) pass the House?" The roll was taken with the following result:

CSHB 145(FIN)

Third Reading

Final Passage

YEAS: 23 NAYS: 14 EXCUSED: 3 ABSENT: 0

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

Nays: Berkowitz, Cissna, Crawford, Dahlstrom, Gara, Gruenberg, Guttenberg, Kapsner, Kerttula, Kookesh, Moses, Ogg, Seaton, Wilson

Excused: Croft, Holm, Joule

And so, CSHB 145(FIN) 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 145(FIN)
Third Reading
Effective Date

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

Yeas: 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

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

Excused: Croft, Holm, Joule

And so, the effective date clause was adopted.

Representative Berkowitz gave notice of reconsideration of the vote on CSHB 145(FIN).

HB 288

The following, which was advanced to third reading from the May 14, 2003, calendar (page 1639), was read the third time:

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."

Representative Kohring placed a call of the House and lifted the call.

The question being: "Shall CSHB 288(STA) pass the House?" The roll was taken with the following result:

CSHB 288(STA)
Third Reading
Final Passage

YEAS: 21 NAYS: 11 EXCUSED: 3 ABSENT: 5

Yeas: Anderson, Chenault, Coghill, Dahlstrom, Fate, Foster, Gatto, Heinze, Kohring, Kott, Lynn, Masek, McGuire, Meyer, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Wilson, Wolf

Nays: Berkowitz, Cissna, Crawford, Gara, Gruenberg, Guttenberg, Kookesh, Morgan, Moses, Weyhrauch, Whitaker

Excused: Croft, Holm, Joule

Absent: Harris, Hawker, Kapsner, Kerttula, Williams

And so, CSHB 288(STA) passed the House.

Representative Kapsner gave notice of reconsideration of the vote on CSHB 288(STA).

**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 Fate - from 9:30 p.m., today to morning, May 16, 2003

THIRD READING OF SENATE BILLS

SB 89

The following, which was advanced to third reading from the May 14, 2003, calendar (page 1646), was read the third time:

HCS CS FOR SENATE BILL NO. 89(RLS) am H

"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."

Representative Rokeberg rose to a point of order.

The Speaker stated the point was well taken and cautioned the members to confine remarks to the bill before the body.

Representative Meyer placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall HCS CSSB 89(RLS) am H pass the House?" The roll was taken with the following result:

HCS CSSB 89(RLS) am H

Third Reading

Final Passage

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

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

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

Excused: Croft, Holm, Joule

And so, HCS CSSB 89(RLS) am H passed the House.

Representative McGuire gave notice of reconsideration of the vote on HCS CSSB 89(RLS) am H.

Representative McGuire moved and asked unanimous consent that reconsideration of HCS CSSB 89(RLS) am H be taken up on the same day.

Representative Berkowitz objected.

Representative McGuire moved and asked unanimous consent to withdraw the motion to take the reconsideration up on the same day. There being no objection, it was so ordered.

SB 98

The following, which was advanced to third reading from the May 14, 2003, calendar (page 1646), was read the third 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."

The question being: "Shall CSSB 98(TRA) pass the House?" The roll was taken with the following result:

CSSB 98(TRA)

Third Reading

Final Passage

YEAS: 32 NAYS: 0 EXCUSED: 3 ABSENT: 5

Yeas: Anderson, Berkowitz, Cissna, Coghill, Crawford, Dahlstrom, Fate, 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

Absent: Chenault, Foster, Kapsner, Masek, Moses

And so, CSSB 98(TRA) 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 CSSB 98(TRA).

RECONSIDERATION**HB 18**

Representative Stoltze gave notice of reconsideration of the vote on CSHB 18(JUD) am (page 1703).

Representative Stoltze moved and asked unanimous consent that reconsideration of CSHB 18(JUD) am be taken up on the same day. There being no objection, it was so ordered.

The following was again before the House in third reading:

CS FOR HOUSE BILL NO. 18(JUD) am

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

The question to be reconsidered: "Shall CSHB 18(JUD) am pass the House?" The roll was taken with the following result:

CSHB 18(JUD) am--RECONSIDERATION

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, 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

Absent: Kapsner, Masek, Moses

And so, CSHB 18(JUD) am passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

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 - Dr. Walter A. Soboleff

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

Honoring - Whitney Leman, Ninilchik High School

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

Honoring - Mark Roberts

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

Honoring - Stan Brown and Ed Bailey

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

Honoring - Cliff Gilmore, 30 Years Service to the CVFD

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

Honoring - Susan Stitham

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

Honoring - Chugiak Girls Basketball Team

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

Honoring - LitSite Alaska

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

Honoring - Pacific Northern Academy

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

CONCUR IN SENATE AMENDMENTS**HB 11**

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 1674) on the following at this time:

HOUSE BILL NO. 11

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

and

HOUSE BILL NO. 11 am S(efd fld S)

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

(technical title change)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to HB 11, thus adopting HB 11 am S(efd fld S), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to HB 11?" The roll was taken with the following result:

HB 11 am S(efd fld S)

Concur

YEAS: 21 NAYS: 12 EXCUSED: 3 ABSENT: 4

Yeas: Anderson, Coghill, Fate, Foster, Gatto, Harris, Hawker, Heinze, Kott, Lynn, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Weyhrauch, Wilson, Wolf

Nays: Berkowitz, Chenault, Cissna, Crawford, Dahlstrom, Gara, Gruenberg, Guttenberg, Kerttula, Kohring, Kookesh, Stoltze

Excused: Croft, Holm, Joule

Absent: Kapsner, Masek, Whitaker, Williams

And so, the House concurred in the Senate amendment, thus adopting HB 11 am S(efd fld S).

The Chief Clerk notified the Senate.

HB 11 am S(efd fld S) was referred to the Chief Clerk for enrollment.

HB 90

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 1675) on the following at this time:

CS FOR HOUSE BILL NO. 90(FIN)

"An Act relating to a salmon product development tax credit and a salmon utilization tax credit under the Alaska fisheries business tax; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 90(FIN)

(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to CSHB 90(FIN), thus adopting SCS CSHB 90(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 90(FIN)?" The roll was taken with the following result:

SCS CSHB 90(FIN)

Concur

YEAS: 33 NAYS: 2 EXCUSED: 3 ABSENT: 2

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

Nays: Gara, Stoltze

Excused: Croft, Holm, Joule

Absent: Anderson, Kapsner

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 90(FIN).

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 CSHB 90(FIN) was referred to the Chief Clerk for enrollment.

UNFINISHED BUSINESS

SB 192

The Speaker waived the Health, Education & Social Services Committee referral for the following at the request of Representative Wilson, Chair:

CS FOR SENATE BILL NO. 192(L&C)

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

CSSB 192(L&C) was removed from the Health, Education & Social Services Committee and referred to the Finance Committee.

SB 41

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

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO.
41(FIN)

"An Act relating to medical care and crimes relating to medical care, including medical care and crimes relating to the medical assistance program, catastrophic illness assistance, and medical assistance for chronic and acute medical conditions."

CSSSB 41(FIN) was removed from the Judiciary Committee and referred to the Finance Committee.

SB 157

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

CS FOR SENATE BILL NO. 157(HES)

"An Act relating to inpatient psychiatric services for persons who are under 21 years of age and are either eligible for medical assistance or are in the custody of the Department of Health and Social Services."

CSSB 157(HES) was removed from the Finance Committee and referred to the Rules Committee for placement on the calendar.

HB 18

Representative Lynn added his name as cosponsor to:

CS FOR HOUSE BILL NO. 18(JUD) am

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

HB 196

Representative Kott added his name as cosponsor to:

HOUSE BILL NO. 196

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

HB 211

Representatives Ogg, Seaton, Guttenberg, McGuire, Dahlstrom, Crawford, Lynn, Kerttula, and Cissna added their names as cosponsors to:

CS FOR HOUSE BILL NO. 211(HES)

"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."

HB 252

Representative Lynn added his name as cosponsor to:

CS FOR HOUSE BILL NO. 252(STA)

"An Act relating to the terms and duties of the members of the State Board of Registration for Architects, Engineers and Land Surveyors."

HB 267

Representative Foster added his name as cosponsor to:

HOUSE BILL NO. 267

"An Act relating to the Alaska Railroad; authorizing the Alaska Railroad Corporation to provide financing for the acquisition, construction, improvement, maintenance, equipping, or operation of facilities for the transportation of natural gas resources within and outside the state by others; authorizing the Alaska Railroad Corporation to issue bonds to finance those facilities; and providing for an effective date."

HB 275

Representatives Heinze, Foster, and Seaton added their names as cosponsors to:

HOUSE BILL NO. 275

"An Act relating to veterinarians and animals."

SB 98

Representative Lynn added his name as cross sponsor to:

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."

SB 142

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:

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."

ENGROSSMENT**HB 18**

CSHB 18(JUD) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 211

CSHB 211(HES) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 252

CSHB 252(STA) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SB 87

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. 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."

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

The following meetings today have been changed as indicated:

Health, Education & Social Services Committee
CHANGED TO: upon adj., 5/15

State Affairs Committee
CHANGED TO: upon adj., 5/15

Finance Committee
CANCELED: 1:30 p.m., 5/15

House Special Committee on Oil & Gas
CANCELED: 3:15 p.m., 5/15

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., May 16, 2003. There being no objection, the House adjourned at 9:35 p.m.

Suzi Lowell
Chief Clerk