

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Monday

March 31, 2003

#### Seventieth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 11:00 a.m.

#### JOINT SESSION IN THE HOUSE

In accordance with Uniform Rule 51, Speaker Kott turned the gavel over to President Therriault who called the joint session to order at 11:01 a.m.

The purpose of the joint session was to hear an address by the Honorable Ted Stevens, U.S. Senator.

Senator Ben Stevens moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that the roll call of the House be waived and all members be shown as present. There being no objection, it was so ordered.

President Therriault introduced the Honorable Frank Murkowski, Governor of the State of Alaska, and Jim Clark, the Governor's Chief of Staff.

President Therriault appointed Senator Ben Stevens and Senator Gary Stevens to escort the Senator to the joint session.

The Senate Sergeant-at-Arms, Jamiann Stevens, announced the Senator's entrance into the House Chamber.

Senator Ted Stevens was escorted to the rostrum and welcomed by President Therriault.

The Senator requested a moment of silence to honor the sacrifices of the men and women of our armed forces.

Senator Ted Stevens delivered his address and it is published in Senate and House Joint Journal Supplement No. 7.

A question and answer period followed the conclusion of the Senator's speech.

Senator Ted Stevens received a standing ovation and was escorted from the Chamber by Senator Gary Stevens and Senator Ben Stevens.

Senator Ben Stevens moved and asked unanimous consent that the joint session adjourn. There being no objection, President Therriault adjourned the joint session at 12:07 p.m.

The Speaker ordered the House at ease to allow members of the Senate to leave the Chamber.

#### **IN THE HOUSE**

The Speaker called the House back to order at 12:13 p.m.

Roll call showed 33 members present. Representatives Chenault, Dahlstrom, and Gruenberg had been previously excused from a call of the House today. Representatives Berkowitz, Gara, and Kerttula were absent and their presence was noted later. Representative Moses was absent.

The invocation was offered by the Chaplain, Representative Lynn. Representative Coghill moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Our Father in heaven, help protect and give a measure of Thy wisdom to all legislators throughout America, and especially here in Alaska. Help us to remember that "to whom much is

given, much is required." Help us to be good role models to each other, and especially to children and young adults in a world that yearns for good role models, and please help us to protect the most vulnerable among us, in every precious stage of life.

We know we were freely elected to serve as Representatives of our constituents in forty diverse districts to serve to the best of our ability for a short term of office - but let us not forget that before we filed for office, before we won election, and before we cast our first vote here in this Chamber, You, Almighty Father, gave us the eternal gift of life, and the gift of free will. And, with that in mind, help us to avoid any conflict of interest between Your commandments and our political actions.

Please help us not be too critical or too judgmental of those with whom we disagree. But at the same time, let us not lose our anchor of faith or ignore Thy moral compass in some misguided effort to curry political favor or to go along to get along. And please help us remember that while many of us were baptized into a church, none of us were baptized into a political party.

We hear concerns of budget deficits and revenue enhancement through resource development. Important? Of course, but let us also be even more concerned about deficits in prayer, enhancement of character, and spiritual resource development. In other words, help us keep our priorities straight.

Help us to cast every vote in this House of Representatives according to the good conscience Thou hast given us - not voting only in accordance with polls, not voting only in blind obedience with some earthly party line or political spin - but rather, help us vote in accordance with what is right and good in the sight of You, Almighty God. Help us to understand it is our job here on Earth to support worthy causes and cast righteous votes, but it is You, our Father in heaven, who is responsible for the results whatever they may be. Father,

protect our nation and the State of Alaska. Protect our brave women and men in the armed forces, all of us here today, and all our loved ones. All this and much, much more we ask in the Name of Jesus Christ, our Lord. Amen.

The Pledge of Allegiance was led by Representative Croft.

### **CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the 67th, 68th, and 69th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE GOVERNOR**

A letter dated March 28, 2003, was read stating that, in accordance with AS 39.05.080, the Governor submits the following names for legislative confirmation of appointment to the boards and commissions set out below.

The Speaker referred the following to the Finance Committee:

#### **Alaska Mental Health Trust Authority Board of Trustees**

Nelson Page - Anchorage

Appointed: 03/03/1995

Reappointed: 06/02/1998

Reappointed: 03/25/2003

Term Expires: 03/01/2008

The Speaker referred the following to the Health, Education & Social Services Committee:

#### **Professional Teaching Practices Commission**

Mark Doner - Palmer

Appointed: 03/25/2003 Term Expires: 03/01/2006

Thomas Lamal - Fairbanks

Appointed: 03/25/2003 Term Expires: 03/01/2006

The Speaker referred the following to the Judiciary Committee:

**Commission on Judicial Conduct**

Richard Burton - Ketchikan

Appointed: 03/25/2003 Term Expires: 03/01/2007

The Speaker referred the following to the Labor & Commerce Committee:

**Board of Dental Examiners**

Dr. Kevin L. Gottlieb - Anchorage

Appointed: 03/25/2003 Term Expires: 03/01/2006

**Board of Nursing**

Rosalie A. Acoba - Kodiak

Appointed: 03/25/2003 Term Expires: 03/01/2007

Catherine A. Giessel - Anchorage

Appointed: 03/25/2003 Term Expires: 03/01/2006

Sally Harvey - Noorvik

Appointed: 03/25/2003 Term Expires: 03/01/2006

James E. Jurrens - Juneau

Appointed: 03/25/2003 Term Expires: 03/01/2004

Cathleen Ringstad Winfree - Fairbanks

Appointed: 03/25/2003 Term Expires: 03/01/2007

**Board of Pharmacy**

Michael Pauley - Eagle River

Appointed: 03/25/2003 Term Expires: 03/01/2004

**Alaska Workers' Compensation Board**

John Abshire - Wasilla

Appointed: 07/23/1997 Reappointed: 08/28/2000

Reappointed: 03/25/2003 Term Expires: 03/01/2006

Richard Behrends - Juneau  
Appointed: 11/21/2000      Reappointed: 03/25/2003  
Term Expires: 03/01/2006

Andrew Piekarski - Eagle River  
Appointed: 03/07/1999      Reappointed: 08/28/2000  
Reappointed: 03/25/2003      Term Expires: 03/01/2006

Marc Stemp - Bethel  
Appointed: 03/25/2003      Term Expires: 03/01/2006

Resumes for the appointments are on file in the Chief Clerk's office.

### MESSAGES FROM THE SENATE

A message dated March 28, 2003, was read stating the Senate has passed the following and it is transmitted for consideration:

#### FIRST READING AND REFERENCE OF SENATE RESOLUTIONS

##### **SJR 8**

SENATE JOINT RESOLUTION NO. 8 by Senator Seekins:

Relating to the division of the Ninth Circuit Court of Appeals.

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

### COMMUNICATIONS

The following were received from:

Division of Legislative Audit  
Legislative Budget & Audit Committee  
Audit Reports, Short Digest  
Complete reports available at  
<http://www.legaudit.state.ak.us/>  
(as required by AS 24.20.311)

Dept. of Health & Social Services  
Division of Medical Assistance  
Internal Control Over Medicaid Payments  
January 31, 2003

Dept. of Revenue  
Alcoholic Beverage Control Board  
Sunset Review  
November 29, 2002

### REPORTS OF STANDING COMMITTEES

#### **HJR 5**

The State Affairs Committee has considered:

HOUSE JOINT RESOLUTION NO. 5  
Proposing an amendment to the Constitution of the State of  
Alaska relating to initiative and referendum petitions.

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

Do pass (1): Holm

No recommendation (5): Seaton, Gruenberg, Lynn, Dahlstrom,  
Weyhrauch

The following fiscal note(s) apply:

1. Fiscal, Office of the Governor

HJR 5 was referred to the Judiciary Committee.

\*\*The presence of Representative Berkowitz was noted.

#### **HB 31**

The State Affairs Committee has considered:

## HOUSE BILL NO. 31

"An Act relating to initiative and referendum petitions; and providing for an effective date."

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

Do pass (2): Holm, Weyhrauch

No recommendation (4): Seaton, Gruenberg, Lynn, Dahlstrom

The following fiscal note(s) apply:

1. Zero, Office of the Governor

HB 31 was referred to the Judiciary Committee.

**HB 61**

The Resources Committee has considered:

## HOUSE BILL NO. 61

"An Act establishing an exploration and development incentive tax credit for persons engaged in the exploration for and development of less than 150 barrels of oil or of gas for sale and delivery without reference to volume from a lease or property in the state; and providing for an effective date."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 61(RES)

"An Act establishing an exploration and development incentive tax credit for persons engaged in the exploration for and development of gas for sale and delivery without reference to volume from a lease or property in the state; and providing for an effective date."

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

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



No recommendation (2): Masek, Kerttula

The following fiscal note(s) apply to CSHB 61(RES):

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

HB 61 was referred to the Finance Committee.

**HB 81**

The Transportation Committee has considered:

HOUSE BILL NO. 81

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

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

Do pass (1): Holm

No recommendation (3): Fate, Kohring, Masek

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

HB 81 was referred to the State Affairs Committee.

**HB 83**

The Judiciary Committee has considered:

HOUSE BILL NO. 83

"An Act adopting a version of the Revised Uniform Arbitration Act; relating to the state's existing Uniform Arbitration Act; amending Rules 3, 18, 19, 20, and 21, Alaska Rules of Civil Procedure, Rule 601, Alaska Rules of Evidence, and Rule 402, Alaska Rules of Appellate Procedure; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 83(JUD)  
(same title)

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

Do pass (4): Gara, Anderson, Gruenberg, McGuire

No recommendation (2): Samuels, Coghill

The following fiscal note(s) apply to CSHB 83(JUD):

1. Zero, Dept. of Law
2. Zero, Alaska Court System
3. Zero, Dept. of Corrections

HB 83 was referred to the Rules Committee for placement on the calendar.

**HB 97**

The Resources Committee has considered:

HOUSE BILL NO. 97

"An Act authorizing a long-term lease of certain Alaska Railroad Corporation land at Anchorage; and providing for an effective date."

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

Do pass (1): Fate

Do not pass (2): Guttenberg, Kerttula

No recommendation (6): Wolf, Masek, Morgan, Heinze, Gatto, Lynn

The following fiscal note(s) apply:

1. Zero, Dept. of Community & Economic Development

HB 97 was referred to the Finance Committee.

**HB 127**

The State Affairs Committee has considered:

HOUSE BILL NO. 127

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 127(STA)

"An Act relating to roadside memorials within the right-of-way of a state highway."

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

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

The following fiscal note(s) apply to CSHB 127(STA):

1. Zero, Dept. of Transportation & Public Facilities

HB 127 was referred to the Rules Committee for placement on the calendar.

**HB 151**

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 151

"An Act relating to claims and court actions for defects in the design, construction, and remodeling of certain dwellings; limiting when certain court actions may be brought; and amending Rules 79 and 82, Alaska Rules of Civil Procedure."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 151(L&C)  
(same title)

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

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

The following fiscal note(s) apply to CSHB 151(L&C):

1. Zero, House Labor & Commerce Committee/Dept. of Community & Economic Development

HB 151 was referred to the Judiciary Committee.

**HB 156**

The Transportation Committee has considered:

HOUSE BILL NO. 156

"An Act increasing the motor fuel tax and repealing the special tax rates on blended fuels; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 156(TRA)

"An Act increasing the tax on motor fuel to be used in motor vehicles, other than aircraft and watercraft, and increasing the tax refund for motor fuel used in motor vehicles not licensed to be operated on public roadways; repealing the special tax rates on blended fuels; relating to tax refunds for government agency purchases of motor fuel; relating to the fund into which the proceeds of the motor fuel tax is paid; and providing for an effective date."

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

Do pass (1): Masek

Do not pass (2): Kohring, Kapsner

No recommendation (3): Ogg, Fate, Holm

The following fiscal note(s) apply to CSHB 156(TRA):

1. Zero, Dept. of Environmental Conservation
2. Fiscal, Dept. of Revenue

HB 156 was referred to the Finance Committee.

**HB 173**

The Transportation Committee has considered:

HOUSE BILL NO. 173

"An Act relating to a fee on studded tires; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 173(TRA)

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

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

Do pass (2): Ogg, Holm

Do not pass (2): Kapsner, Kohring

No recommendation (2): Fate, Masek

The following fiscal note(s) apply to CSHB 173(TRA):

1. Fiscal, Dept. of Revenue

HB 173 was referred to the Finance Committee.

**HB 186**

The Labor & Commerce Committee has considered:

## HOUSE BILL NO. 186

"An Act establishing the Radiologic Technology Board of Examiners; requiring licensure of occupations relating to radiologic technology, radiation therapy, and nuclear medicine technology; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 186(L&C)  
(same title)

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

Do pass (3): Crawford, Dahlstrom, Anderson

No recommendation (3): Gatto, Guttenberg, Rokeberg

The following fiscal note(s) apply to CSHB 186(L&C):

1. Zero, Dept. of Law
2. Fiscal, Dept. of Community & Economic Development

HB 186 was referred to the Health, Education & Social Services Committee.

**HB 187**

The Resources Committee has considered:

## HOUSE BILL NO. 187

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

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

Do pass (8): Guttenberg, Wolf, Masek, Morgan, Heinze, Gatto, Lynn, Fate

The following fiscal note(s) apply:

1. Fiscal, Dept. of Environmental Conservation

HB 187 was referred to the Finance Committee.

**SB 79**

The Resources Committee has considered:

SENATE BILL NO. 79

"An Act extending the termination date of the Alaska Minerals Commission."

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

Do pass (8): Guttenberg, Kerttula, Masek, Morgan, Heinze, Gatto, Lynn, Fate

The following fiscal note(s) apply:

1. Fiscal, Dept. of Community & Economic Development

SB 79 was referred to the Finance Committee.

**REPORTS OF SPECIAL COMMITTEES**

**HB 204**

The House Special Committee on Oil & Gas has considered:

HOUSE BILL NO. 204

"An Act relating to the regulation of natural gas pipelines under the Pipeline Act."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 204(O&G)

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

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

Do pass (2): Rokeberg, Kohring

No recommendation (4): Holm, Fate, McGuire, Crawford

The following fiscal note(s) apply to CSHB 204(O&G):

1. Indeterminate, Dept. of Natural Resources

HB 204 was referred to the Resources Committee.

\*\*The presence of Representatives Gara and Kerttula was noted.

### INTRODUCTION OF CITATIONS

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

Honoring - Thomas R. Schroeder  
By Senators Gary Stevens, Cowdery; Representative Seaton

In Memoriam - Ronald Egon Beck  
By Senator Therriault; Representative Harris

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

#### **HB 228**

HOUSE BILL NO. 228 by Representative Kerttula, entitled:

"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."

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

#### **HB 229**

HOUSE BILL NO. 229 by the House Finance Committee, entitled:



"An Act relating to special medical parole and to prisoners who are severely medically and cognitively disabled."

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

**HB 230**

HOUSE BILL NO. 230 by Representative Holm, entitled:

"An Act relating to political signs on private property."

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

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF HOUSE BILLS**

**HB 14**

The following was read the second time:

HOUSE BILL NO. 14

"An Act relating to an absence from the state while providing care for a terminally ill grandparent for purposes of determining eligibility for a permanent fund dividend; and providing for an effective date."

with the:	Journal Page
STA RPT 3DP 3AM	243
FN1: ZERO(REV)	244
FIN RPT 7DP 1NR	506
FN1: ZERO(REV)	506

Amendment No. 1 was offered by Representative Berkowitz:

Page 1, line 2 (title amendment):

Delete "**grandparent**"

Insert "**family member**"

Page 2, lines 11 and 12:

Delete "parent, spouse, sibling, child, [OR] stepchild, or grandparent"

Insert "family member [PARENT, SPOUSE, SIBLING, CHILD, OR STEPCHILD]"

Page 3, following line 1:

Insert a new bill section to read:

"\* **Sec. 2.** AS 43.23.008 is amended by adding a new subsection to read:

(d) For purposes of (a)(7) of this section, "family member" means a person legally related to the individual through blood, marriage, adoption, or guardianship, or whose close association is the equivalent of a family relationship."

ReNUMBER the following bill section accordingly.

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

Representative Fate objected.

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

HB 14

Second Reading

Amendment No. 1

**YEAS: 12 NAYS: 23 EXCUSED: 3 ABSENT: 2**

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Guttenberg, Joule, Kerttula, Kohring, Kookesh, Kott, McGuire

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

Excused: Chenault, Dahlstrom, Gruenberg

Absent: Kapsner, Moses

And so, Amendment No. 1 was not adopted.

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

Amendment No. 2 was offered by Representative Berkowitz:

Page 1, line 2 (title amendment):

Delete "**grandparent**"

Insert "**family member**"

Page 2, lines 11 and 12:

Delete "parent, spouse, sibling, child, [OR] stepchild, or grandparent"

Insert "family member [PARENT, SPOUSE, SIBLING, CHILD, OR STEPCHILD]"

Page 3, following line 1:

Insert a new bill section to read:

\*\* **Sec. 2.** AS 43.23.008 is amended by adding a new subsection to read:

(d) For purposes of (a)(7) of this section, "family member" means a person legally related to the individual through blood, marriage, adoption, or guardianship."

Renumber the following bill section accordingly.

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

Objection was heard.

The House stood at ease at 1:20 p.m. The Speaker called the House back to order at 1:50 p.m.

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

New Amendment No. 2 was offered by Representative Berkowitz:

Page 1, line 2 (title amendment):

Delete "**grandparent**"

Insert "**family member**"

Page 2, lines 11 and 12:

Delete "parent, spouse, sibling, child, [OR] stepchild, or grandparent"

Insert "**family member** [PARENT, SPOUSE, SIBLING, CHILD, OR STEPCHILD]"

Page 3, following line 1:

Insert a new bill section to read:

"\* **Sec. 2.** AS 43.23.008 is amended by adding a new subsection to read:

(d) For purposes of (a)(7) of this section, "family member" means a person legally related to the individual through blood to the second degree of kindred computed under the rules of canon law, marriage, adoption, or guardianship."

Renumber the following bill section accordingly.

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

There being no objection, New Amendment No. 2 was adopted and the new title follows:

HOUSE BILL NO. 14 am

"An Act relating to an absence from the state while providing care for a terminally ill family member for purposes of determining eligibility for a permanent fund dividend; and providing for an effective date."

Representative Coghill moved and asked unanimous consent that HB 14 am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 14 am was read the third time.

The question being: "Shall HB 14 am pass the House?" The roll was taken with the following result:

HB 14 am  
Third Reading  
Final Passage

**YEAS: 32 NAYS: 2 EXCUSED: 4 ABSENT: 2**

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

Nays: Masek, Stoltze

Excused: Chenault, Dahlstrom, Gruenberg, Kapsner

Absent: Moses, Weyhrauch

And so, HB 14 am passed the House.

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

HB 14 am was referred to the Chief Clerk for engrossment.

**HB 90**

The following was read the second time:

HOUSE BILL NO. 90

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

with the:

Journal Page

FSH RPT CS(FSH) NT 2DP 3AM	464
LETTER OF INTENT WITH FSH REPORT	465
FN1: (REV)	466

FIN RPT CS(FIN) NT 4DP 5NR	632
FN2: (REV)	633

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. 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."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 90(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 90(FIN) was read the third time.

Representatives Ogg and Weyhrauch moved and asked unanimous consent that they be allowed to abstain from voting because of a conflict of interest. Objection was heard, and the members were required to vote.

The question being: "Shall CSHB 90(FIN) pass the House?" The roll was taken with the following result:

CSHB 90(FIN)  
Third Reading  
Final Passage

**YEAS: 29 NAYS: 6 EXCUSED: 4 ABSENT: 1**

Yeas: Anderson, Berkowitz, Cissna, Coghill, Crawford, Fate, Foster, Guttenberg, Harris, Hawker, Heinze, Holm, Joule, Kohring, Kookesh, Kott, Lynn, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Weyhrauch, Whitaker, Williams, Wilson, Wolf

Nays: Croft, Gara, Gatto, Kerttula, Masek, Stoltze

Excused: Chenault, Dahlstrom, Gruenberg, Kapsner

Absent: Moses

And so, CSHB 90(FIN) passed the House.

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

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

### SECOND READING OF HOUSE RESOLUTIONS

#### HJR 13

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 13

Urging adoption of the Alaska recommendations for implementing the No Child Left Behind Act of 2001.

with the:

Journal Page

HES RPT CS(HES) 7DP

531

FN1: ZERO(H.HES)

532

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

CS FOR HOUSE JOINT RESOLUTION NO. 13(HES)

(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHJR 13(HES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 13(HES) was read the third time.

The question being: "Shall CSHJR 13(HES) pass the House?" The roll was taken with the following result:

CSHJR 13(HES)  
Third Reading  
Final Passage

**YEAS: 35 NAYS: 0 EXCUSED: 4 ABSENT: 1**

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

Excused: Chenault, Dahlstrom, Gruenberg, Kapsner

Absent: Moses

Kohring changed from "Nay" to "Yea".

And so, CSHJR 13(HES) passed the House and was referred to the Chief Clerk for engrossment.

#### **LEGISLATIVE CITATIONS**

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

Honoring - Ellie Claus, 2003 Junior Iditarod Champion  
By Senator Bunde; Representatives, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kohring, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Williams, Wilson, Wolf

#### **UNFINISHED BUSINESS**

##### **HJR 3**

Representative Chenault added his name as cosponsor to:



SPONSOR SUBSTITUTE FOR HOUSE JOINT RESOLUTION  
NO. 3

Proposing amendments to the Constitution of the State of Alaska relating to the Alaska permanent fund.

**HJR 5**

Representative Meyer added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 5

Proposing an amendment to the Constitution of the State of Alaska relating to initiative and referendum petitions.

**HB 14**

Representative Lynn added his name as cosponsor to:

HOUSE BILL NO. 14 am

"An Act relating to an absence from the state while providing care for a terminally ill family member for purposes of determining eligibility for a permanent fund dividend; and providing for an effective date."

**HB 31**

Representative Meyer added his name as cosponsor to:

HOUSE BILL NO. 31

"An Act relating to initiative and referendum petitions; and providing for an effective date."

**HB 90**

Representatives Ogg, Kohring, and Lynn added their names as cosponsors to:

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."

**HB 127**

Representatives Fate, Morgan, and Ogg added their names as cosponsors to:

HOUSE BILL NO. 127

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

**HB 186**

Representative Foster added his name as cosponsor to:

HOUSE BILL NO. 186

"An Act establishing the Radiologic Technology Board of Examiners; requiring licensure of occupations relating to radiologic technology, radiation therapy, and nuclear medicine technology; and providing for an effective date."

**HB 211**

Representative Gara added his name as cosponsor to:

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."

**SJR 8**

Representatives Lynn, Stoltze, and Samuels added their names as cross sponsors to:

SENATE JOINT RESOLUTION NO. 8

Relating to the division of the Ninth Circuit Court of Appeals.

**SB 83**

Representative Ogg added his name as cross sponsor to:

SENATE BILL NO. 83

"An Act naming the Sven Haakanson, Sr. Airport at Old Harbor."

**ENGROSSMENT****HJR 13**

CSHJR 13(HES) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 14**

HB 14 am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 90**

CSHB 90(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**ANNOUNCEMENTS**

House committee schedules are published daily under separate cover.

The following meetings today have been changed as indicated:

Resources Committee

CANCELED: 1:00 p.m., 3/31

Finance Committee

CHANGED TO: 3:00 p.m., 3/31

Judiciary Committee

CHANGED TO: 3:00 p.m., 3/31

**ADJOURNMENT**

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m, April 2, 2003. There being no objection, the House adjourned at 2:45 p.m.

Suzi Lowell  
Chief Clerk