

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Tuesday

April 8, 2003

Seventy-eighth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 3:12 p.m.

Roll call showed 38 members present. Representative Moses had been previously excused from a call of the House today.

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

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

Dear Lord,

Help us work hard, think hard, and remember to base our decisions on honesty and integrity to ourselves, our colleagues, the people, and our system of government.

I thank God that every day I have the opportunity to live in freedom, have good health, a supportive wife, parents who raised me, and children to love. Amen.

The Pledge of Allegiance was led by Representative Wilson.

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

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 77th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

SCR 4

A message dated April 7, 2003, was read stating the Senate has concurred in the House amendment to CSSCR 4(STA), thus adopting:

HCS FOR CS FOR SENATE CONCURRENT RESOLUTION
NO. 4(STA) am H
Relating to Avalanche Awareness Month.

A message dated April 7, 2003, was read stating the Senate has passed the following and it is transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE RESOLUTIONS

SJR 12

CS FOR SENATE JOINT RESOLUTION NO. 12(RES) by the Senate Resources Committee:

Supporting the halibut by-catch utilization project of the Alaska Food Coalition.

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

REPORTS OF STANDING COMMITTEES

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

Kevin Duffy

as Commissioner of the Department of Fish and Game.

The report was signed by Representative Fate, Chair; and Representatives Morgan, Masek, Wolf, Kerttula, Guttenberg, Lynn, and Gatto.

HB 86

The Resources Committee has considered:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 86

"An Act relating to permits issued by the state; and amending Rules 65, 79, and 82, Alaska Rules of Civil Procedure."

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

Do pass (6): Wolf, Masek, Morgan, Gatto, Lynn, Fate

Do not pass (1): Kerttula

The following fiscal note(s) apply:

1. Zero, Dept. of Law

SSHB 86 was referred to the Judiciary Committee.

HB 155

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 155

"An Act relating to the submission of payroll information by contractors and subcontractors performing work on a public construction contract; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 155(L&C)

"An Act relating to the submission of payroll information by contractors and subcontractors performing work on a public construction contract; requiring a notice and affidavit regarding the payment of prevailing wages by employers on public construction contracts; providing for the withholding of final payment for public construction contracts; and providing for an effective date."

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

Do pass (3): Lynn, Dahlstrom, Anderson

No recommendation (1): Gatto

Amend (2): Crawford, Guttenberg

The following fiscal note(s) apply to CSHB 155(L&C):

1. Fiscal, Dept. of Labor & Workforce Development

HB 155 was referred to the Finance Committee.

HB 162

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 162

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 162(L&C)
(same title)

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

Do pass (1): Anderson

Do not pass (2): Crawford, Guttenberg

No recommendation (3): Lynn, Gatto, Dahlstrom

The following fiscal note(s) apply to CSHB 162(L&C):

1. Fiscal, Dept. of Community & Economic Development

HB 162 was referred to the Finance Committee.

HB 187

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

Do pass (11): Meyer, Hawker, Stoltze, Joule, Croft, Moses, Chenault, Whitaker, Foster, Harris, Williams

The following fiscal note(s) apply:

1. Fiscal, Dept. of Environmental Conservation

HB 187 was referred to the Rules Committee for placement on the calendar.

HB 194

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 194

"An Act creating a tax credit under the Alaska Net Income Tax Act for contributions to regional development organizations; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 194(L&C)
(same title)

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

Do pass (1): Anderson

No recommendation (6): Lynn, Gatto, Crawford, Guttenberg, Dahlstrom, Rokeberg

The following fiscal note(s) apply to CSHB 194(L&C):

1. Zero, Dept. of Community & Economic Development
3. Zero, Dept. of Revenue

HB 194 was referred to the Finance Committee.

SB 79

The Finance Committee has considered:

SENATE BILL NO. 79
"An Act extending the termination date of the Alaska Minerals Commission."

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

Do pass (9): Meyer, Hawker, Croft, Joule, Chenault, Whitaker, Foster, Harris, Williams

No recommendation (1): Stoltze

The following fiscal note(s) apply:

1. Fiscal, Dept. of Community & Economic Development

SB 79 was referred to the Rules Committee for placement on the calendar.

SB 83

The State Affairs Committee has considered:

SENATE BILL NO. 83

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

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

Do pass (6): Seaton, Holm, Lynn, Dahlstrom, Berkowitz, Weyhrauch

The following fiscal note(s) apply:

1. Zero, Dept. of Transportation & Public Facilities

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

REPORTS OF SPECIAL COMMITTEES**HB 130**

The House Special Committee on Fisheries has considered:

HOUSE BILL NO. 130

"An Act relating to the award of damages, costs, and attorney fees in an action against a seafood processor under certain state laws that prohibit unfair trade practices, monopolies, and restraints of trade; stating legislative intent regarding the appropriation and use of money obtained by the state from the operation of this Act; amending Rules 54, 58, and 82, Alaska Rules of Civil Procedure; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 130(FSH)

"An Act relating to the award of damages in an action against a seafood processor under certain state laws that prohibit unfair trade practices, monopolies, and restraints of trade; stating legislative intent regarding the appropriation and use of money obtained by the state from the operation of this Act; amending

Rule 58, Alaska Rules of Civil Procedure; and providing for an effective date."

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

No recommendation (4): Berkowitz, Wilson, Samuels, Guttenberg

Amend (2): Ogg, Seaton

The following fiscal note(s) apply to CSHB 130(FSH):

1. Zero, Dept. of Law

HB 130 was referred to the Judiciary Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Ralph W. Perdue
By Representative Fate

Commemorating - Law Enforcement Memorial Day, May 9, 2003
By Representative Kott

Honoring - Dimond High's Battle of the Books Winners
By Representative McGuire

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 252

HOUSE BILL NO. 252 by Representative McGuire, entitled:

"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."

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

HB 253

HOUSE BILL NO. 253 by Representative Guttenberg, entitled:

"An Act repealing the ban on the use of off-road vehicles within five miles of the right-of-way of the James Dalton Highway."

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

RECONSIDERATION**HB 184**

Representative Gruenberg brought up reconsideration of the vote on CSSH B 184(L&C) (page 822).

The following was again before the House in third reading:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.
184(L&C)

"An Act relating to individual deferred annuities; and providing for an effective date."

Representative Gruenberg moved and asked unanimous consent that CSSH B 184(L&C) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Gruenberg:

Page 2, line 30, through page 3, line 7:

Delete all material and insert:

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

TRANSITION PERIOD FOR ANNUITY CONTRACTS;
APPLICABILITY OF ACT. (a) During the period that begins on the effective date of this Act and ends on the day before the date that is two years after the effective date of this Act, an insurer may elect to

comply with this Act for an annuity contract entered into on or after the effective date of this Act.

(b) All annuity contracts entered into on or after the date that is two years after the effective date of this Act are subject to this Act.

(c) This Act does not apply to an annuity contract entered into before the effective date of this Act."

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

Representative Rokeberg objected.

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

Under (c), following "date of this Act":

Insert ", unless provided for by the provisions of that contract"

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

Representative Gara objected.

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

CSSSHB 184(L&C)--RECONSIDERATION

Second Reading

Amendment to Amendment No. 1

YEAS: 29 NAYS: 9 EXCUSED: 2 ABSENT: 0

Yeas: Anderson, Chenault, Coghill, Crawford, Dahlstrom, Fate, Foster, Gatto, Gruenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Williams, Wilson, Wolf

Nays: Berkowitz, Cissna, Croft, Gara, Guttenberg, Kerttula, Kookesh, Weyhrauch, Whitaker

Excused: Kohring, Moses

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

There being no further objection, Amendment No. 1 as amended was adopted.

The question to be reconsidered: "Shall CSSSHB 184(L&C) am pass the House?" The roll was taken with the following result:

CSSSHB 184(L&C) am--RECONSIDERATION

Third Reading

Final Passage

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

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

Excused: Kohring, Moses

And so, CSSSHB 184(L&C) am passed the House on reconsideration.

Representative Coghill moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause.

Representative Berkowitz objected.

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

CSSSHB 184(L&C) am--RECONSIDERATION

Third Reading

Effective Date

YEAS: 27 NAYS: 10 EXCUSED: 2 ABSENT: 1

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

Nays: Berkowitz, Cissna, Crawford, Croft, Guttenberg, Joule, Kapsner, Kerttula, Kookesh, Whitaker

Excused: Kohring, Moses

Absent: Gara

And so, the effective date clause was adopted.

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 75

The following was read the second time:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 75

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

with the:	Journal Page
FIN RPT CS(FIN) 7DP 1DNP 2NR	812

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

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.
75(FIN)
(same title)

There being no objection, it was so ordered.

The Speaker invoked Section 102 of Mason's Manual.

Amendment No. 1 was offered by Representative Croft:

Page 65, lines 18 - 22:

Delete all material.

Insert

"(b) The amount calculated as follows is appropriated from the budget reserve fund on June 30, 2003 to the dividend fund (AS 43.23.045) for payment of 2003 permanent fund dividends:

(1) calculate 21 percent of the net income of the Alaska permanent fund determined under AS 37.13.140 for the last five fiscal years, including fiscal year 2003;

(2) divide the amount obtained under (1) of this section by two;

(3) subtract from the amount obtained under (2) of this section the amount transferred under AS 37.13.145(b) for 2003 permanent fund dividends.

(c) It is the intent of the Legislature through the appropriation in (b) of this section assure the people of Alaska that there will be a permanent fund dividend in 2003."

Reletter the following subsections accordingly.

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

Representative Harris objected.

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

CSSSHB 75(FIN)

Second Reading

Amendment No. 1

YEAS: 10 NAYS: 27 EXCUSED: 2 ABSENT: 1

Yeas: Berkowitz, Cissna, Crawford, Croft, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kookesh

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

Excused: Kohring, Moses

Absent: Gara

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representative Croft:

Page 36, line 24:

Under Appropriation Items:

Delete "**9,132,700**"

Insert "**7,782,700**"

Under General Funds:

Delete "**8,882,700**"

Insert "**7,532,700**"

Page 36, line 25:

Under Allocations:

Delete "**3,066,500**"

Insert "**2,966,500**"

Page 36, line 27:

Under Allocations:

Delete "**3,845,000**"

Insert "**3,595,000**"

Page 36, line 28:

Under Allocations:

Delete "**1,557,800**"

Insert "**457,800**"

Page 36, line 31:

Under Appropriation Items:

Delete "**23,224,900**"

Insert "**21,854,900**"

Under General Funds:

Delete "**22,599,200**"

Insert "**21,229,200**"

April 8, 2003

849

Page 36, line 33:

Under Allocations:

Delete "7,827,400"

Insert "7,637,400"

Page 37, line 3:

Under Allocations:

Delete "6,442,700"

Insert "6,092,700"

Page 37, line 4:

Under Allocations:

Delete "1,802,300"

Insert "1,152,300"

Page 37, line 5:

Under Allocations:

Delete "2,322,300"

Insert "2,142,300"

Page 37, line 7:

Under Appropriation Items:

Delete "**6,611,800**"Insert "**5,511,800**"

Under General Funds:

Delete "**6,611,800**"Insert "**5,511,800**"

Page 37, line 8:

Under Allocations:

Delete "6,611,800"

Insert "5,511,800"

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

Representative Harris objected.

Representative Weyhrauch rose to a point of order regarding impugning the motives of a previous member's action on prior measures and cited Mason's Manual Section 121(5).

The Speaker cautioned the member accordingly.

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

CSSSHB 75(FIN)
Second Reading
Amendment No. 2

YEAS: 11 NAYS: 24 EXCUSED: 2 ABSENT: 3

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

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

Excused: Kohring, Moses

Absent: Meyer, Weyhrauch, Williams

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representative Croft:

Page 15, line 19:

Under Appropriation Items:
Delete "**-2,000,000**"
Insert "**-28,000,000**"

Under General Funds:
Delete "**-2,000,000**"
Insert "**-28,000,000**"

Page 15, line 21:

Under Allocations:
Delete "-2,000,000"
Insert "-28,000,000"

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

Representative Harris objected.

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

CSSSHB 75(FIN)
Second Reading
Amendment No. 3

YEAS: 10 NAYS: 26 EXCUSED: 2 ABSENT: 2

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

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

Excused: Kohring, Moses

Absent: Joule, Williams

And so, Amendment No. 3 was not adopted.

Amendment No. 4 was offered by Representative Gara:

Page 24, line 11:

Under Appropriation Items:

Delete "**1,974,800**"

Insert "**1,874,800**"

Under General Funds:

Delete "**1,264,900**"

Insert "**1,164,900**"

Page 24, line 12:

Under Allocations:

Delete "655,200"

Insert "555,200"

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

Representative Harris objected.

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

CSSSHB 75(FIN)
Second Reading
Amendment No. 4

YEAS: 10 NAYS: 27 EXCUSED: 2 ABSENT: 1

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

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

Excused: Kohring, Moses

Absent: Croft

And so, Amendment No. 4 was not adopted.

Amendment No. 5 was offered by Representative Berkowitz:

Page 15, line 3:

Under Appropriation Items:
Delete "**8,952,500**"
Insert "**8,602,500**"

Under General Funds:
Delete "**8,879,800**"
Insert "**8,429,800**"

Page 15, line 4:

Under Allocations:
Delete "7,344,800"
Insert "6,894,800"

Representative Berkowitz moved and asked unanimous consent that Amendment No. 5 be adopted.

Representative Harris objected.

The question being: "Shall Amendment No. 5 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN)
Second Reading
Amendment No. 5

YEAS: 10 NAYS: 27 EXCUSED: 2 ABSENT: 1

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

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

Excused: Kohring, Moses

Absent: Croft

And so, Amendment No. 5 was not adopted.

Amendment No. 6 was offered by Representative Gara:

Page 57, lines 7 - 9:

Delete "to the Department of Administration for a grant to the Chugach Electric Association and held by the Alaska Industrial Development and Export Authority is appropriated to the Railbelt energy fund (AS 37.05.520)"

Insert "is appropriated as a one-time deposit to the general fund"

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

Representative Harris objected.

The question being: "Shall Amendment No. 6 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN)
Second Reading
Amendment No. 6

YEAS: 6 NAYS: 31 EXCUSED: 2 ABSENT: 1

Yeas: Cissna, Gara, Gruenberg, Joule, Kerttula, Kookesh

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

Excused: Kohring, Moses

Absent: Croft

And so, Amendment No. 6 was not adopted.

Amendment No. 7 was offered by Representative Gara:

Page 54, line 22, through page 55, line 1:

Delete all material and insert:

"* Sec. 12. DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT. The sum of \$59,963,000 is appropriated from the general fund to the Department of Education and Early Development for payment as grants to school districts based on the school district's adjusted average daily membership to pay for instructional programs and staff salaries for the fiscal year ending June 30, 2004."

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

Representative Meyer objected.

Representative Berkowitz placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall Amendment No. 7 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN)
Second Reading
Amendment No. 7

YEAS: 11 NAYS: 27 EXCUSED: 2 ABSENT: 0

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

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

Excused: Kohring, Moses

And so, Amendment No. 7 was not adopted.

Amendment No. 8 was offered by Representative Kerttula:

Page 22, line 17:

Under Appropriation Items:

Delete "**103,555,700**"

Insert "**104,022,800**"

Under General Funds:

Delete "**4,786,700**"

Insert "**5,253,800**"

Page 22, line 21:

Under Allocations:

Delete "2,646,400"

Insert "2,813,500"

Page 22, line 27:

Under Allocations:

Delete "800,900"

Insert "1,100,900"

Representative Kerttula moved and asked unanimous consent that Amendment No. 8 be adopted.

Representative Meyer objected.

The question being: "Shall Amendment No. 8 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN)
Second Reading
Amendment No. 8

YEAS: 13 NAYS: 22 EXCUSED: 2 ABSENT: 3

Yeas: Berkowitz, Cissna, Crawford, Croft, Foster, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kookesh, Morgan

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

Excused: Kohring, Moses

Absent: Masek, McGuire, Seaton

And so, Amendment No. 8 was not adopted.

Amendment No. 9 was offered by Representative Guttenberg:

Page 35, line 14:

Under Appropriation Items:

Delete "**631,177,300**"

Insert "**641,477,300**"

Under General Funds:

Delete "**205,614,200**"

Insert "**215,914,200**"

Page 35, line 15:

Under Allocations:

Delete "45,716,300"

Insert "56,016,300"

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

Representative Harris objected.

Representatives Cissna, Kerttula, and Crawford 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 Amendment No. 9 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN)
Second Reading
Amendment No. 9

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

Yeas: Berkowitz, Cissna, Crawford, Croft, Fate, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kookesh, Ogg

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

Excused: Kohring, Moses

And so, Amendment No. 9 was not adopted.

The Speaker announced that CSSSHB 75(FIN) would be on tomorrow's calendar in second reading.

The House adjourned.

HB 76

The following was not taken up this legislative day and will be on tomorrow's calendar:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 76

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

LEGISLATIVE CITATIONS

The following citations were not taken up this legislative day and will be on tomorrow's calendar:

Honoring - Cherrie Ruesch, 4-H National Salute to Excellence Award
By Representatives Stoltze, Dahlstrom, Kohring, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kerttula, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Weyhrauch, Williams, Wilson, Wolf; Senators Green, Ogan, Dyson

Honoring - Blake Stauffer, Eagle Scout
By Representatives Weyhrauch, Kerttula, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Whitaker, Williams, Wilson, Wolf; Senator Elton

Honoring - Juneau Gold Rush Commission
By Representatives Weyhrauch, Kerttula, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Williams, Wilson, Wolf; Senator Elton

In Memoriam - Terry W. Ahseln
By Representatives Coghill, Harris, Kott, Anderson, Berkowitz, Chenault, Cissna, Crawford, Croft, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Williams, Wilson, Wolf

In Memoriam - Superior Court Judge Jonathan H. Link
By Representatives Wolf, Holm, Chenault, Kott, Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Joule, Kapsner, Kerttula, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Williams, Wilson; Senator Wagoner

In Memoriam - Linda Luthy Connelly

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

UNFINISHED BUSINESS

HB 245

The Office of the Governor submitted the following fiscal note:

3. Indeterminate, Dept. of Administration

The fiscal note accompanies the introduction (page 778) of:

HOUSE BILL NO. 245

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

HB 245 is in the House Special Committee on Military & Veterans' Affairs.

HB 25

Representative Kookesh added his name as cosponsor to:

HOUSE BILL NO. 25

"An Act relating to health care decisions, including do not resuscitate orders and the donation of body parts, and to powers of attorney relating to health care, including the donation of body parts; and providing for an effective date."

HB 214

Representative Heinze added her name as cosponsor to:

HOUSE BILL NO. 214

"An Act relating to the recovery of punitive damages against an employer who is determined to be vicariously liable for the act or omission of an employee; and providing for an effective date."

SJR 12

Representative Lynn added his name as cross sponsor to:

CS FOR SENATE JOINT RESOLUTION NO. 12(RES)

Supporting the halibut by-catch utilization project of the Alaska Food Coalition.

ENGROSSMENT**HB 184**

CSSSHB 184(L&C) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

SCR 1

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

HOUSE CS FOR CS FOR SENATE CONCURRENT RESOLUTION NO. 1(TRA) am H

Relating to economic development generated by new road construction and to the design and construction of the Hot Springs Loop Road to connect Chena Hot Springs and Circle Hot Springs, of a highway along the Bradfield/Iskut Rivers transportation corridor, of the Knik Arm Crossing, of a road from Iliamna Bay to Pile Bay, and of other roads and highways.

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn (page 857) until 10:00 a.m., April 9, 2003. There being no objection, the House adjourned at 6:05 p.m.

Suzi Lowell
Chief Clerk