

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Thursday

April 17, 2003

#### Eighty-seventh Day

Pursuant to adjournment the House was called to order by Speaker Kott at 10:13 a.m.

Roll call showed 30 members present. Representatives Chenault, Dahlstrom, Harris, Joule, Kohring, McGuire, Morgan, Moses, Williams, and Wolf had been previously excused from a call of the House today.

The invocation was offered by the Chaplain, Pastor Sam Dalin of River of Glory Church. Representative Coghill moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Let us pray. The Bible says "for God so loved the world that He gave . . ." Let us, let me, be a giving person. These men and women give of their time, talent, and hard work for the good of the great land of Alaska. As these men and women serve, may it be done with love, O Lord, we pray. Grant them wisdom beyond their natural ability. Grant them great understanding of the issues that are at hand. Let love guide us all for a better Alaska. We pray this in the Name of God the Father, God the Son, and God the Holy Spirit. Amen.

The Pledge of Allegiance was led by Representative Lynn.

**CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the 86th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

**MESSAGES FROM THE GOVERNOR****HB 139**

A message dated April 16, 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. 139(RES)

"An Act approving an interim classification by the commissioner of natural resources closing certain land within the Glacier Creek and Winner Creek drainages to new mineral entry; and providing for an effective date."

Chapter No. 8, SLA 2003  
Effective Date: See Chapter

**SB 78**

A message dated April 16, 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:

SENATE BILL NO. 78 am H

"An Act relating to an optional group of persons eligible for medical assistance who require treatment for breast and cervical cancer; relating to cost sharing by those recipients under the medical assistance program; and providing for an effective date."

Chapter No. 9, SLA 2003  
Effective Date: April 17, 2003

**COMMUNICATIONS**

The following were received:

Dept. of Community & Economic Development  
Division of Banking, Securities, and Corporations  
Alaska Growth Capital BIDCO, Inc.  
Economic Development Effect  
April 10, 2003  
(as required by AS 10.13.590)

Dept. of Community & Economic Development  
Division of Investments  
2002 Annual Report of Fisheries  
Enhancement Loan Extensions  
April 10, 2003  
(as required by AS 16.10.510)

### REPORTS OF STANDING COMMITTEES

#### **HB 224**

The Finance Committee has considered:

#### HOUSE BILL NO. 224

"An Act relating to a tobacco product manufacturer's compliance with certain statutory requirements regarding cigarette sales; and providing for an effective date."

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

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

No recommendation (2): Stoltze, Moses

The following fiscal note(s) apply:

1. Zero, Dept. of Law
2. Zero, Dept. of Revenue
3. Zero, Dept. of Health & Social Services

HB 224 was referred to the Rules Committee for placement on the calendar.

**REPORTS OF SPECIAL COMMITTEES****HB 225**

The House Special Committee on Economic Development, International Trade, & Tourism has considered:

HOUSE BILL NO. 225

"An Act relating to certain civil actions brought by the attorney general under monopoly and restraint of trade statutes; relating to the award of damages in actions brought under those statutes; and providing for an effective date."

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

Do pass (4): Dahlstrom, Kott, Cissna, Heinze

No recommendation (1): Crawford

The following fiscal note(s) apply:

1. Indeterminate, Dept. of Law

HB 225 was referred to the Judiciary Committee.

**SJR 12**

The House Special Committee on Fisheries has considered:

CS FOR SENATE JOINT RESOLUTION NO. 12(RES)

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

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE JOINT RESOLUTION NO.  
12(FSH)  
(same title)

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

Do pass (5): Heinze, Ogg, Guttenberg, Wilson, Seaton

The following fiscal note(s) apply to HCS CSSJR 12(FSH):

1. Zero, Dept. of Fish & Game

CSSJR 12(RES) was referred to the Resources Committee.

### **INTRODUCTION OF CITATIONS**

The following citation was introduced and referred to the Rules Committee for placement on the calendar:

Honoring - Mona Catherine Jackson  
By Representative Kookesh; Senator Lincoln

### **INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS**

#### **HJR 26**

HOUSE JOINT RESOLUTION NO. 26 by the House Rules Committee by request of the Legislative Budget & Audit Committee by request:

Proposing amendments to the Constitution of the State of Alaska relating to and limiting appropriations from and inflation-proofing the Alaska permanent fund by establishing a percent of market value spending limit.

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

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

#### **HB 274**

HOUSE BILL NO. 274 by Representatives Dahlstrom and Crawford, entitled:

"An Act relating to the hours during which sale of alcohol and entry on licensed premises are allowed; and providing for an effective date."

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

**HB 275**

HOUSE BILL NO. 275 by Representatives Chenault and Gruenberg, entitled:

"An Act relating to veterinarians and animals."

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

**HB 276**

HOUSE BILL NO. 276 by Representatives Guttenberg and Gatto, entitled:

"An Act authorizing fire departments and emergency medical services to obtain criminal justice information and motor vehicle records to screen volunteer applicants."

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

**HB 277**

HOUSE BILL NO. 277 by Representative Dahlstrom, entitled:

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

state and one or more pipeline carriers and to enforce the terms of a settlement agreement in regard to intrastate rates; and providing for an effective date."

was read the first time and referred to the House Special Committee on Oil & Gas and the Labor & Commerce Committee.

### CONSIDERATION OF THE DAILY CALENDAR

#### SECOND READING OF HOUSE BILLS

##### HB 187

The following was read the second time:

HOUSE BILL NO. 187

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

with the:	Journal Page
RES RPT 8DP	710
FN1: (DEC)	710
FIN RPT 11DP	839
FN1: (DEC)	839

Representative Coghill moved and asked unanimous consent that HB 187 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 187 was read the third time.

The question being: "Shall HB 187 pass the House?" The roll was taken with the following result:

HB 187  
Third Reading  
Final Passage

**YEAS: 29 NAYS: 0 EXCUSED: 10 ABSENT: 1**

Yeas: Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, Fate, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Heinze, Holm, Kapsner, Kerttula, Kookesh, Kott, Lynn, Masek, Meyer, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Wilson

Excused: Chenault, Dahlstrom, Harris, Joule, Kohring, McGuire, Morgan, Moses, Williams, Wolf

Absent: Foster

And so, HB 187 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 187 was referred to the Chief Clerk for engrossment.

### SECOND READING OF SENATE BILLS

#### SB 83

The following was read the second time:

SENATE BILL NO. 83

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

with the:	Journal Page
TRA RPT 7DP	767
FN1: ZERO(DOT)	768
STA RPT 6DP	841
FN1: ZERO(DOT)	841

Representative Coghill moved and asked unanimous consent that SB 83 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 83 was read the third time.



The question being: "Shall SB 83 pass the House?" The roll was taken with the following result:

SB 83  
Third Reading  
Final Passage

**YEAS: 30 NAYS: 0 EXCUSED: 10 ABSENT: 0**

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

Excused: Chenault, Dahlstrom, Harris, Joule, Kohring, McGuire, Morgan, Moses, Williams, Wolf

And so, SB 83 passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

#### **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:

In Memoriam - Linda Marie Norman

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

#### **UNFINISHED BUSINESS**

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

Representative Samuels - from 1:00 p.m., April 17 to evening plane time, April 21, 2003 (amended from page 1016)

**HCR 10**

Representative Gatto added his name as cosponsor to:

HOUSE CONCURRENT RESOLUTION NO. 10

Relating to restoration of riparian habitat that is vital to the fisheries resources of the state.

**HB 102**

Representative Hawker added his name as cosponsor to:

HOUSE BILL NO. 102

"An Act relating to concealed deadly weapons."

**HB 194**

Representative Whitaker added his name as cosponsor to:

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."

**HB 221**

Representative Lynn added his name as cosponsor to:

HOUSE BILL NO. 221

"An Act making it a class C felony to knowingly make a false statement relating to citizenship or residency on an application for voter registration or reregistration."

**HB 250**

Representative Crawford added his name as cosponsor to:

HOUSE BILL NO. 250

"An Act relating to protests of state contract awards, to claims on state contracts, to the arbitration of certain state construction contract claims, and to hearings and appeals under the State Procurement Code; making conforming amendments in the State Procurement Code; and providing for an effective date."

**ENGROSSMENT****HB 187**

HB 187 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**ENROLLMENT****HB 71**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 10:20 a.m., April 17, 2003:

SENATE CS FOR HOUSE BILL NO. 71(FIN)

"An Act extending the termination date of the Board of Certified Direct-Entry Midwives; and relating to the regulation of certified direct-entry midwives."

**HB 82**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 10:20 a.m., April 17, 2003:

CS FOR HOUSE BILL NO. 82(L&C)

"An Act making certain activity related to commercial electronic mail unlawful and an unfair method of competition or an unfair or deceptive act or practice under the Act enumerating unfair trade practices and consumer protections."

**ANNOUNCEMENTS**

House committee schedules are published daily under separate cover.

**ADJOURNMENT**

Representative Coghill moved and asked unanimous consent that the House adjourn until 2:00 p.m., April 22, 2003. There being no objection, the House adjourned at 10:32 a.m.

Suzi Lowell  
Chief Clerk