

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Wednesday

February 12, 2003

Twenty-third Day

Pursuant to adjournment the House was called to order by Speaker Kott at 10:05 a.m.

Roll call showed 38 members present. Representative Croft had been previously excused from a call of the House until 11:00 a.m. today and his presence was noted later. Representative Joule had been previously excused from a call of the House until 4:00 p.m. today and his presence was noted later.

The invocation was offered by the Chaplain, Dr. Walter Soboleff, retired Presbyterian minister. Representative Fate moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

All wise and powerful God, we humbly bow in prayer. Unto whom all hearts are open, all wishes known, and from whom no secrets are hid.

Today we remember our 16th President, Abraham Lincoln, born 194 years ago, whose learning included wisdom from Your words in the Bible. We offer thanks for leaders of our state, nation, and the world.

May we remember that Thy Word reminds us that we are Your temple. Thou knowest the burden we each carry: sorrows, loneliness, physical and mental pain; thus we commit ourselves to Thee, the Great Physician of body, soul, and spirit.

As we desire to serve our constituents acceptably, we covet guidance and pray in the Name of the Prince of Peace. Amen.

The Pledge of Allegiance was led by Representative Kapsner.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 21st and 22nd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

A message dated February 10, 2003, was read stating the Senate has passed the following and it is transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE RESOLUTIONS

SJR 4

SENATE JOINT RESOLUTION NO. 4 by Senators Wagoner, Therriault, Seekins, Bunde, Wilken, Dyson, Davis, Olson, Stevens, Hoffman, Cowdery, Green, French, Taylor, and Ogan:

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, Alaska, to oil and gas exploration, development, and production.

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

REPORTS OF STANDING COMMITTEES

HB 12

The Judiciary Committee has considered:

HOUSE BILL NO. 12
"An Act relating to harassment."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 12(JUD)

"An Act relating to the crime of harassment committed by use of electronic communication."

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

Do pass (5): Holm, Anderson, Gruenberg, Coghill, McGuire

A House Judiciary Committee letter of intent for CSHB 12(JUD), signed by Representative McGuire, Chair, follows:

"It is the intent of the House Judiciary Committee that the term 'electronic communication,' as it is used in AS 11.61.120(a), amended by CSHB 12(JUD), means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by, but not limited to, the following forms of direct communication: electronic mail and text messages displayed by cellular, cordless, or digital telephones, or other electronic media. It is the intent of this committee to provide the most reasonable and common sense definition of 'electronic communication' as it pertains to methods of harassment. As computer technologies evolve, communication will advance as well. By declining to limit and narrowly define methods of 'electronic communication,' this body is allowing for future methods of technology to be incorporated into the definition."

The following fiscal note(s) apply to CSHB 12(JUD):

1. Zero, Dept. of Law
2. Zero, Dept. of Public Safety
3. Indeterminate, Dept. of Administration

HB 12 was referred to the Rules Committee for placement on the calendar.

HB 52

The State Affairs Committee has considered:

HOUSE BILL NO. 52

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

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

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

Amend (1): Berkowitz

The following fiscal note(s) apply:

1. Zero, Dept. of Administration
2. Zero, Dept. of Public Safety

HB 52 was referred to the Judiciary Committee.

HB 71

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 71

"An Act extending the termination date of the Board of Certified Direct-Entry Midwives."

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

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Community & Economic Development

HB 71 was referred to the Finance Committee.

HB 73

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 73

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

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

Do pass (6): Lynn, Gatto, Crawford, Guttenberg, Dahlstrom, Anderson

Amend (1): Rokeberg

The following fiscal note(s) apply:

1. Fiscal, Dept. of Community & Economic Development

HB 73 was referred to the Finance Committee.

HB 74

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 74

"An Act extending the termination date of the Board of Nursing."

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

Do pass (6): Lynn, Gatto, Crawford, Guttenberg, Dahlstrom, Anderson

Amend (1): Rokeberg

The following fiscal note(s) apply:

1. Fiscal, Dept. of Community & Economic Development

HB 74 was referred to the Finance Committee.

HB 79

The Community & Regional Affairs Committee has considered:

HOUSE BILL NO. 79

"An Act extending the termination date of the Alaska regional economic assistance program; and providing for an effective date."

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

Do pass (4): Kookesh, Wolf, Anderson, Morgan

No recommendation (2): Samuels, Chenault

The following fiscal note(s) apply:

1. Fiscal, Dept. of Community & Economic Development

HB 79 was referred to the Finance Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Great Land Trust, Fish Creek Land Acquisition
By Representative Berkowitz

Honoring - Mano Frey, Executive President of the Alaska AFL-CIO
By Representative Harris

Honoring - Bartlett High School Golden Bears Football Team
By Senator Davis

Honoring - Women in History Month
By Senator Davis

Honoring - Sharon Richards
By Senator Davis

In Memoriam - Emmitt L. Soldin
By Representative Rokeberg

In Memoriam - Alice E. Gross
By Senator Taylor; Representative Wilson

In Memoriam - Bill H. Chenault
By Senator Wagoner

The following citation was introduced and taken up later as a Special Order of Business:

Honoring - Alaska Heart Institute and Providence Hospital Cardiac Care Unit
By Senator Ogan

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

HB 35

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 35 by Representatives Stevens and Whitaker, entitled:

"An Act relating to the state alcoholic beverage tax for certain small domestic wine producers."

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

HB 91

HOUSE BILL NO. 91 by Representatives Anderson and Gara, entitled:

"An Act relating to a cost-of-living allowance and medical benefits for retired peace officers after 20 years of credited service."

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

HB 92

HOUSE BILL NO. 92 by Representatives Lynn, Wilson, Holm, Wolf, Kookesh, Stevens, and Heinze, entitled:

"An Act relating to reports by members of the clergy and custodians of clerical records who have reasonable cause to suspect that a child has suffered harm as a result of child abuse or neglect."

was read the first time and referred to the State Affairs and Health, Education & Social Services Committees.

HB 93

HOUSE BILL NO. 93 by Representative Weyhrauch, entitled:

"An Act relating to boating safety; repealing secs. 3, 5, 7, 9, 11, 14, 16, 18, 20, 23, 26, 27, and 30, ch. 28, SLA 2000; and providing for an effective date."

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

HB 94

HOUSE BILL NO. 94 by the House Transportation Committee by request, entitled:

"An Act exempting flight crew members of certain air carriers from overtime pay requirements."

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

HB 95

HOUSE BILL NO. 95 by the House Special Committee on Economic Development, International Trade, & Tourism, entitled:

"An Act relating to permits for aquatic farming of geoducks."

was read the first time and referred to the House Special Committee on Economic Development, International Trade, and Tourism, the House Special Committee on Fisheries, and the Finance Committee.

HB 96

HOUSE BILL NO. 96 by Representative Stevens, entitled:

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

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 58**

The following was read the second time:

HOUSE BILL NO. 58

"An Act relating to the reinstatement of Native corporations; and providing for an effective date."

with the:

Journal Page

CRA RPT 6DP	100
FN1: ZERO(CED)	100
L&C RPT 7DP	167
FN1: ZERO(CED)	167

Representative Coghill moved and asked unanimous consent that HB 58 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 58 was read the third time.

The question being: "Shall HB 58 pass the House?" The roll was taken with the following result:

HB 58
Third Reading
Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 2 ABSENT: 1

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

Excused: Croft, Joule

Absent: Kapsner

And so, HB 58 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 58 was referred to the Chief Clerk for engrossment.

**The presence of Representative Croft was noted.

HB 68

The following was read the second time:

HOUSE BILL NO. 68
"An Act relating to the office of victims' rights."

with the:	Journal Page
JUD RPT CS(JUD) NT 7DP	146
FN1: ZERO(LEG)	146

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. 68(JUD)

"An Act relating to the jurisdiction of the office of victims' rights."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 68(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 68(JUD) was read the third time.

The question being: "Shall CSHB 68(JUD) pass the House?" The roll was taken with the following result:

CSHB 68(JUD)

Third Reading

Final Passage

YEAS: 38 NAYS: 0 EXCUSED: 1 ABSENT: 1

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

Excused: Joule

Absent: Moses

And so, CSHB 68(JUD) passed the House and was referred to the Chief Clerk for engrossment.

THIRD READING OF HOUSE BILLS

HB 69

The following, which was advanced to third reading from the February 10, 2003, calendar (page 170), was read the third time:

HOUSE BILL NO. 69

"An Act relating to regulation of shallow natural gas leasing and closely related energy projects; and providing for an effective date."

Representative Kerttula moved and asked unanimous consent that HB 69 be returned to second reading for the specific purpose of considering Amendment No. 1.

Objection was heard.

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

Amendment No. 1 and Amendment No. 2 were not offered.

Representative Croft moved and asked unanimous consent that HB 69 be returned to second reading for the specific purpose of considering Amendment No. 3. There being no objection, it was so ordered.

Amendment No. 3 was offered by Representative Croft:

Page 1, line 4, following "***Section 1.**":

Insert "The uncodified law of the State of Alaska is amended by adding a new section to read:

LEGISLATIVE INTENT. It is the intent of the legislature that

(1) The Alaska Oil and Gas Conservation Commission adopt regulations that address the oversight, under AS 31.05, of shallow natural gas or coal bed methane exploration and development activities on leases authorized by AS 38.05.177 or by other law; the commissions' regulations must be reasonable and appropriate to the recovery of the gas described in AS 38.05.177(a); and

(2) the provisions of sec. 3 of this Act apply to allow for a temporary accommodation for the treatment of shallow natural gas exploration and development activities during the time necessary to propose and adopt those regulations.

* **Sec. 2.** AS 31.05.030(f) is amended to read:

(f) The commission

(1) shall adopt regulations to oversee shallow natural gas exploration and development activities; the

regulations must be reasonable and appropriate to the recovery of the gas described in AS 38.05.177; and

(2) may classify wells as oil or gas wells for purposes material to the interpretation or enforcement of this chapter.

* Sec. 3"

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

Representative Kohring objected.

The Speaker stated that, without objection, the House would recess until noon; and so, the House recessed at 11:36 a.m.

AFTER RECESS

The Speaker called the House back to order at 12:07 p.m.

**The presence of Representative Joule was noted.

THIRD READING OF HOUSE BILLS

(Continued)

HB 69

HB 69 was before the House with Amendment No. 3 moved and pending.

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

HB 69

Second Reading

Amendment No. 3

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

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

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

Absent: Kookesh, Moses

And so, Amendment No. 3 was not adopted.

HB 69 was read again.

The question being: "Shall HB 69 pass the House?" The roll was taken with the following result:

HB 69

Third Reading

Final Passage

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

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

Absent: Kookesh, Moses

And so, HB 69 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 Kohring gave notice of reconsideration of the vote on HB 69.

RECONSIDERATION**HB 69**

Representative Kohring moved and asked unanimous consent that the reconsideration of HB 69 be taken up on the same day. There being no objection, it was so ordered.

HB 69 was again before the House in third reading.

The question to be reconsidered: "Shall HB 69 pass the House?" The roll was taken with the following result:

HB 69--RECONSIDERATION

Third Reading

Final Passage

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

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

Absent: Kookesh, Morgan, Moses

And so, HB 69 passed the House on reconsideration.

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

HB 69 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 - Ross Baker, Outstanding Acts of Individual Heroism

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

In Memoriam - Jeannette Sachs Ballard

By Senator Taylor; Representatives, Kott, Anderson, Berkowitz, Chenault, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Kapsner, Kerttula, Kookesh, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stevens, Stoltze, Williams, Wilson, Wolf

In Memoriam - Nina von Imhof

By Senator Bunde; Representatives Hawker, Kott, Anderson, Berkowitz, Chenault, Coghill, Crawford, Croft, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Heinze, Holm, Kapsner, Kerttula, Kookesh, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stevens, Stoltze, Williams, Wolf

* * * * *

The Speaker stated that, without objection, the House would revert to Messages from the Governor.

Representative Berkowitz objected.

The question being: "Shall the House revert to Messages from the Governor?" The roll was taken with the following result:

Revert to Messages from the Governor

YEAS: 25 NAYS: 8 EXCUSED: 0 ABSENT: 7

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

Nays: Berkowitz, Crawford, Croft, Gara, Guttenberg, Joule, Kapsner, Kerttula

Absent: Cissna, Gruenberg, Kookesh, McGuire, Meyer, Morgan, Moses

And so, lacking the necessary 27 votes, the motion failed.

Representative Berkowitz moved and asked unanimous consent that the House revert to Introduction of Guests. There being no objection, it was so ordered.

The Speaker indicated that Messages from the Governor were in order.

MESSAGES FROM THE GOVERNOR

EXECUTIVE ORDERS

EO 106

EXECUTIVE ORDER NO. 106:

Transferring the Alaska Coastal Policy Council from the Office of the Governor to the Department of Natural Resources.

was read the first time.

The Governor's transmittal letter dated February 10, 2003, follows:

"Dear Speaker Kott:

Under the authority of art. III, sec. 23, of the Alaska Constitution, I am transmitting an Executive Order transferring the Alaska Coastal Policy Council and the functions of the office of coastal management to the Department of Natural Resources.

The Alaska Coastal Policy Council (CPC) develops and oversees the Alaska coastal management program (ACMP). The office of coastal management (office) is the lead agency for coordinating the ACMP and serves as staff to the CPC. The office is currently part of the office of management and budget and is known administratively as the division of governmental coordination. Both the office and the CPC are located in the Office of the Governor.

I believe that in the interest of efficient administration, it is appropriate to relocate the CPC and the functions of the office to the Department of Natural Resources. My intent is to establish a project office that will coordinate and streamline the state review of development activities throughout Alaska. The Department of Natural Resources would assume the functions of the office and would act as the designated state agency to receive and administer federal grants for implementing the ACMP and rendering, on behalf of the state, all federal consistency determinations and certifications, and multi-agency state consistency determinations.

Sincerely,
/s/
Frank H. Murkowski
Governor"

The Speaker referred EO 106 to the State Affairs and Resources Committees.

Representative Berkowitz objected to the acceptance and committee referrals of EO 106.

The Speaker ruled that EO 106 has been legally and appropriately accepted and subsequently referred to committees.

Objection to the ruling of the Chair was maintained.

The question being: "Shall the House uphold the ruling of the Chair that E0 106 be accepted and referred to the State Affairs and Resources Committees?" The roll was taken with the following result:

Executive Order No. 106

Uphold Ruling of the Chair - Accept and Refer to Committees

YEAS: 26 NAYS: 9 EXCUSED: 0 ABSENT: 5

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

Nays: Berkowitz, Cissna, Crawford, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula

Absent: Croft, Kookesh, Meyer, Morgan, Moses

And so, the motion passed and EO 106 was referred to the State Affairs and Resources Committees concurrently.

EO 107

EXECUTIVE ORDER NO. 107:

Transferring certain functions relating to the protection of fish habitat in rivers, lakes, and streams of the state, and related functions regarding fish and game protection, from the Department of Fish and Game to a deputy commissioner of natural resources.

was read the first time.

The Governor's transmittal letter dated February 10, 2003, follows:

"Dear Speaker Kott:

Under the authority of art. III, sec. 23, of the Alaska Constitution, I am transmitting an Executive Order transferring certain functions relating to the protection of fish habitat from the Department of Fish and Game to the Department of Natural Resources (DNR).

Currently, the division of habitat and restoration in the Department of Fish and Game oversees the requirements of AS 16.05.840, relating to maintaining fish passage whenever a stream frequented by fish is obstructed. The same division oversees the permitting function laid out in AS 16.05.870, which ensures the protection of water bodies important for anadromous fish. To better coordinate these complex and important functions with the management of our state's resources, it makes sense to transfer them to the DNR under the supervision of a deputy commissioner of that department. I envision that the expert staff needed to carry out these functions will join the DNR.

Because this function now will reside in the DNR, the important consultative role of the Department of Fish and Game under the Forest

Resources and Practices Act (AS 41.17) (Act) also must be moved to the DNR; the Executive Order assigns that role to the same DNR deputy commissioner. At the same time, the role currently assigned to the commissioner of natural resources in the Act is transferred to the state forester in the division of forestry, preserving the balance between forest stewardship and stream preservation that the legislature envisioned.

These changes will help us achieve efficient, fair, and balanced review of projects that seek to tap our state's natural resources.

Sincerely,
/s/
Frank H. Murkowski
Governor"

Representative Berkowitz objected.

The Speaker ruled that EO 107 has been legally accepted and referred it to the State Affairs and Resources Committees and the House Special Committee on Fisheries.

Objection to the ruling of the Chair was maintained.

The question being: "Shall the House uphold the ruling of the Chair that E0 107 be accepted and referred to the State Affairs and Resources Committees and the House Special Committee on Fisheries?" The roll was taken with the following result:

Executive Order No. 107

Uphold Ruling of the Chair - Accept and Refer to Committees

YEAS: 26 NAYS: 9 EXCUSED: 0 ABSENT: 5

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

Nays: Berkowitz, Cissna, Crawford, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula

Absent: Croft, Kookesh, Meyer, Morgan, Moses

And so, the motion passed and EO 107 was referred to the State Affairs and Resources Committees and the House Special Committee on Fisheries concurrently.

UNFINISHED BUSINESS

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

Representative Fate - from 9:00 a.m., February 13 to 10:00 p.m., February 17, 2003

Representative Gara - from 7:00 a.m., February 15 to 11:00 p.m., February 17, 2003

Representative Harris - from 7:00 a.m., February 15 to 11:00 p.m., February 17, 2003

Representative Kott - from 7:00 a.m., February 15 to 11:00 p.m., February 17, 2003

Representative Kohring - from 7:00 a.m., February 13 to 11:00 p.m., February 14, 2003

Representative Kookesh - from 7:00 a.m., February 14 to 10:00 a.m., February 15, 2003

Representative Williams - from 9:00 a.m., February 14 to 1:00 p.m., February 18, 2003

Representative Holm - from noon, February 21 to 11:00 a.m., February 24; 2003; and from noon, February 28 to 11:00 a.m., March 3, 2003

Representative Dahlstrom - from 7:00 a.m., February 14 to 11:00 p.m., February 17, 2003 (amended from page 171)

SPECIAL ORDER OF BUSINESS

Representative Coghill moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - Alaska Heart Institute and Providence Hospital Cardiac Care Unit, be taken up as a Special Order of Business at this time. There being no objection, it was so ordered.

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

Honoring - Alaska Heart Institute and Providence Hospital Cardiac Care Unit

By Senator Ogan; Representatives 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, Rokeberg, Samuels, Seaton, Stevens, Stoltze, Whitaker, Williams, Wilson, Wolf

UNFINISHED BUSINESS**HB 9**

Representative Crawford added his name as cosponsor to:

HOUSE BILL NO. 9

"An Act relating to the registration of individuals who perform home inspections; relating to regulation of contractors; relating to registration fees for specialty contractors, home inspectors, and associate home inspectors; relating to home inspection requirements for residential loans purchased or approved by the Alaska Housing Finance Corporation; relating to civil actions by and against home inspectors and to civil actions arising from residential unit inspections; and providing for an effective date."

HB 12

Representative McGuire added her name as cosponsor to:

HOUSE BILL NO. 12
"An Act relating to harassment."

HB 21

Representative Heinze added her name as cosponsor to:

HOUSE BILL NO. 21
"An Act relating to an optional group of persons eligible for medical assistance who require treatment for breast or cervical cancer."

HB 36

Representatives Heinze, Meyer, Moses, Kookesh, Croft, Crawford, Guttenberg, Stevens, Cissna, McGuire, Kapsner, Gruenberg, Wilson, Lynn, and Weyhrauch added their names as cosponsors to:

HOUSE BILL NO. 36
"An Act relating to electronic mail activities and making certain electronic mail activities unfair methods of competition or unfair or deceptive acts or practices under the Act enumerating unfair trade practices and consumer protections."

HB 44

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 44
"An Act relating to the use of headlights when operating a motor vehicle."

HB 49

Representatives Lynn, Kookesh, Wolf, and Wilson added their names as cosponsors to:

HOUSE BILL NO. 49
"An Act relating to the DNA identification registration system; and providing for an effective date."

HB 58

Representatives Stevens, McGuire, Moses, Rokeberg, and Weyhrauch added their names as cosponsors to:

HOUSE BILL NO. 58

"An Act relating to the reinstatement of Native corporations; and providing for an effective date."

HB 66

Representative Wolf added his name as cosponsor to:

HOUSE BILL NO. 66

"An Act relating to certain persons who buy and sell secondhand articles, to certain persons who lend money on secondhand articles, and to certain persons who seek or receive loans on secondhand articles."

HB 68

Representatives Foster, Wolf, Wilson, Dahlstrom, and Kerttula added their names as cosponsors to:

CS FOR HOUSE BILL NO. 68(JUD)

"An Act relating to the jurisdiction of the office of victims' rights."

HB 69

Representatives Croft and Dahlstrom added their names as cosponsors to:

HOUSE BILL NO. 69

"An Act relating to regulation of shallow natural gas leasing and closely related energy projects; and providing for an effective date."

HB 73

Representative Guttenberg added his name as cosponsor to:

HOUSE BILL NO. 73

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

HB 74

Representative Guttenberg added his name as cosponsor to:

HOUSE BILL NO. 74

"An Act extending the termination date of the Board of Nursing."

HB 82

Representatives Anderson, Dahlstrom, Crawford, Guttenberg, and Lynn added their names as cosponsors to:

HOUSE BILL NO. 82

"An Act making certain activities related to commercial electronic mail unlawful as unfair methods of competition or unfair or deceptive acts or practices under the Act enumerating unfair trade practices and consumer protections."

HB 89

Representative Wolf added his name as cosponsor to:

HOUSE BILL NO. 89

"An Act relating to standards for chilling and delivery of commercially caught salmon; and providing for an effective date."

HB 90

Representative Wolf added his name as cosponsor to:

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."

SJR 4

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

SENATE JOINT RESOLUTION NO. 4

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, Alaska, to oil and gas exploration, development, and production.

ENGROSSMENT**HB 58**

HB 58 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 68

CSHB 68(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 69

HB 69 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 meeting today has been changed as indicated:

Judiciary Committee

CHANGED TO:

1:15 p.m., 2/12

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., February 14, 2003. There being no objection, the House adjourned at 1:09 p.m.

Suzi Lowell
Chief Clerk

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