

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Wednesday

April 9, 2003

Seventy-ninth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 10:08 a.m.

Roll call showed 36 members present. Representatives Croft, Moses, and Williams were absent and their presence was noted later.

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 presence of Representative Kohring was noted later.

The invocation was offered by the Chaplain, the Reverend Paul Beran of Resurrection Lutheran Church. Representative Heinze moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

I invite you to a time of prayer and reflection.

Gracious God, our Heavenly Father, we who are children of time come to You who are above time. You are from everlasting to everlasting; our days are numbered. The beauty of Your creation surrounds us. The gifts of Your bounty are entrusted to us. All thanks and praise be to You.

As we gather in these chambers of responsibility, liberate us from the nagging haunts of re-elections and all the temptations engendered. We humbly ask You to enable us to serve this day with great diligence, unquestioned integrity, wisdom beyond ourselves, and far-sighted vision. Thank You for the privilege of serving the people of Alaska in this way.

This I pray in the Name of Jesus who came not to be served but to serve. Amen.

The Pledge of Allegiance was led by Representative Harris.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 78th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

HB 16

A message dated April 7, 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. 16(FIN) am

"An Act amending, for purposes of the Alaska Stranded Gas Development Act, the standards applicable to determining whether a proposed new investment constitutes a qualified project, the standards used to determine whether a person or group qualifies as a project sponsor or project sponsor group, and the deadline for applications relating to the development of contracts for payments in lieu of taxes and for royalty adjustments that may be submitted for consideration, and modifying the conditions bearing on the use of independent contractors to evaluate applications or to develop contract terms; providing statements of intent for the Act relating to use of project labor agreements and to reopening of contracts; and providing for an effective date."

Chapter No. 4, SLA 2003

Effective Date: April 8, 2003

COMMUNICATIONS

The following was received:

Dept. of Community & Economic Development
Local Boundary Commission
Public Comment Meeting Transcripts
(Compact Disc) for
Unorganized Areas of Alaska that
Meet Borough Incorporation Standards
(House Journal page 243)

REPORTS OF STANDING COMMITTEES

HB 81

The State Affairs Committee has considered:

HOUSE BILL NO. 81

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 81(STA)

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

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

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

No recommendation (1): Holm

The following fiscal note(s) apply to CSHB 81(STA):

1. Zero, Dept. of Administration

HB 81 was referred to the Rules Committee for placement on the calendar.

**The presence of Representative Croft was noted.

HB 93

The State Affairs Committee has considered:

HOUSE BILL NO. 93

"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."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 93(TRA)

"An Act relating to boating safety, registration, and numbering; 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."

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

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

The following fiscal note(s) apply to CSHB 93(TRA):

1. Zero, Dept. of Natural Resources
2. Fiscal, Dept. of Administration

HB 93 was referred to the Rules Committee for placement on the calendar.

HB 161

The State Affairs Committee has considered:

HOUSE BILL NO. 161

"An Act allowing expenses of the correctional industries program that may be financed from the correctional industries fund to include the salaries and benefits of state employees."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 161(STA)

"An Act relating to the correctional industries program."

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

Do pass (2): Seaton, Dahlstrom

No recommendation (4): Gruenberg, Holm, Lynn, Weyhrauch

A House State Affairs Committee letter of intent for CSHB 161(STA), signed by Representative Weyhrauch, Chair, follows:

"The Legislature supports using the Correctional Industries Fund to pay for salaries and benefits of employees of the Correctional Industries Program. The Legislature supports the Program and has supported past funding by using general fund dollars. In the event that the Fund is unable to pay for the salary and benefit costs associated with the employees of the Program, then the Legislature will make every attempt to find alternative funding or return to funding through general funds."

The following fiscal note(s) apply to CSHB 161(STA):

1. Fiscal, Dept. of Corrections

HB 161 was referred to the Finance Committee.

HB 209

The Community & Regional Affairs Committee has considered:

HOUSE BILL NO. 209

"An Act relating to municipal property tax adjustments for property affected by a disaster."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 209(CRA)
(same title)

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

Do pass (7): Kott, Anderson, Samuels, Wolf, Kookesh, Cissna, Morgan

The following fiscal note(s) apply to CSHB 209(CRA):

1. Zero, Dept. of Community & Economic Development

HB 209 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 - Noorvik Bears, Class 1A Boys State Basketball Champions
By Representative Joule; Senator Olson

In Memoriam - Barbara Ann (Blatchford) Barnes
By Representative Joule

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 254

HOUSE BILL NO. 254 by Representative Berkowitz, entitled:

"An Act directing the Alaska Police Standards Council to determine the number of police officers needed for various purposes; and providing for an effective date."

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

**The presence of Representative Moses was noted.

HB 255

HOUSE BILL NO. 255 by Representative Rokeberg, entitled:

"An Act amending the Alaska Wage and Hour Act as it relates to flexible work hour plans, the provision of training wages, and the definitions of certain terms; and repealing the exemption in the Act from the payment of minimum wages for learners."

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 76

The Speaker stated that, without objection, the following which was on the April 8, 2003, calendar (page 857) would be moved to the bottom of the 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."

HOUSE BILLS IN SECOND READING

HB 75

The following, which was on the April 8, 2003, calendar in second reading (page 857), was again before the House:

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

"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."

Amendment No. 10 was offered by Representative Kerttula:

Page 11, following line 6, insert new material to read:

"Alyeska Central School"

Under Appropriation Items:
Insert: **"4,338,900"**

Under Other Funds:
Insert: **"4,338,900"**

"Alyeska Central School"

Under Allocations:
Insert "4,338,900"

Representative Kerttula moved and asked unanimous consent that Amendment No. 10 be adopted.

Representative Meyer objected.

**The presence of Representative Williams was noted.

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

The question being: "Shall Amendment No. 10 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN)
Second Reading
Amendment No. 10

YEAS: 13 NAYS: 24 EXCUSED: 1 ABSENT: 2

Yea: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kookesh, Moses, Weyhrauch

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

Excused: Kohring

Absent: McGuire, Rokeberg

And so, Amendment No. 10 was not adopted.

Amendment No. 11 was offered by Representative Crawford:

Page 10, line 14:

Under Appropriation Items:

Delete "**680,508,300**"

Insert "**681,008,300**"

Under General Funds:

Delete "**647,135,400**"

Insert "**647,635,400**"

Page 10, following line 18, insert new material to read:

"Community Schools"

Under Allocations:

Insert "500,000"

Representative Crawford moved and asked unanimous consent that Amendment No. 11 be adopted.

Representative Meyer objected.

The question being: "Shall Amendment No. 11 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN)

Second Reading

Amendment No. 11

YEAS: 14 NAYS: 23 EXCUSED: 1 ABSENT: 2

Yea: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Joule, Kapsner, Kerttula, Kookesh, Masek, McGuire, Moses

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

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Excused: Kohring

Absent: Anderson, Harris

And so, Amendment No. 11 was not adopted.

Amendment No. 12 was offered by Representative Kapsner:

Page 54, line 22, following "DEVELOPMENT.":

Insert "(a)"

Page 55, following line 1:

Insert a new subsection to read:

"(b) The sum of \$2,225,000 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 Kapsner moved and asked unanimous consent that Amendment No. 12 be adopted.

Representative Meyer objected.

The question being: "Shall Amendment No. 12 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN)

Second Reading

Amendment No. 12

YEAS: 12 NAYS: 27 EXCUSED: 1 ABSENT: 0

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

Nay: 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

And so, Amendment No. 12 was not adopted.

Amendment No. 13 was offered by Representative Croft:

Page 65, following line 26:

Insert new subsections to read:

"(d) The amount equal to the amount appropriated from the general fund for state aid to public schools under AS 14.17 (also known as the foundation program) for the fiscal year ending June 30, 2004, is appropriated from the budget reserve fund (art. IX, sec. 17, Constitution of the State of Alaska) to the Department of Education and Early Development for state aid to public schools under AS 14.17 for the fiscal year ending June 30, 2005.

(e) The amount equal to five percent of the amount appropriated from the general fund for state aid to public schools under AS 14.17 (also known as the foundation program) for the fiscal year ending June 30, 2004, is appropriated from the budget reserve fund (art. IX, sec. 17, Constitution of the State of Alaska) to the Department of Education and Early Development for the fiscal year ending June 30, 2005, for payment as grants for supplemental aid to public education to school districts based on the school district's adjusted average daily membership to pay for instructional programs.

(f) The amount equal to 105 percent of the governor's funding request proposed in SSHB 75 (Twenty-Third Alaska State Legislature) for general fund and general fund match appropriations for the University of Alaska for the fiscal year ending June 30, 2004, is appropriated from the budget reserve fund (art. IX, sec. 17, Constitution of the State of Alaska) to the University of Alaska for operations for the fiscal year ending June 30, 2005."

Reletter the following subsection accordingly.

Page 65, line 27:

Delete "(a) - (c)"

Insert "(a) - (f)"

Representative Croft moved and asked unanimous consent that Amendment No. 13 be adopted.

Representative Harris objected.

The question being: "Shall Amendment No. 13 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN)
Second Reading
Amendment No. 13

YEAS: 12 NAYS: 27 EXCUSED: 1 ABSENT: 0

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

Nay: 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

And so, Amendment No. 13 was not adopted.

Amendment No. 14 was offered by Representative Gruenberg:

Page 36, line 31:

Under Appropriation Items:
Delete "23,224,900"
Insert "23,236,900"

Under General Funds:

Delete "22,599,200"
Insert "22,611,200"

Page 37, line 6:

Under Allocations:
Delete "141,700"
Insert "153,700"

Representative Gruenberg moved and asked unanimous consent that Amendment No. 14 be adopted.

Representative Harris objected and withdrew the objection.

There being no further objection, Amendment No. 14 was adopted.

Amendment No. 15 was offered by Representative Cissna:

Page 15, line 32:

Under Appropriation Items:
Delete "**126,680,500**"
Insert "**127,930,600**"

Under General Funds:

Delete "**21,716,300**"
Insert "**22,966,400**"

Page 16, line 12:

Under Allocations:
Delete "16,419,000"
Insert "17,102,400"

Page 16, line 21:

Under Allocations:
Delete "2,039,100"
Insert "2,505,600"

Page 16, line 25:

Under Allocations:
Delete "129,200"
Insert "229,400"

Page 16, line 28:

Under Appropriation Items:
Delete "**128,656,600**"
Insert "**129,002,700**"

Under General Funds:

Delete "**43,280,100**"
Insert "**43,626,200**"

Page 17, line 3:

Under Allocations:

Delete "9,555,500"

Insert "9,826,100"

Page 17, line 17:

Under Allocations:

Delete "426,800"

Insert "502,300"

Page 18, line 32:

Under Appropriation Items:

Delete "**247,632,100**"

Insert "**248,715,500**"

Under General Funds:

Delete "**116,807,400**"

Insert "**117,890,800**"

Page 19, line 11:

Under Allocations:

Delete "3,153,200"

Insert "4,236,600"

Page 19, line 23:

Under Appropriation Items:

Delete "**205,447,500**"

Insert "**207,242,200**"

Under General Funds:

Delete "**84,786,600**"

Insert "**86,581,300**"

Page 20, line 6:

Under Allocations:

Delete "837,500"

Insert "2,632,200"

Representative Cissna moved and asked unanimous consent that Amendment No. 15 be adopted.

Representative Hawker objected.

The question being: "Shall Amendment No. 15 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN) am
Second Reading
Amendment No. 15

YEAS: 11 NAYS: 26 EXCUSED: 1 ABSENT: 2

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

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

Excused: Kohring

Absent: McGuire, Moses

And so, Amendment No. 15 was not adopted.

Amendment No. 16 was offered by Representative Cissna:

Page 16, line 28:

Under Appropriation Items:
Delete "**128,656,600**"
Insert "**130,156,600**"

Under General Funds:

Delete "**43,280,100**"
Insert "**44,780,100**"

Page 16, line 33:

Under Allocations:
Delete "25,557,300"
Insert "27,057,300"

Representative Cissna moved and asked unanimous consent that Amendment No. 16 be adopted.

Representative Hawker objected.

The question being: "Shall Amendment No. 16 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN) am
Second Reading
Amendment No. 16

YEAS: 11 NAYS: 26 EXCUSED: 1 ABSENT: 2

Yea: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Joule, Kerttula, Kookesh, Moses

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

Excused: Kohring

Absent: Kapsner, McGuire

And so, Amendment No. 16 was not adopted.

The Speaker stated that, without objection, the House would recess until 7:00 p.m.; and so, the House recessed at 12:56 p.m.

AFTER RECESS

The Speaker called the House back to order at 7:13 p.m.

HOUSE BILLS IN SECOND READING

(Continued)

HB 75

The following was before the House in second reading:

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

"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."

Amendment No. 17 was offered by Representative Croft:

Page 5, line 26:

Under Allocations:

Delete "9,641,400"

Insert "12,855,200"

Page 5, line 30:

Under Allocations:

Delete "12,581,600"

Insert "16,775,500"

Representative Croft moved and asked unanimous consent that Amendment No. 17 be adopted.

Representative Whitaker objected.

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

The question being: "Shall Amendment No. 17 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN) am

Second Reading

Amendment No. 17

YEAS: 11 NAYS: 27 EXCUSED: 1 ABSENT: 1

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

Nay: 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

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Excused: Kohring

Absent: Moses

And so, Amendment No. 17 was not adopted.

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

Amendment No. 18 was offered by Representative Berkowitz:

Page 62, line 2:

Delete "33,995,900"
Insert "40,598,300"

Page 62, line 13:

Delete "59,421,700"
Insert "66,024,100"

Page 62, line 16:

Delete "30,821,700"
Insert "37,424,100"

Representative Berkowitz moved and asked unanimous consent that Amendment No. 18 be adopted.

Representative Meyer objected.

The question being: "Shall Amendment No. 18 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN) am
Second Reading
Amendment No. 18

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

Yea: 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. 18 was not adopted.

Amendment No. 19 was offered by Representative Guttenberg:

Page 35, line 14:

Under Appropriation Items:
Delete "**631,177,300**"
Insert "**638,077,300**"

Under General Funds:

Delete "**205,614,200**"
Insert "**212,514,200**"

Page 35, line 15:

Under Allocations:
Delete "45,716,300"
Insert "52,616,300"

Page 60, line 11:

Delete "amounts"
Insert "\$6,900,000 for the fiscal year ending June 30, 2004."

Page 61, line 5, following "in":

Insert "(a) or"

Representative Guttenberg moved and asked unanimous consent that Amendment No. 19 be adopted.

Representative Harris objected.

The question being: "Shall Amendment No. 19 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN) am
Second Reading
Amendment No. 19

YEAS: 10 NAYS: 23 EXCUSED: 2 ABSENT: 5

Yea: Berkowitz, Cissna, Croft, Gara, Gruenberg, Guttenberg, Heinze, Joule, Kerttula, Kookesh

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

Excused: Kohring, Moses

Absent: Anderson, Crawford, Dahlstrom, Kapsner, Masek

And so, Amendment No. 19 was not adopted.

Amendment No. 20 was offered by Representative Crawford:

Page 31, line 17:

Under Appropriation Items:
Delete "**150,000**"
Insert "**1,300,000**"

Under General Funds:

Delete "**150,000**"
Insert "**1,300,000**"

Page 31, line 19:

Under Allocations:
Delete "150,000"
Insert "1,300,000"

Representative Crawford moved and asked unanimous consent that Amendment No. 20 be adopted.

Representative Whitaker objected.

The question being: "Shall Amendment No. 20 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN) am
Second Reading
Amendment No. 20

YEAS: 11 NAYS: 26 EXCUSED: 2 ABSENT: 1

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

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

Excused: Kohring, Moses

Absent: Heinze

And so, Amendment No. 20 was not adopted.

Amendment No. 21 was offered by Representative Berkowitz:

Page 57, lines 10 - 12:
Delete all material.

Representative Berkowitz moved and asked unanimous consent that Amendment No. 21 be adopted.

Representative Williams objected.

The question being: "Shall Amendment No. 21 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN) am
Second Reading
Amendment No. 21

YEAS: 13 NAYS: 24 EXCUSED: 2 ABSENT: 1

Yea: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Heinze, Joule, Kapsner, Kerttula, Kookesh, McGuire

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

Excused: Kohring, Moses

Absent: Rokeberg

And so, Amendment No. 21 was not adopted.

Amendment No. 22 was offered by Representative Kerttula:

Page 17, lines 19 - 25:

Delete all material.

Page 20, lines 24 - 27:

Delete all material.

Representative Kerttula moved and asked unanimous consent that Amendment No. 22 be adopted.

Representative Hawker objected.

Representative Berkowitz placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall Amendment No. 22 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN) am

Second Reading

Amendment No. 22

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

Yea: 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. 22 was not adopted.

Amendment No. 23 was offered by Representative Gruenberg:

Page 20, line 23:

Under Appropriation Items:

Delete "**15,840,500**"

Insert "**16,166,500**"

Under Other Funds:

Delete "**11,749,500**"

Insert "**12,075,500**"

Page 20, line 29:

Under Allocations:

Delete "1,176,500"

Insert "1,502,500"

Representative Gruenberg moved and asked unanimous consent that Amendment No. 23 be adopted.

Representative Hawker objected.

The question being: "Shall Amendment No. 23 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN) am
Second Reading
Amendment No. 23

YEAS: 10 NAYS: 25 EXCUSED: 2 ABSENT: 3

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

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

Excused: Kohring, Moses

Absent: Anderson, Gara, Rokeberg

And so, Amendment No. 23 was not adopted.

Amendment No. 24 was offered by Representative Gruenberg:

Page 15, line 32:

Under Appropriation Items:

Delete "**126,680,500**"

Insert "**127,843,700**"

Under Other Funds:

Delete "**104,964,200**"

Insert "**106,127,400**"

Page 16, line 12:

Under Allocations:

Delete "16,419,000"

Insert "17,582,200"

Representative Gruenberg moved and asked unanimous consent that Amendment No. 24 be adopted.

Representative Hawker objected.

**The presence of Representative Kohring was noted.

The question being: "Shall Amendment No. 24 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN) am
Second Reading
Amendment No. 24

YEAS: 11 NAYS: 28 EXCUSED: 1 ABSENT: 0

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

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

Excused: Moses

And so, Amendment No. 24 was not adopted.

Amendment No. 25 was offered by Representative Gruenberg:

Page 15, line 32:

Under Appropriation Items:
Delete "**126,680,500**"
Insert "**127,905,500**"

Under Other Funds:

Delete "**104,964,200**"
Insert "**106,189,200**"

Page 16, line 12:

Under Allocations:
Delete "16,419,000"
Insert "17,644,000"

Representative Gruenberg moved and asked unanimous consent that
Amendment No. 25 be adopted.

Representative Hawker objected.

The question being: "Shall Amendment No. 25 be adopted?" The roll
was taken with the following result:

CSSSHB 75(FIN) am
Second Reading
Amendment No. 25

YEAS: 11 NAYS: 28 EXCUSED: 1 ABSENT: 0

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

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

Excused: Moses

And so, Amendment No. 25 was not adopted.

Amendment No. 26 was offered by Representative Gara:

Page 15, line 28:

Under Appropriation Items:
Delete "**26,527,200**"
Insert "**28,127,200**"

Under General Funds:

Delete "**13,425,700**"
Insert "**15,025,700**"

Page 15, line 31:

Under Allocations:
Delete "25,163,100"
Insert "26,763,100"

Representative Gara moved and asked unanimous consent that Amendment No. 26 be adopted.

Representative Chenault objected.

Representatives Kerttula and Harris 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. 26 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN) am
Second Reading
Amendment No. 26

YEAS: 11 NAYS: 27 EXCUSED: 1 ABSENT: 1

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

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

Excused: Moses

Absent: Gatto

And so, Amendment No. 26 was not adopted.

Amendment No. 27 was not offered.

Amendment No. 28 was not offered.

Amendment No. 29 was offered by Representative Cissna:

Page 25, line 14:

Under Appropriation Items:
Delete "**646,000**"
Insert "**683,000**"

Under General Funds:

Delete "**646,000**"
Insert "**683,000**"

Page 25, line 15:

Under Allocations:

Delete "646,000"

Insert "683,000"

Representative Cissna moved and asked unanimous consent that Amendment No. 29 be adopted.

Objection was heard.

The question being: "Shall Amendment No. 29 be adopted?" The roll was taken with the following result:

CSSSHB 75(FIN) am

Second Reading

Amendment No. 29

YEAS: 10 NAYS: 24 EXCUSED: 1 ABSENT: 5

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

Nay: Coghill, Dahlstrom, Fate, Foster, Harris, Hawker, Heinze, Holm, Kohring, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Whitaker, Williams, Wilson, Wolf

Excused: Moses

Absent: Anderson, Chenault, Gatto, Kookesh, Weyhrauch

And so, Amendment No. 29 was not adopted.

Amendment No. 30 was offered by Representatives Williams, Foster, and Morgan:

Page 58, line 6, through page 59, line 9:

Delete all material.

Renumber the following bill sections accordingly.

Page 59, lines 28 - 30:

Delete all material and insert:

/* Sec. 24. POWER COST EQUALIZATION. The amount necessary to provide the sum appropriated to the power cost equalization and rural electric capitalization fund (AS 42.45.100) by sec. 1 of this Act, after other appropriations made to that fund during the fiscal year ending June 30, 2004, are taken into account, is appropriated from the power cost equalization endowment fund (AS 42.45.070) to the power cost equalization and rural electric capitalization fund. However, in accordance with AS 42.45.085(a), the amount appropriated by this section may not exceed seven percent of the market value of the power cost equalization endowment fund, determined by the commissioner of revenue to be \$12,620,334.26, minus amounts appropriated during the fiscal year ending June 30, 2004, for reimbursement of the costs set out in AS 42.45.085(a)(2) and (3)."

Page 65, lines 30 - 31:

Delete "25, 30(c), 30(i), 30(j), 30(k), 30(l), 30(m), 30(n), 30(o), and 31"

Insert "29(c), 29(i), 29(j), 29(k), 29(l), 29(m), 29(n), 29(o), and 30"

Representative Williams moved and asked unanimous consent that Amendment No. 30 be adopted. There being no objection, it was so ordered.

Amendment No. 31 was offered by Representatives McGuire and Harris:

Page 5, line 21:

Under Appropriation Items:

Delete "**10,695,500**"

Insert "**10,945,500**"

Under General Funds:

Delete "**4,720,400**"

Insert "**4,970,400**"

Page 5, line 24:

Under Allocations:

Delete "2,255,900"

Insert "2,505,900"

Representative McGuire moved and asked unanimous consent that Amendment No. 31 be adopted. There being no objection, it was so ordered.

Amendment No. 32 was not offered.

Representative Coghill moved and asked unanimous consent that CSSSHB 75(FIN) am be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that CSSSHB 75(FIN) am will be in third reading on tomorrow's calendar.

SECOND READING OF HOUSE BILLS

HB 76

The following, which had been moved to the bottom of the calendar (page 869), was read the second time:

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."

with the:

Journal Page

FIN RPT CS(FIN) 7DP 3NR

813

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.
76(FIN)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Kapsner:

Page 10, following line 12, insert new material to read:

"MH Deferred Maintenance and Accessibility
Improvements (ED 99)
Under Appropriation Items:
Insert: "333,300"

Under Other Funds:
Insert: "333,300"

MH Essential Program Equipment Grants to
Service Providers (ED 99)
Under Appropriation Items:
Insert: "250,000"

Under Other Funds:
Insert: "250,000"

MH Adult Day Facility Modifications (ED 99)
Under Appropriation Items:
Insert: "125,000"

Under Other Funds:
Insert: "125,000"

MH Integrating Cultural Resources into ADRD
Programs and Environments (ED 99)
Under Appropriation Items:
Insert: "87,500"

Under Other Funds:
Insert: "87,500"

MH Vehicle and Housing Modifications for Families or Individuals (ED 99)

Under Appropriation Items:

Insert: "300,000"

Under Other Funds:

Insert: "300,000"

MH Safe Harbor Addition (ED 0)

Under Appropriation Items:

Insert: "300,000"

Under Other Funds:

Insert: "300,000"

MH Repair and Replacement of Village-Based Counselors' Offices (ED 99)

Under Appropriation Items:

Insert: "75,000"

Under Other Funds:

Insert: "75,000"

MH Replacement of Rural Community Mental Health Centers (ED 99)

Under Appropriation Items:

Insert: "250,000"

Under Other Funds:

Insert: "250,000"

MH Consumer Designed and Managed Projects (ED 99)

Under Appropriation Items:

Insert: "131,300"

Under Other Funds:

Insert: "131,300"

MH Micro Enterprise Funds (ED 99)

Under Appropriation Items:

Insert: "75,000"

Under Other Funds:

Insert: "75,000"

MH Provider Resource Sharing and
Coordination (ED 99)

Under Appropriation Items:

Insert: "150,000"

Under Other Funds:

Insert: "150,000"

MH Transitional Housing (ED 99)

Under Appropriation Items:

Insert: "1,000,000"

Under Other Funds:

Insert: "1,000,000"

MH Fairbanks Detoxification Unit Expansion and
Renovation (ED 0)

Under Appropriation Items:

Insert: "1,000,000"

Under Other Funds:

Insert: "1,000,000"

MH Substance Abuse Treatment Facilities for
Women and Children (ED 99)

Under Appropriation Items:

Insert: "500,000"

Under Other Funds:

Insert: "500,000"

April 9, 2003

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* * * * * **Department of Natural Resources** * * * * *

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Mental Health Trust Land Development (ED 99)

Under Appropriation Items:

Insert: "600,000"

Under Other Funds:

Insert: "600,000"

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* * * * * **Department of Revenue** * * * * *

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AHFC Homeless Assistance Program (ED 99)

Under Appropriation Items:

Insert: "750,000"

Under Other Funds:

Insert: "750,000"

AHFC Beneficiary and Special Needs Housing (ED 99)

Under Appropriation Items:

Insert: "1,200,000"

Under Other Funds:

Insert: "1,200,000"

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* * * * * **Department of Transportation/Public Facilities** * * * * *

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Coordinated Transportation and Vehicles (ED 99)

Under Allocations:

Insert: "825,000"

Representative Kapsner 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 76(FIN)
Second Reading
Amendment No. 1

YEAS: 11 NAYS: 28 EXCUSED: 1 ABSENT: 0

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

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

Excused: Moses

And so, Amendment No. 1 was not adopted.

Representative Coghill moved and asked unanimous consent that CSSSHB 76(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that CSSSHB 76(FIN) will be in third reading on tomorrow's calendar.

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:

Commemorating - Law Enforcement Memorial Day, May 9, 2003
By Representatives Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kohring, Kookesh, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Honoring - Dimond High's Battle of the Books Winners

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

Honoring - Ralph W. Perdue

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

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, Kohring, 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, Kohring, 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, Kohring, 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, Kohring, 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, Kohring, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Rokeberg, Samuels, Seaton, Weyhrauch, Williams, Wilson, Wolf

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 Gara - from 7:00 p.m., April 11 to 2:00 p.m., plane time, April 14, 2003

Representative Fate - from 7:00 p.m., April 10 to morning plane time, April 14, 2003

Representative Holm - from 7:00 p.m., April 10 to morning plane time, April 14, 2003

Representative Williams - from 9:00 a.m., April 10 to 1:00 p.m., April 13, 2003

Representative Anderson - from 7:00 p.m., April 11 to 10:00 p.m., April 13, 2003

Representative Wilson - from 10:00 p.m., April 11 to 7:00 a.m., April 13, 2003

Representative Kookesh - from 7:00 a.m. to 7:00 p.m., April 10, 2003

Representative Guttenberg - from 6:00 p.m., April 10 to 9:00 p.m., April 21, 2003

SB 43

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

CS FOR SENATE BILL NO. 43(FIN)

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

CSSB 43(FIN) was removed from the Finance Committee and referred to the Rules Committee for placement on the calendar.

SJR 12

The Speaker added a House Special Committee on Fisheries referral to precede the Resources Committee referral for the following:

CS FOR SENATE JOINT RESOLUTION NO. 12(RES)

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

CSSJR 12(RES) was removed from the Resources Committee and referred to the House Special Committee on Fisheries.

HB 93

The Speaker added a Finance Committee referral for the following:

HOUSE BILL NO. 93

"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."

HB 93 was removed from the Rules Committee and referred to the Finance Committee.

HB 49

Representatives Foster, Williams, and Harris 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 86

Representative Heinze added her name as cosponsor to:

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."

HB 92

Representative Holm removed his name as cosponsor to:

HOUSE BILL NO. 92

"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."

HB 98

Representative Wolf added his name as cosponsor to:

HOUSE BILL NO. 98

"An Act relating to sport fishing seasons and areas for persons under 16 years of age."

HB 226

Representative Chenault added his name as cosponsor and Representative Wilson removed her name as cosponsor to:

HOUSE BILL NO. 226

"An Act relating to the sale, offer for sale, representation, and labeling of food or other agricultural products as organic, and to the state organic certification program; and providing for an effective date."

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 11:00 a.m., April 10, 2003. There being no objection, the House adjourned at 11:11 p.m.

Suzi Lowell
Chief Clerk