

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Wednesday

April 30, 2003

#### One Hundredth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 10:18 a.m.

Roll call showed 38 members present. Representative Weyhrauch was absent and his presence was noted later.

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

The invocation was offered by the Chaplain, Pastor Jimmie Woods of Glacier Valley Baptist Church. Representative Coghill moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

I respect and recognize that each of us has a different religious background and I invite you to join in your custom and habit that you choose. So, would you join me in prayer.

God, help us to be aware of the pain in the hearts of many in our state, some of whom are in these chambers today. It becomes difficult at times to be in touch with You because of our busy lifestyles and demands upon our time.

Yet, when we are aware of the pain in some hearts or when we truly face the complexity of issues overshadowing our responsibilities, we need Your mercy and Your grace.

Father, I pray You will guide our decisions today. I thank You in the name of our Lord Jesus Christ. Amen.

The Pledge of Allegiance was led by Representative Kookesh.

### MESSAGES FROM THE GOVERNOR

#### SB 74

A message dated April 29, 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 SENATE BILL NO. 74(RES) am  
"An Act extending the renewal period for oil discharge prevention and contingency plans; and providing for an effective date."

Chapter No. 12, SLA 2003  
Effective Date: April 30, 2003

### MESSAGES FROM THE SENATE

#### HB 75

A message dated April 29, 2003, was read stating the Senate has passed CSSSHB 75(FIN) am(brf sup maj fld) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR SS FOR HOUSE BILL NO.  
75(FIN)(brf sup maj fld S)  
"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; and providing for an effective date."

CSSSHB 75(FIN) am(brf sup maj fld) is under Unfinished Business.

#### HB 76

A message dated April 29, 2003, was read stating the Senate has passed CSSSHB 76(FIN) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR SS FOR HOUSE BILL NO. 76(FIN)  
am S

"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."

CSSSHB 76(FIN) is under Unfinished Business.

**HB 124**

A message dated April 29, 2003, was read stating the Senate has passed HB 124 with the following amendment and it is transmitted for consideration:

SENATE CS FOR HOUSE BILL NO. 124(TRA)

"An Act relating to commercial motor vehicle drivers and their employers and to railroad-highway grade crossings; and providing for an effective date."

HB 124 is under Unfinished Business.

**COMMUNICATIONS**

The following reports were received from:

Division of Legislative Audit  
Legislative Budget & Audit Committee  
Audit Reports  
(as required by AS 24.20.311)

Dept. of Community & Economic Development  
Division of Investments  
Commercial Fishing Revolving Loan Fund  
March 18, 2003

Dept. of Health & Social Services  
Division of Family and Youth Services  
Travel Issues  
March 4, 2003

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

**REPORTS OF STANDING COMMITTEES****HB 86**

The Judiciary 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."

and recommends it be replaced with:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.  
86(JUD)

"An Act relating to civil liability for malicious claims against state permitted projects; and providing for an effective date."

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

Do pass (2): Samuels, McGuire

No recommendation (4): Holm, Gara, Ogg, Gruenberg

The following fiscal note(s) apply to CSSSHB 86(JUD):

1. Zero, Dept. of Law

SSHB 86 was referred to the Rules Committee for placement on the calendar.

**HB 191**

The Resources Committee has considered:

HOUSE BILL NO. 191

"An Act relating to the Alaska coastal management program and to policies and procedures for consistency reviews and the rendering of consistency determinations under that program; relating to the functions of coastal resource service areas; creating an Alaska Coastal Program Evaluation Council; eliminating the Alaska Coastal Policy Council; annulling certain regulations

relating to the Alaska coastal management program; relating to actions based on private nuisance; relating to zoning within a third class borough covered by the Alaska coastal management program; and providing for effective dates."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 191(RES)

"An Act relating to the Alaska coastal management program and to policies and procedures for consistency reviews and the rendering of consistency determinations under that program; eliminating the Alaska Coastal Policy Council; annulling certain regulations relating to the Alaska coastal management program; and providing for an effective date."

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

Do pass (5): Heinze, Lynn, Wolf, Masek, Fate

Do not pass (2): Kerttula, Guttenberg

Amend (2): Morgan, Gatto

The following fiscal note(s) apply to CSHB 191(RES):

1. Zero, Dept. of Fish & Game
2. Zero, Dept. of Environmental Conservation
3. Fiscal, Dept. of Natural Resources

HB 191 was referred to the Judiciary Committee.

### **HB 260**

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 260

"An Act relating to immunity for free health care services provided by certain health care providers; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 260(L&C)  
(same title)

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

No recommendation (2): Lynn, Rokeberg

Amend (5): Gatto, Crawford, Guttenberg, Dahlstrom, Anderson

The following fiscal note(s) apply to CSHB 260(L&C):

1. Zero, Dept. of Community & Economic Development

HB 260 was referred to the Judiciary Committee.

**HB 266**

The Finance Committee has considered:

HOUSE BILL NO. 266

"An Act relating to elections, questioned ballots and questioned voters, voter registration, training of election officials, preparation of election materials, voter identification, absentee voting, counting ballots, and the primary election; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 266(FIN)

"An Act relating to questioned ballots and questioned voters, voter registration, training of election officials, preparation of election materials, provision of election materials, forms, and supplies for polling places, voter identification, absentee voting, and counting ballots; and providing for an effective date."

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

Do pass (7): Meyer, Hawker, Chenault, Whitaker, Foster, Harris, Williams

No recommendation (4): Stoltze, Joule, Croft, Moses

The following fiscal note(s) apply to CSHB 266(FIN):

1. Zero, Office of the Governor
2. Zero, Dept. of Administration

HB 266 was referred to the Rules Committee for placement on the calendar.

### **HB 280**

The Transportation Committee has considered:

#### HOUSE BILL NO. 280

"An Act relating to the regulation of commercial motor vehicles to avoid loss or withholding of federal highway money, and to out-of-service orders concerning commercial motor vehicles; amending Rule 43.1, Alaska Rules of Administration; and providing for an effective date."

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

Do pass (5): Ogg, Kookesh, Fate, Kohring, Masek

No recommendation (2): Kapsner, Holm

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

HB 280 was referred to the Finance Committee.

### **SB 25**

The Finance Committee has considered:

## CS FOR SENATE BILL NO. 25(FIN)

"An Act relating to the acquisition of teachers' housing by regional educational attendance areas and to teachers' housing loan programs in the Alaska Housing Finance Corporation; and providing for an effective date."

and recommends it be replaced with:

## HOUSE CS FOR CS FOR SENATE BILL NO. 25(HES)

"An Act relating to the acquisition of teachers' housing by regional educational attendance areas and to a teacher housing loan program and a teachers' and nurses' housing loan program in the Alaska Housing Finance Corporation; and providing for an effective date."

(HCR 17 - title change resolution)

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

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

No recommendation (2): Stoltze, Moses

The following fiscal note(s) apply to HCS CSSB 25(HES):

1. Zero, Dept. of Revenue

CSSB 25(FIN) was referred to the Rules Committee for placement on the calendar.

**REPORTS OF SPECIAL COMMITTEES****HB 246**

The House Special Committee on Oil & Gas has considered:

## HOUSE BILL NO. 246

"An Act relating to the limitation on upland acreage that a person may take or hold under oil and gas leases; and providing for an effective date."

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

Do pass (5): Holm, Kerttula, Crawford, Fate, Kohring

The following fiscal note(s) apply:

1. Indeterminate, Dept. of Natural Resources

HB 246 was referred to the Resources Committee.

### **INTRODUCTION OF CITATIONS**

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

Honoring - Senator Alan Austerman  
By Representative Ogg; Senator Gary Stevens

Honoring - Mark Sledge, 2003 National Military Fish and Wildlife Association Special Achievement Award  
By Representative Dahlstrom

The following citations were introduced and taken up later as a Special Order of Business:

Honoring - Gloria Fernandez, Woman of Distinction  
By Senator Wilken

In Memoriam - Captain Eric Bruce Das  
By Senator Cowdery

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

#### **HB 290**

HOUSE BILL NO. 290 by Representative Fate, entitled:

"An Act relating to voting on matters before the Alaska Oil and Gas Conservation Commission and to appeals from decisions of the commission; and providing for an effective date."

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

**HB 291**

HOUSE BILL NO. 291 by Representative Holm, entitled:

"An Act relating to school district cost factors; and providing for an effective date."

was read the first time and referred to the House Special Committee on Education and the Health, Education & Social Services Committee.

**HB 292**

HOUSE BILL NO. 292 by Representatives Dahlstrom and Lynn, entitled:

"An Act relating to information and services available to pregnant women and other persons; and ensuring informed consent before an abortion may be performed, except in cases of medical emergency."

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

**HB 293**

HOUSE BILL NO. 293 by the House Special Committee on Ways & Means, entitled:

"An Act levying and collecting a state sales and use tax; and providing for an effective date."

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

**CONSIDERATION OF THE DAILY CALENDAR****SECOND READING OF HOUSE BILLS****HB 61**

The following was read the second time:

## HOUSE BILL NO. 61

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

with the:	Journal Page
O&G RPT CS(O&G) NT 5DP 1AM	537
FN1: ZERO(DNR)	538
FN2: ZERO(REV)	538
RES RPT CS(RES) NT 5DP 2NR	704
FN1: ZERO(DNR)	705
FN2: ZERO(REV)	705
FIN RPT CS(FIN) NT 6DP 2NR	1149
FN1: ZERO(DNR)	1150
FN2: ZERO(REV)	1150

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. 61(FIN)

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

There being no objection, it was so ordered.

Amendment No. 1 was not offered.

HOUSE JOURNAL

1204

April 30, 2003

Representative Coghill moved and asked unanimous consent that CSHB 61(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSHB 61(FIN) will advance to third reading on tomorrow's calendar.

**HB 97**

The following was read the second time:

HOUSE BILL NO. 97

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

with the:	Journal Page
TRA RPT 5DP	462
FN1: ZERO(CED)	463
RES RPT 1DP 2DNP 6NR	706
FN1: ZERO(CED)	706
FIN RPT 5DP 4NR	1177
FN1: ZERO(CED)	1178

Amendment No. 1 was offered by Representative Gara:

Page 1, line 9:

Delete "in excess of 55"

Insert "of 75"

Page 1, line 10, following "lease.":

Insert "The corporation may not extend the period of the current contract for the lease of the property described in this section. If the current lessee of the property agrees to terminate the lease for the property, the corporation may, without reserving the right to terminate the lease, enter into a lease of the property for 75 years through a public bid process under the corporation's established leasing procedures. The current lessee of the property may bid for the 75-year lease of the property."

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

Representative Kohring objected.

Representative Gara placed a call of the House.

The Speaker stated the call was satisfied.

The Speaker lifted the call.

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

HB 97

Second Reading

Amendment No. 1

**YEAS: 13 NAYS: 20 EXCUSED: 1 ABSENT: 6**

Yeas: Anderson, Berkowitz, Cissna, Dahlstrom, Gara, Gruenberg, Guttenberg, Kerttula, Kott, Lynn, Masek, McGuire, Moses

Nays: Coghill, Crawford, Croft, Fate, Foster, Gatto, Harris, Hawker, Heinze, Holm, Kohring, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Wolf

Excused: Wilson

Absent: Chenault, Joule, Kapsner, Kookesh, Ogg, Williams

And so, Amendment No. 1 was not adopted.

Amendment No. 2 (title amendment) was offered by Representative Berkowitz:

Page 1, line 2, following "**Anchorage**"

Insert "**that is the subject of Alaska Railroad Contract No. 8371**"

Representative Berkowitz moved and asked unanimous consent that Amendment No. 2 be adopted. There being no objection, it was so ordered and the new title follows:

## HOUSE BILL NO. 97 am

"An Act authorizing a long-term lease of certain Alaska Railroad Corporation land at Anchorage that is the subject of Alaska Railroad Contract No. 8371; and providing for an effective date."

Amendment No. 3 was offered by Representatives Croft and Kohring:

Page 1, lines 9 and 13, following "years":

Insert "but not more than 75 years"

Representative Croft moved and asked unanimous consent that Amendment No. 3 be adopted. There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HB 97 am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 97 am was read the third time.

The question being: "Shall HB 97 am pass the House?" The roll was taken with the following result:

HB 97 am  
Third Reading  
Final Passage

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

Yeas: Anderson, Chenault, Cissna, Coghill, Crawford, Croft, Fate, Foster, Gatto, Gruenberg, Harris, Hawker, Heinze, Holm, Kapsner, Kohring, Kott, Lynn, McGuire, Meyer, Morgan, Moses, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Wolf

Nays: Berkowitz, Dahlstrom, Gara, Guttenberg, Kerttula, Masek

Excused: Wilson

Absent: Joule, Kookesh, Ogg, Williams

And so, HB 97 am passed the House.

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

The following letter of intent for HB 97 am was offered by Representatives Gruenberg, Dahlstrom, Kohring, and Gara:

"It is the intent of the legislature that the developer work with the Government Hill Community Council to resolve their problems concerning the project."

Representative Gruenberg moved and asked unanimous consent that the letter of intent be adopted. There being no objection, the House letter of intent was adopted.

HB 97 am was referred to the Chief Clerk for engrossment.

### **HB 102**

The following was read the second time:

HOUSE BILL NO. 102

"An Act relating to concealed deadly weapons."

with the:	Journal Page
STA RPT CS(STA) 3DP 3NR	960
FN1: ZERO(LAW)	960
JUD RPT CS(STA) 4DP 2NR	1088
FN1: ZERO(LAW)	1089

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. 102(STA)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 102(STA) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Cissna objected.

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

\*\*Representative Coghill moved and asked unanimous consent that Representatives Joule and Kookesh be excused from a call of the House until 1:30 p.m. today. There being no objection, it was so ordered.

The question being: "Shall CSHB 102(STA) advance to third reading on the same day?" The roll was taken with the following result:

CSHB 102(STA)  
Second Reading  
Advance to Third Reading on the Same Day

**YEAS: 33 NAYS: 4 EXCUSED: 3 ABSENT: 0**

Yeas: Anderson, Chenault, Coghill, Crawford, Croft, Dahlstrom, Fate, Foster, Gatto, Guttenberg, Harris, Hawker, Heinze, Holm, Kapsner, Kerttula, Kohring, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Moses, Ogg, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Williams, Wolf

Nays: Berkowitz, Cissna, Gara, Gruenberg

Excused: Joule, Kookesh, Wilson

And so, CSHB 102(STA) advanced to third reading.

CSHB 102(STA) was read the third time.

The question being: "Shall CSHB 102(STA) pass the House?" The roll was taken with the following result:

CSHB 102(STA)  
Third Reading  
Final Passage

**YEAS: 31 NAYS: 4 EXCUSED: 3 ABSENT: 2**

Yeas: Anderson, Chenault, Coghill, Crawford, Croft, Dahlstrom, Fate, Foster, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Kapsner, Kohring, Kott, Lynn, Masek, McGuire, Meyer, Morgan, Ogg, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Williams, Wolf

Nays: Berkowitz, Cissna, Gara, Kerttula

Excused: Joule, Kookesh, Wilson

Absent: Moses, Rokeberg

And so, CSHB 102(STA) passed the House.

Representative Masek gave notice of reconsideration of the vote on CSHB 102(STA).

### RECONSIDERATION

#### **HB 102**

Representative Masek moved and asked unanimous consent that reconsideration of CSHB 102(STA) be taken up on the same day.

Representative Cissna objected.

Representative Harris placed a call of the House.

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

Representative Harris lifted the call.

Representative Masek moved and asked unanimous consent to withdraw the motion to take up reconsideration on the same day. There being no objection, it was so ordered.

CSHB 102(STA) will be available for reconsideration on May 1, 2003.

**CONSIDERATION OF THE DAILY CALENDAR**  
(Continued)

**THIRD READING OF SENATE BILLS**

**SB 108**

The following, which was advanced to third reading from the April 29, 2003, calendar (page 1181), was read the third time:

HOUSE CS FOR SENATE BILL NO. 108(FIN)

"An Act relating to payment rates under the Medicaid program for health facilities and to budgeting, accounting, and reporting requirements for those facilities; abolishing the Medicaid Rate Advisory Commission; and providing for an effective date."

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

The question being: "Shall HCS SB 108(FIN) pass the House?" The roll was taken with the following result:

HCS SB 108(FIN)

Third Reading

Final Passage

**YEAS: 36 NAYS: 2 EXCUSED: 1 ABSENT: 1**

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

Nays: Kapsner, Kerttula

Excused: Wilson

Absent: Moses

And so, HCS SB 108(FIN) passed the House.

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

HCS SB 108(FIN) was referred to the Chief Clerk for engrossment.

**SB 120**

The following, which was advanced to third reading from the April 29, 2003, calendar (page 1182), was read the third time:

## SENATE BILL NO. 120

"An Act relating to the state's sovereign immunity for certain actions regarding injury, illness, or death of state-employed seamen and to workers' compensation coverage for those seamen; and providing for an effective date."

Representative Gara moved and asked unanimous consent that SB 120 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 Gara:

Page 2, lines 14 - 16:

Delete all material.

Insert "**state, unless under the terms of a collective bargaining agreement the employee has the right to bring a claim against the state; if an employee has the right to bring a claim against the state under this paragraph, the employee's claim is limited to the remedy provided under 46 U.S.C. 688 (the Jones Act); if an employee does not have the right to bring a claim against the state under the terms of a collective bargaining agreement, AS 23.30 provides the exclusive remedy for an employment related claim.**"

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

Representative Anderson objected.

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

SB 120  
Second Reading  
Amendment No. 1

**YEAS: 13 NAYS: 26 EXCUSED: 1 ABSENT: 0**

Yeas: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Joule, Kerttula, Kookesh, Moses, Ogg, Weyhrauch

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

Excused: Wilson

And so, Amendment No. 1 was not adopted.

The question being: "Shall SB 120 pass the House?" The roll was taken with the following result:

SB 120  
Third Reading  
Final Passage

**YEAS: 30 NAYS: 9 EXCUSED: 1 ABSENT: 0**

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

Nays: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Kerttula, Moses

Excused: Wilson

And so, SB 120 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.

Representative Berkowitz objected.

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

SB 120  
 Third Reading  
 Effective Date

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

Yeas: 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, Wolf

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

Excused: Wilson

And so, the effective date clause was adopted.

Representative Gruenberg gave notice of reconsideration of the vote on SB 120.

**SECOND READING OF SENATE RESOLUTIONS**

**SJR 12**

The following was read the second time:

CS FOR SENATE JOINT RESOLUTION NO. 12(RES)  
 Supporting the halibut by-catch utilization project of the Alaska Food Coalition.

with the:	Journal Page
FSH RPT HCS(FSH) 5DP	1024
FN1: ZERO(DFG)	1024
RES RPT HCS(FSH) 9DP	1091
FN1: ZERO(DFG)	1091

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

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

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS CSSJR 12(FSH) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSJR 12(FSH) was read the third time.

The question being: "Shall HCS CSSJR 12(FSH) pass the House?"  
The roll was taken with the following result:

HCS CSSJR 12(FSH)  
Third Reading  
Final Passage

**YEAS: 36 NAYS: 0 EXCUSED: 1 ABSENT: 3**

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

Excused: Wilson

Absent: Kapsner, Meyer, Morgan

And so, HCS CSSJR 12(FSH) passed the House and was referred to the Chief Clerk for engrossment.

#### CONCUR IN SENATE AMENDMENTS

#### HB 124

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 1195) on the following at this time:

HOUSE BILL NO. 124

"An Act relating to commercial motor vehicle drivers and their employers and to railroad-highway grade crossings; and providing for an effective date."

and

SENATE CS FOR HOUSE BILL NO. 124(TRA)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to HB 124, thus adopting SCS HB 124(TRA), and recommended that the members vote yes.

Representative Coghill moved and asked unanimous consent to withdraw the motion to concur in the Senate amendment to HB 124. There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent to withdraw the motion to consider the Senate message on HB 124. There being no objection, it was so ordered.

HB 124 is under Unfinished Business.

**HB 69**

Representative Coghill moved and asked unanimous consent that the House consider the Senate message (page 1176) on the following at this 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."

and

SENATE CS FOR HOUSE BILL NO. 69(RES)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved that the House concur in the Senate amendment to HB 69, thus adopting SCS HB 69(RES), and recommended that the members vote yes.

Representative Coghill moved and asked unanimous consent to withdraw the motion to concur in the Senate amendment to HB 69. There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent to withdraw the motion to consider the Senate message on HB 69. There being no objection, it was so ordered.

HB 69 is under Unfinished Business.

### **UNFINISHED BUSINESS**

#### **HB 209**

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

HOUSE BILL NO. 209

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

HB 209 was removed from the Finance Committee and referred to the Rules Committee for placement on the calendar.

### **SPECIAL ORDER OF BUSINESS**

Representative Coghill moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - Gloria Fernandez, Woman of Distinction, 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 - Gloria Fernandez, Woman of Distinction

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

Representative Coghill moved and asked unanimous consent that the notice and publication requirements be waived and the citation, In Memoriam - Captain Eric Bruce Das, 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 all members of the House be shown as cosponsors of the citation. 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:

In Memoriam - Captain Eric Bruce Das

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

### **UNFINISHED BUSINESS**

#### **HJR 27**

Representative Stoltze added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 27

Relating to support for a federal appropriation for expansion of the Anchorage Jail.

#### **HB 69**

Representative Lynn added his name as cosponsor 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 102**

Representatives Whitaker, Morgan, Chenault, Wolf, Meyer, Lynn, and Heinze added their names as cosponsors to:

**CS FOR HOUSE BILL NO. 102(STA)**

"An Act relating to concealed deadly weapons."

**SJR 12**

Representative Dahlstrom added her name as cross sponsor to:

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

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

**SB 25**

Representative Meyer added his name as cross sponsor to:

**CS FOR SENATE BILL NO. 25(FIN)**

"An Act relating to the acquisition of teachers' housing by regional educational attendance areas and to teachers' housing loan programs in the Alaska Housing Finance Corporation; and providing for an effective date."

**ENGROSSMENT**

**HB 97**

HB 97 am was engrossed, signed by the Speaker and Chief Clerk and transmitted with a House letter of intent to the Senate for consideration.

**SJR 12**

HCS CSSJR 12(FSH) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.



**ADJOURNMENT**

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., May 1, 2003. There being no objection, the House adjourned at 2:23 p.m.

Suzi Lowell  
Chief Clerk