

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Friday

May 16, 2003

#### One Hundred Sixteenth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 11:09 a.m.

Roll call showed 31 members present. Representative Joule had been previously excused from a call of the House today. Representatives Foster, Guttenberg, Holm, Kapsner, McGuire, Moses, and Wilson were absent and their presence was noted later.

Representative Coghill moved and asked unanimous consent that Representative Croft be excused from a call of the House from 8:00 a.m., May 16 to adjournment May 21, 2003. This excused absence will be ongoing and the term of the excused absence will not be canceled by the presence of Representative Croft on the House floor. However, when present on the floor, he will be shown as present and will be required to vote. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Pastor Gary Waterhouse of Juneau and Sitka Seventh-day Adventist Churches. Representative Meyer moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

O God, You have truly been good to us. You have prospered our land. You have opened up Your heart to us in love, You have forgiven us when we have wandered from You. You have adopted us as Your sons and daughters. You always give us what is best for us, though we do not always recognize it at the time. You hear our cries and complaints and You respond with mercy and strength. You have not always

shielded us from pain or trouble or conflict, but You have kept us even in the middle of sorrow and suffering. And we know that You will fulfill Your purposes in our lives.

Today as we begin another day with many hours of work ahead of us, we pray that we may think clearly, act wisely, work diligently, serve humbly, learn eagerly, focus sharply, give generously, and live unselfishly. In Thy name we pray, Amen.

The Pledge of Allegiance was led by Pastor Waterhouse.

### **MESSAGES FROM THE SENATE**

A message dated May 16, 2003, was read stating the Senate has accepted the House invitation to meet in joint session at 3:00 p.m., May 18, 2003, to consider confirmation of the Governor's appointments.

#### **HCR 17**

A message dated May 15, 2003, was read stating the Senate has passed:

##### **HOUSE CONCURRENT RESOLUTION NO. 17**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 25, relating to the acquisition of teachers' housing by regional educational attendance areas and to teachers' housing loan programs in the Alaska Housing Finance Corporation.

HCR 17 was referred to the Chief Clerk for enrollment.

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

#### **HB 120**

A message dated May 15, 2003, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 120(RLS) am

"An Act excluding service contracts from regulation as insurance; relating to insurance licensing for motor vehicle service contracts and home warranties; and providing for an effective date."

CSHB 120(RLS) am was referred to the Chief Clerk for enrollment.

**HB 191**

A message dated May 15, 2003, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 191(FIN) am

"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."

CSHB 191(FIN) am was referred to the Chief Clerk for enrollment.

**HB 250**

A message dated May 15, 2003, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 250(FIN)

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

CSHB 250(FIN) was referred to the Chief Clerk for enrollment.

**SJR 10**

A message dated May 15, 2003, was read stating the Senate has concurred in the House amendment to SJR 10, thus adopting:

HOUSE CS FOR SENATE JOINT RESOLUTION NO. 10(JUD)  
Relating to the Pledge of Allegiance.

**SB 25**

A message dated May 15, 2003, was read stating the Senate has concurred in the House amendment 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."

thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 25(RLS)

"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 presence of Representatives Holm and McGuire was noted.

**SB 124**

A message dated May 15, 2003, was read stating the Senate has concurred in the House amendment to SB 124(efd fld), thus adopting:

HOUSE CS FOR SENATE BILL NO. 124(FIN)(efd fld)

"An Act relating to grants for alcoholism and drug abuse programs."

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

Messages dated May 15 and 16, 2003, were read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE BILLS****SB 8**

CS FOR SENATE BILL NO. 8(JUD) by the Senate Judiciary Committee, entitled:

"An Act relating to tampering with public records."

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

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

**SB 26**

CS FOR SENATE BILL NO. 26(STA) by the Senate State Affairs Committee, entitled:

"An Act relating to state employees who are called to active duty as reserve or auxiliary members of the armed forces of the United States; and providing for an effective date."

was read the first time and referred to the State Affairs Committee.

**SB 30**

CS FOR SENATE BILL NO. 30(JUD) am by the Senate Judiciary Committee, 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, Judiciary, and Finance Committees.

**SB 100**

CS FOR SENATE BILL NO. 100(FIN)(brf sup maj fld)(efd fld) by the Senate Finance Committee, entitled:

"An Act making capital appropriations, supplemental appropriations, and reappropriations; capitalizing funds; and making other appropriations."

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

**SB 102**

CS FOR SENATE BILL NO. 102(L&C) am(efd fld) by thte Senate Labor & Commerce Committee, entitled:

"An Act increasing the amount of revenue received by the state from charitable gaming activities, and relating to taxes on pull-tabs."

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

**SB 183**

CS FOR SENATE BILL NO. 183(STA) by the Senate State Affairs Committee, entitled:

"An Act authorizing certain boroughs to use revenue collected on an areawide or nonareawide basis for economic development."

was read the first time and referred to the Community & Regional Affairs Committee.

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

**REPORTS OF STANDING COMMITTEES****HCR 19**

The Health, Education & Social Services Committee has considered:

HOUSE CONCURRENT RESOLUTION NO. 19  
Urging implementation of an Alaska history curriculum in public schools.

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

Do pass (5): Cissna, Coghill, Wolf, Kapsner, Wilson

No recommendation (1): Seaton

Amend (1): Gatto

The following fiscal note(s) apply:

1. Zero, House Health, Education & Social Services Committee

HCR 19 was referred to the House Special Committee on Education.

**SB 106**

The Finance Committee has considered:

CS FOR SENATE BILL NO. 106(FIN)(efd fld)  
"An Act relating to tires."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 106(FIN)  
(same title)

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

Do pass (5): Hawker, Whitaker, Foster, Harris, Williams

Do not pass (3): Kerttula, Berkowitz, Moses

No recommendation (2): Meyer, Stoltze

The following fiscal note(s) apply to HCS CSSB 106(FIN):

2. Fiscal, Dept. of Revenue

CSSB 106(FIN)(efd fld) was referred to the Rules Committee for placement on the calendar.

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

**HB 326**

HOUSE BILL NO. 326 by Representative Fate, entitled:

"An Act related to tax credits for taxes related to certain business losses."

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

**HB 327**

HOUSE BILL NO. 327 by Representative Holm, entitled:

"An Act relating to the powers and duties of the Department of Transportation and Public Facilities; and repealing a requirement that public facilities comply with energy standards adopted by the Department of Transportation and Public Facilities."

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

The Speaker stated that, without objection, the House would recess for a Majority Caucus and a Minority Caucus; and so, the House recessed at 11:33 a.m.

**AFTER RECESS**

The Speaker called the House back to order at 5:36 p.m.

The Speaker stated that, without objection, the House would revert to:

**FIRST READING AND REFERENCE  
OF SENATE RESOLUTIONS**

**SCR 15**

SENATE CONCURRENT RESOLUTION NO. 15 by the Senate Finance Committee:



Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 229, relating to special medical parole and to prisoners who are severely medically or cognitively disabled.

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

**FIRST READING AND REFERENCE  
OF SENATE BILLS**

**SB 117**

CS FOR SENATE BILL NO. 117(FIN) by the Senate Finance Committee, entitled:

"An Act relating to the longevity bonus program; and providing for an effective date."

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

**SB 119**

CS FOR SENATE BILL NO. 119(FIN)(efd fld) by the Senate Finance Committee, entitled:

"An Act authorizing the Alaska Public Offices Commission to issue advisory opinions; amending campaign financial disclosure and reporting requirements, campaign contribution limits, provisions related to contributions after elections, and provisions related to unused campaign contributions; providing for expedited consideration of, and modifying procedures for determining, violations of state election campaign laws; amending the time period within which to file an administrative complaint of a violation of state election campaign laws; amending the definitions of 'express communication' and 'political party' for state election campaigns; amending the registration fee for lobbyists; providing for increased use of electronic filing for reports to the Alaska Public Offices Commission; adding a definition of 'commission' in the regulation of lobbying laws; amending the requirements for the reporting of financial interests by public officials; adding a definition of 'domestic partner' in the legislative ethics code and in the public official financial

disclosure requirements; allowing classified employees to take an active part in political party management; and making conforming amendments."

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

**SB 185**

CS FOR SENATE BILL NO. 185(FIN) by the Senate Finance Committee, entitled:

"An Act providing for a reduction of royalty on certain oil produced from Cook Inlet submerged land, and for a credit for certain exploration expenses against oil and gas properties production taxes on oil and gas produced from a lease or property in the state."

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

**SB 202**

CS FOR SENATE BILL NO. 202(FIN) by the Senate Finance Committee, entitled:

"An Act relating to school transportation; relating to the base student allocation used in the formula for state funding of public education; and providing for an effective date."

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

**SB 213**

CS FOR SENATE BILL NO. 213(FIN)(efd fld) by the Senate Finance Committee, entitled:

"An Act establishing the Knik Arm Bridge and Toll Authority and relating to that authority."

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

**REPORTS OF STANDING COMMITTEES****HB 158**

The State Affairs Committee has considered:

HOUSE BILL NO. 158

"An Act eliminating the longevity bonus program and making related conforming changes; and providing for an effective date."

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

Do pass (1): Weyhrauch

Do not pass (5): Seaton, Gruenberg, Dahlstrom, Crawford, Lynn

No recommendation (1): Holm

The following fiscal note(s) apply:

1. Fiscal, Dept. of Administration

HB 158 was referred to the Finance Committee.

**HB 196**

The Resources Committee has considered:

HOUSE BILL NO. 196

"An Act relating to carbon sequestration; and providing for an effective date."

and recommends it be replaced with a forthcoming Resources Committee CS.

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

Do pass (4): Heinze, Guttenberg, Cissna, Fate

Do not pass (1): Wolf

No recommendation (2): Morgan, Gatto

The following fiscal note(s) apply to CSHB 196(RES):

1. Fiscal, Dept. of Natural Resources

HB 196 was referred to the Finance Committee.

**HB 272**

The State Affairs Committee has considered:

HOUSE BILL NO. 272

"An Act relating to motor vehicle dealers."

and recommends it be replaced with a forthcoming State Affairs Committee CS.

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

Do pass (3): Crawford, Lynn, Weyhrauch

No recommendation (1): Holm

Amend (3): Dahlstrom, Gruenberg, Seaton

The following fiscal note(s) apply to CSHB 272(STA):

1. Zero, Dept. of Law

HB 272 was referred to the Rules Committee for placement on the calendar.

**HB 293**

The Finance Committee has considered:

## HOUSE BILL NO. 293

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

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 293(FIN)

"An Act relating to a state sales and use tax; relating to taxes levied by cities and boroughs; providing authority to the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement; relating to the motor fuel tax; relating to the definition of 'taxpayer'; relating to the rate of interest on delinquent taxes and overpayments of taxes; and providing for an effective date."

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

Do pass (3): Hawker, Whitaker, Williams

Do not pass (4): Kerttula, Berkowitz, Chenault, Foster

No recommendation (4): Meyer, Stoltze, Harris, Moses

The following fiscal note(s) apply to CSHB 293(FIN):

2. Fiscal, Dept. of Revenue
3. Fiscal, Dept. of Law

HB 293 is on today's calendar.

**SB 41**

The Finance Committee has considered:

## CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 41(FIN)

"An Act relating to medical care and crimes relating to medical care, including medical care and crimes relating to the medical

assistance program, catastrophic illness assistance, and medical assistance for chronic and acute medical conditions."

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

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

No recommendation (2): Berkowitz, Kerttula

The following fiscal note(s) apply:

Fiscal note(s) forthcoming.

CSSSSB 41(FIN) was referred to the Rules Committee for placement on the calendar.

**SB 149**

The Resources Committee has considered:

CS FOR SENATE BILL NO. 149(RES)

"An Act relating to timber, to the sale of timber by the state, and to the management of state forests."

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

Do pass (2): Heinze, Fate

Do not pass (2): Guttenberg, Cissna

No recommendation (2): Morgan, Wolf

Amend (1): Gatto

The following fiscal note(s) apply:

1. Zero, Dept. of Natural Resources

CSSB 149(RES) was referred to the Finance Committee.

**SB 192**

The Finance Committee has considered:

CS FOR SENATE BILL NO. 192(L&C)

"An Act relating to teachers and training programs in the Department of Labor and Workforce Development, to the placement in the exempt service of certified teachers employed by the Department of Labor and Workforce Development, to their eligibility to participate in the Teachers' Retirement System of Alaska, and to the functions of the Alaska Workforce Investment Board regarding the Kotzebue Technical Center and the Alaska Vocational Technical Center; relating to local workforce investment areas and boards; repealing the business incentive training program; and providing for an effective date."

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

Do pass (5): Hawker, Foster, Meyer, Harris, Williams

No recommendation (3): Stoltze, Kerttula, Moses

The following fiscal note(s) apply:

3. Fiscal, Dept. of Labor & Workforce Development

CSSB 192(L&C) was referred to the Rules Committee for placement on the calendar.

**SB 216**

The Finance Committee has considered:

SENATE BILL NO. 216

"An Act relating to international airports revenue bonds; and providing for an effective date."

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

Do pass (4): Meyer, Foster, Harris, Williams

No recommendation (6): Hawker, Stoltze, Kerttula, Berkowitz, Moses, Chenault

The following fiscal note(s) apply:

1. Fiscal, Dept. of Revenue

SB 216 was referred to the Rules Committee for placement on the calendar.

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

Representative Kookesh - from 6:00 p.m. to midnight tonight

### REPORTS OF SPECIAL COMMITTEES

#### HB 22

The House Special Committee on Fisheries has considered:

HOUSE BILL NO. 22

"An Act relating to commercial fishing permit brokers; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 22(FSH)

"An Act relating to brokers of commercial fishing permits, quota shares, and commercial fishing vessels; to the transfer of commercial fishing permits; amending Rule 82, Alaska Rules of Civil Procedure, and Rule 508, Alaska Rules of Appellate Procedure; and providing for an effective date."



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

Do pass (2): Wilson, Seaton

No recommendation (2): Ogg, Samuels

The following fiscal note(s) apply to CSHB 22(FSH):

1. Zero, Dept. of Fish & Game
2. Zero, Dept. of Revenue
3. Fiscal, Dept. of Community & Economic Development

HB 22 was referred to the Resources Committee.

### **CONSIDERATION OF THE DAILY CALENDAR**

#### **SECOND READING OF HOUSE BILLS**

#### **HB 216**

The following was read the second time:

HOUSE BILL NO. 216

"An Act relating to municipal taxation of refined fuel products."

with the:

Journal Page

CRA RPT CS(CRA) NT 2DP 2NR	1005
FN1: ZERO(CED)	1006
FN2: ZERO(REV)	1006
FIN RPT CS(FIN) NT 7DP 3NR	1678
FN2: ZERO(REV)	1678
FN3: ZERO(CED)	1678
FN4: ZERO(CED)	1678

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. 216(FIN)

"An Act relating to and limiting municipal taxation of refined fuel and wholesale sales of fuel, and to the bulk fuel revolving loan fund."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 216(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Croft objected.

CSHB 216(FIN) will advance to third reading on tomorrow's calendar.

**HB 230**

The following was read the second time:

HOUSE BILL NO. 230

"An Act relating to political signs on private property."

with the:

Journal Page

TRA RPT CS(TRA) 4DP 2NR	1386
FN1: ZERO(DOT)	1387
STA RPT CS(STA) 3DP 3NR	1557
FN1: ZERO(DOT)	1557

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. 230(STA)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 230(STA) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSHB 230(STA) will advance to third reading on tomorrow's calendar.

**HB 267**

The following was read the second time:

HOUSE BILL NO. 267

"An Act relating to the Alaska Railroad; authorizing the Alaska Railroad Corporation to provide financing for the acquisition, construction, improvement, maintenance, equipping, or operation of facilities for the transportation of natural gas resources within and outside the state by others; authorizing the Alaska Railroad Corporation to issue bonds to finance those facilities; and providing for an effective date."

with the:	Journal Page
O&G RPT 5DP 1NR	1126
FN1: (CED)	1126
RES RPT 3DP 4NR 1AM	1452
FN1: (CED)	1452
FIN RPT CS(FIN) NT 10 DP	1679
FN1: (CED)	1680

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. 267(FIN)

"An Act authorizing the Alaska Railroad Corporation to provide financing for the acquisition, construction, improvement, maintenance, equipping, and operation of a natural gas pipeline and related facilities for the transportation of natural gas recovered from the North Slope of this state; authorizing the Alaska Railroad Corporation to issue bonds to finance those facilities; and providing for an effective date."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 267(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 267(FIN) was read the third time.

The question being: "Shall CSHB 267(FIN) pass the House?" The roll was taken with the following result:

CSHB 267(FIN)

Third Reading

Final Passage

**YEAS: 35 NAYS: 0 EXCUSED: 1 ABSENT: 4**

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

Excused: Joule

Absent: Anderson, Kapsner, McGuire, Rokeberg

And so, CSHB 267(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.

CSHB 267(FIN) was referred to the Chief Clerk for engrossment.

### **HB 293**

The following was read the second time:

HOUSE BILL NO. 293

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

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with the:	Journal Page
W&M RPT CS(W&M) 2DP 3DNP 1NR 3A	1561
CS(W&M) NT RECEIVED	1617
FN1: (REV)	1618
FIN RPT CS(FIN) NT 3DP 5DNP 3NR	1730
FN2: (REV)	1731
FN3: (LAW)	1731

The Speaker stated that, without objection, HB 293 would be moved to the bottom of the calendar. There being no objection, it was so ordered.

\*\*Representative Kookesh, who had been previously excused (page 1736), left the Chamber.

**HB 295**

The following was read the second time:

HOUSE BILL NO. 295

"An Act relating to the publishing and furnishing of certain public notices regarding regulations or rules of certain state agencies; relating to distribution of the Alaska Administrative Code, Alaska Administrative Register, and supplements to the code or register; and providing for an effective date."

with the:	Journal Page
STA RPT CS(STA) NT 4DP 3NR	1626
FN2: (GOV/ALL DEPTS)	1627
FIN RPT CS(STA) NT 4DP 1DNP 4NR 1AM	1680
FN1: INDETERMINATE(GOV/ALL DEPTS)	1681
FN2: (GOV/ALL DEPTS)	1681

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. 295(STA)

"An Act relating to the publishing, furnishing, and contents of certain notices regarding regulations or rules of certain state

agencies and entities; relating to distribution of the Alaska Administrative Code, Alaska Administrative Register, and supplements to the code or register; and providing for an effective date."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Fate:

Page 5, lines 16 - 19:

Delete all material.

Renumber the remaining bill sections accordingly.

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

Representative Weyhrauch objected.

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

CSHB 295(STA)  
Second Reading  
Amendment No. 1

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

Yeas: Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Foster, Gara, Gruenberg, Guttenberg, Harris, Heinze, Holm, Kerttula, Kohring, Kott, Lynn, Masek, McGuire, Morgan, Moses, Ogg, Wilson, Wolf

Nays: Chenault, Gatto, Hawker, Meyer, Samuels, Seaton, Stoltze, Weyhrauch, Whitaker, Williams

Excused: Joule, Kookesh

Absent: Anderson, Kapsner, Rokeberg

Gatto changed from "Yea" to "Nay".

Stoltze changed from "Yea" to "Nay".

And so, Amendment No. 1 was adopted.

Amendment No. 2 was offered by Representative Berkowitz:

Page 5, lines 10 - 15:

Delete all material.

Page 6, line 21 through page 7, line 27:

Delete all material.

Renumber the remaining bill sections accordingly.

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

Representative Weyhrauch objected.

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

CSHB 295(STA) am

Second Reading

Amendment No. 2

**YEAS: 8 NAYS: 27 EXCUSED: 2 ABSENT: 3**

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

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: Joule, Kookesh

Absent: Kapsner, Kohring, Moses

And so, Amendment No. 2 was not adopted.

Representative Coghill moved and asked unanimous consent that CSHB 295(STA) am be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

CSHB 295(STA) am will advance to third reading on tomorrow's calendar.

**HB 305**

The following was read the second time:

HOUSE BILL NO. 305

"An Act relating to the calculation and payment of unemployment compensation benefits; and providing for an effective date."

with the:	Journal Page
L&C RPT 4DP 2NR	1536
FN1: ZERO(LWF)	1536
FIN RPT 6DP 3NR	1681
FN1: ZERO(LWF)	1682

Representative Coghill moved and asked unanimous consent that HB 305 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 305 was read the third time.

The question being: "Shall HB 305 pass the House?" The roll was taken with the following result:

HB 305

Third Reading

Final Passage

**YEAS: 35 NAYS: 0 EXCUSED: 2 ABSENT: 3**

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

Excused: Joule, Kookesh

Absent: Kapsner, Kohring, McGuire

And so, HB 305 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 305 was referred to the Chief Clerk for engrossment.

**HB 111**

The following, which is on today's calendar, is in the Judiciary Committee:

HOUSE BILL NO. 111

"An Act extending the termination date of the Regulatory Commission of Alaska; and providing for an effective date."

**SECOND READING OF SENATE BILLS**

**SB 71**

The following was read the second time:

CS FOR SENATE BILL NO. 71(TRA)

"An Act relating to funding for transportation projects; and providing for an effective date."

with the:

Journal Page

TRA RPT 2DP 2NR

1475

FN1: ZERO(DOT)

1476

FIN RPT HCS(FIN) 8DP 1NR 2AM

1593

FN1: ZERO(DOT)

1594

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

HOUSE CS FOR CS FOR SENATE BILL NO. 71(FIN)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS CSSB 71(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

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

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

Amendment No. 1 was offered by Representative Berkowitz:

Page 2, lines 6 - 9:

Delete all material.

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

Representative Rokeberg objected.

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

HCS CSSB 71(FIN)

Second Reading

Amendment No. 1

**YEAS: 9 NAYS: 21 EXCUSED: 2 ABSENT: 8**

Yeas: Berkowitz, Cissna, Crawford, Croft, Gruenberg, Guttenberg, Kapsner, Kerttula, Moses

Nays: Anderson, Chenault, Coghill, Dahlstrom, Fate, Foster, Gatto, Hawker, Heinze, Holm, Kohring, Kott, Lynn, Masek, Meyer, Morgan, Rokeberg, Samuels, Weyhrauch, Whitaker, Wilson

Excused: Joule, Kookesh

Absent: Gara, Harris, McGuire, Ogg, Seaton, Stoltze, Williams, Wolf

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representative Cissna:

Page 1, line 9:

Delete "two percent"  
Insert "four percent"

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

Representative Rokeberg objected.

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

HCS CSSB 71(FIN)  
Second Reading  
Amendment No. 2

**YEAS: 9 NAYS: 22 EXCUSED: 2 ABSENT: 7**

Yeas: Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Kapsner, Kerttula, Moses

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

Excused: Joule, Kookesh

Absent: Berkowitz, Hawker, McGuire, Seaton, Weyhrauch, Williams, Wolf

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representative Kerttula:

Page 2, following line 9, insert a new section to read:

"\* **Sec. 2.** AS 19.15.025 is repealed October 1, 2008."

Renumber the remaining bill section.

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

Representative Rokeberg objected.

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

HCS CSSB 71(FIN)  
Second Reading  
Amendment No. 3

**YEAS: 9 NAYS: 24 EXCUSED: 2 ABSENT: 5**

Yeas: Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Kapsner, Kerttula, Moses

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

Excused: Joule, Kookesh

Absent: Berkowitz, McGuire, Seaton, Weyhrauch, Wolf

And so, Amendment No. 3 was not adopted.

Representative Coghill moved and asked unanimous consent that HCS CSSB 71(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSSB 71(FIN) will advance to third reading on tomorrow's calendar.

**SB 210**

The following was read the second time:

SENATE BILL NO. 210

"An Act regarding the computation of overtime compensation by employers before June 2, 1999; and providing for an effective date."

with the:

Journal Page

L&C RPT 7DP

1595

FN1: ZERO(LWF)

1595

Representative Coghill moved and asked unanimous consent that SB 210 be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

SB 210 will advance to third reading on tomorrow's calendar.

**SB 128**

The following was read the second time:

CS FOR SENATE BILL NO. 128(FIN) am  
 "An Act relating to licensing common carriers to dispense alcoholic beverages; and providing for an effective date."

with the:	Journal Page
FIN RPT 5DP 2NR 3AM	1682
FN2: (REV)	1682

Representative Coghill moved and asked unanimous consent that CSSB 128(FIN) am be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

CSSB 128(FIN) am will advance to third reading on tomorrow's calendar.

**THIRD READING OF HOUSE BILLS**

**HB 199**

The following, which was advanced to third reading from the May 15, 2003, calendar (page 1692), was read the third time:

HOUSE BILL NO. 199  
 "An Act removing the annual adjustment to the minimum wage based on the rate of inflation; and providing for an effective date."

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Representative Coghill placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall HB 199 pass the House?" The roll was taken with the following result:

HB 199

Third Reading

Final Passage

**YEAS: 24 NAYS: 14 EXCUSED: 2 ABSENT: 0**

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

Nays: Berkowitz, Cissna, Crawford, Croft, Gara, Gruenberg, Guttenberg, Harris, Kapsner, Kerttula, Masek, Moses, Seaton, Weyhrauch

Excused: Joule, Kookesh

And so, HB 199 passed the House.

Representative Coghill moved that the effective date clause be adopted.

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

HB 199

Third Reading

Effective Date

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

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

Nays: Berkowitz, Cissna, Crawford, Gara, Gruenberg, Guttenberg, Kapsner, Kerttula, Masek, Moses

Excused: Joule, Kookesh

And so, the effective date clause was adopted.

Representative Berkowitz gave notice of reconsideration of the vote on HB 199.

**HB 162**

The following, which was advanced to third reading from the May 15, 2003, calendar (page 1697), was read the third time:

CS FOR HOUSE BILL NO. 162(RLS) am

"An Act relating to fees adopted by the Department of Natural Resources under AS 44.37.025 or 44.37.027 and to business license fee; and providing for an effective date."

Representative Rokeberg moved and asked unanimous consent that that CSHB 162(RLS) am be returned to second reading for the specific purpose of rescinding previous action in adopting Amendment No. 2.

Representative Berkowitz objected and withdrew the objection. There being no further objection, CSHB 162(RLS) am was returned to second reading.

Representative Rokeberg moved and asked unanimous consent that the House rescind previous action in adopting Amendment No. 2.

Objection was heard.

The question being: "Shall the House rescind previous action in adopting Amendment No. 2?" The roll was taken with the following result:

CSHB 162(RLS) am

Second Reading

Rescind Previous Action/Amendment No. 2

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

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

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

Excused: Joule, Kookesh

Absent: Foster

And so, the motion passed.

Amendment No. 2 (page 1695) was before the House.

Representative Coghill placed a call of the House.

The call was satisfied.

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

CSHB 162(RLS) am  
Second Reading  
Amendment No. 2

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

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

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

Excused: Joule, Kookesh

And so, Amendment No. 2 was not adopted.

The Speaker stated that the call would extend to the second floor.

The Speaker stated that the House would stand at ease; and so, the House stood at ease at 7:43 p.m.



**AFTER AT EASE**

The Speaker called the House back to order at 9:11 p.m.

**THIRD READING OF HOUSE BILLS**  
(Continued)

**HB 162**

The question being: "Shall CSHB 162(RLS) am pass the House?"  
The roll was taken with the following result:

CSHB 162(RLS) am  
Third Reading  
Final Passage

**YEAS: 26 NAYS: 11 EXCUSED: 3 ABSENT: 0**

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

Nays: Anderson, Berkowitz, Cissna, Crawford, Gara, Gruenberg, Guttenberg, Kapsner, Kerttula, Kohring, Wilson

Excused: Croft, Joule, Kookesh

And so, CSHB 162(RLS) am passed the House.

Representative Coghill moved that the effective date clause be adopted.

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

CSHB 162(RLS) am  
Third Reading  
Effective Date

**YEAS: 28 NAYS: 9 EXCUSED: 3 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, Wilson, Wolf

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

Excused: Croft, Joule, Kookesh

And so, the effective date clause was adopted.

Representative Foster gave notice of reconsideration of the vote on CSHB 162(RLS) am.

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

**HB 246**

The following, which was advanced to third reading from the May 15, 2003, calendar (page 1692), was read the third time:

CS FOR HOUSE BILL NO. 246(RES)

"An Act relating to oil and gas, to certain audits regarding oil and gas royalty and net profits, to audits regarding costs relating to exploration incentive credits and oil and gas exploration licenses, and to the limitation on upland acreage that a person may take or hold under oil and gas leases; and providing for an effective date."

Title Amendment was offered by Representative Kerttula:

Page 1, line 1, following "relating":

Delete "**to oil and gas,**"

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

Representative Fate objected and withdrew the objection. There being no further objection, it was so ordered and the new title follows:

CS FOR HOUSE BILL NO. 246(RES)(title am)

"An Act relating to certain audits regarding oil and gas royalty and net profits, to audits regarding costs relating to exploration

incentive credits and oil and gas exploration licenses, and 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 question being: "Shall CSHB 246(RES)(title am) pass the House?" The roll was taken with the following result:

CSHB 246(RES)(title am)

Third Reading

Final Passage

**YEAS: 36 NAYS: 0 EXCUSED: 4 ABSENT: 0**

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

Excused: Croft, Joule, Kookesh, Moses

And so, CSHB 246(RES)(title 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.

CSHB 246(RES)(title am) was referred to the Chief Clerk for engrossment.

### **HB 271**

The following, which was advanced to third reading from the May 15, 2003, calendar (page 1702), was read the third time:

CS FOR HOUSE BILL NO. 271(FIN)(efd am)

"An Act levying and providing for the collection and administration of excise taxes on the rental of passenger and recreational vehicles usable on highways and vehicular ways; and providing for an effective date."

The Speaker stated that, without objection, CSHB 271(FIN)(efd am) would be returned to the Rules Committee:

**SECOND READING OF HOUSE RESOLUTIONS**

**HJR 27**

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 27

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

with the:	Journal Page
STA RPT CS(STA) 5DP	1677
FN1: ZERO(COR)	1677

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

CS FOR HOUSE JOINT RESOLUTION NO. 27(STA)  
(same title)

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHJR 27(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 27(STA) was read the third time.

The question being: "Shall CSHJR 27(STA) pass the House?" The roll was taken with the following result:

CSHJR 27(STA)  
Third Reading  
Final Passage

**YEAS: 36 NAYS: 0 EXCUSED: 4 ABSENT: 0**

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

Excused: Croft, Joule, Kookesh, Moses

And so, CSHJR 27(STA) passed the House and was referred to the Chief Clerk for engrossment.

### **HJR 29**

The following was read the second time:

#### HOUSE JOINT RESOLUTION NO. 29

Relating to the establishment of Reserve Officer Training Corps programs in Alaska by the United States Coast Guard.

with the:	Journal Page
MLV RPT 7DP	1684
FN1: ZERO(H.MLV)	1684

Representative Coghill moved and asked unanimous consent that HJR 29 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HJR 29 was read the third time.

The question being: "Shall HJR 29 pass the House?" The roll was taken with the following result:

HJR 29  
Third Reading  
Final Passage

**YEAS: 36 NAYS: 0 EXCUSED: 4 ABSENT: 0**

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

Excused: Croft, Joule, Kookesh, Moses

And so, HJR 29 passed the House and was referred to the Chief Clerk for engrossment.

## SECOND READING OF SENATE RESOLUTIONS

### SJR 5

The following was read the second time:

#### CS FOR SENATE JOINT RESOLUTION NO. 5(STA)

Urging the President of the United States and the Congress to act to ensure that federal agencies do not retain records relating to lawful purchase or ownership of firearms gathered through the Brady Handgun Bill instant check system.

with the:

Journal Page

STA RPT 2DP 3NR	932
FN1: ZERO(LEG)	932
JUD RPT 6DP	1593
FN1: ZERO(LEG)	1593

Representative Coghill moved and asked unanimous consent that CSSJR 5(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSJR 5(STA) was read the third time.

The question being: "Shall CSSJR 5(STA) pass the House?" The roll was taken with the following result:

CSSJR 5(STA)  
 Third Reading  
 Final Passage

**YEAS: 36 NAYS: 0 EXCUSED: 4 ABSENT: 0**

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

Excused: Croft, Joule, Kookesh, Moses

And so, CSSJR 5(STA) passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

**SJR 8**

The following was read the second time:

SENATE JOINT RESOLUTION NO. 8  
 Relating to the division of the Ninth Circuit Court of Appeals.

with the:	Journal Page
JUD RPT HCS(JUD) 4DP 1DNP 1NR	1313
FN1: ZERO(S.JUD)	1313

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

HOUSE CS FOR SENATE JOINT RESOLUTION NO. 8(JUD)  
 Relating to the division of the Ninth Circuit Court of Appeals.

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that HCS SJR 8(JUD) be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

HCS SJR 8(JUD) will advance to third reading on tomorrow's calendar.

**SJR 16**

The following was read the second time:

## SENATE JOINT RESOLUTION NO. 16

Encouraging the federal government to end the federal subsidy of ethanol, and requesting the Congress of the United States to mandate that land currently used to grow corn for the production of ethanol be returned to its natural state.

with the:	Journal Page
STA RPT 4DP	1389
FN1: ZERO(S.STA)	1390

Representative Coghill moved and asked unanimous consent that SJR 16 be considered engrossed, advanced to third reading, and placed on final passage.

Objection was heard.

SJR 16 will advance to third reading on tomorrow's calendar.

**SECOND READING OF HOUSE BILLS**

(Continued)

**HB 293**

The following, which had been moved to the bottom of the calendar (page 1741), was before the House in second reading:

## HOUSE BILL NO. 293

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



The Speaker stated that, without objection, the House would recess for a Majority Caucus; and so, the House recessed at 9:36 p.m.

#### **AFTER RECESS**

The Speaker called the House back to order at 10:28 p.m.

#### **SECOND READING OF HOUSE BILLS**

(Continued)

#### **HB 293**

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. 293(FIN)

"An Act relating to a state sales and use tax; relating to taxes levied by cities and boroughs; providing authority to the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement; relating to the motor fuel tax; relating to the definition of 'taxpayer'; relating to the rate of interest on delinquent taxes and overpayments of taxes; and providing for an effective date."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 293(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

The Speaker stated that CSHB 293(FIN) will be held to tomorrow's calendar. There being no objection, it was so ordered.

#### **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 - Harvey Marvin

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

## Honoring - Joe L. Hayes

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

## Honoring - Christopher Mapes

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

## Honoring - Debra K. Mullins

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

## Honoring - Juneau-Douglas High School Festival Band

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

## Honoring - Juneau-Douglas High School Girls Basketball Team

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

## Honoring - Petersburg's Viking Swim Club

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

## Honoring - West High School "We the People" Constitutional Competition Team

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

## Honoring - Dorothy Gray

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

## Honoring - Jason Ohler, Ph.D.

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

## Honoring - Future Farmers of America 75th Anniversary

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

## Honoring - Kenai Central High School Choir

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

## In Memoriam - Ed Borden

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

## In Memoriam - Leelynn Haywood Chumley

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

## In Memoriam - Glenn J. Kipp

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

## In Memoriam - Jim E. Cashen

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

## In Memoriam - Frank Donald Puksiaq Kenworthy Jr., "Ducky"

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

## In Memoriam - Carl Frederick Nickel

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

## In Memoriam - Constance R. Parker

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

## In Memoriam - Ida Johnson

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

**UNFINISHED BUSINESS****HB 196**

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

HOUSE BILL NO. 196

"An Act relating to carbon sequestration; and providing for an effective date."

HB 196 was removed from the Finance Committee and referred to the Rules Committee for placement on the calendar.

**HB 145**

Representative Rokeberg moved and asked unanimous consent that the reconsideration of the following be held over one legislative day:

CS FOR HOUSE BILL NO. 145(FIN)

"An Act prohibiting discrimination in the awarding of attorney fees and costs in civil actions or appeals to or against, or in the posting of bonds or other security by, public interest litigants; and relating to awards of attorney fees and costs in cases involving enforcement of constitutional rights; and providing for an effective date."

There being no objection, it was so ordered.

**RECONSIDERATION****HB 288**

Representative Berkowitz brought up reconsideration of the vote on CSHB 288(STA) (page 1704).

The following was again before the House in third reading:

CS FOR HOUSE BILL NO. 288(STA)

"An Act changing the name of the Department of Community and Economic Development to the Department of Commerce and Economic Development."

The Speaker stated that, without objection, CSHB 288(STA) would be returned to the Rules Committee.

### UNFINISHED BUSINESS

#### HCR 19

Representative Coghill added his name as cosponsor to:

##### HOUSE CONCURRENT RESOLUTION NO. 19

Urging implementation of an Alaska history curriculum in public schools.

#### HJR 27

Representatives Rokeberg, Dahlstrom, and Gruenberg added their names as cosponsors to:

##### CS FOR HOUSE JOINT RESOLUTION NO. 27(STA)

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

#### HJR 29

Representative Dahlstrom added her name as cosponsor to:

##### HOUSE JOINT RESOLUTION NO. 29

Relating to the establishment of Reserve Officer Training Corps programs in Alaska by the United States Coast Guard.

#### HB 267

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

##### CS FOR HOUSE BILL NO. 267(FIN)

"An Act authorizing the Alaska Railroad Corporation to provide financing for the acquisition, construction, improvement, maintenance, equipping, and operation of a natural gas pipeline and related facilities for the transportation of natural gas recovered from the North Slope of this state; authorizing the Alaska Railroad Corporation to issue bonds to finance those facilities; and providing for an effective date."

**HB 292**

Representatives Coghill, Wilson, Seaton, and Gatto added their names as cosponsors to:

## HOUSE BILL NO. 292

"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."

**SJR 5**

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

## CS FOR SENATE JOINT RESOLUTION NO. 5(STA)

Urging the President of the United States and the Congress to act to ensure that federal agencies do not retain records relating to lawful purchase or ownership of firearms gathered through the Brady Handgun Bill instant check system.

**SJR 8**

Representatives Rokeberg, Dahlstrom, Wilson, and Gatto added their names as cross sponsors to:

## HOUSE CS FOR SENATE JOINT RESOLUTION NO. 8(JUD)

Relating to the division of the Ninth Circuit Court of Appeals.

**SJR 16**

Representatives Masek, Rokeberg, Lynn, and Wolf added their names as cross sponsors to:

## SENATE JOINT RESOLUTION NO. 16

Encouraging the federal government to end the federal subsidy of ethanol, and requesting the Congress of the United States to mandate that land currently used to grow corn for the production of ethanol be returned to its natural state.

**SB 26**

Representative Kerttula added her name as cross sponsor to:



CS FOR SENATE BILL NO. 26(STA)

"An Act relating to state employees who are called to active duty as reserve or auxiliary members of the armed forces of the United States; and providing for an effective date."

**SB 30**

Representative Lynn added his name as cross sponsor to:

CS FOR SENATE BILL NO. 30(JUD) am

"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."

**SB 41**

Representative Foster added his name as cross sponsor to:

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 41(FIN)

"An Act relating to medical care and crimes relating to medical care, including medical care and crimes relating to the medical assistance program, catastrophic illness assistance, and medical assistance for chronic and acute medical conditions."

**SB 45**

Representative Foster added his name as cross sponsor to:

HOUSE CS FOR CS FOR SENATE BILL NO. 45(FIN)

"An Act relating to the Legislative Budget and Audit Committee."

**SB 71**

Representative Dahlstrom added her name as cross sponsor to:

HOUSE CS FOR CS FOR SENATE BILL NO. 71(FIN)

"An Act relating to funding for transportation projects; and providing for an effective date."

**SB 98**

Reconsideration of the following was not taken up on this legislative day. It was signed by the Speaker and Chief Clerk and returned to the Senate:

CS FOR SENATE BILL NO. 98(TRA)

"An Act relating to civil liability for boat owners and to civil liability for guest passengers on an aircraft or watercraft; and providing for an effective date."

**ENGROSSMENT****HJR 27**

CSHJR 27(STA) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HJR 29**

HJR 29 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 246**

CSHB 246(RES)(title am) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 267**

CSHB 267(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 305**

HB 305 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**SB 89**

Reconsideration of the following was not taken up on this legislative day. It was signed by the Speaker and Chief Clerk and returned to the Senate:

HOUSE CS FOR CS FOR SENATE BILL NO. 89(RLS) am H

"An Act amending the Regulation of Lobbying Act and the definition of 'lobbyist' as it applies in the act setting standards of

conduct for legislators and legislative employees; and amending the Regulation of Lobbying Act and the legislative standards of conduct to allow a lobbyist to give and a person covered by legislative standards of conduct to accept tickets to a charity event during a legislative session."

## ENROLLMENT

### HB 11

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 1:35 p.m., May 16, 2003:

HOUSE BILL NO. 11 am S(efd fld S)

"An Act relating to deposits to the Alaska permanent fund from mineral lease rentals, royalties, royalty sale proceeds, net profit shares under AS 38.05.180(f) and (g), federal mineral revenue sharing payments received by the state from mineral leases, and bonuses received by the state from mineral leases, and limiting deposits from those sources to the 25 percent required under art. IX, sec. 15, Constitution of the State of Alaska."

### HB 124

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 1:35 p.m., May 16, 2003:

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."

### HB 146

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 1:35 p.m., May 16, 2003:

## CS FOR HOUSE BILL NO. 146(HES)

"An Act repealing the termination date of certain provisions that require the reporting of social security numbers and automated data matching with financial institutions for child support enforcement purposes; relating to social security numbers on applications for commercial fishing licenses; and providing for an effective date."

**HB 160**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 1:35 p.m., May 16, 2003:

## CS FOR HOUSE BILL NO. 160(FIN)

"An Act relating to the emission control permit program; relating to fees for that program and to the accounting of receipts deposited in the emission control permit receipts account; and providing for an effective date."

The following memorandum, dated May 15, 2003, was received from Patty Rose, Enrolling Secretary, Division of Legal and Research Services:

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest errors in CSHB 160(FIN), which have been corrected in enrolling:

Page 21, line 31:

Delete "AS 46.14.140(a)(13)"

Insert "**AS 46.14.140(a)(14)** [AS 46.14.140(a)(13)]"

Page 23, line 16:

Delete "meaning"

Insert "meanings"

Page 26, line 5:

Delete "Procedures"

Insert "Procedure"

**ANNOUNCEMENTS**

House committee schedules are published daily under separate cover.

**ADJOURNMENT**

Representative Coghill moved and asked unanimous consent that the House adjourn until 1:00 p.m., May 17, 2003. There being no objection, the House adjourned at 10:41 p.m.

Suzi Lowell  
Chief Clerk