

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Wednesday

January 10, 2001

Third Day

Pursuant to adjournment the House was called to order by Speaker Porter at 10:03 a.m.

Roll call showed 34 members present. Representatives Croft, Davies, Kapsner, and Mulder were absent and their presence was noted later.

Representative James moved and asked unanimous consent that Representative Williams be excused from a call of the House today and that Representative Kookesh be excused from a call of the House until 9:40 p.m., plane time, January 12, 2001. There being no objection, it was so ordered.

The invocation was offered by the Reverend Steve Olmstead of the Chapel By The Lake Presbyterian Church. Representative Green moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

Let us pray:

My Lord God I do not know where I am going. I do not see the road ahead of me. I cannot know for certain where it will end.

Nor do I really know myself, and the fact that I think that I am following Your will does not mean that I am actually doing so.

But I believe that the desire to please You does in fact please You.

And I hope that I have that desire in all that I am doing. I hope that I will never do anything apart from that desire.

And I know that if I do this You will lead me by the right road though I may know nothing about it.

Therefore I will trust You always. I will not fear, for You are ever with me and will never leave me alone. Amen.

(from a prayer by Thomas Merton)

The Pledge of Allegiance was led by Representative James.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the first and second legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

A message dated January 8, 2001, was read stating the Senate has accepted the invitation to meet in joint session in the House Chamber at 7:00 p.m., January 10 to hear the Governor's combined State of the State and State of the Budget address.

COMMUNICATIONS

The following memorandum, dated January 8, 2001, was received from Lieutenant Governor Fran Ulmer:

Please be advised that at 3:00 p.m. on January 8, 2001, I administered the official Oath of Office to Representative-Elect Jim Whitaker. A copy of his signed official oath is attached for your files.

Representative Whitaker had been previously excused from a call of the House (page 2).

The following reports were received:

Dept. of Administration
Division of Finance
Comprehensive Annual Financial Report
For the Fiscal Year July 1, 1999 - June 30, 2000
(as required by AS 37.05.210)

Dept. of Community & Economic Development
Alaska Energy Authority
Certification of Capital Reserve Funds' Requirement
December 15, 2000
(as required by AS 44.83.110)

Financial Statements and Schedule
June 30, 1999 and 1998
(With Independent Auditors' Report Thereon)
(as required by AS 44.83.940)

Alaska Industrial Development and Export Authority
Certification of Capital Reserve Funds' Requirement
December 15, 2000
(as required by AS 44.88.105)

2000 Annual Report
(as required by AS 44.88.210)

Alaska Court System
2000 Annual Report

Dept. of Revenue
Alaska State Pension Investment Board
Notification of financial statements
and reports for the following:
Public Employees' Retirement Trust Fund (PERS)
Teachers' Retirement Trust Fund (TRS)
Judicial Retirement Trust Fund
Military Retirement Trust Fund
Supplemental Annuity Plan
Deferred Compensation Plan

Available at www.revenue.state.ak.us/treasury/index.htm
(as required by AS 37.10.220)

**The presence of Representatives Davies and Mulder was noted.

INTRODUCTION OF CITATIONS

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

Commemorating - Dr. Martin Luther King Jr. Day
By Senator Ward

Honoring - Hazel and Bruce Arndt, 50th Wedding Anniversary
By Senator Phillips

In Memoriam - Joseph Bond Whitmore
By Senator Phillips

INTRODUCTION, FIRST READING AND REFERENCE OF HOUSE RESOLUTIONS

HJR 6

HOUSE JOINT RESOLUTION NO. 6 by Representatives Wilson, Williams, Hudson, Scalzi, and Dyson:

Relating to opposition to the inclusion of national forests in Alaska within President Clinton's Roadless Area Conservation rule and supporting the overturning of this inclusion by litigation, by congressional action, or by action of President-elect Bush.

was read the first time and referred to the Transportation and Resources Committees.

INTRODUCTION, FIRST READING AND REFERENCE OF HOUSE BILLS

HB 39

HOUSE BILL NO. 39 by Representative Kott, entitled:

"An Act relating to registration of motor vehicles, to operating a motor vehicle, aircraft, or watercraft while intoxicated, and to driving with a cancelled, suspended, or revoked driver's license; relating to duties of the division of alcoholism and drug abuse regarding driving-while-intoxicated offenses; and providing for an effective date."

was read the first time and referred to the Transportation, Judiciary, and Finance Committees.

HB 40

HOUSE BILL NO. 40 by the House Rules Committee by request of the Governor, entitled:

"An Act providing for the revocation of driving privileges by a court for a driver convicted of a violation of traffic laws in connection with a fatal motor vehicle or commercial motor vehicle accident; amending Rules 43 and 43.1, Alaska Rules of Administration; and providing for an effective date."

was read the first time and referred to the Judiciary and Finance Committees.

The following fiscal note(s) apply:

1. Fiscal, Dept. of Administration
2. Zero, Dept. of Administration
3. Zero, Dept. of Law

The Governor's transmittal letter dated January 8, 2001, appears below:

"Dear Speaker Porter:

It may be surprising, but true, that many traffic accidents leading to deaths carry no criminal punishment. The driver may be guilty of a simple traffic violation carrying a maximum fine of \$300. At least 10 deaths a year on our state highways can fall into this category. Perhaps the driver fell asleep at the wheel or skidded on ice, and the consequences are deadly to a passing motorist or pedestrian.

Regardless of whether their conduct is criminal, drivers whose traffic violations contribute to a fatal accident pose a risk to people on the highways and cause much suffering to family and friends of their victims. I am re-introducing this bill that takes seriously these tragic deaths by requiring, under certain circumstances, revocation of driving privileges of a driver involved in a fatal traffic accident.

This bill requires the court to revoke for one year the driving privileges of a person who violated traffic laws which contributed to an accident that resulted in a death. The license revocation applies to drivers of all vehicles, including those for commercial use. The court would be allowed to grant limited license privileges if it determines driving is critical to the person's livelihood and will not pose a danger to the public.

When people drive in an unsafe way and cause the death of another, their privilege to drive should be revoked to protect other drivers, their passengers, and pedestrians on the roadways.

Sincerely,
/s/
Tony Knowles
Governor"

HB 41

HOUSE BILL NO. 41 by the House Rules Committee by request of the Governor, entitled:

"An Act repealing the termination date of changes made by ch. 87, SLA 1997 and ch. 132, SLA 1998 regarding child support enforcement and related programs; repealing the nonseverability provision of ch. 132, SLA 1998; repealing certain requirements for applicants for hunting and sport fishing licenses or tags, and for certain hunting permits, to provide social security numbers for child support enforcement purposes; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue

The Governor's transmittal letter dated January 8, 2001, appears below:

"Dear Speaker Porter:

Alaska's Child Support Enforcement Division collected and distributed a record \$85 million in Fiscal Year 2000 and is headed toward a new record this year. This bill I transmit today guarantees the state can retain the tools that enabled this success in helping thousands of children receive the financial support they need. It also keeps Alaska in compliance with federal welfare reform laws and eligible for nearly \$80 million in annual federal funding to operate Alaska's family assistance and child support programs.

This bill continues the state program begun in 1997 and 1998 as part of Alaska's compliance with federal welfare reform which has reduced dependence on government-funded public assistance programs by increasing child support collections. The Alaska legislature chose to sunset those compliance measures on July 1, 2001.

This bill is important to the lives of the children and parents who make up the nearly 48,000 child support cases in Alaska. It will keep in place those successful provisions of the 1997 and 1998 legislation which have improved child support collections, including:

- Enhanced due process protections in paternity proceedings.
- Requirements that all employers report newly hired employees to the child support agency.
- Authorization to use financial institution data matches to locate assets of delinquent parents.

- Immunity from civil liability for employers and financial institutions that comply with child support income-withholding orders.
- Prohibitions against disclosing identifying information of a parent or child when there is evidence of domestic violence.
- Requirements for Social Security numbers on certain vital statistics and court records, and on applications for some state licenses. To protect an individual's privacy, the numbers are not required on the actual licenses but only on the applications.
- Authorization for the child support agency to obtain orders requiring delinquent parents to seek work and orders to set aside a parent's fraudulent transfer of property if it was done to avoid a child support obligation.
- Improved access to records of other government agencies and financial institutions to locate delinquent parents and their assets.

I also want to point out that this bill repeals one controversial part of the earlier legislation. Alaska recently received a waiver from the federal requirement to collect Social Security numbers on applications for sport fishing and hunting licenses, allowing us to remove that requirement from law.

In the years since passage of the 1997 and 1998 legislation, the state has found the provisions of those bills effective at ensuring children receive the support they need from both parents. Failure to adopt this bill would jeopardize several years of progress in helping Alaska's families.

Sincerely,
/s/
Tony Knowles
Governor"

**The presence of Representatives Croft and Kapsner was noted.

HB 42

HOUSE BILL NO. 42 by Representative Green, entitled:

"An Act relating to the consumption, purchase, furnishing, delivery, offer for sale, and sale of alcoholic beverages and to driver's licenses and identification cards used to purchase alcoholic beverages."

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

HB 43

HOUSE BILL NO. 43 by Representative Green, entitled:

"An Act relating to reimbursement of certain student loans; 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 and Finance Committees.

HB 44

HOUSE BILL NO. 44 by Representatives Masek, Mulder, Bunde, and Dyson, entitled:

"An Act designating the Joe Redington, Sr., Memorial Road."

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

HOUSE BILL NOS. 45, 46, and 47 have been preassigned to the Governor's budget bills.

HB 48

HOUSE BILL NO. 48 by Representatives Coghill and Kohring, entitled:

"An Act eliminating a requirement that a social security number be provided by an applicant for a hunting or sport fishing license or tag; and providing for an effective date."

was read the first time and referred to the Resources and Judiciary Committees.

HB 49

HOUSE BILL NO. 49 by the House Rules Committee by request of the Governor, entitled:

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

was read the first time and referred to the Judiciary and Finance Committees.

The following fiscal note(s) apply:

1. Zero, Dept. of Corrections

The Governor's transmittal letter dated January 10, 2001, appears below:

"Dear Speaker Porter:

I am transmitting this bill extending the termination date of the Board of Parole for five more years, until June 30, 2006. The board would sunset on June 30, 2001 unless extended by law.

The Board of Parole performs essential functions for the criminal justice system by reviewing prisoners for possible release on discretionary parole, setting conditions for the behavior of prisoners released on both mandatory and discretionary parole, and presiding over parole revocation hearings for those accused of violating their parole conditions. The efforts of the Board of Parole go a long way toward assisting in the rehabilitation of prisoners by reintegrating them back into society while minimizing the risk to the public.

I urge your prompt and favorable consideration of this bill.

Sincerely,
/s/
Tony Knowles
Governor"

HB 50

HOUSE BILL NO. 50 by the House Rules Committee by request of the Governor, entitled:

"An Act extending the termination date of the State Board of Registration for Architects, Engineers, and Land Surveyors to June 30, 2005; relating to the temporary member of that board; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Community & Economic Development

The Governor's transmittal letter dated January 10, 2001, appears below:

"Dear Speaker Porter:

In keeping with Alaska's tradition of appropriate regulation of our occupations and professions, I am transmitting this bill extending the "sunset" of the State Board of Registration for Architects, Engineers, and Land Surveyors to June 30, 2005. The bill also creates a permanent landscape architect board member position.

In 1998, I signed into law a bill adding a landscape architect to this state board as a temporary, non-voting position. Since that time, it has become clear the participation of a landscape architect on the board is important to effective professional licensing and oversight and the board has recommended its transition to a permanent seat.

As a result of this bill, the board will have 11 members: five engineers, two architects, two land surveyors, one landscape architect and one member of the public. The temporary landscape architect board position is due to expire June 30, 2001 and that person would be eligible for reappointment if certain criteria are met.

I urge your prompt and favorable action on this bill.

Sincerely,
/s/
Tony Knowles
Governor"

HB 51

HOUSE BILL NO. 51 by the House Rules Committee by request of the Governor, entitled:

"An Act giving notice of and approving the entry into, and the issuance of certificates of participation for, a lease-purchase agreement for a seafood and food safety laboratory facility; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Administration
2. Fiscal, Dept. of Environmental Conservation
3. Fiscal, Dept. of Revenue

The Governor's transmittal letter dated January 10, 2001, appears below:

"Dear Speaker Porter:

The state's food safety laboratory plays a vital role in protecting the health of Alaskans. It tests finfish, shellfish and dairy products to be certain they're safe for human consumption, certifies private drinking water laboratories, and works with commercial processors in developing food products.

The laboratory facility is now outdated and woefully inadequate. In addition, the current lease will soon expire, requiring the facility to be relocated. The Legislature has recognized the need for replacement through previous planning and design appropriations. This bill I transmit today is the next and final step in providing Alaskans with a worthwhile facility by setting up a bonding structure for its construction. The proposed method is the issuance of certificates of participation for a lease-purchase agreement.

The anticipated total construction, acquisition, and other costs of the project under the lease-purchase agreement are not to exceed \$13,655,000 and the total anticipated annual amount of the rental obligation is \$1,220,000. The total anticipated lease payments for the full term of the lease-purchase agreement amount to \$24,440,000. The state would own the facility at the end of the lease term under the operation of the Department of Environmental Conservation.

In the interest of the public health for Alaskans and consumers of our food, fish and dairy products as well as the economic health of these industries, I urge your prompt and favorable action on this measure.

Sincerely,
/s/
Tony Knowles
Governor"

HB 52

HOUSE BILL NO. 52 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to the Interstate Compact for Adult Offender Supervision and the State Council for Interstate Adult Offender Supervision; amending Rules 4 and 24, Alaska Rules of Civil Procedure; and providing for an effective date."

was read the first time and referred to the Judiciary and Finance Committees.

The following fiscal note(s) apply:

1. Fiscal, Dept. of Corrections

The Governor's transmittal letter dated January 10, 2001, appears below:

"Dear Speaker Porter:

With this bill I transmit today, Alaska has the opportunity to increase supervision of criminal offenders who travel across state lines, thereby contributing to the growing national interest in protecting victims' rights. This bill allows Alaska to participate in the Interstate Compact for Adult Offender Supervision, joining other states in replacing the now-outdated Interstate Compact on Probation and Parole.

The current compact was enacted in 1937 and can no longer adequately deal with the more than four million offenders on probation and parole, 250,000 of which will cross state lines this year. The proposed new compact provides for an interstate commission to coordinate the transfer and supervision of probationers and parolees between states, as well as enforcement mechanisms for states who fail to abide by the rules of the compact.

A state council would also be created to exercise oversight and advocacy concerning the state's participation in the Interstate Commission as well as to make recommendations to the legislature to facilitate the operations and procedures of the compact within the state.

I urge your prompt and favorable consideration of this bill.

Sincerely,
/s/
Tony Knowles
Governor"

HB 53

HOUSE BILL NO. 53 by Representatives Davies, Hudson, and Kerttula, entitled:

"An Act establishing the Alaska Seismic Hazards Safety Commission."

was read the first time and referred to the House Special Committee on Military & Veterans' Affairs, and the State Affairs and Finance Committees.

HB 54

HOUSE BILL NO. 54 by Representative Davies, entitled:

"An Act relating to reimbursement of student loans; 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 and Finance Committees.

CONSIDERATION OF THE DAILY CALENDAR

LEGISLATIVE CITATIONS

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

Honoring - Robert "Bob" Larson

By Senator Halford; Representatives Porter, Berkowitz, Chenault, Cissna, Croft, Davies, Dyson, Foster, Halcro, Harris, Hayes, James, Joulé, Kapsner, Kerttula, Kohring, Kott, Lancaster, Masek, Meyer, Morgan, Murkowski, Rokeberg, Stevens, Williams, Wilson

UNFINISHED BUSINESS

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

Representative Halcro - from noon, January 12 to 9:32 a.m., plane time, January 16, 2001

Representative Williams - from 2:30 p.m., January 12 to 9:45 p.m., plane time, January 15, 2001

Representative Masek - from noon, January 12 to 9:30 a.m., plane time, January 16, 2001

Representative Rokeberg - from 7:00 a.m., January 17 to 9:30 p.m., plane time, January 21, 2001

Representative Bunde - from 7:00 p.m., January 12 to 9:30 a.m., plane time, January 15, 2001

Representative Dyson - from 1:35 p.m., January 19 to 9:30 a.m., plane time, January 22, 2001

Representative Hayes - from 7:21 p.m., January 12 to 9:35 p.m., plane time, January 15, 2001

Representative Cissna - from 7:15 a.m., January 13 to 9:30 a.m., plane time, January 16, 2001

Representative Morgan - from 7:00 p.m., January 16 to 9:30 p.m., plane time, January 23, 2001 (amended from page 35)

HB 13

Representative Kohring added his name as cosponsor to:

HOUSE BILL NO. 13

"An Act relating to municipal service areas and providing for voter approval of the formation, alteration, or abolishment of certain service areas."

Representative James moved and asked unanimous consent that the House recess until 6:45 p.m. There being no objection, the House recessed at 10:38 a.m.

AFTER RECESS

The Speaker called the House back to order at 6:45 p.m.

The Speaker ordered the House at ease to allow members of the Senate to enter the Chamber.

JOINT SESSION IN THE HOUSE

In accordance with the Uniform Rules, Speaker Porter turned the gavel over to President Halford who called the joint session to order at 6:56 p.m.

The purpose of the joint session was to hear a combined State of the State and State of the Budget address by the Honorable Tony Knowles, Governor of Alaska.

Senator Leman moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that the roll call of the House be waived and all members be shown as present. There being no objection, it was so ordered.

President Halford introduced the First Lady of the State of Alaska, Susan Knowles and children, Devon, Luke, and Sara.

President Halford appointed Representative Berkowitz and Senator Leman to escort the Governor to the joint session.

President Halford introduced the following new members of the Governor's cabinet:

Commissioner Designee Pat Pourchot
Department of Natural Resources

Commissioner Designee Jim Duncan
Department of Administration

Commissioner Shirley Holloway
Department of Education & Early Development

Commissioner Designee Glenn Godfrey
Department of Public Safety

The House Sergeant-at-Arms announced the Governor's entrance into the House Chamber.

Governor Knowles was escorted to the rostrum and welcomed by President Halford.

Governor Knowles delivered his address and it is published in House & Senate Joint Journal Supplement No. 1.

Governor Knowles received a standing ovation and was escorted from the Chamber by Representative Berkowitz and Senator Leman.

Senator Leman moved and asked unanimous consent that the joint session adjourn. There being no objection, President Halford adjourned the joint session at 7:42 p.m.

IN THE HOUSE

ENGROSSMENT AND ENROLLMENT

HR 1

The following was engrossed and enrolled, signed by the Speaker and Chief Clerk, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 12:45 p.m., January 10, 2001:

HOUSE RESOLUTION NO. 1

Establishing a House Special Committee on Economic Development, Trade, and Tourism.

HR 2

The following was engrossed and enrolled, signed by the Speaker and Chief Clerk, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 12:45 p.m., January 10, 2001:

HOUSE RESOLUTION NO. 2

Establishing a House Special Committee on Fisheries.

HR 3

The following was engrossed and enrolled, signed by the Speaker and Chief Clerk, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 12:45 p.m., January 10, 2001:

HOUSE RESOLUTION NO. 3

Establishing a House Special Committee on Military and Veterans' Affairs.

HR 4

The following was engrossed and enrolled, signed by the Speaker and Chief Clerk, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 12:45 p.m., January 10, 2001:

HOUSE RESOLUTION NO. 4

Establishing a House Special Committee on Oil and Gas.

HR 5

The following was engrossed and enrolled, signed by the Speaker and Chief Clerk, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 12:45 p.m., January 10, 2001:

HOUSE RESOLUTION NO. 5

Establishing a House Special Committee on Education.

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

ADJOURNMENT

The Speaker stated that, without objection, the House would adjourn.

And so, the House adjourned at 7:42 p.m. and will reconvene at 10:00 a.m., January 12, 2001.

Suzi Lowell
Chief Clerk