

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Wednesday

January 31, 2001

Twenty-fourth Day

Pursuant to adjournment the House was called to order by Speaker Porter at 10:04 a.m.

Roll call showed 40 members present.

The invocation was offered by the Reverend Ron Covey of the Douglas Community United Methodist Church. Representative Green moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

Eternal God, whose Spirit is ever-present, and whose wisdom is beyond measure, hear our prayer as we gather here today. You have given us minds with which to think, hearts with which to care, and hands with which to work. So guide our thinking, our caring, and the work which we shall do this day, that order may be maintained, communities may be helped, and individuals may be affirmed throughout this Great Land. Amen.

The Pledge of Allegiance was led by Representative Harris.

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Representative Joule requested that the House stand for a moment of silence in memory of those who lost their lives on Alaska Airlines Flight No. 261 one year ago today.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 22nd and 23rd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Lancaster introduced Allyson Oberts, Guest Page, from Soldotna.

MESSAGES FROM THE GOVERNOR

SJR 5

A message dated January 29, 2001, was read stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

CS FOR SENATE JOINT RESOLUTION NO. 5(RLS)

Relating to supporting the Great Alaska Shootout, the Top of the World Classic, and similar preseason basketball tournaments, and requesting that the National Collegiate Athletic Association reject legislative proposal No. 2000-106.

Legislative Resolve No. 2

A letter dated January 29, 2001, was read stating that, in accordance with AS 39.05.080(1) and the Alaska Constitution, Article III, Section 25, the Governor submits the following names for legislative confirmation of appointment to the positions noted:

The following appointments were referred to the State Affairs Committee:

Commissioner - Department of Administration

Jim Duncan - Juneau

Appointed: 08/25/2000

Commissioner - Department of Public Safety

Glenn G. Godfrey - Juneau

Appointed: 08/23/2000

The following appointment was referred to the Resources Committee:

Commissioner - Department of Natural Resources

Pat Pourchot - Juneau

Appointed: 08/29/2000

A letter dated January 29, 2001, was read stating that, in accordance with AS 39.05.080, the Governor submits the following names for legislative confirmation of appointment to the positions noted:

The following appointment was referred to the Finance Committee:

State Assessment Review Board

Mr. Vince Coan of Wasilla

Appointed: 12/29/2000 No Term

The following appointments were referred to the Judiciary Committee:

Commission on Judicial Conduct

Ms. Ethel L. Staton of Sitka

Appointed: 03/04/1997 Reappointed: 12/29/2000

Term Expires: 12/31/2004

Alaska Judicial Council

Ms. Eleanor Andrews of Anchorage

Appointed: 11/15/2000 Term Expires: 05/18/2001

Violent Crimes Compensation Board

Dr. Colleen M. Murphy of Anchorage

Appointed: 08/27/1998 Reappointed: 12/29/2000

Term Expires: 12/15/2003

The following appointments were referred to the Labor & Commerce Committee:

Alaska State Board of Public Accountancy

Ms. Kathleen B. Shreiber of Eagle River
Appointed: 03/21/1997 Reappointed: 05/24/2000
Term Expires: 04/25/2004
Ms. Linda C. Thomas of Juneau
Appointed: 06/25/1996 Reappointed: 05/24/2000
Term Expires: 04/25/2004

State Board of Registration for Architects, Engineers, and Land Surveyors

Ms. Daphne E. Brown of Anchorage
Appointed: 07/01/1996 Reappointed: 07/01/2000
Term Expires: 07/01/2004
Mr. Patrick H. Kalen of Fairbanks
Appointed: 03/20/1998 Reappointed: 07/01/2000
Term Expires: 07/01/2004
Dr. Robert E. Miller of Anchorage
Appointed: 09/11/1996 Reappointed: 07/01/2000
Term Expires: 07/01/2004

Board of Barbers and Hairdressers

Ms. Darae Crews of Anchorage
Appointed: 03/21/2000 Reappointed: 07/01/2000
Term Expires: 07/01/2004
Ms. Sheryl L. Sutton of Juneau
Appointed: 07/30/1996 Reappointed: 07/01/2000
Term Expires: 07/01/2004
Mr. Larry Allen Ungerecht of Anchorage
Appointed: 11/29/2000 Term Expires: 07/01/2004

Board of Dental Examiners

Ms. Rena L. Anderson of Anchorage
Appointed: 09/12/2000 Term Expires: 01/31/2001
Dr. Michael P. Moriarty of Seward
Appointed: 07/27/2000 Term Expires: 02/01/2003

Board of Dispensing Opticians

Ms. Ann M. Bezona of Kodiak

Appointed: 06/05/2000 Term Expires: 06/14/2002

Mr. Larry E. Harper of Anchorage

Appointed: 06/14/2000 Term Expires: 06/14/2004

Alaska Labor Relations Agency

Mr. Richard D. Brickley of Fairbanks

Appointed: 09/22/1999 Reappointed: 06/30/2000

Term Expires: 06/30/2003

Mr. Aaron T. Isaacs of Klawock

Appointed: 06/12/2000 Term Expires: 06/30/2002

Board of Marine Pilots

Mr. Anthony (Tony) J. Joslyn of Anchor Point

Appointed: 12/29/2000 Term Expires: 06/01/2003

Mr. Jeffrey L. Thompson of Anchorage

Appointed: 11/10/1999 Reappointed: 06/01/2000

Term Expires: 06/01/2004

Board of Marital and Family Therapy

Ms. Ann W. Swift of Fairbanks

Appointed: 01/19/2000 Reappointed: 12/29/2000

Term Expires: 12/24/2004

State Medical Board

Dr. Martha Tillion Cotten of Eagle River

Appointed: 10/03/1997 Reappointed: 05/24/2000

Term Expires: 04/21/2004

Ms. Constance E. Livsey of Anchorage

Appointed: 10/03/1997 Reappointed: 08/13/2000

Term Expires: 08/13/2004

Occupational Safety and Health Review Board

The Honorable Cliff Davidson of Kodiak

Appointed: 06/05/2000 Term Expires: 08/01/2001

Ms. Carla L. Meek of Juneau

Appointed: 07/16/1997 Reappointed: 08/01/2000

Term Expires: 08/01/2004

Board of Examiners in Optometry

Dr. William D. Faulkner of Anchorage

Appointed: 08/21/1996 Reappointed: 09/15/2000

Term Expires: 06/15/2004

Board of Pharmacy

Mr. Mark D. Bohrer of Eagle River

Appointed: 11/10/1999 Reappointed: 05/24/2000

Term Expires: 04/01/2004

Ms. Cindy Bueler of Anchorage

Appointed: 06/05/2000 Term Expires: 04/01/2004

State Physical Therapy and Occupational Therapy Board

Ms. Jo Anne Bell-Graves of Juneau

Appointed: 12/11/1998 Reappointed: 09/07/2000

Term Expires: 09/01/2004

Board of Professional Counselors

Mr. David F. Leonard of Fairbanks

Appointed: 11/16/1998 Reappointed: 12/29/2000

Term Expires: 11/01/2004

Board of Psychologist and Psychological Associate Examiners

Ms. Cathy W. Biggerstaff of Anchorage

Appointed: 12/29/2000 Term Expires: 07/01/2004

Board of Certified Real Estate Appraisers

Mr. James A. Hage of Fairbanks

Appointed: 12/11/1998 Reappointed: 06/30/2000

Term Expires: 06/30/2004

Mr. Stephen F. Turner of Anchorage

Appointed: 08/25/2000 Term Expires: 06/30/2002

Real Estate Commission

Mr. Clarence Bolden of Anchorage

Appointed: 06/05/2000 Term Expires: 01/31/2004

Ms. Gail Dossman of Anchorage

Appointed: 06/05/2000 Term Expires: 01/31/2003

Ms. Lottie M. Michael of Anchorage

Appointed: 08/28/2000 Term Expires: 01/31/2004

Regulatory Commission of Alaska

Mr. James S. Strandberg of Anchorage

Appointed: 07/01/1999 Reappointed: 10/03/2000

Term Expires: 07/01/2006

Board of Social Work Examiners

Ms. Diane M. DiSanto of Anchorage

Appointed: 09/11/1996 Reappointed: 11/21/2000

Term Expires: 07/01/2004

Board of Veterinary Examiners

Colonel William (Bill) McDonald of Fairbanks

Appointed: 12/29/2000 Term Expires: 01/31/2004

Alaska Workers' Compensation Board

Mr. John A. Abshire of Wasilla

Appointed: 07/23/1997 Reappointed: 08/28/2000

Term Expires: 07/01/2003

Ms. Valerie K. Baffone of Anchorage

Appointed: 11/08/1996 Reappointed: 07/01/1997 and
08/28/2000 Term Expires: 07/01/2003

Mr. Richard H. Behrends of Juneau

Appointed: 11/21/2000 Term Expires: 07/01/2003

Mr. John Giuchici of Fairbanks

Appointed: 10/10/1991 Reappointed: 07/15/1993,
06/25/1996, and 09/07/2000 Term Expires: 07/01/2002

Mr. Stephen T. Hagedorn of Anchorage

Appointed: 08/19/1991 Reappointed: 07/01/1993,
06/25/1996, and 09/06/2000 Term Expires: 07/01/2002

Mr. Andrew (Bear) J. Piekarski of Eagle River

Appointed: 03/17/1999 Reappointed: 08/28/2000
Term Expires: 07/01/2003

Mr. Marc D. Stemp of Bethel

Appointed: 08/14/1991 Reappointed: 07/05/1994,
03/20/1998, and 12/29/2000 Term Expires: 07/01/2003

Ms. Robin E. Ward of Anchorage

Appointed: 06/05/2000 Term Expires: 07/01/2002

The following appointments were referred to the Resources Committee:

Board of Game

Mr. William (Chip) H. Dennerlein of Anchorage
Appointed: 10/20/2000 Term Expires: 01/31/2003
The Honorable Ben Grussendorf of Sitka
Appointed: 02/01/2001 Term Expires: 01/31/2004
Dr. Julie Maier of Fairbanks
Appointed: 01/24/2001 Term Expires: 01/31/2003

The following appointments were referred to the State Affairs Committee:

State Commission for Human Rights

Judge Roy Harding Madsen (ret.) of Kodiak
Appointed: 11/21/2000 Term Expires: 01/31/2003

Personnel Board

Mr. Ronald L. Otte of Anchorage
Appointed: 12/29/2000 Term Expires: 06/20/2006

Alaska Public Offices Commission

Mr. John Dapcevich of Juneau
Appointed: 01/16/2001 Term Expires: 02/01/2002
Mr. Mark T. Handley of Juneau
Appointed: 05/24/2000 Term Expires: 02/01/2005

The following appointments were referred to the House Special Committee on Education and the Health, Education & Social Services Committee:

Board of Education and Early Development

Ms. Diane Heard of Eagle River
Appointed: 01/26/2001 Term Expires: 01/31/2003

Professional Teaching Practices Commission

Ms. Georgia (Sue) Cast of Bethel

Appointed: 10/31/1997 Reappointed: 07/01/2000

Term Expires: 07/01/2003

Ms. Patricia A. Truman of Palmer

Appointed: 09/23/1999 Reappointed: 07/01/2000

Term Expires: 07/01/2003

University of Alaska Board of Regents

Mr. Kevin O. Meyers of Anchorage

Appointed: 10/20/2000 Term Expires: 02/01/2007

The following appointment was referred to the House Special Committee on Fisheries and the Resources Committee:

Alaska Commercial Fisheries Entry Commission

Mr. Bruce C. Twomley of Juneau

Appointed: 10/06/1982 Reappointed: 08/18/1988, 07/21/1992,
10/01/1996, and 08/28/2000 Term Expires: 07/01/2004

The following appointment was referred to the House Special Committee on Oil & Gas and the Resources Committee:

Alaska Oil and Gas Conservation Commission

Ms. Julie M. Heusser of Anchorage

Appointed: 10/20/2000 Reappointed: 12/31/2000

Term Expires: 12/31/2006

Resumes for the appointments are on file in the Chief Clerk's office.

MESSAGES FROM THE SENATE

A message dated January 31, 2001, was read stating the Senate has confirmed the reappointment of Dennis "Skip" Cook and the appointment of Thomas P. Owens, Jr. as public members of the Select Committee on Legislative Ethics.

The House confirmed reappointment and appointment of the public members (page 101).

A message dated January 30, 2001, was read stating the Senate has passed the following, and it is transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS**

SJR 3

SENATE JOINT RESOLUTION NO. 3 by Senators Leman, Kelly, Wilken, Cowdery, Taylor, and Pearce:

Relating to the deployment of F-22 Raptor aircraft at Elmendorf Air Force Base.

was read the first time and referred to the House Special Committee on Military and Veterans' Affairs.

COMMUNICATIONS

The following were received:

Dept. of Administration
Division of Finance
2000 Compensation and Travel Report
of Executive Positions
January 31, 2001
www.state.ak.us/local/akpages/ADMIN/dof/travel/sched.htm
(as required by AS 37.05.210)

Dept. of Community & Economic Development
Office of the Commissioner
Notification of Annual Report of State Loans
and Report on Reinstatements
(as required by AS 37.05.035 and AS 16.10.350)

Regulatory Commission of Alaska
Annual Report, Fiscal Year 2000
www.state.ak.us/rca/
(as required by AS 42.05.211 and AS 42.06.220)

REPORTS OF STANDING COMMITTEES

HB 13

The Community & Regional Affairs Committee has considered:

SPONSOR SUBSTITUTE FOR 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."

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

Do pass (2): Scalzi, Morgan

Do not pass (1): Kerttula

No recommendation (4): Halcro, Murkowski, Guess, Meyer

The following fiscal note(s) apply:

1. Zero, Dept. of Community & Economic Development

The committee recommends an additional referral to the Judiciary Committee.

The Speaker added a Judiciary Committee referral to precede the Finance Committee referral.

SSHB 13 was referred to the Judiciary Committee.

REPORTS OF SPECIAL COMMITTEES

HJR 7

The House Special Committee on Oil & Gas has considered:

HOUSE JOINT RESOLUTION NO. 7

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

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

Do pass (7): Fate, Dyson, Kohring, Chenault, Joule, Guess, Ogan

The following fiscal note(s) apply:

1. Zero, House Special Committee on Oil & Gas

HJR 7 was referred to the Resources Committee.

INTRODUCTION OF CITATIONS

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

Commending - Special Olympics Final Leg Torch Run 2001
By Senator Green

In Memoriam - Corinne Wilson
By Representative Stevens; Senator Austerman

In Memoriam - Walter D. Teeland
By Senators Halford, Green; Representatives Masek, Ogan, Kohring

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE RESOLUTIONS****HJR 10**

HOUSE JOINT RESOLUTION NO. 10 by the House Resources Committee:

Relating to the management of the Bering Sea/Aleutian Islands and Gulf of Alaska groundfish fisheries and the protection and restoration of the Steller sea lion.

was read the first time and referred to the House Special Committee on Fisheries and the Resources Committee.

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

HB 16

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 16 by Representative Dyson, entitled:

"An Act relating to cities incorporated under state law that are home rule communities; and providing for an effective date."

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

HB 97

HOUSE BILL NO. 97 by Representative Foster, entitled:

"An Act relating to court approval of the purchase of structured settlements."

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

HB 98

HOUSE BILL NO. 98 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to the award of a high school diploma to certain World War II veterans."

was read the first time and referred to the House Special Committee on Military and Veterans' Affairs and the Health, Education and Social Services Committee.

The following fiscal note(s) apply:

1. Zero, Dept. of Education & Early Development

The Governor's transmittal letter dated January 30, 2001, appears below:

"Dear Speaker Porter:

This bill I transmit today brings a long-overdue recognition to those World War II veterans who left Alaska's high schools before graduating in order to serve their country. These veterans would be awarded high school diplomas.

Alaska would join other states in the national "Operation Recognition" program designed as society's gesture of gratitude towards World War II veterans. Many of these veterans never received high school diplomas because they chose, rather, to serve in the military at a crucial time to ward off a genuine threat to world stability. When they returned home in the post-war economic and baby boom, they went straight to work and pursued careers rather than go back to school.

Under this bill, the Department of Education and Early Development would award a diploma upon application by, or on behalf of, a person who served in the military between August 7, 1940 and July 5, 1947. Those veterans with a Graduation Equivalency Diploma could also apply.

Out of respect and recognition of Alaska's World War II veterans, I urge your prompt and favorable action on this measure.

Sincerely,
/s/
Tony Knowles
Governor"

HB 99

HOUSE BILL NO. 99 by Representative McGuire, entitled:

"An Act relating to school discipline and safety programs; 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 100

HOUSE BILL NO. 100 by Representatives McGuire and Hayes, entitled:

"An Act establishing the third Saturday of each June as Juneteenth Day."

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE RESOLUTIONS

HJR 6

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 6

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.

with the:

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TRA RPT W/AMENDMENT 6DP	109
FN 1: ZERO (H. TRA)	109
RES RPT CS(RES) NT 6DP 1NR	168
FN1: ZERO (H. TRA)	169

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

CS FOR HOUSE JOINT RESOLUTION NO. 6(RES)

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

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHJR 6(RES) be considered engrossed, advanced to third reading and placed on final passage. There being no objection, it was so ordered.

CSHJR 6(RES) was read the third time.

The question being: "Shall CSHJR 6(RES) pass the House?" The roll was taken with the following result:

CSHJR 6(RES)

Third Reading

Final Passage

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

Yeas: Berkowitz, Bunde, Chenault, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kohring, Kookesh, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Mulder, Murkowski, Ogan, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Absent: Cissna, Kerttula, Moses

And so, CSHJR 6(RES) passed the House and was referred to the Chief Clerk for engrossment.

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:

Commemorating - Black History Month

By Senator Davis; Representatives Porter, Berkowitz, Bunde, Chenault, Crawford, Croft, Davies, Dyson, Foster, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Mulder, Murkowski, Ogan, Rokeberg, Scalzi, Stevens

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 Joule - from 1:00 p.m., plane time, today to 5:00 p.m., plane time, February 3, 2001

Representative Chenault - from 7:15 a.m., plane time, February 1 to 9:30 a.m., plane time, February 5, 2001

Representative Murkowski - from 1:35 p.m., plane time, February 9 to 9:34 p.m., plane time, February 11; from 1:00 p.m., plane time, February 16 to 9:30 a.m., plane time, February 20; and from 7:14 p.m., plane time, February 23 to 9:34 p.m., plane time, February 25, 2001

Representative Green - from 2:00 p.m., plane time, March 1 to 9:44 p.m., plane time, March 6, 2001

HJR 6

Representatives Lancaster, Morgan, Ogan, Murkowski, Rokeberg, Mulder, Meyer, Harris, and McGuire added their names as cosponsors to:

CS FOR HOUSE JOINT RESOLUTION NO. 6(RES)

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

SJR 3

Representative Murkowski added her name as cross sponsor to:

SENATE JOINT RESOLUTION NO. 3

Relating to the deployment of F-22 Raptor aircraft at Elmendorf Air Force Base.

ENGROSSMENT**HJR 6**

CSHJR 6(RES) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

Majority Caucus	Speaker's Chamber	upon adj., 1/31
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Finance Subcommittee		
Dept. of Health & Social		
Services	Capitol 519	4:00 p.m., 1/31

ADJOURNMENT

Representative James moved and asked unanimous consent that the House adjourn until 10:00 a.m., February 2, 2001. There being no objection, the House adjourned at 11:09 a.m.

Suzi Lowell
Chief Clerk