

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Monday

March 19, 2001

Seventy-first Day

Pursuant to adjournment the House was called to order by Speaker Porter at 11:06 a.m.

Roll call showed 34 members present. Representatives Joule, Kohring, and Kookesh had been previously excused from a call of the House today. Representative Ogan was excused from a call of the House today due to illness.

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 today to 9:30 a.m., plane time, March 22, 2001 (amended from page 552)

Representative Masek - from today to 9:30 a.m., plane time, March 20, 2001 (amended from page 489)

The invocation was offered by the Reverend Chuck Neder, National Director of Youth Ministries, Presbyterians for Renewal. Representative Bunde moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

Our Lord in heaven, we thank You for the occasion of our being together; that is, to come together to make just, ethical, and heart-felt decisions about the state that we love and love to serve. In our deliberations allow us the ability to listen with compassion and grace and to make the decisions that promote the interest of Alaska.

Lord, today we also pray for the people of our state -- the kids in school, the workers on the job, the sick in the hospital, and all those who make Alaska the great state that it is -- bless them, hold them, keep them safe, and allow our decisions to result in a better life for them. Lord, be with the people in this room as they labor apart from their families -- keep them and keep their families whole.

So, Lord, hear our prayers, those spoken and unspoken, and bless all the people -- those with long hair, those with short hair, and those with no hair. Amen.

The Pledge of Allegiance was led by Representative Scalzi.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 68th, 69th, and 70th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Berkowitz introduced Blake Steenhoven, Guest Page, from Anchorage.

SPECIAL ORDER OF BUSINESS

Representative James moved and asked unanimous consent that the citation, Honoring - Paul Queary, The Associated Press, be taken up as a Special Order of Business at this time. There being no objection, it was so ordered.

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

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

Honoring - Paul Queary, The Associated Press
By Representatives Berkowitz, Porter, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Ogan, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

MESSAGES FROM THE SENATE

A message dated March 16, 2001, was read stating the Senate has passed the following and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE RESOLUTIONS

SJR 14

CS FOR SENATE JOINT RESOLUTION NO. 14(STA) by the Senate State Affairs Committee:

Urging President Bush, the United States Department of State, and the United States Congress to intervene and negotiate with the government of Canada to reconsider the imposition of a fee to transport firearms through Canada.

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

FIRST READING AND REFERENCE OF SENATE BILLS

SB 93

CS FOR SENATE BILL NO. 93(FIN) by the Senate Finance Committee, entitled:

"An Act relating to the Arctic Winter Games Team Alaska trust; and providing for an effective date."

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

SB 119

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 119 by Senators Wilken, Kelly, Therriault, Pearce, Leman, Torgerson, Halford, Lincoln, and Ward, entitled:

"An Act naming the William R. Wood Fairbanks International Airport; and providing for an effective date."

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

COMMUNICATIONS

The following was received:

Dept. of Revenue
Treasury Division
Annual Report on the Constitutional
Budget Reserve Fund
March 15, 2001
(as required by AS 37.10.430)

INTRODUCTION OF CITATIONS

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

Commemorating - Law Enforcement Memorial Day, May 11, 2001
By Representative Porter

In Memoriam - Carl Henderson
By Senator Davis

In Memoriam - Edmund G. Lord
By Senator Lincoln; Representative Morgan

In Memoriam - Oklahoma State University, Men's Basketball Program
By Senator Leman

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 68**

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 68 by Representative Rokeberg, entitled:

"An Act relating to civil liability for transporting an intoxicated person or for driving an intoxicated person's motor vehicle; and providing for an effective date."

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

HB 192

HOUSE BILL NO. 192 by Representatives Kapsner and Moses, entitled:

"An Act relating to the Bristol Bay Salmon Classic; and providing for an effective date."

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

HB 193

HOUSE BILL NO. 193 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to the primary election; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Fiscal, Office of the Governor

The Governor's transmittal letter dated March 15, 2001, appears below:

"Dear Speaker Porter:

The United States Supreme Court decision California Democratic Party v. Jones requires states to recognize a political party's First Amendment rights in determining which voters may participate in nominating its party candidates for placement on general election ballots. This bill that I transmit today implements the findings of the primary election task force that the lieutenant governor convened to respond to this court decision.

The bill requires political parties to notify the division of elections by September 1 of the year preceding a primary election if they choose to not participate in a blanket primary. If a party fails to submit its party primary preference to the division of elections by this deadline, the party's candidates will appear on the blanket primary ballot.

The bill provides for the primary ballot to be designed as a blanket ballot. However, if a political party chooses to exclude voters not registered with its party from participating in their primary election, then a ballot listing appropriate candidates would be prepared for that party.

It is important to all Alaska voters that the legislature adopts a new primary election system this session, in time to conduct the next primary election in an orderly and efficient manner consistent with this court decision.

Sincerely,
/s/
Tony Knowles
Governor"

HB 194

HOUSE BILL NO. 194 by Representatives Stevens, Scalzi, Wilson, Hudson, Harris, and Lancaster, entitled:

"An Act relating to fees for commercial fishing licenses and permits; and providing for an effective date."

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

HB 195

HOUSE BILL NO. 195 by Representatives Dyson and Meyer, entitled:

"An Act requiring governmental entities to meet certain requirements before placing a burden on a person's free exercise of religion."

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

HB 196

HOUSE BILL NO. 196 by Representative Dyson, entitled:

"An Act establishing a right of action for a legal separation; and amending Rule 42(a), Alaska Rules of Civil Procedure."

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

HB 197

HOUSE BILL NO. 197 by Representative Hudson, entitled:

"An Act relating to directives for personal health care services and for medical treatment."

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

HB 198

HOUSE BILL NO. 198 by Representative Hudson, entitled:

"An Act relating to a post-retirement pension adjustment and cost-of-living allowance for persons receiving benefits under the Elected Public Officers Retirement System; and increasing the compensation of the governor."

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

HB 199

HOUSE BILL NO. 199 by Representative Hudson, entitled:

"An Act relating to taxation, including taxation of income of individuals, estates, and trusts; and providing for an effective date."

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

HB 200

HOUSE BILL NO. 200 by the House Judiciary Committee, entitled:

"An Act establishing July 3 as Drunk Driving Victims Remembrance Day."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 156**

The following was read the second time:

HOUSE BILL NO. 156

"An Act relating to municipal debt for development and redevelopment projects."

with the:

Journal Page

CRA RPT 7DP

608

FN1: ZERO(CED)

608

Representative James moved and asked unanimous consent that HB 156 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 156 was read the third time.

The question being: "Shall HB 156 pass the House?" The roll was taken with the following result:

HB 156
Third Reading
Final Passage

YEAS: 34 NAYS: 0 EXCUSED: 6 ABSENT: 0

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Harris, Hayes, Hudson, James, Kapsner, Kerttula, Kott, Lancaster, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Halcro, Joule, Kohring, Kookesh, Masek, Ogan

And so, HB 156 passed the House and was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE BILLS

SB 52

The following was read the second time:

CS FOR SENATE BILL NO. 52(FIN) am
"An Act extending the termination date of the State Physical
Therapy and Occupational Therapy Board."

with the:	Journal Page
FIN RPT 7DP 1NR	384
FN2: (H.FIN/CED)	385

Representative James moved and asked unanimous consent that CSSB 52(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 52(FIN) am was read the third time.

The question being: "Shall CSSB 52(FIN) am pass the House?" The roll was taken with the following result:

CSSB 52(FIN) am
Third Reading
Final Passage

YEAS: 34 NAYS: 0 EXCUSED: 6 ABSENT: 0

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Harris, Hayes, Hudson, James, Kapsner, Kerttula, Kott, Lancaster, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Halcro, Joule, Kohring, Kookesh, Masek, Ogan

And so, CSSB 52(FIN) am passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

SECOND READING OF HOUSE RESOLUTIONS

HCR 7

The following was read the second time:

HOUSE CONCURRENT RESOLUTION NO. 7
Relating to proclaiming April 2001 as Sexual Assault Awareness Month.

with the:	Journal Page
HES RPT CS(HES) 6DP	607
FN1: ZERO(H.HES)	607

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

CS FOR HOUSE CONCURRENT RESOLUTION NO. 7(HES)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Dyson:

Page 1, lines 6 - 7:

Delete "of our mothers, daughters, sisters, or wives will, at some point, experience violence brought upon them"

Insert "women in America will experience sexual assault at some time in their lives"

Page 2, line 12:

Delete "first"

Representative Dyson moved and asked unanimous consent that Amendment No. 1 be adopted. There being no objection, it was so ordered.

The question being: "Shall CSHCR 7(HES) am pass the House?" The roll was taken with the following result:

CSHCR 7(HES) am
Second Reading
Final Passage

YEAS: 34 NAYS: 0 EXCUSED: 6 ABSENT: 0

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Harris, Hayes, Hudson, James, Kapsner, Kerttula, Kott, Lancaster, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Halcro, Joule, Kohring, Kookesh, Masek, Ogan

And so, CSHCR 7(HES) am 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 citations on the calendar. There being no objection, the following citations were approved and sent to enrolling:

Honoring - Jason Palmer, Eagle Scout

By Representatives Williams, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Rokeberg, Wilson; Senator Taylor

Honoring - Mrs. Eunice Kennedy Shriver, Founder and Honorary Chairman, Special Olympics, Incorporated

By Representatives McGuire, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, Meyer, Morgan, Mulder, Murkowski, Rokeberg, Williams, Wilson

Honoring - Malcolm Fleming, Alaska State Principal of the Year

By Senator Torgerson; Representatives Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Rokeberg, Scalzi, Williams, Wilson

Honoring - Tim Osmar, Winner, 2001 Yukon Quest International Sled Dog Race

By Senator Torgerson; Representatives Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Rokeberg, Scalzi, Williams, Wilson

In Memoriam - Pavilla "Bazrataar" Bayayok, Sr.

By Representatives Kapsner, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Foster, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kerttula, Kookesh, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Rokeberg, Williams

In Memoriam - Charles Simpler

By Representatives Harris, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Foster, Guess, Halcro, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kookesh, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Rokeberg, Williams; Senator Lincoln

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 Green - from 6:00 p.m., plane time, March 29 to 6:24 p.m., plane time, April 1, 2001

Representative James - from noon, plane time, March 29 to midnight, plane time, March 30, 2001

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Representative McGuire requested that the members stand for a moment of silence to honor the life of Rita Oney.

HCR 7

Representatives Davies, Hayes, McGuire, Murkowski, and Harris added their names as cosponsors to:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 7(HES)
am
Relating to proclaiming April 2001 as Sexual Assault Awareness Month.

HB 105

Representative Davies added his name as cosponsor to:

HOUSE BILL NO. 105
"An Act relating to the base student allocation used in the formula for state funding of public education; and providing for an effective date."

HB 124

Representative Stevens added his name as cosponsor to:

HOUSE BILL NO. 124

"An Act prohibiting nursing facilities and assisted living homes from employing or allowing access by persons with certain criminal backgrounds, with exceptions."

HB 140

Representative Lancaster added his name as cosponsor to:

HOUSE BILL NO. 140

"An Act relating to gamma-Hydroxybutyrate."

HB 156

Representative Croft added his name as cosponsor to:

HOUSE BILL NO. 156

"An Act relating to municipal debt for development and redevelopment projects."

SJR 14

Representative Kerttula added her name as cross sponsor to:

CS FOR SENATE JOINT RESOLUTION NO. 14(STA)

Urging President Bush, the United States Department of State, and the United States Congress to intervene and negotiate with the government of Canada to reconsider the imposition of a fee to transport firearms through Canada.

ENGROSSMENT**HCR 7**

CSHCR 7(HES) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 156

HB 156 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.

ADJOURNMENT

Representative James moved and asked unanimous consent that the House adjourn until 10:00 a.m., March 20, 2001. There being no objection, the House adjourned at 12:04 p.m.

Suzi Lowell
Chief Clerk