

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Friday

March 30, 2001

#### Eighty-second Day

Pursuant to adjournment the House was called to order by Speaker Porter at 10:05 a.m.

Roll call showed 31 members present. Representatives Green, Harris, Hayes, James, and Kohring 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 Rokeberg was absent and his presence was noted later.

Representative Foster, Acting Majority Leader, 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 McGuire - from today to 9:27 a.m., plane time, April 2, 2001 (amended from page 746)

Representative Kookesh - from 10:00 a.m. to 5:00 p.m., plane time, today

The invocation was offered by Pastor Daymond Geary of Restoration Grace Outreach Center. Representative Bunde moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

Father, I speak Your blessings over these representatives, their staff, the State House staff, and each family member of this assembly. May they receive grace to perform well in their duties. May each receive grace that brings favor with others including the constituents. May each receive peace to rule the heart and mind. May each receive wisdom in order to

discern what is really important. May each receive righteousness that comes by faith and not by merit. May each receive joy daily just because they are fearfully and wonderfully made. May each receive the prosperity of body, soul, and spirit. May all Your blessings richly overflow to our government and touch our great state. In Jesus' name, Amen.

The Pledge of Allegiance was led by Representative Moses.

#### **CERTIFICATION OF THE JOURNAL**

Representative Foster moved and asked unanimous consent that the journal for the 81st legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

\* \* \* \* \*

Representative Kott introduced Robert Wortman, Guest Page, from Eagle River.

#### **MESSAGES FROM THE GOVERNOR**

##### **HB 79**

A message dated March 29, 2001, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE CS FOR HOUSE BILL NO. 79(TRA)  
"An Act designating a portion of the Eagle River Loop Road as the Eagle River Veterans' Memorial Highway."

Chapter No. 6, SLA 2001  
Effective Date: June 27, 2001

##### **SB 53**

A message dated March 29, 2001, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies with a Senate letter of intent to the Lieutenant Governor's office for permanent filing:

**SENATE BILL NO. 53**

"An Act extending the termination date of the Board of Barbers and Hairdressers."

Chapter No. 7, SLA 2001

Effective Date: June 27, 2001

**MESSAGES FROM THE SENATE**

A message dated March 29, 2001, was read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE RESOLUTIONS****SJR 15**

CS FOR SENATE JOINT RESOLUTION NO. 15(RLS) by the Senate Rules Committee:

Relating to imports of salmon from Chile.

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

**SJR 17**

CS FOR SENATE JOINT RESOLUTION NO. 17(STA) by the Senate State Affairs Committee:

Relating to requesting that President Bush renounce and reverse Clinton Administration anti-gun-ownership policies and reorient the United States Department of Justice towards policies that accurately reflect the intent of the Second Amendment to the United States Constitution to grant individual Americans the right to keep and bear arms.

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

**FIRST READING AND REFERENCE  
OF SENATE BILLS****SB 6**

CS FOR SENATE BILL NO. 6(FIN) by the Senate Finance Committee, entitled:

"An Act relating to required notice of eviction to mobile home park dwellers and tenants before redevelopment of the park."

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

**SB 103**

CS FOR SENATE BILL NO. 103(FIN) by the Senate Finance Committee, entitled:

"An Act relating to election campaigns and legislative ethics."

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

**COMMUNICATIONS**

The following were received:

Department of Community & Economic Development  
Alaska Energy Authority  
Statistical Report of the Power Cost  
Equalization Program  
Fiscal Year 2000  
March, 2001

Division of Banking, Securities, and Corporations  
Alaska Commercial Fishing and Agriculture Bank  
Report of Examination  
May 31, 2000  
(as required by AS 44.81.270)

**REPORTS OF STANDING COMMITTEES****HCR 1**

The Rules Committee has considered:

HOUSE CONCURRENT RESOLUTION NO. 1  
Relating to establishing a Task Force on a Statewide  
Comprehensive Energy Plan.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 1(RLS)  
(same title)

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

Do pass (2): Berkowitz, Joule

No recommendation (4): Porter, McGuire, Morgan, Kott

The following fiscal note(s) apply to CSHCR 1(RLS):

1. Zero, House Community & Regional Affairs Committee

HCR 1 was returned to the Rules Committee for placement on the calendar.

**HB 67**

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 67  
"An Act requiring proof of motor vehicle insurance in order to register a motor vehicle; and relating to motor vehicle liability insurance for taxicabs."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 67(L&C)  
"An Act relating to motor vehicle liability insurance for taxicabs."

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

Do pass (5): Kott, Crawford, Hayes, Meyer, Rokeberg

No recommendation (2): Halcro, Murkowski

The following fiscal note(s) apply to CSHB 67(L&C):

1. Zero, House Labor & Commerce Committee

HB 67 was referred to the Judiciary Committee.

**HB 68**

The Transportation Committee has considered:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 68

"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."

and recommends it be replaced with:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.  
68(TRA)  
(same title)

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

Do pass (5): Kapsner, Kookesh, Wilson, Scalzi, Ogan

No recommendation (1): Masek

The following fiscal note(s) apply to CSSHB 68(TRA):

1. Zero, Dept. of Law

SSHB 68 was referred to the Judiciary Committee.

**SB 72**

The Resources Committee has considered:

CS FOR SENATE BILL NO. 72(FIN)

"An Act relating to 'take-a-child-hunting' seasons for big game."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 72(RES)

(same title)

The report was signed by Representative Scalzi, Co-chair, with the following individual recommendations:

Do pass (4): Stevens, Chenault, McGuire, Fate

Do not pass (1): Kerttula

No recommendation (1): Scalzi

The following fiscal note(s) apply to HCS CSSB 72(RES):

1. Zero, Dept. of Fish & Game

CSSB 72(FIN) was referred to the Rules Committee for placement on the calendar.

**REPORTS OF SPECIAL COMMITTEES****HCR 8**

The House Special Committee on Oil & Gas has considered:

HOUSE CONCURRENT RESOLUTION NO. 8

Expressing the legislature's opposition to the proposed "northern" or "over-the-top" route for a natural gas pipeline to transport North Slope natural gas reserves to the domestic North American market, and expressing the legislature's support of commercialization of North Slope natural gas for the maximum benefit of the people of the state.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 8(O&G)  
(same title)

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

Do pass (4): Fate, Guess, Dyson, Ogan

Do not pass (1): Kohring

No recommendation (1): Chenault

The following fiscal note(s) apply to CSHCR 8(O&G):

1. Zero, House Special Committee on Oil & Gas

HCR 8 was referred to the Resources Committee.

**HB 53**

The House Special Committee on Military & Veterans' Affairs has considered:

HOUSE BILL NO. 53  
"An Act establishing the Alaska Seismic Hazards Safety  
Commission."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 53(MLV)  
(same title)

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

Do pass (6): Murkowski, Hayes, Green, Kott, Cissna, Chenault

The following fiscal note(s) apply to CSHB 53(MLV):



1. Fiscal, Office of the Governor
2. Fiscal, Dept. of Natural Resources

HB 53 was referred to the State Affairs Committee.

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

### INTRODUCTION OF CITATIONS

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

Honoring - Mount Edgecumbe Braves Basketball Team  
By Representatives Joule, Wilson

Honoring - Cordova Judo Team  
By Representative Harris; Senator Lincoln

Honoring - Morris Thompson, Alaska Business Hall of Fame  
By Senator Lincoln

In Memoriam - George Robert "Bob" Andersen Jr.  
By Representative Harris; Senator Lincoln

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

#### **HB 221**

HOUSE BILL NO. 221 by the House Rules Committee by request of the Governor, entitled:

"An Act making a capital appropriation to the Department of Education and Early Development for public school facilities that is financed from the proceeds of revenue bonds issued by the Northern Tobacco Securitization Corporation; making appropriations to the Department of Transportation and Public Facilities for public transportation projects and public harbor facility projects, issuance costs, and capitalized interest that are

financed from the proceeds from the sale of certificates of participation in financing leases; and providing for an effective date."

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

The Governor's transmittal letter dated March 28, 2001, appears below:

"Dear Speaker Porter:

This bill I transmit today is the companion to previous measures I have forwarded to make substantial progress meeting statewide needs for schools, transportation and harbor facilities. This bill formally appropriates the funds for these projects.

The previously introduced measures establish the financing methods for all of the projects listed in this bill. As proposed, these school, transportation and harbor facility projects can all be funded with existing revenue sources. The funding source for each type of project is identified in the respective bills.

House Bill 169 and Senate Bill 124 provide \$127 million in statewide school construction and major maintenance through the sale of a portion of the revenues from the settlement of the state's tobacco litigation.

House Bill 168 and Senate Bill 122 authorize the issuance of revenue obligations that use federal funds to finance the accelerated construction of \$425 million in transportation projects throughout the state. These federal funds can only be used for highway and transportation projects.

House Bill 146 and Senate Bill 118 authorize the issuance of certificates of participation to finance \$43.7 million in deferred maintenance and construction projects for harbor facilities so they can be transferred to local communities. A portion of the current marine motor fuel tax revenues would be used to retire the debt.

In anticipation of your approval of these vital projects, I urge you to pass this as a separate appropriation measure or to include the project appropriations in the final capital budget for fiscal year 2002.

Sincerely,  
/s/  
Tony Knowles  
Governor"

**HB 222**

HOUSE BILL NO. 222 by Representatives Fate, Foster, and Wilson, entitled:

"An Act relating to annual rental fees for mining claims."

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

**HB 223**

HOUSE BILL NO. 223 by Representative Hudson, entitled:

"An Act relating to the voluntary deduction of the amount of certain annual dues from retirement benefits."

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

**HB 224**

HOUSE BILL NO. 224 by Representative Hudson, entitled:

"An Act amending Rule 11(a), District Court Rules of Civil Procedure."

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

**HB 225**

HOUSE BILL NO. 225 by Representative Murkowski, entitled:

"An Act relating to municipal taxation of alcoholic beverages and increasing the alcoholic beverage tax rates."

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

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF SENATE BILLS**

**SB 64**

The following was read the second time:

CS FOR SENATE BILL NO. 64(FIN)

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

with the:	Journal Page
HES RPT 6DP (HB 98 SIMILAR BILL)	771
FN1: ZERO(EED)	771

Amendment No. 1 was offered by Representative Kott:

Page 1, lines 10-11:

Delete all material.

Re-number the following paragraphs accordingly.

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

Objection was heard and withdrawn. There being no further objection, Amendment No. 1 was adopted.

Representative Foster moved and asked unanimous consent that CSSB 64(FIN) am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 64(FIN) am H was read the third time.

The question being: "Shall CSSB 64(FIN) am H pass the House?"  
The roll was taken with the following result:

CSSB 64(FIN) am H  
Third Reading  
Final Passage

**YEAS: 32 NAYS: 0 EXCUSED: 8 ABSENT: 0**

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

Excused: Green, Harris, Hayes, James, Kohring, Kookesh, McGuire, Ogan

And so, CSSB 64(FIN) am H passed the House and was referred to the Chief Clerk for engrossment.

## SECOND READING OF HOUSE RESOLUTIONS

### HJR 19

The following was read the second time:

#### HOUSE JOINT RESOLUTION NO. 19

Urging the United States Congress to pass legislation to fund the acquisition of high-resolution digital orthoimagery and digital elevation data for the entire state of Alaska.

with the:

Journal Page

RES RPT 6DP

768

FN1: ZERO(H.RES/DNR)

768

Representative Foster moved and asked unanimous consent that HJR 19 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HJR 19 was read the third time.

The question being: "Shall HJR 19 pass the House?" The roll was taken with the following result:

HJR 19  
Third Reading  
Final Passage

**YEAS: 32 NAYS: 0 EXCUSED: 8 ABSENT: 0**

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

Excused: Green, Harris, Hayes, James, Kohring, Kookesh, McGuire, Ogan

And so, HJR 19 passed the House and was referred to the Chief Clerk for engrossment.

#### **UNFINISHED BUSINESS**

Representative Foster 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 Fate - from 7:00 p.m., plane time, April 12 to 9:30 p.m., plane time, April 16, 2001

Representative Kohring - from 9:57 a.m., plane time, March 29 to 6:24 p.m., plane time, April 2, 2001 (amended from page 761)

Representative Morgan - from 7:14 p.m., plane time, April 11 to 7:59 p.m., plane time, April 13, 2001

Representative Scalzi - from 1:00 p.m., plane time, April 12 to 9:30 a.m., plane time, April 17, 2001

#### **HJR 20**

Representative Kapsner added her name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 20  
Opposing Arctic marine shipment of nuclear waste between  
Russia and Japan.

**HB 32**

Representative Dyson added his name as cosponsor to:

HOUSE BILL NO. 32

"An Act relating to the forfeiture of property used to possess or distribute child pornography, to commit indecent viewing or photography, to commit a sex offense, or to solicit the commission of, attempt to commit, or conspire to commit possession or distribution of child pornography, indecent viewing or photography, or a sexual offense."

**HB 101**

Representatives Foster, Fate, Hudson, Meyer, Kott, Bunde, Scalzi, Coghill, Chenault, Murkowski, and Masek added their names as cosponsors to:

HOUSE BILL NO. 101

"An Act relating to charter schools; and providing for an effective date."

**HB 111**

Representative Hudson added his name as cosponsor to:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 111

"An Act relating to civil liability for injuries or death resulting from livestock activities."

**HB 164**

Representatives Coghill and Cissna added their names as cosponsors to:

HOUSE BILL NO. 164

"An Act prescribing the rights of grandparents related to child-in-need-of-aid hearings; and amending Rules 3, 7, 10, 15, and 19, Alaska Child in Need of Aid Rules."

**HB 173**

Representative Kerttula added her name as cosponsor to:

## HOUSE BILL NO. 173

"An Act relating to establishing a screening, tracking, and intervention program related to the hearing ability of newborns and infants; providing an exemption to licensure as an audiologist for certain persons performing hearing screening tests; relating to insurance coverage for newborn and infant hearing screening; and providing for an effective date."

**HB 203**

Representatives Cissna and Stevens added their names as cosponsors to:

## HOUSE BILL NO. 203

"An Act making an appropriation to the Legislative Council for a study of school district cost factors; and providing for an effective date."

**SJR 15**

Representative Wilson added her name as cross sponsor to:

CS FOR SENATE JOINT RESOLUTION NO. 15(RLS)  
Relating to imports of salmon from Chile.

**SJR 17**

Representative Croft added his name as cross sponsor to:

CS FOR SENATE JOINT RESOLUTION NO. 17(STA)  
Relating to requesting that President Bush renounce and reverse Clinton Administration anti-gun-ownership policies and reorient the United States Department of Justice towards policies that accurately reflect the intent of the Second Amendment to the United States Constitution to grant individual Americans the right to keep and bear arms.

**SB 6**

Representatives Guess and Croft added their names as cross sponsors to:



CS FOR SENATE BILL NO. 6(FIN)

"An Act relating to required notice of eviction to mobile home park dwellers and tenants before redevelopment of the park."

#### ENGROSSMENT

##### **HJR 19**

HJR 19 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

##### **SB 64**

CSSB 64(FIN) am H was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

#### ENROLLMENT

##### **HCR 7**

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 9:15 a.m., March 30, 2001:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 7(HES)

am S

Relating to proclaiming April 2001 as Sexual Assault Awareness Month.

#### ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

#### ADJOURNMENT

Representative Foster moved and asked unanimous consent that the House adjourn until 11:00 a.m., April 2, 2001. There being no objection, the House adjourned at 10:46 a.m.

Suzi Lowell  
Chief Clerk