

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Tuesday

April 3, 2001

Eighty-sixth Day

Pursuant to adjournment the House was called to order by Speaker Porter at 10:15 a.m.

Roll call showed 38 members present.

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 Ogan - from today to 9:30 p.m., plane time, April 8, 2001

Representative Masek - previously excused absence (page 801) extended to 9:30 p.m., plane time, April 3, 2001

The invocation was offered by Major Larry Fankhauser of The Salvation Army. Representative Hudson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

Dear God, we thank You for this day and the opportunities it presents. We realize that those gathered in this room have been given a great responsibility. We would pray for each representative a special blessing of Your insight and wisdom, and for Your strengthening to face the challenges that will come. Let us rest in the knowledge that the right decisions have been made, and we can go from this place thankful that because as a nation under God, Your leading has directed us. For Your faithfulness and loving care, we give thanks. Amen.

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 85th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Green introduced Alectra Kelley, Guest Page, from Anchorage.

Representative Kookesh introduced Mallory Kadake, Guest Page, from Kake.

MESSAGES FROM THE SENATE**SB 64**

A message dated April 2, 2001, was read stating the Senate has concurred in the House amendment to CSSB 64(FIN), thus adopting:

CS FOR SENATE BILL NO. 64(FIN) am H

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

A message dated April 2, 2001, was read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS****SB 143**

SENATE BILL NO. 143 by the Senate Resources Committee, entitled:

"An Act authorizing the Department of Natural Resources to enter into agreements with a person or persons desiring to own an oil or natural gas pipeline proposed to be located on state land for the purposes of providing for payment of the reasonable costs incurred in preparing for activities before receipt of an application under the Alaska Right-of-Way Leasing Act and for activities

relating to the processing of an application under that Act; and providing for an effective date."

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

SB 164

SENATE BILL NO. 164 by Senators Torgerson, Halford, Pearce, Leman, Donley, Kelly, Phillips, Taylor, Green, Wilken, Ward, Austerman, Cowdery, Therriault, Davis, Ellis, Elton, Hoffman, Lincoln, and Olson, entitled:

"An Act prohibiting leases under the Right-of-Way Leasing Act on state land in or adjacent to the Beaufort Sea; and providing for an effective date."

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

COMMUNICATIONS

A letter dated March 28, 2001, was received from Alvin A. Jaeger, Secretary of State of North Dakota, forwarding a resolution regarding rescinding all applications made by the Legislative Assembly to the Congress of the United States to call a convention pursuant to the terms of Article V of the United States Constitution for proposing amendments to that Constitution and urging the legislative bodies in other states to take similar action.

REPORTS OF STANDING COMMITTEES**HCR 13**

The Resources Committee has considered:

HOUSE CONCURRENT RESOLUTION NO. 13

Relating to the nonresident fee differential for commercial fishing permits and licenses.

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

Do pass (7): Stevens, Chenault, Green, Kerttula, Kapsner, Fate, Scalzi

The following fiscal note(s) apply:

1. Zero, House Resources Committee

HCR 13 was referred to the Finance Committee.

HB 3

The Judiciary Committee has considered:

HOUSE BILL NO. 3

"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; and providing for an effective date."

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

Do pass (2): James, Rokeberg

Do not pass (1): Coghill

No recommendation (3): Berkowitz, Meyer, Kookesh

The following fiscal note(s) apply:

1. Fiscal, Dept. of Revenue

HB 3 was referred to the Finance Committee.

HB 40

The Judiciary Committee has considered:

HOUSE BILL NO. 40

"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."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 40(JUD)
(same title)

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

Do pass (1): Rokeberg

No recommendation (4): Berkowitz, Meyer, Coghill, James

The following fiscal note(s) apply to CSHB 40(JUD):

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

HB 40 was referred to the Finance Committee.

HB 132

The Judiciary Committee has considered:

HOUSE BILL NO. 132

"An Act relating to the possession or distribution of alcohol in a local option area; requiring liquor license applicants to submit fingerprints for the purpose of conducting a criminal history background check, and relating to the use of criminal justice information by the Alcoholic Beverage Control Board; providing for a review of alcohol server education courses by the Alcoholic Beverage Control Board every two years; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 132(JUD)

"An Act relating to the possession, distribution, importation, and transportation of alcohol in a local option area; requiring liquor license applicants to submit fingerprints for the purpose of conducting a criminal history background check, and relating to the use of criminal justice information by the Alcoholic Beverage Control Board; and providing for an effective date."

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

Do pass (4): Coghill, James, Kookesh, Rokeberg

No recommendation (2): Berkowitz, Meyer

The following fiscal note(s) apply to CSHB 132(JUD):

1. Zero, Dept. of Revenue
2. Indeterminate, Dept. of Law
3. Fiscal, Dept. of Corrections
4. Fiscal, Dept. of Administration
5. Zero, Alaska Court System

HB 132 was referred to the Finance Committee.

HB 162

The Finance Committee has considered:

HOUSE BILL NO. 162

"An Act relating to absences from the state under the longevity bonus program."

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

Do pass (9): Whitaker, Harris, Croft, Davies, Lancaster, Moses, Foster, Mulder, Williams

No recommendation (1): Bunde

The following fiscal note(s) apply:

1. Fiscal, Dept. of Administration

HB 162 was referred to the Rules Committee for placement on the calendar.

SB 78

The Community & Regional Affairs Committee has considered:

CS FOR SENATE BILL NO. 78(CRA)

"An Act relating to municipal regulation of radio antennas."

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

Do pass (6): Scalzi, Murkowski, Guess, Kerttula, Meyer, Morgan

No recommendation (1): Halcro

The following fiscal note(s) apply:

1. Zero, Dept. of Community & Economic Development

CSSB 78(CRA) was referred to the Rules Committee for placement on the calendar.

SB 103

The State Affairs Committee has considered:

CS FOR SENATE BILL NO. 103(FIN)

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

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

Do pass (4): Wilson, Fate, James, Coghill

Do not pass (2): Crawford, Hayes

No recommendation (1): Stevens

The following fiscal note(s) apply:

2. Fiscal, Dept. of Administration

CSSB 103(FIN) was referred to the Judiciary Committee.

SB 112

The Finance Committee has considered:

CS FOR SENATE BILL NO. 112(FIN)

"An Act placing certain employees of the Alaska Mental Health Trust Authority in the exempt service; establishing a minimum salary for the long term care ombudsman; and providing for an effective date."

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

Do pass (7): Whitaker, Harris, Moses, Davies, Lancaster, Croft, Williams

No recommendation (1): Bunde

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue

CSSB 112(FIN) was referred to the Rules Committee for placement on the calendar.

REPORTS OF SPECIAL COMMITTEES

HB 206

The House Special Committee on Fisheries has considered:

HOUSE BILL NO. 206

"An Act relating to a vessel-based commercial fisheries limited entry system, to management of offshore fisheries, and to the definition of 'person' for purposes of the commercial fisheries entry program; and providing for an effective date."

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

Do pass (2): Scalzi, Wilson

No recommendation (4): Dyson, Coghill, Kerttula, Stevens

The following fiscal note(s) apply:

1. Zero, Dept. of Fish & Game

HB 206 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:

Honoring - Jolene Clark, Alaskan Special Olympian
By Representative Scalzi

Honoring - Shaunti Irene Johnson, Alaskan Special Olympian
By Representative Scalzi

Honoring - Ivan Meganack, Alaskan Special Olympian
By Representative Scalzi

Honoring - Chugiak High School Mustangs, Mock Trial Law Championships
By Senator Phillips

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE RESOLUTIONS****HJR 26**

HOUSE JOINT RESOLUTION NO. 26 by Representatives Stevens and Dyson:

Requesting the National Marine Fisheries Service to relocate the Alaska Fisheries Science Center Steller sea lion research team to Alaska.

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

CONSIDERATION OF THE DAILY CALENDAR**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 - Chris Tarpey, Special Olympics Gold Medal Winner
By Representatives Lancaster, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Green, Guess, Halcro, Harris, Hayes, James, Joule, Kapsner, Kerttula, Kohring, Kott, McGuire, Meyer, Morgan, Mulder, Murkowski, Rokeberg, Scalzi, Stevens, Williams, Wilson; Senator Torgerson

In Memoriam - Elizabeth McSparran Congdon
By Representatives Dyson, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Fate, Foster, Guess, Halcro, Harris, Hayes, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Rokeberg, Scalzi, Stevens, Williams, Wilson; Senator Leman

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 Dyson - from 2:00 p.m., plane time, April 12 to 9:44 p.m., plane time, April 16, 2001

Representative Morgan - from 7:14 p.m., plane time, April 6 to 1:45 p.m., plane time, April 7, 2001

Representative Williams - from 2:25 p.m., plane time, April 6 to 9:44 p.m., plane time, April 8; and from 2:25 p.m., plane time, April 12 to 9:44 p.m., plane time, April 16, 2001

Representative Wilson - from 7:05 a.m., plane time, April 13 to 12:50 p.m., plane time, April 16; and from 8:00 a.m. to 10:00 a.m., April 30, 2001

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Representative Scalzi requested that the members stand for a moment of silence to honor the lives of Alaskan pioneer Joel Moss and the crew of the fishing vessel Arctic Rose.

HCR 1

Reconsideration of the following was not taken up on this legislative day and will be available April 4, 2001, pursuant to Uniform Rule 30(d):

CS FOR HOUSE CONCURRENT RESOLUTION NO. 1(RLS)
am
Relating to establishing a Task Force on a Statewide
Comprehensive Energy Plan.

HCR 1

Representative Cissna added her name as cosponsor to:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 1(RLS)
am
Relating to establishing a Task Force on a Statewide
Comprehensive Energy Plan.

HB 32

Representative Green 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 118

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 118
"An Act relating to a mandatory exemption from municipal taxes
on certain residences; and providing for an effective date."

HB 214

Representative Dyson added his name as cosponsor to:

HOUSE BILL NO. 214
"An Act relating to a civil action against a person under 21 years
of age who enters premises where alcohol is sold or consumed."

HB 225

Representative Hudson added his name as cosponsor to:

HOUSE BILL NO. 225
"An Act relating to municipal taxation of alcoholic beverages and
increasing the alcoholic beverage tax rates."

HB 228

Representatives Hudson and Murkowski added their names as cosponsors to:

HOUSE BILL NO. 228

"An Act relating to the offense of selling or giving tobacco to a minor, to the accounting of fees from business license endorsements for tobacco products, to the disclosure of certain confidential cigarette and tobacco product information, to notification regarding a cigarette manufacturer's noncompliance with the tobacco product Master Settlement Agreement, to business license endorsements for sale of tobacco products, to citations and penalties for illegal sales of tobacco products; and providing for an effective date."

SB 78

Representative Kerttula added her name as cross sponsor to:

CS FOR SENATE BILL NO. 78(CRA)

"An Act relating to municipal regulation of radio antennas."

SB 164

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

SENATE BILL NO. 164

"An Act prohibiting leases under the Right-of-Way Leasing Act on state land in or adjacent to the Beaufort Sea; and providing for an effective date."

ENROLLMENT**HB 109**

The following was engrossed and 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 2:05 p.m., April 2, 2001:

HOUSE BILL NO. 109

"An Act relating to failure by an election official to execute the voter's certificate on an absentee ballot or by a person authorized by law to execute the voter's certificate on a questioned ballot."

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

The following meetings today have been changed as indicated:

State Affairs Committee

8:00 a.m. CONTINUED:

upon adj., 4/3

Judiciary Committee CONTINUED:

11:00 a.m., 4/3

HB 4 OMNIBUS DRUNK DRIVING AMENDMENTS

ADJOURNMENT

Representative James moved and asked unanimous consent that the House adjourn until 10:00 a.m., April 4, 2001. There being no objection, the House adjourned at 10:57 a.m.

Suzi Lowell
Chief Clerk