

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Tuesday

April 24, 2001

#### One Hundred Seventh Day

Pursuant to adjournment the House was called to order by Speaker Porter at 10:09 a.m.

Roll call showed 38 members present. Representative Ogan was excused from a call of the House today due to illness. Representative Croft was absent and his presence was noted later.

The invocation was offered by the Reverend Robert Bruschi of the Church of the Holy Trinity. Representative Bunde moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

God of all power, Ruler of the Universe, You are worthy of glory and praise. At Your command all things came to be: the vast expanse of interstellar space, galaxies, suns, the planets in their courses and this fragile earth, our island home. By Your will they were created and have their being. From the primal elements You brought forth the human race, and blessed us with memory, reason, and skill. May our work for the people of Alaska praise You and give You glory. In Your Holy Name. Amen.

The Pledge of Allegiance was led by Representative Green.

#### CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 106th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

**MESSAGES FROM THE GOVERNOR****HB 24**

A message dated April 23, 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:

CS FOR HOUSE BILL NO. 24(EDT)(efd add S)

"An Act relating to use of borough revenues from a sales tax levied upon room rentals for a tourism marketing campaign; and providing for an effective date."

Chapter No. 14, SLA 2001

Effective Date: April 24, 2001

**SJR 10**

A message dated April 23, 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:

HOUSE CS FOR SENATE JOINT RESOLUTION NO. 10(MLV)  
am H

Urging the United States Congress to fully fund the operational readiness and recapitalization requirements of the United States Coast Guard.

Legislative Resolve No. 19

**SB 64**

A message dated April 23, 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:

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."

Chapter No. 13, SLA 2001

Effective Date: July 22, 2001

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

### MESSAGES FROM THE SENATE

#### **SB 60**

A message dated April 23, 2001, was read stating the Senate has concurred in the House amendment to CSSB 60(JUD) am, thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 60(RES)

"An Act relating to agricultural facilities and operations as private nuisances; and to disclosures in transfers of certain real property located within the vicinity of an agricultural facility or an agricultural operation."

A message dated April 23, 2001, was read stating the Senate has passed the following and they are transmitted for consideration:

### FIRST READING AND REFERENCE OF SENATE BILLS

#### **SB 86**

CS FOR SENATE BILL NO. 86(FIN) by the Senate Finance Committee, entitled:

"An Act relating to employment of teachers who have subject-matter expertise; and providing for an effective date."

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

#### **SB 145**

CS FOR SENATE BILL NO. 145(FIN) by the Senate Finance Committee, entitled:

"An Act relating to regional and village public safety officers; relating to the expansion of the village public safety officer program to include the provision of probation and parole supervision services; and relating to retirement benefits for village public safety officers."

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

### COMMUNICATIONS

The following were received:

Dept. of Labor & Workforce Development  
Alaska Labor Relations Agency  
2000 Annual Report  
(as required by AS 23.05.370)

Dept. of Public Safety  
Violent Crimes Compensation Board  
2000 Annual Report  
(as required by AS 18.67.170)  
[www.dps.state.ak/vccb](http://www.dps.state.ak/vccb)

### REPORTS OF STANDING COMMITTEES

#### HB 228

The Judiciary Committee has considered:

#### 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."

and recommends it be replaced with:

#### CS FOR HOUSE BILL NO. 228(JUD)

"An Act relating 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."

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

Do pass (1): Meyer

No recommendation (3): Kookesh, Coghill, Rokeberg

The following fiscal note(s) apply to CSHB 228(JUD):

1. Zero, Dept. of Revenue
2. Fiscal, Dept. of Law
3. Fiscal, Dept. of Health & Social Services
4. Fiscal, Dept. of Community & Economic Development

HB 228 was referred to the Finance Committee.

#### **HB 244**

The Resources Committee has considered:

#### HOUSE BILL NO. 244

"An Act relating to a grant of state land to the Denali Borough for a railroad and utility corridor and a railroad development project; repealing provisions relating to a grant of a right-of-way of land for a railroad and utility corridor to the Alaska Industrial Development and Export Authority; and providing for an effective date."

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

Do pass (5): Stevens, Green, Fate, Masek, Scalzi

The following fiscal note(s) apply:

1. Fiscal, Dept. of Natural Resources

HB 244 was referred to the Finance Committee.

**HB 249**

The Resources Committee has considered:

HOUSE BILL NO. 249

"An Act relating to disposal of certain property acquired by the agricultural revolving loan fund."

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

Do pass (6): Stevens, Chenault, McGuire, Fate, Masek, Scalzi

No recommendation (2): Green, Kapsner

The following fiscal note(s) apply:

1. Zero, House Resources Committee/Dept. of Natural Resources

HB 249 was referred to the Rules Committee for placement on the calendar.

**SB 99**

The Judiciary Committee has considered:

SENATE BILL NO. 99

"An Act relating to the DNA identification registration system."

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

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

No recommendation (2): Berkowitz, Kookesh

The following fiscal note(s) apply:

2. Zero, Dept. of Public Safety
3. Indeterminate, Dept. of Administration

SB 99 was referred to the Finance Committee.

**SB 172**

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 172(FIN)

"An Act relating to an annual report by the court system to the public and the legislature."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 172(JUD)  
(same title)

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

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

No recommendation (2): Berkowitz, Kookesh

The following fiscal note(s) apply to HCS CSSB 172(JUD):

1. Zero, Alaska Court System

CSSB 172(FIN) was referred to the Finance Committee.

**INTRODUCTION OF CITATIONS**

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

Honoring - Marian Johnson, Director, Baranov Museum  
By Representative Stevens

Honoring - Susie Barnett  
By Representative Berkowitz

Honoring - Technical Sergeant David Dominic Apodaca  
By Representative Mulder

Honoring - Nathan Alan James, Eagle Scout  
By Representative McGuire

In Memoriam - Donald Stark Bowers  
By Representative Masek

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

**HB 253**

HOUSE BILL NO. 253 by Representative James, entitled:

"An Act relating to retirement contributions and benefits under the public employees' retirement system of certain state employees who are employed as child protection workers or who supervise child protection workers."

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

**HB 254**

HOUSE BILL NO. 254 by Representative James by request, entitled:

"An Act relating to the teachers' retirement system, the judicial retirement system, and the public employees' retirement system and to the tax qualification under the Internal Revenue Code of those systems; amending the definition of 'actuarial adjustment' in the teachers' retirement system and the public employees' retirement system; repealing certain provisions of the teachers' retirement system and the public employees' retirement system; and providing for an effective date."

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



**HB 255**

HOUSE BILL NO. 255 by Representatives Porter and Murkowski, entitled:

"An Act establishing the Statewide Suicide Prevention Council; and providing for an effective date."

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

**HB 256**

HOUSE BILL NO. 256 by Representative Meyer by request, entitled:

"An Act relating to distributorships."

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

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF HOUSE BILLS**

**HB 101**

The following was read the second time:

HOUSE BILL NO. 101

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

with the:

Journal Page

EDU REFERRAL WAIVED	303
HES RPT CS(HES) 4DP 1NR	434
FN1: (EED)	434
FN2: (EED)	434
FIN RPT CS(FIN) 9DP 2NR	1061
FN1: (EED); FN2: (EED)	1061

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

CS FOR HOUSE BILL NO. 101(FIN)  
(same title)

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 101(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 101(FIN) was read the third time.

The question being: "Shall CSHB 101(FIN) pass the House?" The roll was taken with the following result:

CSHB 101(FIN)  
Third Reading  
Final Passage

**YEAS: 36 NAYS: 3 EXCUSED: 1 ABSENT: 0**

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

Nays: Kapsner, Kookesh, Williams

Excused: Ogan

And so, CSHB 101(FIN) passed the House.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSHB 101(FIN) was referred to the Chief Clerk for engrossment.

**SECOND READING OF SENATE BILLS****SB 93**

The following was read the second time:

CS FOR SENATE BILL NO. 93(FIN)

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

with the:	Journal Page
STA RPT 6DP	839
FN1: ZERO(REV)	840
FIN RPT 11DP	1064
FN1: ZERO(REV)	1064

Amendment No. 1 was offered by Representative Kott:

Page 2, line 15, following "report":

Insert "annually"

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

Representative James moved and asked unanimous consent that CSSB 93(FIN) am H be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 93(FIN) am H was read the third time.

Representative Kerttula moved and asked unanimous consent that she be allowed to abstain from voting due to a conflict of interest. Objection was heard, and Representative Kerttula was required to vote.

The question being: "Shall CSSB 93(FIN) am H pass the House?"  
The roll was taken with the following result:

CSSB 93(FIN) am H  
Third Reading  
Final Passage

**YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0**

Yeas: Berkowitz, 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, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Ogan

And so, CSSB 93(FIN) am H passed the House.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSSB 93(FIN) am H was referred to the Chief Clerk for engrossment.

**SB 121**

The following was read the second time:

CS FOR SENATE BILL NO. 121(RES)

"An Act adding, for purposes of the Alaska Right-of-Way Leasing Act, a definition of 'substantial change' as applied to an amended right-of-way lease application; and providing for an effective date."

with the:

Journal Page

O&G RPT 4DP	1067
FN1:ZERO(DNR)	1067
RES RPT 7DP 2NR	1122
FN1: ZERO(DNR)	1122

Representative James moved and asked unanimous consent that CSSB 121(RES) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that CSSB 121(RES) will advance to third reading on the April 25, 2001, calendar.

### **THIRD READING OF HOUSE BILLS**

#### **HB 102**

The following, which was advanced to third reading from the April 23, 2001, calendar (page 1138), was read the third time:

CS FOR HOUSE BILL NO. 102(JUD)

"An Act relating to the theft of propelled vehicles."

The question being: "Shall CSHB 102(JUD) pass the House?" The roll was taken with the following result:

CSHB 102(JUD)

Third Reading

Final Passage

**YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0**

Yeas: Berkowitz, 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, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Ogan

And so, CSHB 102(JUD) passed the House and was referred to the Chief Clerk for engrossment.

**HB 120**

The following, which was advanced to third reading from the April 23, 2001, calendar (page 1145), was read the third time:

## SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 120 am

"An Act adopting the National Crime Prevention and Privacy Compact; making criminal justice information available to interested persons and criminal history record information available to the public; making certain conforming amendments; and providing for an effective date."

The question being: "Shall SSHB 120 am pass the House?" The roll was taken with the following result:

SSHB 120 am

Third Reading

Final Passage

**YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0**

Yeas: Berkowitz, 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, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Ogan

And so, SSHB 120 am passed the House.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

SSHB 120 am was referred to the Chief Clerk for engrossment.

The Speaker stated that, without objection, the House would revert to:

**REPORTS OF STANDING COMMITTEES****HB 242**

The Finance Committee has considered:

HOUSE BILL NO. 242

"An Act relating to reemployment of and medical benefits for retired members of the teachers' retirement system and public employees' retirement system; relating to the inclusion of cost-of-living differentials on compensation and benefits under the public employees' retirement system; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 242(FIN)  
(same title)

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

Do pass (7): Foster, Croft, Hudson, Lancaster, Davies, Whitaker, Williams

No recommendation (1): Bunde

The following fiscal note(s) apply to CSHB 242(FIN):

1. Fiscal, Dept. of Administration

HB 242 was referred to the Rules Committee for placement on the calendar.

**RECONSIDERATION****HB 210**

Representative Berkowitz brought up reconsideration of the vote on CSHB 210(JUD) am (page 1143).

The following was again before the House in third reading:

CS FOR HOUSE BILL NO. 210(JUD) am  
"An Act relating to sexual assault and sexual abuse of a minor."

Representative Berkowitz moved and asked unanimous consent that CSHB 210(JUD) am be returned to second reading for the specific purpose of considering Amendment No. 1 (page 1141). There being no objection, it was so ordered.

Representative Berkowitz moved and asked unanimous consent that the House rescind previous action in adopting Amendment No. 1. There being no objection, it was so ordered.

Without objection, New Amendment No. 1 was offered by Representative Berkowitz to replace Amendment No. 1:

Page 1, following line 2:

Insert "**Section 1.** AS 09.10.060(c) is repealed and reenacted to read:

(c) Notwithstanding other provisions in this chapter, a person may bring an action at any time for the following acts:

- (1) felony sexual abuse of a minor; or
- (2) felony sexual assault."

Renumber the following bill sections accordingly.

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

The question to be reconsidered: "Shall CSHB 210(JUD) am pass the House?" The roll was taken with the following result:

CSHB 210(JUD) am--RECONSIDERATION

Third Reading

Final Passage

**YEAS: 37 NAYS: 0 EXCUSED: 1 ABSENT: 2**



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

Excused: Ogan

Absent: Kapsner, Mulder

And so, CSHB 210(JUD) am passed the House on reconsideration and was referred to the Chief Clerk for engrossment.

**CONSIDERATION OF THE DAILY CALENDAR**  
(continued)

**SECOND READING OF HOUSE RESOLUTIONS**

**HJR 27**

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 27

Supporting the erection of monuments in Alaska, Russia, and Canada to commemorate the World War II lend-lease program between the United States and the Union of Soviet Socialist Republics.

with the:

Journal Page

MLV RPT CS(MLV) 5DP  
FN1: ZERO(MLV)

1066  
1066

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. 27(MLV)  
(same title)

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHJR 27(MLV) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 27(MLV) was read the third time.

Representative Kerttula moved and asked unanimous consent that she be allowed to abstain from voting due to a conflict of interest. Objection was heard, and Representative Kerttula was required to vote.

The question being: "Shall CSHJR 27(MLV) pass the House?" The roll was taken with the following result:

CSHJR 27(MLV)

Third Reading

Final Passage

**YEAS: 37 NAYS: 0 EXCUSED: 1 ABSENT: 2**

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

Excused: Ogan

Absent: Kapsner, Williams

And so, CSHJR 27(MLV) 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 - Annie Bartley, Erma Belz, Ruth Burnett, and June Rogers  
By Representatives Hayes, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Halcro, Harris, Hudson, James, Joule, Kapsner, Kerttula, Kookesh, Kott, Lancaster, McGuire, Meyer, Morgan, Murkowski, Rokeberg, Stevens, Whitaker, Williams, Wilson

Honoring - Ron Keyes  
By Representatives Davies, Porter, Berkowitz, Bunde, Chenault, Cissna, Crawford, Croft, Dyson, Fate, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kookesh, Kott, Lancaster, McGuire, Meyer, Morgan, Murkowski, Rokeberg, Stevens, Williams, Wilson

Honoring - Ernest Barker  
By Representatives Green, Porter, Berkowitz, Bunde, Chenault, Cissna, Crawford, Croft, Davies, Dyson, Fate, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Rokeberg, Stevens, Williams, Wilson

Honoring - Kenneth Thomas, Sr.  
By Representatives Morgan, Porter, Berkowitz, Bunde, Chenault, Cissna, Crawford, Croft, Davies, Dyson, Fate, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kookesh, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Rokeberg, Stevens, Williams, Wilson; Senator Lincoln

Honoring - Rainy Diehl  
By Representatives Morgan, Porter, Berkowitz, Bunde, Chenault, Cissna, Crawford, Croft, Davies, Dyson, Fate, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kookesh, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Rokeberg, Stevens, Williams, Wilson; Senator Lincoln

Honoring - Doctor and Mrs. Jerry Prevo, Thirtieth Pastoral Anniversary Celebration

By Senator Ward; Representatives Mulder, Porter, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Dyson, Fate, Green, Halcro, Harris, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Masek, Meyer, Morgan, Murkowski, Rokeberg, Stevens, Williams, Wilson

In Memoriam - Judge William H. Sanders

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

In Memoriam - Laura Thickens Halford

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

In Memoriam - George M. Jordan, Jr.

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

## RECONSIDERATION

### **HB 76**

Representative Cissna brought up reconsideration of the vote on CSSSHB 76(FIN) (page 1149).

The following was again before the House in third reading:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.  
76(FIN)

"An Act providing for and relating to the issuance of certificates of participation to finance construction of a new facility to be known as the Alaska Psychiatric Institute; giving notice of and approving the entry into and the issuance of certificates of participation in a lease-purchase agreement for construction of a new facility to be known as the Alaska Psychiatric Institute; giving notice of the intent and approval to retain investment income from pertinent appropriations to be applied to the cost of construction of a new facility to be known as the Alaska Psychiatric Institute; relating to the construction of a facility to be known as the Alaska Psychiatric Institute; and providing for an effective date."

The question to be reconsidered: "Shall CSSSHB 76(FIN) pass the House?" The roll was taken with the following result:

## CSSSHB 76(FIN)--RECONSIDERATION

Third Reading

Final Passage

**YEAS: 35 NAYS: 0 EXCUSED: 1 ABSENT: 4**

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

Excused: Ogan

Absent: Kapsner, Moses, Whitaker, Williams

And so, CSSSHB 76(FIN) passed the House on reconsideration.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSSSHB 76(FIN) was referred to the Chief Clerk for engrossment.

\*\*Representative Kapsner was excused from a call of the House due to illness.

### CONCUR IN SENATE AMENDMENTS

#### HB 13

Representative James moved and asked unanimous consent that the House consider the Senate message (page 1130) on the following at this time:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.  
13(JUD)

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

and

SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR  
HOUSE BILL NO. 13(RLS)  
(same title)

There being no objection, it was so ordered.

Representative James moved that the House concur in the Senate amendment to CSSSHB13(JUD), thus adopting SCS CSSSHB 13(RLS), and recommended that the members vote no.

The question being: "Shall the House concur in the Senate amendment to CSSSHB13(JUD)?" The roll was taken with the following result:

SCS CSSSHB 13(RLS)  
Concur

**YEAS: 0 NAYS: 36 EXCUSED: 2 ABSENT: 2**

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

Excused: Kapsner, Ogan

Absent: Moses, Williams

And so, the House failed to concur in the Senate amendment, thus failing to adopt SCS CSSSHB 13(RLS).

The Chief Clerk was instructed to so notify the Senate and respectfully request it to recede.

In the event the Senate fails to recede from its amendment, the Speaker appointed the following members to a Conference Committee to meet with a like committee from the Senate to consider the above bills:

Representative Bunde, Chair  
Representative Coghill  
Representative Davies

### UNFINISHED BUSINESS

#### **HB 105**

The Speaker waived the Health, Education & Social Services Committee referral for the following at the request of Representative Dyson, Chair:

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 105 was removed from the Health, Education & Social Services Committee and referred to the Finance Committee.

**RECONSIDERATION****HB 3**

Representative Davies brought up reconsideration of the vote on HB 3 (page 1144).

The following was again before the House in third reading:

## 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."

Representative Davies moved and asked unanimous consent that reconsideration of HB 3 be held to the April 27, 2001, calendar.

Representative James objected.

Representative James placed a call of the House and lifted the call.

The question being: "Shall reconsideration of HB 3 be held to the April 27, 2001, calendar?" The roll was taken with the following result:

## HB 3--RECONSIDERATION

Third Reading

Hold to April 27 calendar

**YEAS: 10 NAYS: 26 EXCUSED: 2 ABSENT: 2**

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Hayes, Joule, Kerttula, Kookesh



Nays: Bunde, Chenault, Coghill, Dyson, Fate, Foster, Green, Halcro, Hudson, James, Kohring, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Kapsner, Ogan

Absent: Harris, Moses

And so, the motion failed.

The question to be reconsidered: "Shall HB 3 pass the House?" The roll was taken with the following result:

**HB 3--RECONSIDERATION**

Third Reading

Final Passage

**YEAS: 25 NAYS: 10 EXCUSED: 2 ABSENT: 3**

Yeas: Bunde, Dyson, Fate, Foster, Green, Guess, Halcro, Hayes, Hudson, James, Joule, Kookesh, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Nays: Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Kerttula, Kohring, Masek

Excused: Kapsner, Ogan

Absent: Harris, Morgan, Moses

And so, HB 3 passed the House on reconsideration.

Representative James moved the effective date clause.

The question to be reconsidered: "Shall the effective date clause be adopted?" The roll was taken with the following result:

**HB 3--RECONSIDERATION**

Third Reading

Effective Date

**YEAS: 34 NAYS: 1 EXCUSED: 2 ABSENT: 3**

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

Nays: Masek

Excused: Kapsner, Ogan

Absent: Harris, Morgan, Moses

And so, the effective date clause was adopted on reconsideration.

HB 3 was referred to the Chief Clerk for engrossment.

### UNFINISHED BUSINESS

#### **HB 105**

The House Special Committee on Education submitted the forthcoming fiscal note to accompany their report (page 1132):

1. Fiscal, Dept. of Education & Early Development

for:

CS FOR HOUSE BILL NO. 105(EDU)

"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 105 is in the Finance Committee.

#### **HJR 27**

Representatives Kerttula, Dyson, James, Croft, and Kohring added their names as cosponsors to:

CS FOR HOUSE JOINT RESOLUTION NO. 27(MLV)

Supporting the erection of monuments in Alaska, Russia, and Canada to commemorate the World War II lend-lease program between the United States and the Union of Soviet Socialist Republics.

**HB 36**

Representative Stevens added his name as cosponsor to:

HOUSE BILL NO. 36

"An Act relating to enterprise zones."

**HB 101**

Representatives James, Halcro, and Cissna added their names as cosponsors to:

CS FOR HOUSE BILL NO. 101(FIN)

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

**HB 152**

Representative McGuire added her name as cosponsor to:

HOUSE BILL NO. 152

"An Act relating to brewpub licenses."

**HB 203**

Representative Dyson added his name as cosponsor to:

CS FOR HOUSE BILL NO. 203(FIN)

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

**HB 239**

Representative Dyson added his name as cosponsor to:

HOUSE BILL NO. 239

"An Act establishing a pilot program for a regional learning center."

**HB 241**

Representatives McGuire, Kohring, Scalzi, and Wilson added their names as cosponsors to:

**HOUSE BILL NO. 241**

"An Act relating to a railroad utility corridor for extension of the Alaska Railroad to Canada and to extension of the Alaska Railroad to Whitehorse, Yukon Territory, Canada."

**HB 242**

Representative Dyson added his name as cosponsor to:

**HOUSE BILL NO. 242**

"An Act relating to reemployment of and medical benefits for retired members of the teachers' retirement system and public employees' retirement system; relating to the inclusion of cost-of-living differentials on compensation and benefits under the public employees' retirement system; and providing for an effective date."

**HB 244**

Representative Hayes added his name as cosponsor to:

**HOUSE BILL NO. 244**

"An Act relating to a grant of state land to the Denali Borough for a railroad and utility corridor and a railroad development project; repealing provisions relating to a grant of a right-of-way of land for a railroad and utility corridor to the Alaska Industrial Development and Export Authority; and providing for an effective date."

**SB 93**

Representative Kerttula added her name as cross sponsor to:

**CS FOR SENATE BILL NO. 93(FIN) am H**

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

**SB 123**

Representative Rokeberg added his name as cross sponsor to:

**CS FOR SENATE BILL NO. 123(FIN)**

"An Act relating to the program of federally funded construction projects of the Alaska Railroad Corporation."

**SB 145**

Representatives Moses and Foster added their names as cross sponsors to:

CS FOR SENATE BILL NO. 145(FIN)

"An Act relating to regional and village public safety officers; relating to the expansion of the village public safety officer program to include the provision of probation and parole supervision services; and relating to retirement benefits for village public safety officers."

**ENGROSSMENT****HJR 27**

CSHJR 27(MLV) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 3**

HB 3 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 76**

CSSSHB 76(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 101**

CSHB 101(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 102**

CSHB 102(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 120**

SSHB 120 am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 210**

CSHB 210(JUD) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

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**SB 93**

CSSB 93(FIN) am H 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.

House & Senate  
Minority Caucus      Governor's Conference Rm.      4:00 p.m., 4/24

The following meetings today have been changed as indicated:

Children's Caucus      upon adj.

Conference Committee  
HB 103 APPROP: OPERATING BUDGET  
HB 104 APPROP: MENTAL HEALTH BUDGET  
POSTPONED TO:      4:00 p.m.

**ADJOURNMENT**

Representative James moved and asked unanimous consent that the House adjourn until 10:00 a.m., April 25, 2001. There being no objection, the House adjourned at 12:26 p.m.

Suzi Lowell  
Chief Clerk