

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Thursday

April 26, 2001

One Hundred Ninth Day

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

Roll call showed 37 members present. Representative 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 Mulder was absent and his presence was noted later.

The invocation was offered by the Chaplain Norman Cohen of the Juneau Jewish Community. Representative Davies moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

Yesterday was Yom HaZikaron, Israeli Remembrance Day, similar to our Memorial Day, and today is Yom HaAtzmaut, Israel Independence Day, like our Fourth of July. These are very important days in a country that has had such a violent history arising from the Holocaust and continuing with the troubles today. We should be thankful for the peace and security that we have in this country and in our state. As you do the business of the state, keep these thoughts in mind.

The Pledge of Allegiance was led by Representative Murkowski.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 108th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

Representative Coghill introduced Katharine and Mike Moss, Guest Pages, from Fairbanks.

MESSAGES FROM THE SENATE

HB 13

A message dated April 25, 2001, was read stating the Senate has failed to recede from its amendment to:

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."

namely,

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

The President appointed the following members to a Conference Committee to meet with the like committee from the House to consider the bills:

Senator Phillips, Chair
Senator Therriault
Senator Olson

The House members of the Conference Committee are Representatives Bunde (Chair), Coghill, and Davies (page 1177).

HB 81

A message dated April 25, 2001, was read stating the Senate has passed CSHB 81(FIN) with an amendment and so, the following is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 81(FIN)

"An Act extending the termination date of the Board of Dental Examiners; relating to the Board of Dental Examiners and

regulation of the practice of dentistry; and relating to dental hygienists and dental assistants."

A Senate letter of intent was attached (Senate journal page 1241).

CSHB 81(FIN) is under Unfinished Business.

SB 93

A message dated April 25, 2001, was read stating the Senate has concurred in the House amendment to CSSB 93(FIN), thus adopting:

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."

A message dated April 25, 2001, was read stating the Senate has passed the following and it is transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 178

SENATE BILL NO. 178 by Senator Therriault, entitled:

"An Act relating to the detention of delinquent minors and to temporary detention hearings; amending Rule 12, Alaska Delinquency Rules; and providing for an effective date."

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

COMMUNICATIONS

The following was received:

Alaska Court System
Alaska Commission on Judicial Conduct
2000 Annual Report

**The presence of Representative Mulder was noted.

REPORTS OF STANDING COMMITTEES

The Resources Committee has reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

Mr. Russell Nelson

as a member of the Board of Fisheries.

The report was signed by Representatives Masek and Scalzi, Co-chairs; and Representatives Fate, Green, McGuire, Stevens, Kapsner, and Kerttula.

Dr. John White

as a member of the Board of Fisheries.

The report was signed by Representative Masek, Co-chair; and Representatives Fate, Green, McGuire, Stevens, and Kapsner.

The State Affairs Committee has reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

Mr. Jim Duncan

as Commissioner of the Department of Administration; and

Judge Roy Harding Madsen (ret.)

as a member of the State Commission for Human Rights.

The reports were signed by Representative Coghill, Chair; and Representatives James, Fate, Stevens, Wilson, Crawford, and Hayes.

Mr. Mark T. Handley

as a member of the Alaska Public Offices Commission; and

Ms. Martha Gore

as a member of the State Commission for Human Rights.

The reports were signed by Representative Coghill, Chair; and Representatives James, Fate, Stevens, Wilson, and Crawford.

HCR 10

The Judiciary Committee has considered:

HOUSE CONCURRENT RESOLUTION NO. 10

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 19, relating to certain federal child support enforcement requirements, so that the phrase "relating to child support payments" may be added to the bill's title.

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

Do pass (2): Meyer, James

No recommendation (4): Berkowitz, Coghill, Kookesh, Rokeberg

HCR 10 was referred to the Finance Committee.

HCR 17

The Resources Committee has considered:

HOUSE CONCURRENT RESOLUTION NO. 17

Expressing the legislature's support for sale of a portion of Alaska's North Slope natural gas for electrical generation to power data centers within the North Slope Borough.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 17(RES)
(same title)

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

Do pass (7): Stevens, McGuire, Green, Fate, Kerttula, Masek, Scalzi

HCR 17 was referred to the Rules Committee for placement on the calendar.

HB 20

The State Affairs Committee has considered:

HOUSE BILL NO. 20

"An Act relating to state aid to municipalities and certain other recipients, and for the village public safety officer program; relating to municipal dividends; relating to the public safety foundation program; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 20(CRA)
(same title)

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

Do pass (4): Wilson, Stevens, James, Hayes

No recommendation (3): Crawford, Fate, Coghill

The following fiscal note(s) apply to CSHB 20(CRA):

1. Zero, Dept. of Community & Economic Development
2. Zero, Dept. of Revenue

HB 20 was referred to the Finance Committee.

HB 49

The Finance Committee has considered:

HOUSE BILL NO. 49

"An Act extending the termination date of the Board of Parole; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 49(FIN)

(same title)

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

Do pass (9): Bunde, Whitaker, Harris, Croft, Moses, Lancaster, Hudson, Foster, Williams

The following fiscal note(s) apply to CSHB 49(FIN):

1. Zero, Dept. of Corrections

HB 49 was referred to the Rules Committee for placement on the calendar.

HB 106

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 106

"An Act relating to the authorizations for state financial institutions; relating to confidential financial records of depositors and customers of certain financial institutions; relating to the Alaska Banking Code, Mutual Savings Bank Act, Alaska Small Loans Act, and Alaska Credit Union Act; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 106(L&C)

"An Act relating to the authorizations for certain state financial institutions of certain powers and limitations; relating to confidential records of depositors and customers of certain financial institutions; relating to the Alaska Banking Code, Mutual Savings Bank Act, Alaska Small Loans Act, and Alaska Credit Union Act; amending Rule 45, Alaska Rules of Civil Procedure, Rules 17 and 37, Alaska Rules of Criminal Procedure, and Rule 24, Alaska Bar Rules; and providing for an effective date."

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

Do pass (3): Halcro, Hayes, Murkowski

No recommendation (3): Kott, Meyer, Rokeberg

Amend (1): Crawford

The following fiscal note(s) apply to CSHB 106(L&C):

1. Zero, Dept. of Community & Economic Development

HB 106 was referred to the Rules Committee for placement on the calendar.

HB 108

The Finance Committee has considered:

HOUSE BILL NO. 108

"An Act relating to the accounting for and appropriation of fees for recording and related services by the Department of Natural Resources; and providing for an effective date."

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

Do pass (10): Harris, Whitaker, Croft, Davies, Moses, Lancaster, Hudson, Foster, Mulder, Williams

Do not pass (1): Bunde

The following fiscal note(s) apply:

1. Fiscal, Dept. of Natural Resources

HB 108 was referred to the Rules Committee for placement on the calendar.

HB 126

The Judiciary Committee has considered:

HOUSE BILL NO. 126

"An Act relating to removal of members of the board of trustees of the Alaska Permanent Fund Corporation; and providing for an effective date."

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

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

No recommendation (1): Berkowitz

The following fiscal note(s) apply:

1. Zero, Office of the Governor
2. Zero, Dept. of Revenue

HB 126 was referred to the Finance Committee.

HB 157

The Judiciary Committee has considered:

HOUSE BILL NO. 157

"An Act relating to trust companies and providers of fiduciary services; amending Rules 6 and 12, Alaska Rules of Civil Procedure, Rule 40, Alaska Rules of Criminal Procedure, and

Rules 204, 403, 502, 602, and 611, Alaska Rules of Appellate Procedure; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 157(JUD)

"An Act relating to trust companies and providers of fiduciary services; amending Rules 6 and 12, Alaska Rules of Civil Procedure, Rule 40, Alaska Rules of Criminal Procedure, Rules 204, 403, 502, 602, and 611, Alaska Rules of Appellate Procedure, and Rules 7.2 and 7.3, Alaska Rules of Professional Conduct; and providing for an effective date."

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 157(JUD):

1. Zero, Dept. of Community & Economic Development

HB 157 was referred to the Rules Committee for placement on the calendar.

HB 184

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 184

"An Act relating to the business of insurance, including changes to the insurance code to implement federal financial services reforms for the business of insurance and to authorize the director of insurance to review criminal backgrounds for individuals applying to engage in the business of insurance; amending Rule 402, Alaska Rules of Evidence; and providing for an effective date."

and recommends it be replaced with a forthcoming committee substitute.

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

Do pass (2): Hayes, Murkowski

No recommendation (4): Halcro, Kott, Meyer, Rokeberg

Amend (1): Crawford

The following fiscal note(s) apply to CSHB 184(L&C):

1. Zero, Dept. of Community & Economic Development

HB 184 was referred to the Judiciary Committee.

HB 198

The State Affairs Committee has considered:

HOUSE BILL NO. 198

"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."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 198(STA)

"An Act relating to a post-retirement pension adjustment for certain persons receiving benefits under the Elected Public Officers Retirement System."

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

Do pass (6): Wilson, Stevens, James, Fate, Hayes, Coghill

Amend (1): Crawford

The following fiscal note(s) apply to CSHB 198(STA):

1. Fiscal, Dept. of Administration
2. Zero, Office of the Governor

HB 198 was referred to the Finance Committee.

HB 228

The Finance 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(FIN)

"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 Representatives Mulder and Williams, Co-chairs, with the following individual recommendations:

Do pass (11): Bunde, Whitaker, Harris, Croft, Davies, Moses, Lancaster, Hudson, Foster, Mulder, Williams

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

1. Zero, Dept. of Revenue
 2. Fiscal, Dept. of Law
 4. Fiscal, Dept. of Community & Economic Development
- Fiscal note forthcoming

HB 228 was referred to the Rules Committee for placement on the calendar.

SB 19

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 19(HES)

"An Act relating to federal child support enforcement requirements regarding social security number information, employer reports about employees, and certain kinds of automated data matching with financial institutions; repealing the termination date of changes made by ch. 87, SLA 1997, and ch. 132, SLA 1998, regarding child support enforcement and related programs; repealing the nonseverability provision of ch. 132, SLA 1998; repealing uncodified laws relating to ch. 87, SLA 1997, and ch. 132, SLA 1998; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 19(HES)

"An Act relating to federal child support enforcement requirements regarding social security number information, employer reports about employees, and certain kinds of automated data matching with financial institutions; relating to child support payments; repealing the termination date of changes made by ch. 87, SLA 1997, and ch. 132, SLA 1998, regarding child support enforcement and related programs; repealing the nonseverability provision of ch. 132, SLA 1998; repealing uncodified laws relating to ch. 87, SLA 1997, and ch. 132, SLA 1998; and providing for an effective date."

(HCR 10 - title change resolution)

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

Do pass (1): Meyer

No recommendation (5): Berkowitz, Coghill, James, Kookesh, Rokeberg

The following fiscal note(s) apply to HCS CSSB 19(HES):

2. Zero, Dept. of Revenue

CSSB 19(HES) was referred to the Finance Committee.

SB 145

The State Affairs Committee has considered:

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."

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

Do pass (7): Wilson, Stevens, Crawford, James, Fate, Hayes, Coghill

The following fiscal note(s) apply:

4. Zero, Dept. of Administration
5. Fiscal, Dept. of Public Safety
6. Fiscal, Dept. of Corrections

CSSB 145(FIN) was referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES

HB 13

The Conference Committee considering:

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 SS FOR HOUSE BILL NO. 13(RLS)
(same title)

requests limited powers of free conference on the following specific point:

Page 2, lines 28 and 29, following "area": "Taxes levied within a differential tax zone may only be used for the services provided in that zone."

The Conference Committee further stated that contingent upon the granting of limited powers of free conference it agrees to the following amendment:

Page 2, line 29, following "tax zone"
Insert "that exceeds the amount that would have otherwise been levied"

The request was signed by Representatives Bunde (Chair), Coghill, and Davies; and Senators Phillips (Chair), Therriault, and Olson.

Pursuant to Uniform Rule 42(a), the Speaker granted the limited powers of free conference as requested.

The Chief Clerk was instructed to so notify the Senate.

INTRODUCTION OF CITATIONS

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

Honoring - Al Scholz
By Representative Guess; Senator Ellis

Honoring - Anchorage Latino Lions Food Distribution
By Representative Guess; Senator Ellis

Honoring - Megan McDermott, Special Olympian
By Representative Croft

Honoring - Clara Morgan
By Representative Morgan

Honoring - The Community of Cold Bay
By Senator Hoffman

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

HB 259

HOUSE BILL NO. 259 by Representative Crawford, entitled:

"An Act relating to testing public and private school students for abnormal spinal curvature."

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

HB 260

HOUSE BILL NO. 260 by the House Finance Committee, entitled:

"An Act requiring the owners or operators of certain passenger vessels operating in the marine waters of the state to register the vessels; establishing information-gathering, record keeping, and reporting requirements relating to the vessels' graywater and sewage; prohibiting the discharge of untreated sewage from the vessels unless exempted; placing limits on discharges of treated sewage and graywater from the vessels unless exempted; establishing a commercial passenger vessel coastal protection fund; establishing a fee on commercial passenger vessels, that are not exempt from the fee, for each voyage during which the vessels

operate in the marine waters of the state based on the overnight accommodation capacity of the vessels determined with reference to the number of lower berths; establishing penalties for failure to comply with certain laws relating to the vessels; authorizing the Department of Environmental Conservation to encourage and recognize superior environmental protection efforts related to commercial passenger vessels; authorizing exemptions from some laws relating to discharges from the vessels and from the fee requirements related to the vessels; requiring a report from the Department of Environmental Conservation concerning matters relating to the vessels; and providing for an effective date."

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

Representative Kerttula moved that HB 260 also be referred to the Transportation and Resources Committees.

The Speaker ruled the motion out of order and stated it was the Presiding Officer's discretion to refer HB 260 to the Finance Committee and further stated a similar bill had been previously heard in those committees.

Representative Kerttula appealed the ruling of the Chair.

The question being: "Shall the ruling of the Chair be sustained?" The roll was taken with the following result:

Sustain Ruling of the Chair

YEAS: 27 NAYS: 11 EXCUSED: 2 ABSENT: 0

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

Nays: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Hayes, Joule, Kapsner, Kerttula, Moses

Excused: Kookesh, Ogan

And so, the motion passed.

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 105**

The following was read the second time:

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."

with the:	Journal Page
EDU RPT CS(EDU) 4DP 1NR 1AM	1132
FN1: (EED) FORTHCOMING	1133
HES REFERRAL WAIVED	1177
FN1: (EED) RECEIVED	1180
FIN RPT CS(EDU) 6DP 1NR 3AM	1192
LETTER OF INTENT WITH FIN REPORT	1193
FN1: (EED)	1193

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. 105(EDU)
(same title)

Representative James moved and asked unanimous consent to withdraw the motion. There being no objection, it was so ordered.

The Speaker stated that, without objection, HB 105 would be held in second reading to the April 27, 2001, calendar.

HB 142

The following was read the second time:

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HOUSE BILL NO. 142

"An Act relating to the Alaska temporary assistance program; and providing for an effective date."

with the:	Journal Page
HES RPT CS(HES) 4DP 1NR	950
FN1: ZERO(HSS)	950
FIN RPT CS(HES) 7DP 1NR	1088
FN1: ZERO(HSS)	1089

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. 142(HES)
(same title)

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 142(HES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 142(HES) was read the third time.

The question being: "Shall CSHB 142(HES) pass the House?" The roll was taken with the following result:

CSHB 142(HES)
Third Reading
Final Passage

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

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

Excused: Kookesh, Ogan

Absent: Moses

And so, CSHB 142(HES) 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 142(HES) was referred to the Chief Clerk for engrossment.

HB 230

The following was read the second time:

HOUSE BILL NO. 230

"An Act relating to wage and hour protections for employees of the Alaska Railroad Corporation; and providing for an effective date."

with the:	Journal Page
L&C RPT 6DP	1093
FN1: ZERO(CED)	1093

Representative James moved and asked unanimous consent that HB 230 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 230 was read the third time.

The question being: "Shall HB 230 pass the House?" The roll was taken with the following result:

HB 230
Third Reading
Final Passage

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

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

Excused: Kookesh, Ogan

Absent: Bunde, Moses

And so, HB 230 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.

HB 230 was referred to the Chief Clerk for engrossment.

HB 250

The following was read the second time:

HOUSE BILL NO. 250

"An Act relating to missions and measures to be applied to certain expenditures by the executive branch of state government and the University of Alaska from the state operating budget for the fiscal year ending June 30, 2002; and providing for an effective date."

with the:	Journal Page
FIN RPT CS(FIN) 7DP	1199
FN1: ZERO(H.FIN/ALL DEPTS)	1199

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. 250(FIN)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Croft:

Page 1, line 2, following "**government**" (title amendment):

Insert "**, the Alaska State Legislature**"

Page 1, line 10:

Delete "the departments of"

Page 1, line 13:

Delete "departments"

Page 1, line 13:

Delete "their"

Insert "its"

Insert a new bill section to read:

***Sec. ____.** **Alaska State Legislature.** (a) The mission of the Alaska State Legislature is to create a balanced state budget, encourage public participation in government and work to preserve and further the general health, economic vitality, educational needs and growth for the people of the state of Alaska.

(b) The legislature intends to measure its success by considering

(1) The difference between state revenue and state expenditures in millions of dollars.

(2) Implementation of a long-term fiscal policy.

(3) The growth rate of per capita income of Alaskans.

(4) The rate of state unemployment over a five year span.

(5) Number of disease outbreaks or preventable health related incidents throughout the state.

(6) The infant mortality rate over a five year span.

(7) Student performance on standards testing.

(8) Whether the state retains management of its fish and game resources.

(9) Percentage of Alaskans that can call for a public safety officer and reasonably expect to see one within four hours."

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

Representative Bunde objected.

Representative Berkowitz moved and asked unanimous consent that the question be divided into ten parts.

Objection was heard.

Representative Berkowitz moved and asked unanimous consent to amend the motion to divide the question into two parts.

Representative James objected and withdrew the objection. There being no further objection, Amendment No. 1 was divided.

Amendment No. 1 - Part A:

Page 1, line 2, following "**government**" (title amendment):
Insert "**, the Alaska State Legislature**"

Page 1, line 10:
Delete "the departments of"

Page 1, line 13:
Delete "departments"

Page 1, line 13:
Delete "their"
Insert "its"

Insert a new bill section to read:

***Sec. __. Alaska State Legislature.** (a) The mission of the Alaska State Legislature is to create a balanced state budget, encourage public participation in government and work to preserve and further the general health, economic vitality, educational needs and growth for the people of the state of Alaska."

The question being: "Shall Amendment No. 1 - Part A be adopted?"
The roll was taken with the following result:

CSHB 250(FIN)
Second Reading
Amendment No. 1 - Part A

YEAS: 13 NAYS: 25 EXCUSED: 2 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Halcro, Hayes, Hudson, Joule, Kapsner, Kerttula, Moses

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

Excused: Kookesh, Ogan

And so, Amendment No. 1 - Part A was not adopted.

Amendment No. 1 - Part B:

Insert a new subsection to read:

"(b) The legislature intends to measure its success by considering

- (1) The difference between state revenue and state expenditures in millions of dollars.
- (2) Implementation of a long-term fiscal policy.
- (3) The growth rate of per capita income of Alaskans.
- (4) The rate of state unemployment over a five year span.
- (5) Number of disease outbreaks or preventable health related incidents throughout the state.
- (6) The infant mortality rate over a five year span.
- (7) Student performance on standards testing.
- (8) Whether the state retains management of its fish and game resources.
- (9) Percentage of Alaskans that can call for a public safety officer and reasonably expect to see one within four hours."

The question being: "Shall Amendment No. 1 - Part B be adopted?"
The roll was taken with the following result:

CSHB 250(FIN)
Second Reading
Amendment No. 1 - Part B

YEAS: 9 NAYS: 28 EXCUSED: 2 ABSENT: 1

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Kapsner, Kerttula, Moses

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

Excused: Kookesh, Ogan

Absent: Chenault

And so, Amendment No. 1 - Part B was not adopted.

Representative James moved and asked unanimous consent that CSHB 250(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that CSHB 250(FIN) will advance to third reading on the April 27, 2001, calendar.

SECOND READING OF SENATE BILLS

SB 156

The following was read the second time:

CS FOR SENATE BILL NO. 156(RES)

"An Act amending the Alaska Land Act to clarify the requirement of a single written best interest finding required for the sale, lease, or other disposal of state land or resources or an interest in them, and relating to certain disposals involving multiphased development; and providing for an effective date."

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O&G RPT 4DP 2NR	956
FN1: ZERO(DNR)	957
RES RPT 6DP 1NR 1AM	1065
FN1: ZERO(DNR)	1066

Amendment No. 1 was offered by Representative Kerttula:

Page 5, line 23:

Delete "**are**"

Insert "**will be**"

Page 5, line 23:

Delete "**adopted**"

Insert "**to be promulgated**"

Page 5, line 24 following "**department**":

Delete through line 26

Insert "¡:"

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

Representative Fate objected.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

CSSB 156(RES)

Second Reading

Amendment No. 1

YEAS: 10 NAYS: 27 EXCUSED: 2 ABSENT: 1

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

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

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Excused: Kookesh, Ogan

Absent: Kapsner

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representative Kerttula:

Page 5, line 22, following "**proceed**,":

Insert "**the department shall make a written finding and**"

Representative Kerttula moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Fate objected.

Representative Kerttula moved and asked unanimous consent to withdraw Amendment No. 2. There being no objection, it was so ordered.

Amendment No. 3 was offered by Representative Kerttula:

Page 4, line 30:

Delete "may address only"

insert "**shall** [MAY] address [ONLY]"

Representative Kerttula moved and asked unanimous consent that Amendment No. 3 be adopted.

Representative Fate objected.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

CSSB 156(RES)

Second Reading

Amendment No. 3

YEAS: 10 NAYS: 28 EXCUSED: 2 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Davies, Guess, Hayes, Joule, Kapsner, Kerttula, Moses

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

Excused: Kookesh, Ogan

And so, Amendment No. 3 was not adopted.

Representative James moved and asked unanimous consent that CSSB 156(RES) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that CSSB 156(RES) will advance to third reading on the April 27, 2001, calendar.

THIRD READING OF SENATE BILLS

SB 82

The following, which was advanced to third reading from the April 25, 2001, calendar (page 1214), was read the third time:

CS FOR SENATE BILL NO. 82(STA)

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

The question being: "Shall CSSB 82(STA) pass the House?" The roll was taken with the following result:

CSSB 82(STA)

Third Reading

Final Passage

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

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

Excused: Kookesh, Ogan

Absent: Davies

And so, CSSB 82(STA) 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 82(STA) was signed by the Speaker and Chief Clerk and returned to the Senate.

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 - Dr. Thomas F. Albert

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

Honoring - Martha Foster and Louise Clark, Arctic Survivors

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

Honoring - Point Hope Harpooners Boys Basketball Team

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

Honoring - Mr. Paul MacDonald

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

Honoring - Jack E. Brown

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

In Memoriam - Eloise Hershberger

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

In Memoriam - Margie Georgianna Bolton

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

In Memoriam - Patricia Gail DeBusschere

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

CONCUR IN SENATE AMENDMENTS**HB 81**

Representative James moved and asked unanimous consent that the House consider the Senate message (page 1224) on the following at this time:

CS FOR HOUSE BILL NO. 81(FIN)

"An Act extending the termination date of the Board of Dental Examiners; relating to the Board of Dental Examiners and regulation of the practice of dentistry; and relating to dental hygienists and dental assistants."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 81(FIN)
(same title)

There being no objection, it was so ordered.

Representative James moved that the House concur in the Senate amendment to CSHB 81(FIN), thus adopting SCS CSHB 81(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 81(FIN)?" The roll was taken with the following result:

SCS CSHB 81(FIN)

Concur

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

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

Excused: Kookesh, Ogan

Absent: Berkowitz, Guess

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 81(FIN).

Representative James moved and asked unanimous consent that the House adopt the Senate letter of intent. There being no objection, it was so ordered.

The Chief Clerk was instructed to so notify the Senate.

SCS CSHB 81(FIN) was referred to the Chief Clerk for enrollment.

UNFINISHED BUSINESS

HB 260

Representative Kerttula moved and asked unanimous consent that Transportation and Resources Committee referrals be added to the following:

HOUSE BILL NO. 260

"An Act requiring the owners or operators of certain passenger vessels operating in the marine waters of the state to register the vessels; establishing information-gathering, record keeping, and reporting requirements relating to the vessels' graywater and sewage; prohibiting the discharge of untreated sewage from the vessels unless exempted; placing limits on discharges of treated sewage and graywater from the vessels unless exempted; establishing a commercial passenger vessel coastal protection fund; establishing a fee on commercial passenger vessels, that are not exempt from the fee, for each voyage during which the vessels operate in the marine waters of the state based on the overnight accommodation capacity of the vessels determined with reference to the number of lower berths; establishing penalties for failure to comply with certain laws relating to the vessels; authorizing the Department of Environmental Conservation to encourage and recognize superior environmental protection efforts related to commercial passenger vessels; authorizing exemptions from some laws relating to discharges from the vessels and from the fee

requirements related to the vessels; requiring a report from the Department of Environmental Conservation concerning matters relating to the vessels; and providing for an effective date."

Representative James objected.

The question being: "Shall Transportation and Resources Committee referrals be added to HB 260?" The roll was taken with the following result:

HB 260

Add Transportation & Resources Committee Referrals

YEAS: 11 NAYS: 26 EXCUSED: 2 ABSENT: 1

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

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

Excused: Kookesh, Ogan

Absent: Dyson

And so, the motion failed.

HB 260 is in the Finance Committee.

Representative Berkowitz moved and asked unanimous consent that the following be adopted as the Sense of the House:

"The language in SCS for CS for HB 103(FIN) suspending funding for the Department of Health & Social Services if the department is compelled to expend funds for abortions shall not be included in the conference committee substitute."

Representative Coghill objected.

Representative Guess placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall it be the Sense of the House to strike the language in SCS CSHB 103(FIN) suspending funding for the Department of Health & Social Services if the department is compelled to expend funds for abortions?" The roll was taken with the following result:

Sense of the House
Strike Budget Bill Language

YEAS: 20 NAYS: 18 EXCUSED: 2 ABSENT: 0

Yeas: Berkowitz, Bunde, Cissna, Crawford, Croft, Davies, Guess, Halcro, Hayes, Hudson, Joule, Kapsner, Kerttula, McGuire, Moses, Murkowski, Rokeberg, Scalzi, Stevens, Whitaker

Nays: Chenault, Coghill, Dyson, Fate, Foster, Green, Harris, James, Kohring, Kott, Lancaster, Masek, Meyer, Morgan, Mulder, Porter, Williams, Wilson

Excused: Kookesh, Ogan

And so, the motion passed.

HJR 25

Representative Wilson added her name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 25

Proposing an amendment to the Constitution of the State of Alaska relating to initiative and referendum petitions.

HB 20

Representative Wilson added her name as cosponsor to:

HOUSE BILL NO. 20

"An Act relating to state aid to municipalities and certain other recipients, and for the village public safety officer program; relating to municipal dividends; relating to the public safety foundation program; and providing for an effective date."

HB 105

Representatives McGuire and Kohring added their names as cosponsors 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 172

Representative Kerttula added her name as cosponsor to:

CS FOR HOUSE BILL NO. 172(FIN) am

"An Act relating to therapeutic courts for offenders and to the authorized number of superior court judges."

HB 213

Representative Wilson added her name as cosponsor to:

HOUSE BILL NO. 213

"An Act relating to initiative and referendum petitions; and providing for an effective date."

HB 241

Representatives Foster and Whitaker 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 244

Representative Foster 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."

HB 253

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 253

"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."

HB 255

Representative Kapsner added her name as cosponsor to:

HOUSE BILL NO. 255

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

SB 145

Representatives Wilson and Kapsner 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**HB 142**

CSHB 142(HES) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 230

HB 230 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., April 27, 2001. There being no objection, the House adjourned at 12:36 p.m.

Suzi Lowell
Chief Clerk