

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Tuesday

January 22, 2002

Ninth Day

Pursuant to adjournment the House was called to order by Speaker Porter at 10:46 a.m.

Roll call showed 36 members present. Representatives Kohring, Masek, and Scalzi had been previously excused from a call of the House today. Representative Ogan was absent and his presence was noted later.

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

Our Father in heaven, as this assembly begins a new day of debate and deliberation on matters of state, give each one a measure of understanding and appreciation for one another. Remind each that party lines represent differences of ideology, but each are still part of humanity. Everyone needs to be appreciated, respected, and loved. May each one know the experience of the prophet Isaiah. In his words, "The Sovereign Lord has given me an instructed tongue, to know the words that sustain the weary. He wakens me morning by morning, wakens my ear to listen like one being taught."

The Bible states that the tongue is the power of life and death, blessing and curse. I pray that each one will be generous in praise and cautious in criticism. As this assembly debates issues, may wisdom prevail and self-respect remain intact. Lord, keep each in a spirit of harmony so that each distinct sound is tuned and heard at the right time thereby creating a great symphony. Bless this House of Representatives, each

one's family, and staff. Bless this state and our nation. In
Jesus' Name. Amen.

The Pledge of Allegiance was led by Representative Coghill.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the fifth, sixth, seventh, and eighth legislative days and Senate and House Joint Journal Supplement No. 8 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

COMMUNICATIONS

The following were received:

Dept. of Health & Social Services
Office of the Commissioner
In Step - The Plan
Comprehensive Integrated Mental Health Plan

Dept. of Natural Resources
Division of Mining, Land, and Water
2002 Report to the Legislature
Report on Identified RS 2477 Rights-of-Way
(as required by AS 19.30.400)

Notification of Annual Mining Report
(as required by AS 27.05.060)

Land Disposal Income Fund Report
(as required by AS 38.04.022)

Notification of Annual Report on
Water Removals and Exports
(as required by AS 46.15.020)

Dept. of Revenue
Alaska Housing Finance Corporation
2001 Annual Report
(as required by AS 18.56.089)

HB 242

Pursuant to the following:

SENATE CS FOR CS FOR HOUSE BILL NO. 242(FIN)

"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."

Chapter No. 57, SLA 2001

The following was received:

Dept. of Administration
Division of Retirement and Benefits
Summary of Retirees Returned to Public Employment
January 8, 2002

REPORTS OF STANDING COMMITTEES

HJR 30

The State Affairs Committee has considered:

HOUSE JOINT RESOLUTION NO. 30

Relating to an amendment to the Constitution of the United States prohibiting desecration of the Flag of the United States.

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

Do pass (5): Wilson, Stevens, James, Fate, Coghill

No recommendation (1): Hayes

The following fiscal note(s) apply:

1. Zero, House State Affairs Committee/Legislative Affairs Agency

HJR 30 was referred to the Judiciary Committee.

**The presence of Representative Ogan was noted.

HB 334

The Finance Committee has considered:

HOUSE BILL NO. 334

"An Act making appropriations for a grant to Arctic Power to promote the opening of the Arctic National Wildlife Refuge for oil and gas exploration and development; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 334(FIN)
(same title)

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

Do pass (7): Williams, Mulder, Harris, Croft, Lancaster, Hudson, Foster

No recommendation (2): Davies, Moses

HB 334 was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

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

Honoring - John M. Brower
By Representative Meyer

Honoring - Jacob Adams
By Representative Joule; Senator Olson

Honoring - William Elliott
By Representative Masek

Honoring - Larry Erickson
By Representative Lancaster

Honoring - Stephany Thompson
By Representative Masek

Honoring - Alaska's 2002 Olympic Torchbearers
By Senator Elton; Representative Mulder

Honoring - Michelle Kennedy
By Senator Taylor; Representative Wilson

In Memoriam - Kevin Christopher "Katinniq Atoruk"
By Representative Joule

In Memoriam - Tommy Reed Corr III
By Representative Lancaster

In Memoriam - Milton "Turk" Turkington, Jr.
By Representatives Scalzi, Lancaster

In Memoriam - Michael K. McDonald
By Senator Phillips; Representative Rokeberg

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

HJR 32

HOUSE JOINT RESOLUTION NO. 32 by Representative Dyson:

Encouraging the United States Board on Geographic Names to adopt place name changes proposed by the Alaska Historical Commission.

was read the first time and referred to the Community & Regional Affairs and Resources Committees.

HJR 33

HOUSE JOINT RESOLUTION NO. 33 by Representative James:

Expressing gratitude to President George W. Bush, to the President's cabinet, and to the men and women of the United States armed forces and declaring support for the war on terrorism.

was read the first time and referred to the House Special Committee on Military & Veterans' Affairs.

HJR 34

HOUSE JOINT RESOLUTION NO. 34 by Representative James:

Requesting the members of the Alaska delegation in the United States Senate to urge the Majority Leader of the United States Senate to allow President George W. Bush's economic security package to receive a vote.

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

HJR 35

HOUSE JOINT RESOLUTION NO. 35 by Representative James:

Relating to urging the United States Congress to amend the tax code to permanently repeal the death tax.

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

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

HB 346

HOUSE BILL NO. 346 by Representative Masek, entitled:

"An Act relating to concealed handgun permittees."

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

HB 347

HOUSE BILL NO. 347 by Representative Coghill, entitled:

"An Act relating to benefits for state officers and employees initially hired after June 30, 2002."

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

HB 348

HOUSE BILL NO. 348 by Representative Croft, entitled:

"An Act relating to violations of domestic violence protective orders."

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

HB 349

HOUSE BILL NO. 349 by Representative Dyson, entitled:

"An Act relating to agency programs and financial plans."

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

The Speaker stated that, without objection, the House would stand at ease; and so, the House stood at ease at 10:58 a.m.

AFTER AT EASE

The Speaker called the House back to order at 11:01 a.m.

JOINT SESSION IN THE HOUSE

In accordance with the Uniform Rule 51, Speaker Porter turned the gavel over to President Halford who called the joint session to order at 11:02 a.m.

The purpose of the joint session was to hear an address by the Honorable Ted Stevens, U.S. Senator.

Senator Lemman moved and asked unanimous consent that the roll call of the Senate be waived and all members be shown as present. There being no objection, it was so ordered.

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

President Halford appointed Representative Kerttula and Senator Stevens to escort the Senator to the joint session.

The Senate Sergeant-at-Arms announced the Senator's entrance into the House Chamber.

Senator Stevens was escorted to the rostrum and welcomed by President Halford.

Senator Stevens delivered his address and it is published in House & Senate Joint Journal Supplement No. 9.

A question and answer period followed the conclusion of the Senator's speech.

Senator Stevens received a standing ovation and was escorted from the Chamber by Representative Kerttula and Senator Stevens.

Senator Lemman moved and asked unanimous consent that the joint session adjourn. There being no objection, President Halford adjourned the joint session at 12:06 p.m.

The Speaker ordered the House at ease to allow members of the Senate to leave the Chamber.

IN THE HOUSE

The Speaker called the House back to order at 12:09 p.m.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 68

The following was read the second time:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 68

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

with the:

Journal Page

TRA RPT CS(TRA) 5DP 1NR	784
FN1: ZERO(LAW)	784
JUD RPT CS(JUD) NT 2DP 3NR	1085
FN1: ZERO(LAW)	1086

The Rules Committee submitted the following updated fiscal note:

2. Zero, Dept. of Law

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

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

"An Act relating to accidents involving the vehicle of a person under the influence of an alcoholic beverage; and providing for an effective date."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Rokeberg:

Page 2, line 22:

Delete "2001"

Insert "2002"

Representative Rokeberg 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 CSSSHB 68(JUD)(efd am) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSSHB 68(JUD)(efd am) was read the third time.

The question being: "Shall CSSSHB 68(JUD)(efd am) pass the House?" The roll was taken with the following result:

CSSSHB 68(JUD)(efd am)

Third Reading

Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 3 ABSENT: 0

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

Excused: Kohring, Masek, Scalzi

And so, CSSSHB 68(JUD)(efd 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.

Representative Davies gave notice of reconsideration of the vote on CSSSHB 68(JUD)(efd am).

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 - Louise and Algot Anderson, 51st Wedding Anniversary
By Representatives Stevens, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Green, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Mulder, Murkowski, Rokeberg, Scalzi, Williams, Wilson; Senator Austerman

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

In Memoriam - Myrle Sue Lagasse

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

In Memoriam - Patricia Symonds

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

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 7:00 a.m., January 26 to 9:45 p.m., January 27, 2002

Representative Masek - from noon, February 14 to 9:30 p.m., plane time, February 19, 2002

Representative Ogan - from 2:05 p.m., February 14 to 9:35 p.m., plane time, February 18, 2002 (amended from page 2014)

HCR 11

Representative Green added his name as cosponsor to:

HOUSE CONCURRENT RESOLUTION NO. 11

Proposing an amendment to the Uniform Rules of the Alaska State Legislature relating to the Education Committee, a standing committee of the legislature.

HJR 30

Representative Coghill added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 30
Relating to an amendment to the Constitution of the United States
prohibiting desecration of the Flag of the United States.

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

The following meeting today has been changed as indicated:

Health, Education & Social Services Committee
CANCELED 3:00 p.m., 1/22

ADJOURNMENT

Representative James moved and asked unanimous consent that the House adjourn until 10:00 a.m., January 23, 2002. There being no objection, the House adjourned at 12:30 p.m.

Suzi Lowell
Chief Clerk