

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Monday

January 28, 2002

Fifteenth Day

Pursuant to adjournment the House was called to order by Speaker Porter at 11:04 a.m.

Roll call showed 31 members present. Representatives Chenault, Joule, Kapsner, Kookesh, and Rokeberg had been previously excused from a call of the House today. Representatives Hudson and Mulder were absent and their presence was noted later.

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 Masek - previously excused absence (page 2013) extended to 1:30 p.m. today.

Representative Morgan - from today to 9:35 p.m., plane time, January 29, 2002

The invocation was offered by Pastor Gary Waterhouse of the Juneau and Sitka Seventh-day Adventist Churches. Representative Coghill moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

O Lord, how full of wonder and splendor You are!
Everywhere we turn today we see reflections of Your beauty
and hear the sounds of Your glory, not only in the mountains
and glaciers and the wildlife, but also in the laughter of
children, the exuberance of youth, and the wisdom of our
elders. Everything testifies to Your majesty and praise, and
Your love for us. Thank You for that, Lord.

You have provided all of our needs, everything we could ever want. You also have the answers to all of our problems. May we follow Your will today and all Your purposes so that right thinking may result in right doing. All of these things we ask You in Jesus' Name. Amen.

The Pledge of Allegiance was led by Representative Hayes.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 12th, 13th, and 14th legislative days and Senate and House Joint Journal Supplement No. 10 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

COMMUNICATIONS

The following were received:

Dept. of Community & Economic Development
Regulatory Commission of Alaska
Annual Report Fiscal Year 2001
(as required by AS 42.05.211 and AS 42.06.220)

Dept. of Transportation & Public Facilities
Alaska Marine Highway System
Annual Financial Report
Fiscal Year Ended June 30, 2001
January 14, 2002
(as required by AS 19.65.070)

The following audit reports were received from:

Division of Legislative Audit
Legislative Budget & Audit Committee
www.legis.state.ak.us/legaud/web/default.htm
(as required by AS 24.20.311)

Board of Governors of the Alaska Bar Association
Sunset Review
November 30, 2001

**The presence of Representative Hudson was noted.

Dept. of Community & Economic Development
Board of Dispensing Opticians
Sunset Review
September 20, 2001

Regulatory Commission of Alaska
Sunset Review
November 28, 2001

Dept. of Public Safety
Council on Domestic Violence and Sexual Assault
October 31, 2001

Division of Fish and Wildlife Protection
Aircraft Section
Various Issues
November 5, 2001

INTRODUCTION OF CITATIONS

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

Honoring - Wanda Fields, 80th Birthday
By Senator Austerman; Representative Stevens

In Memoriam - Barrow Morgan
By Representative Foster; Senator Olson

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 361

HOUSE BILL NO. 361 by Representative Kott, entitled:

"An Act relating to pilot pay programs to attract and retain exceptional state employees; and providing for an effective date."

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

HB 362

HOUSE BILL NO. 362 by Representatives Murkowski and Kerttula, entitled:

"An Act extending the termination date of the Board of Governors of the Alaska Bar Association."

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

HB 363

HOUSE BILL NO. 363 by the House Rules Committee by request of the Governor, entitled:

"An Act providing for and relating to the issuance of general obligation bonds for the purpose of paying the cost of construction and major maintenance for certain public school facilities; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Revenue

The Governor's transmittal letter dated January 25, 2002, appears below:

"Dear Speaker Porter:

Adequate school facilities are an important factor in the success of an educational program. To afford all Alaska students the opportunity to learn in an environment that enhances their chances for success, I am

transmitting a bill to finance construction and major maintenance of public schools.

This legislation authorizes a public vote on general obligation bonds to tackle one third of the \$641 million backlog of needed school construction and major maintenance projects across our state. I propose this as the first of three installments to complete the entire existing statewide Department of Education and Early Development priority lists within six years.

This legislation specifically authorizes a vote in the 2002 general election on \$212 million in general obligation (GO) bonds for schools. An accompanying bill appropriates \$210 million for the first eight school construction and 81 major maintenance projects on the statewide priority list. This would make available approximately \$101 million for fiscal year 2003 and approximately \$109 million starting in 2004. The remaining \$2 million would pay the costs of bond sale and issuance. The debt service for these bonds will be paid from general funds starting in fiscal year 2004.

In recent years, school construction funding has come from a combination of new or unique funding sources for bonds (such as Alaska Housing Finance Corporation dividends and the tobacco settlement), and school debt reimbursement for urban districts funded by tobacco taxes. These revenue sources are not available this year.

The grant approach in this legislation is an improvement over the process used in previous years. Communities will only provide the local share of the project cost -- approximately 30%. Former school debt reimbursement programs required districts to bond for the full project amount, using more of their local debt capacity than is actually needed for the local share. Local bonding is also more expensive than using GO bonds because the state has a stronger credit rating than municipalities and can issue debt at lower cost.

More effective use of state dollars is made possible in this two-year package by phasing school construction projects so that design is funded in the first year and construction thereafter. To assure bondholders and school districts that the specific projects proposed for the bonds are fully funded, the major maintenance and school

construction lists submitted under AS 14.11.011 will be frozen until July 1, 2003.

This first phase of the six-year funding plan will emphasize rural and urban school districts' critical major maintenance needs by completing project priorities 1-60 in the first year and 61-81 in the second year. It is my hope that another bond package, similar to this one, will be addressed during each of the next two general election years to meet the rest of the state's school construction and major maintenance needs in the near future.

We have a responsibility to provide Alaska's children with both the academic programs and the educational facilities they need to be successful. We are making significant progress improving the quality of education and I urge your prompt and favorable action on this measure to make similar progress on our statewide elementary and secondary school facilities.

Sincerely,
/s/
Tony Knowles
Governor"

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE RESOLUTIONS

HCR 12

The following was read the second time:

HOUSE CONCURRENT RESOLUTION NO. 12

Relating to the preservation of employment opportunities for United States longshoremen with respect to unloading and loading of foreign vessels.

with the:

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FN1: ZERO(H.L&C)

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**The presence of Representative Mulder was noted.

The question being: "Shall HCR 12 pass the House?" The roll was taken with the following result:

HCR 12

Second Reading

Final Passage

YEAS: 32 NAYS: 1 EXCUSED: 7 ABSENT: 0

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

Nays: Kohring

Excused: Chenault, Joule, Kapsner, Kookesh, Masek, Morgan, Rokeberg

And so, HCR 12 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 - Tony and Debbie Cortes

By Representatives Stevens, Porter, Berkowitz, Bunde, Cissna, Crawford, Croft, Davies, Dyson, Halcro, Hudson, James, Joule, Kapsner, Kerttula, Kookesh, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Wilson; Senator Austerman

Honoring - Ernest E. Hall

By Representatives Halcro, Porter, Berkowitz, Bunde, Cissna, Crawford, Croft, Davies, Dyson, Guess, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Stevens, Wilson

Honoring - The 2001 State Football Champions The Dimond High Lynx

By Representatives McGuire, Porter, Berkowitz, Bunde, Cissna, Crawford, Croft, Davies, Dyson, Green, Guess, Halcro, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lancaster, Meyer, Morgan, Mulder, Murkowski, Stevens, Wilson

Honoring - Jesse Frankson

By Representatives Joule, Porter, Berkowitz, Bunde, Cissna, Crawford, Croft, Davies, Dyson, Guess, Halcro, Hudson, James, Kapsner, Kerttula, Kookesh, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Stevens, Wilson

Commemorating - Black History Month

By Senator Davis; Representatives Porter, Berkowitz, Bunde, Cissna, Crawford, Croft, Davies, Dyson, Green, Guess, Halcro, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Stevens, Wilson

In Memoriam - Peter Mark

By Representatives Morgan, Porter, Berkowitz, Bunde, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Guess, Halcro, Hudson, James, Joule, Kapsner, Kerttula, Kookesh, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Stevens, Wilson; Senator Lincoln

In Memoriam - Omega "Micky" Bennett

By Senator Davis; Representatives Porter, Berkowitz, Bunde, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Guess, Halcro, Hudson, James, Joule, Kapsner, Kerttula, Kookesh, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Stevens, Wilson

In Memoriam - Charles Hord

By Senator Davis; Representatives Porter, Berkowitz, Bunde, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Guess, Halcro, Hudson, James, Joule, Kapsner, Kerttula, Kookesh, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Stevens, 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 Berkowitz - from 7:10 a.m., February 5 to 6:43 p.m., plane time, February 9, 2002

Representative Bunde - from 7:30 p.m., January 30 to 9:30 a.m., plane time, February 4, 2002

Representative Green - from noon, February 2 to 9:00 p.m., plane time, February 8, 2002

Representative Kott - from noon, January 31 to 9:41 a.m., plane time, February 4, 2002

Representative Murkowski - from 2:05 p.m., March 7 to 9:35 p.m., plane time, March 12, 2002

HB 278

Representative Davies moved and asked unanimous consent to withdraw the following:

HOUSE BILL NO. 278

"An Act relating to service in the peace corps as an allowable absence from the state for purposes of eligibility for permanent fund dividends; and providing for an effective date."

There being no objection, HB 278 was withdrawn.

HCR 12

Representatives Stevens and Williams added their names as cosponsors to:

HOUSE CONCURRENT RESOLUTION NO. 12

Relating to the preservation of employment opportunities for United States longshoremen with respect to unloading and loading of foreign vessels.

HB 197

Representatives Crawford and Lancaster added their names as cosponsors to:

HOUSE BILL NO. 197

"An Act relating to directives for personal health care services and for medical treatment."

HB 292

Representative Guess added her name as cosponsor to:

HOUSE BILL NO. 292

"An Act relating to child care grants; and providing for an effective date."

HB 305

Representative Guess added her name as cosponsor to:

HOUSE BILL NO. 305

"An Act prohibiting certain state employment, a student loan, or a permanent fund dividend for a person who fails to register for the military selective service; and providing for an effective date."

HB 314

Representative Davies added his name as joint prime sponsor to:

HOUSE BILL NO. 314

"An Act relating to service in the peace corps as an allowable absence from the state for purposes of eligibility for permanent fund dividends; and providing for an effective date."

HB 317

Representative Guess added her name as cosponsor to:

HOUSE BILL NO. 317

"An Act relating to stalking and amending Rule 4, Alaska Rules of Civil Procedure, and Rule 9, Alaska Rules of Administration."

HB 341

Representative Guess added her name as cosponsor to:

HOUSE BILL NO. 341

"An Act relating to assault in the fourth degree that is a crime involving domestic violence."

HB 348

Representative Guess added her name as cosponsor to:

HOUSE BILL NO. 348

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

ENGROSSMENT**HCR 12**

HCR 12 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.

Majority Caucus Speaker's Chamber 5:00 p.m., 1/28

ADJOURNMENT

Representative James moved and asked unanimous consent that the House adjourn until 10:00 a.m., January 30, 2002. There being no objection, the House adjourned at 11:32 a.m.

Suzi Lowell
Chief Clerk