

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Tuesday

March 19, 2002

#### Sixty-fifth Day

Pursuant to adjournment the House was called to order by Speaker Porter at 10:07 a.m.

Roll call showed 35 members present. Representatives Joule and Ogan had been previously excused from a call of the House today. Representatives Berkowitz and Masek were absent and their presence was noted later.

Representative James moved and asked unanimous consent that Representative Kapsner be excused from a call of the House from today to 9:30 p.m., plane time, March 23, 2002. There being no objection, it was so ordered.

The invocation was offered by the Reverend Gregory L. Clark of Glacier Valley Baptist Church. Representative Coghill moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Let us pray. Lord, we delight this morning in being able to call upon Your Name. We thank You for the promise of Your Word, that it is through Your mercies we are not consumed, because Your compassions fail not. They are new every morning; great is Your faithfulness.

We thank You that You take delight most deeply in not making demands, but in meeting needs. Lord, we come to You for that reason today to make our petitions known to You.

You have favored us with many advantages. Lord, one of the greatest is being able to live in this, the greatest of nations on

the face of the earth, but we know to whom much is given, much is required. And so, we ask You today that You might bestow wisdom and discernment upon these who are gathered here that they might accomplish the labor to which You have called them. We pray that You would help us guard ourselves from pride and vanity, from envy and strife, and against whatever sin may most easily beset us. Help us, Lord, to exercise love and self-control toward all men that they may know of Your abounding grace.

We ask You to bless the families of each of our Representatives. Watch over them in their absence and comfort and encourage them especially those who are going through a particular time of struggle in these days. We especially think of the Ogan family and pray that You would continue to minister to that family's needs. Lord, may we live today in accordance to these prayers and in the light of Your Word. We make these prayers today in Christ's Name. Amen.

The Pledge of Allegiance was led by Representative McGuire.

#### **CERTIFICATION OF THE JOURNAL**

Representative James moved and asked unanimous consent that the journal for the 64th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

#### **MESSAGES FROM THE SENATE**

##### **HCR 29**

A message dated March 18, 2002, was read stating the Senate has passed:

##### **HOUSE CONCURRENT RESOLUTION NO. 29**

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 208, relating to the labeling of, the advertising of, and the disclosure of certain information about halibut, salmon, halibut products, and salmon products.

HCR 29 was referred to the Chief Clerk for enrollment.

**SB 208**

A message dated March 18, 2002, was read stating the Senate has concurred in the House amendment to:

CS FOR SENATE BILL NO. 208(L&C) am

"An Act relating to the labeling of, the advertising of, and the disclosure of certain information about halibut, salmon, halibut products, and salmon products."

thus adopting:

HOUSE CS FOR CS FOR SENATE BILL NO. 208(RES)

"An Act relating to the labeling of, the advertising of, the identification of, and the disclosure of certain information about halibut, salmon, sablefish, halibut products, salmon products, and sablefish products."

(HCR 29 - title change resolution)

A message dated March 18, 2002, was read stating the Senate has passed the following and it is transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE BILLS**

**SB 331**

SENATE BILL NO. 331 by Senator Therriault, entitled:

"An Act relating to the jurisdiction of district courts."

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

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

**REPORTS OF STANDING COMMITTEES**

The Resources Committee has reviewed the qualifications of:

Mary McDowell  
Alaska Commercial Fisheries Entry Commission (CFEC)

and recommends the following:

Confirm (8): Chenault, Kerttula, Stevens, Fate, Green, McGuire, Masek, Scalzi

The report was signed by Representatives Masek and Scalzi, Co-chairs.

**HB 304**

The State Affairs Committee has considered:

HOUSE BILL NO. 304  
"An Act relating to disposition of income of the permanent fund;  
and providing for an effective date."

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

Do pass (3): Fate, Wilson, Stevens

Do not pass (1): James

No recommendation (2): Hayes, Coghill

Amend (1): Crawford

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue

HB 304 was referred to the Finance Committee.

**HB 355**

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 355

"An Act relating to the taxation of mobile telecommunications services by municipalities; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 355(CRA)

(same title)

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

Do pass (5): Hayes, Crawford, Kott, Halcro, Murkowski

The following fiscal note(s) apply to CSHB 355(CRA):

1. Zero, Dept. of Revenue

HB 355 was referred to the Rules Committee for placement on the calendar.

**REPORTS OF SPECIAL COMMITTEES**

The House Special Committee on Fisheries has reviewed the qualifications of:

Mary McDowell

Alaska Commercial Fisheries Entry Commission (CFEC)

and recommends the following:

Confirm (5): Dyson, Scalzi, Kerttula, Stevens, Wilson

The report was signed by Representatives Stevens and Wilson, Co-chairs.

**HJR 46**

The House Special Committee on Fisheries has considered:

HOUSE JOINT RESOLUTION NO. 46  
Relating to the moratorium on fish farming in British Columbia.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 46(FSH)  
(same title)

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

Do pass (6): Dyson, Coghill, Scalzi, Kerttula, Stevens, Wilson

The following fiscal note(s) apply to CSHJR 46(FSH):

1. Zero, House Special Committee on Fisheries

HJR 46 was referred to the Resources Committee.

**INTRODUCTION OF CITATIONS**

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

Honoring - Captain John V. "Vince" O'Shea  
By Representatives Hudson, Murkowski, Dyson; Senator Austerman

Commemorating - National Adoption Month, November 2002  
By Representative Meyer

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

**HB 506**

HOUSE BILL NO. 506 by the House State Affairs Committee, entitled:

"An Act relating to legislative immunity."

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

**HB 507**

HOUSE BILL NO. 507 by the House Rules Committee, entitled:

"An Act naming the Trooper Roelle Memorial Weigh Station and the Officer Wollam Memorial Bike Trail; and providing for an effective date."

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

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF HOUSE BILLS**

**HB 312**

The following was read the second time:

HOUSE BILL NO. 312

"An Act relating to the delay of the reduction of supplementary public school funding; and providing for an effective date."

with the:

Journal Page

EDU RPT 5DP 2DNP	2114
FN1: (EED)	2114
FIN RPT 9DP 1DNP	2275
FN1: (EED)	2275
FIN RPT CS(FIN) NT 10DP 1DNP	2574
FN2: (MVA)	2575
FN3: (EED); FN4: (EED)	2575

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. 312(FIN)

"An Act relating to the delay of the reduction of supplementary public school funding; relating to funding the Alaska Challenge Youth Academy program; and providing for an effective date."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 312(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 312(FIN) was read the third time.

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

The question being: "Shall CSHB 312(FIN) pass the House?" The roll was taken with the following result:

CSHB 312(FIN)  
Third Reading  
Final Passage

**YEAS: 32 NAYS: 5 EXCUSED: 3 ABSENT: 0**

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

Nays: Bunde, Dyson, Green, Kohring, Meyer

Excused: Joule, Kapsner, Ogan

And so, CSHB 312(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 312(FIN) was referred to the Chief Clerk for engrossment.

**HB 321**

The following was read the second time:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 321

"An Act relating to the purpose for crime victims' compensation; and limiting the factors that may be considered in making a crime victims' compensation award in cases of sexual assault or sexual abuse of a minor."

with the:	Journal Page
JUD RPT CS(JUD) NT 4DP 2NR	2224
FN1: ZERO(DPS)	2224
FIN RPT CS(JUD) NT 10DP 1NR	2433
FN1: ZERO(DPS)	2434

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. 321(JUD)

"An Act limiting the factors that may be considered in making a crime victims' compensation award in cases of sexual assault or sexual abuse of a minor."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSSH 321(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSH 321(JUD) was read the third time.

The question being: "Shall CSSH 321(JUD) pass the House?" The roll was taken with the following result:

CSSSHB 321(JUD)

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, Kerttula, Kohring, Kookesh, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Joule, Kapsner, Ogan

And so, CSSSHB 321(JUD) passed the House and was referred to the Chief Clerk for engrossment.

**HB 331**

The following was read the second time:

HOUSE BILL NO. 331

"An Act relating to appointment of persons to positions that require confirmation by the legislature; and providing for an effective date."

with the:

Journal Page

STA RPT CS(STA) 6DP 1NR

2543

FN1: ZERO(GOV)

2543

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. 331(STA)

(same title)

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 331(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 331(STA) was read the third time.

The question being: "Shall CSHB 331(STA) pass the House?" The roll was taken with the following result:

CSHB 331(STA)  
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, Kerttula, Kohring, Kookesh, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Joule, Kapsner, Ogan

And so, CSHB 331(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.

CSHB 331(STA) 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 - Vivian Dailey

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

Honoring - Kim Dye, 2002 Alaska School Nurse of the Year

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

Honoring - Mrs. Vanee Robinson

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

Honoring - Cathy Baldwin-Johnson, M.D.

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

In Memoriam - Brian T. Smith

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

In Memoriam - Axinia Peters

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

## In Memoriam - Dan Sjoblom

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

## In Memoriam - Vernon H. Woodworth Sr.

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

## In Memoriam - Clifford L. Haydon

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

## In Memoriam - Mr. James Henry Thomas

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

## In Memoriam - Mr. Charles Lewis II

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

In Memoriam - Mrs. Shirlin Esther Rennie

By Senator Davis; Representatives Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Foster, Guess, Halcro, Harris, Hayes, Hudson, James, Kapsner, Kerttula, Kookesh, Kott, Lancaster, 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 Guess - from 6:56 p.m., March 28 to 10:04 a.m., plane time, April 1, 2002

Representative Kott - from 7:00 a.m., March 23 to 9:30 p.m., plane time, March 24, 2002

Representative Scalzi - from 2:05 p.m., April 3 to 9:35 p.m., plane time, April 4, 2002

### HJR 45

Representatives Hudson and Wilson added their names as cosponsors to:

HOUSE JOINT RESOLUTION NO. 45  
Relating to the labeling of salmon food products.

### HB 182

Representative Hayes added his name as cosponsor to:

HOUSE BILL NO. 182  
"An Act relating to motor vehicles; and providing for an effective date."

**HB 321**

Representative Croft added his name as cosponsor to:

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

"An Act limiting the factors that may be considered in making a crime victims' compensation award in cases of sexual assault or sexual abuse of a minor."

**HB 380**

Representatives Stevens and Crawford added their names as cosponsors to:

HOUSE BILL NO. 380

"An Act relating to reimbursement for certain Medicare premium charges for persons receiving benefits from the teachers' retirement system, the judicial retirement system, the elected public officers retirement system, and the public employees' retirement system."

**HB 448**

Representative Hudson added his name as cosponsor to:

HOUSE BILL NO. 448

"An Act relating to establishing a data base of residential telephone customers who do not wish to receive telephone solicitations, providing that the data base be compiled at no cost to the customers, requiring telephone solicitors to purchase the data base, and requiring paid solicitors to register; and providing for an effective date."

**SB 206**

Representative Meyer added his name as cross sponsor to:

CS FOR SENATE BILL NO. 206(TRA)

"An Act relating to registration plates and parking permits for persons with disabilities and to illegal use of parking spaces for persons with disabilities."

**ENGROSSMENT****HB 312**

CSSH 312(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 321**

CSSSHB 321(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 331**

CSSH 331(STA) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**ENROLLMENT****HB 291**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 4:30 p.m, March 18, 2002:

CS FOR HOUSE BILL NO. 291(L&C)

"An Act relating to the requirements for obtaining a residential contractor endorsement."

**ANNOUNCEMENTS**

House committee schedules are published daily under separate cover.

The following meeting today has been changed as indicated:

Health, Education & Social Services Committee  
RESCHEDULED TO:

3:00 p.m., 3/21



**ADJOURNMENT**

Representative James moved and asked unanimous consent that the House adjourn until 10:00 a.m., March 20, 2002. There being no objection, the House adjourned at 10:44 a.m.

Suzi Lowell  
Chief Clerk