

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Monday

February 10, 2003

#### Twenty-first Day

Pursuant to adjournment the House was called to order by Speaker Kott at 11:07 a.m.

Roll call showed 37 members present. Representatives Cissna and Joule had been previously excused from a call of the House today.

Representative Coghill moved and asked unanimous consent that Representative Whitaker be excused from a call of the House today. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Father Anastasius Iwuoha of the Cathedral of the Nativity. Representative Coghill moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

In recognition of our religious differences and with due respect for our various beliefs, I invite you to join me in this invocation.

Sovereign God, the representatives of Your people of Alaska are once again gathered in answer to the call of duty and to continue the task of service for Your people. By this, they recommit themselves to thinking out norms and ways of ensuring a better life for the inhabitants of this state and nation.

Loving God, we place this gathering before You and in Your hands and ask Your benign presence, guidance, and wisdom. We beseech that by its actions and acts, this body will help to

bring about greater progress, justice, peace, and a more humane state, nation, and world.

Bless the leaders of this state: our governor, the mayor of Juneau, all legislators, and public servants. Be with them as they put their best efforts in the service of Your people, and continue to bring us together in love and mutual support as we strive to build a better society and world. Amen.

The Pledge of Allegiance was led by Representative Stevens.

### **CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the 18th, 19th, and 20th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE GOVERNOR**

#### **HR 1**

A message dated February 6, 2003, and received today, was read stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

#### HOUSE RESOLUTION NO. 1

Establishing a House Special Committee on Economic Development, International Trade, and Tourism.

House Resolve No. 1

#### **HR 2**

A message dated February 6, 2003, and received today, was read stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

#### HOUSE RESOLUTION NO. 2

Establishing a House Special Committee on Education.

House Resolve No. 2

**HR 3**

A message dated February 6, 2003, and received today, was read stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

HOUSE RESOLUTION NO. 3  
Establishing a House Special Committee on Fisheries.

House Resolve No. 3

**HR 4**

A message dated February 6, 2003, and received today, was read stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

HOUSE RESOLUTION NO. 4  
Establishing a House Special Committee on Military and Veterans' Affairs.

House Resolve No. 4

**HR 5**

A message dated February 6, 2003, and received today, was read stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

HOUSE RESOLUTION NO. 5  
Establishing a House Special Committee on Oil and Gas.

House Resolve No. 5

**HCR 4**

A message dated February 6, 2003, and received today, was read stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 4(title am)  
Authorizing a recess by the Senate and the House of Representatives for a period of more than three days, those days being April 18, 19, 20, and 21 of 2003.

Legislative Resolve No. 1

### REPORTS OF STANDING COMMITTEES

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

Ernesta Ballard

as Commissioner of the Department of Environmental Conservation.

The report was signed by Representatives Fate and Chenault, Co-chairs; and Representatives Lynn, Gatto, Heinze, Guttenberg, Kerttula, Wolf, Masek.

#### **HB 15**

The Labor & Commerce Committee has considered:

#### HOUSE BILL NO. 15

"An Act relating to establishing the Alaska No-Call List, a data base of residential telephone customers who do not wish to receive telephonic solicitations; providing that the data base be compiled at no cost to the customers; requiring paid telephonic sellers to purchase the data base; requiring telephonic sellers to identify themselves; requiring telephonic solicitors who are otherwise exempt from registration as telephonic solicitors to file with the Department of Law and purchase the data base; and providing for an effective date."

and recommends it be replaced with:

#### CS FOR HOUSE BILL NO. 15(L&C)

"An Act relating to establishing the Alaska No-Call List, a data base of residential telephone customers who do not wish to

receive telephonic solicitations; providing that the data base be compiled at no cost to the customers; requiring paid telephonic sellers and paid solicitors to purchase the data base; requiring telephonic sellers to identify themselves; requiring telephonic solicitors who are otherwise exempt from registration as telephonic solicitors to file with the Department of Law and pay the data base access fee; and providing for an effective date."

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

Do pass (3): Crawford, Rokeberg, Anderson

Amend (4): Lynn, Gatto, Guttenberg, Dahlstrom

The following fiscal note(s) apply to CSHB 15(L&C):

1. Zero, Dept. of Community & Economic Development
2. Fiscal, Dept. of Law

HB 15 was referred to the State Affairs Committee.

### **HB 58**

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 58

"An Act relating to the reinstatement of Native corporations; and providing for an effective date."

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

Do pass (7): Lynn, Gatto, Crawford, Guttenberg, Dahlstrom, Rokeberg, Anderson

The following fiscal note(s) apply:

1. Zero, Dept. of Community & Economic Development

HB 58 was referred to the Rules Committee for placement on the calendar.

**HB 69**

The Resources Committee has considered:

HOUSE BILL NO. 69

"An Act relating to regulation of shallow natural gas leasing and closely related energy projects; and providing for an effective date."

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

Do pass (8): Lynn, Gatto, Heinze, Masek, Wolf, Guttenberg, Fate, Chenault

No recommendation (1): Kerttula

The following fiscal note(s) apply:

1. Zero, Dept. of Administration

HB 69 is on today's calendar.

**INTRODUCTION OF CITATIONS**

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

Honoring - Ross Baker, Outstanding Acts of Individual Heroism  
By Representative Harris

In Memoriam - Jeannette Sachs Ballard  
By Senator Taylor

In Memoriam - Nina von Imhof  
By Senator Bunde; Representative Hawker

The following citation was introduced and taken up later as a Special Order of Business:

Honoring - Women Exemplifying the Spirit of Elizabeth Peratrovich  
By Representative Kerttula

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

**HB 86**

HOUSE BILL NO. 86 by Representative Fate, entitled:

"An Act relating to permits issued by the state."

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

**HB 87**

HOUSE BILL NO. 87 by Representative Croft, entitled:

"An Act relating to mining."

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

**HB 88**

HOUSE BILL NO. 88 by Representative Wolf, entitled:

"An Act relating to prohibiting the use of cellular telephones when operating a motor vehicle; and providing for an effective date."

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

**HB 89**

HOUSE BILL NO. 89 by Representative Stevens, entitled:

"An Act relating to standards for chilling and delivery of commercially caught salmon; and providing for an effective date."

was read the first time and referred to the House Special Committee on Fisheries and the Resources Committee.

**HB 90**

HOUSE BILL NO. 90 by Representative Stevens, entitled:

"An Act relating to a salmon product development tax credit under the Alaska fisheries business tax and the Alaska fisheries resource landing tax; and providing for an effective date."

was read the first time and referred to the House Special Committee on Fisheries and the Resources and Finance Committees.

**CONSIDERATION OF THE DAILY CALENDAR****SECOND READING OF HOUSE BILLS****HB 69**

The following was read the second time:

HOUSE BILL NO. 69

"An Act relating to regulation of shallow natural gas leasing and closely related energy projects; and providing for an effective date."

with the:

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O&G RPT 6DP 1NR	146
FN1: ZERO(ADM)	147
RES RPT 8DP 1NR	168
FN1: ZERO(ADM)	168

Representative Coghill moved and asked unanimous consent that HB 69 be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that HB 69 will be in third reading on the February 12, 2003, calendar.

**LEGISLATIVE CITATIONS**

Representative Coghill 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:

In Memoriam - Mrs. Mabel Olmstead

By Representatives Coghill, Harris, Kott, Anderson, Berkowitz, Chenault, Cissna, Crawford, Croft, Fate, Foster, Gara, Gatto, Guttenberg, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Masek, McGuire, Meyer, Morgan, Rokeberg, Seaton, Stevens, Stoltze, Williams, Wilson, Wolf

In Memoriam - Mrs. Elva Ruth Scott

By Representatives Coghill, Morgan, Kott, Anderson, Berkowitz, Chenault, Cissna, Crawford, Croft, Fate, Foster, Gara, Guttenberg, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Masek, McGuire, Meyer, Rokeberg, Seaton, Stevens, Stoltze, Williams, Wilson, Wolf

**UNFINISHED BUSINESS**

Representative Coghill 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 Cissna - from 8:00 a.m. to noon, February 12, 2003

Representative Dahlstrom - from 1:00 p.m., February 14 to 11:00 p.m., February 17, 2003; and from 1:00 p.m., February 21 to 11:00 a.m., February 24, 2003

Representative Harris - from 7:00 a.m., February 20 to 11:00 p.m., February 22, 2003

**HCR 6**

Representative Morgan added his name as cosponsor to:

**HOUSE CONCURRENT RESOLUTION NO. 6**

Extending the termination date of the Joint Legislative Salmon Industry Task Force until 2005.

**HJR 7**

Representative Fate added his name as cosponsor to:

## HOUSE JOINT RESOLUTION NO. 7

Relating to urging the United States Congress to amend the tax code to permanently repeal the federal estate and generation-skipping transfer tax.

**HB 10**

Representative Weyhrauch added his name as cosponsor to:

## HOUSE BILL NO. 10

"An Act amending the definition of group health insurance, and allowing the Department of Administration to obtain a policy or policies of group health care insurance for employers that are small businesses, nonprofit organizations, special services organizations, or small associations for insurance purposes; and providing for an effective date."

**HB 15**

Representative Crawford added his name as cosponsor to:

## HOUSE BILL NO. 15

"An Act relating to establishing the Alaska No-Call List, a data base of residential telephone customers who do not wish to receive telephonic solicitations; providing that the data base be compiled at no cost to the customers; requiring paid telephonic sellers to purchase the data base; requiring telephonic sellers to identify themselves; requiring telephonic solicitors who are otherwise exempt from registration as telephonic solicitors to file with the Department of Law and purchase the data base; and providing for an effective date."

**HB 16**

Representative Holm added his name as cosponsor to:

## HOUSE BILL NO. 16

"An Act amending the standards applicable to determining whether, for purposes of the Alaska Stranded Gas Development Act, a proposed new investment constitutes a qualified project,

and repealing the deadline for applications relating to the development of contracts for payments in lieu of taxes and for royalty adjustments that may be submitted for consideration under that Act; and providing for an effective date."

**HB 47**

Representative Crawford added his name as cosponsor to:

HOUSE BILL NO. 47

"An Act prohibiting discrimination by credit rating or credit scoring in certain insurance rates; and providing for an effective date."

**HB 51**

Representative Croft added his name as cosponsor to:

HOUSE BILL NO. 51

"An Act requiring pharmacists to include generic drug information on containers in which brand-name prescription drug orders are dispensed."

**HB 58**

Representatives Morgan and Seaton added their names as cosponsors to:

HOUSE BILL NO. 58

"An Act relating to the reinstatement of Native corporations; and providing for an effective date."

**HB 68**

Representative Crawford added his name as cosponsor to:

HOUSE BILL NO. 68

"An Act relating to the office of victims' rights."

**HB 69**

Representatives Anderson, Wilson, Hawker, and Foster added their names as cosponsors to:

## HOUSE BILL NO. 69

"An Act relating to regulation of shallow natural gas leasing and closely related energy projects; and providing for an effective date."

**HB 83**

Representative Moses added his name as cosponsor to:

## HOUSE BILL NO. 83

"An Act adopting a version of the Revised Uniform Arbitration Act; relating to the state's existing Uniform Arbitration Act; amending Rules 3, 18, 19, 20, and 21, Alaska Rules of Civil Procedure, Rule 601, Alaska Rules of Evidence, and Rule 402, Alaska Rules of Appellate Procedure; and providing for an effective date."

**SPECIAL ORDER OF BUSINESS**

Representative Coghill moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - Women Exemplifying the Spirit of Elizabeth Peratrovich, be taken up as a Special Order of Business at this time. There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that the House approve the citation. There being no objection, the following citation was approved and sent to enrolling:

Honoring - Women Exemplifying the Spirit of Elizabeth Peratrovich  
By Representatives Kerttula, Kott, Anderson, Berkowitz, Chenault, Coghill, Crawford, Croft, Dahlstrom, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Kapsner, Kohring, Kookesh, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stevens, Stoltze, Weyhrauch, Williams, Wolf

**ANNOUNCEMENTS**

House committee schedules are published daily under separate cover.

**ADJOURNMENT**

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., February 12, 2003. There being no objection, the House adjourned at 11:40 a.m.

Suzi Lowell  
Chief Clerk