

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Monday

March 17, 2003

Fifty-sixth Day

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

Roll call showed 32 members present. Representatives Anderson, Crawford, Joule, Kohring, Morgan, and Whitaker had been previously excused from a call of the House today. Representative Coghill moved and asked unanimous consent that Representative Heinze be excused from a call of the House today. There being no objection, it was so ordered. There was one vacancy.

The invocation was offered by the Chaplain, the Reverend Chuck Jedele of Faith Lutheran Church. Representative Coghill moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With the deepest respect for all religious beliefs, I offer this prayer.

Before the hills in order stood, or Earth received its frame,
from everlasting to everlasting, Thou art God to endless years
the same.

Gracious God, our Heavenly Father, thank You for the precious and fragile gift of life; for this day with weighty responsibilities entrusted to these elected leaders representing the people of this great state; and for the opportunities of working for justice, righteousness, and peace. Give them keenness of heart and mind; that their ears might hear, their eyes see, and that they might have wisdom in the decisions they make. I pray in the Name of Him Who came, not to be served, but to serve, Jesus the Christ. Amen.

The Pledge of Allegiance was led by Representative Rokeberg.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 53rd, 54th, and 55th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Fate introduced Dabre Newcomb, Guest Page, from Kenai.

REPORTS OF STANDING COMMITTEES

HB 159

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 159

"An Act relating to the frequency of examinations of certain persons licensed to engage in the business of making loans of money, credit, goods, or things in action; repealing the requirement for a state examination and evaluation of the Alaska Commercial Fishing and Agriculture Bank; and providing for an effective date."

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

Do pass (3): Lynn, Dahlstrom, Anderson

No recommendation (1): Guttenberg

The following fiscal note(s) apply:

1. Fiscal, Dept. of Community & Economic Development

HB 159 was referred to the Finance Committee.

HB 160

The Resources Committee has considered:

HOUSE BILL NO. 160

"An Act relating to the emission control permit program; relating to fees for that program and to the accounting of receipts deposited in the emission control permit receipts account; and providing for an effective date."

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

Do pass (5): Wolf, Lynn, Gatto, Fate, Chenault

No recommendation (2): Guttenberg, Masek

The following fiscal note(s) apply:

1. Fiscal, Dept. of Environmental Conservation

HB 160 was referred to the Finance Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Shirley Holloway, Ph.D.

By Senators Bunde, Guess; Representative Hawker

In Memoriam - Daniel James Gross, Sr.

By Senator Taylor; Representative Wilson

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 197**

HOUSE BILL NO. 197 by Representative Cissna, entitled:

"An Act relating to intensive family preservation services and intensive family reunification services; and providing for an effective date."

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

HB 198

HOUSE BILL NO. 198 by Representatives Kohring and Rokeberg, entitled:

"An Act providing for a reduction of royalty on certain oil produced from Cook Inlet submerged land."

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 146

The following was read the second time:

HOUSE BILL NO. 146

"An Act repealing the termination date of certain provisions that require the reporting of social security numbers and automated data matching with financial institutions for child support enforcement purposes; and providing for an effective date."

with the:

Journal Page

HES RPT CS(HES) NT 6DP 1NR

535

FN1: ZERO(REV)

536

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

CS FOR HOUSE BILL NO. 146(HES)

"An Act repealing the termination date of certain provisions that require the reporting of social security numbers and automated data matching with financial institutions for child support enforcement purposes; relating to social security numbers on applications for commercial fishing licenses; and providing for an effective date."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 146(HES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 146(HES) was read the third time.

The question being: "Shall CSHB 146(HES) pass the House?" The roll was taken with the following result:

CSHB 146(HES)

Third Reading

Final Passage

YEAS: 25 NAYS: 7 EXCUSED: 7 ABSENT: 0 VACANT: 1

Yeas: Berkowitz, Chenault, Cissna, Dahlstrom, Fate, Foster, Gara, Gruenberg, Guttenberg, Harris, Hawker, Kapsner, Kerttula, Kookesh, Kott, Lynn, McGuire, Meyer, Moses, Rokeberg, Seaton, Weyhrauch, Williams, Wilson, Wolf

Nays: Coghill, Croft, Gatto, Holm, Masek, Samuels, Stoltze

Excused: Anderson, Crawford, Heinze, Joule, Kohring, Morgan, Whitaker

And so, CSHB 146(HES) passed the House.

Representative Coghill moved the effective date clause.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

CSHB 146(HES)
Third Reading
Effective Date

YEAS: 31 NAYS: 1 EXCUSED: 7 ABSENT: 0 VACANT: 1

Yeas: Berkowitz, Chenault, Cissna, Croft, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Kapsner, Kerttula, Kookesh, Kott, Lynn, Masek, McGuire, Meyer, Moses, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Nays: Coghill

Excused: Anderson, Crawford, Heinze, Joule, Kohring, Morgan, Whitaker

And so, the effective date clause was adopted.

CSHB 146(HES) was referred to the Chief Clerk for engrossment.

RECONSIDERATION

HB 140

Representative Berkowitz brought up reconsideration of the vote on HB 140 (page 544).

The following was again before the House in third reading:

HOUSE BILL NO. 140

"An Act relating to benefits for retired teachers or employees who participated in retirement incentive programs and are subsequently reemployed as a commissioner; and providing for an effective date."

The question to be reconsidered: "Shall HB 140 pass the House?"
The roll was taken with the following result:

HB 140--RECONSIDERATION

Third Reading

Final Passage

YEAS: 22 NAYS: 9 EXCUSED: 7 ABSENT: 1 VACANT: 1

Yeas: Chenault, Coghill, Dahlstrom, Fate, Foster, Gatto, Harris, Hawker, Holm, Kott, Lynn, Masek, McGuire, Meyer, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Nays: Berkowitz, Cissna, Gara, Gruenberg, Guttenberg, Kapsner, Kerttula, Kookesh, Moses

Excused: Anderson, Crawford, Heinze, Joule, Kohring, Morgan, Whitaker

Absent: Croft

And so, HB 140 passed the House on reconsideration.

Representative Coghill moved the effective date clause.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

HB 140--RECONSIDERATION

Third Reading

Effective Date

YEAS: 22 NAYS: 9 EXCUSED: 7 ABSENT: 1 VACANT: 1

Yeas: Chenault, Coghill, Dahlstrom, Fate, Foster, Gatto, Harris, Hawker, Holm, Kott, Lynn, Masek, McGuire, Meyer, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Nays: Berkowitz, Cissna, Gara, Gruenberg, Guttenberg, Kapsner, Kerttula, Kookesh, Moses

Excused: Anderson, Crawford, Heinze, Joule, Kohring, Morgan, Whitaker

Absent: Croft

And so, lacking the necessary 27 votes, the effective date clause was not adopted and the new title follows:

HOUSE BILL NO. 140(efd fld)

"An Act relating to benefits for retired teachers or employees who participated in retirement incentive programs and are subsequently reemployed as a commissioner."

HB 140(efd fld) was referred to the Chief Clerk for engrossment.

CONSIDERATION OF THE DAILY CALENDAR

(Continued)

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 - Ed Naughton

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

In Memoriam - Lee O. Reed, Jr.

By Senator Davis; Representatives Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Foster, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Weyhrauch, 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 Crawford - from 7:00 a.m., March 19 to 7:00 p.m., March 24, 2003

March 17, 2003

565

Representative Fate - from 7:00 p.m., March 18 to 7:00 p.m., March 24, 2003

Representative Holm - from 7:00 p.m., March 19 to morning plane time, March 24, 2003

Representative Harris - from 2:00 p.m., March 19 to 2:00 p.m., March 23, 2003

Representative Masek - from 1:00 p.m., March 19 to morning plane time, March 24, 2003

Representative Kerttula - from 11:45 a.m. to 1:15 p.m., March 19, 2003

Representative Wolf - from 1:00 p.m., March 19 to 10:00 a.m., March 25, 2003

Representative Gatto - from 1:00 p.m., March 19 to 2:00 p.m., March 23, 2003

Representative Williams - from 1:00 p.m., March 19 to 1:30 p.m., March 24, 2003

HSCR 1

Representative Croft added his name as cosponsor to:

HOUSE SPECIAL CONCURRENT RESOLUTION NO. 1

Disapproving Executive Order No. 107, relating to the transfer of certain functions of the Department of Fish and Game to the Department of Natural Resources and to the transfer of certain functions within the Department of Natural Resources.

HCR 10

Representative Foster added his name as cosponsor to:

HOUSE CONCURRENT RESOLUTION NO. 10

Relating to restoration of riparian habitat that is vital to the fisheries resources of the state.

HCR 11

Representatives Foster, Coghill, and Meyer added their names as cosponsors to:

HOUSE CONCURRENT RESOLUTION NO. 11
Relating to Alaska Salmon Day.

HJR 4

Representative Croft added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 4
Proposing an amendment to the Constitution of the State of Alaska relating to the duration of a regular session.

HJR 16

Representatives Foster, Seaton, and Wolf added their names as cosponsors to:

HOUSE JOINT RESOLUTION NO. 16
Expressing confidence in and support for all members of the military, their families, and employers of members of the National Guard.

HB 5

Representative Croft added his name as cosponsor to:

HOUSE BILL NO. 5
"An Act prohibiting discrimination by credit rating or credit scoring in insurance rates; and providing for an effective date."

HB 146

Representative Dahlstrom added her name as cosponsor to:

CS FOR HOUSE BILL NO. 146(HES)
"An Act repealing the termination date of certain provisions that require the reporting of social security numbers and automated data matching with financial institutions for child support enforcement purposes; relating to social security numbers on applications for commercial fishing licenses; and providing for an effective date."

HB 177

Representatives Dahlstrom and Holm added their names as cosponsors to:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 177
"An Act relating to concealed handguns."

ENGROSSMENT**HB 140**

HB 140(efd fld) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 146

CSHB 146(HES) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

ENROLLMENT**HCR 8**

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 10:23 a.m., March 17, 2003:

HOUSE CONCURRENT RESOLUTION NO. 8
Requesting the Governor to declare March 16 - 22, 2003, to be Inhalants and Poisons Awareness Week.

The following memorandum, dated March 14, 2003, was received from Patty Rose, Enrolling Secretary, Division of Legal and Research Services:

"In accordance with Rule 43, Uniform Rules of the Alaska State Legislature, I am reporting the following manifest error in HCR 8, which has been corrected in enrolling:

Page 2, line 19:

Delete "National Inhalant and Poison Awareness Week"
Insert "National Inhalants and Poisons Awareness Week""

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

Majority Caucus Speaker's Chamber upon adj., 3/17

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., March 19, 2003. There being no objection, the House adjourned at 12:02 p.m.

Suzi Lowell
Chief Clerk