

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Monday

March 24, 2003

#### Sixty-third Day

Pursuant to adjournment the House was called to order by Speaker Kott at 2:15 p.m.

Roll call showed 32 members present. Representatives Anderson, Crawford, Fate, Moses, Seaton, and Wolf had been previously excused from a call of the House today.

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

The invocation was offered by the Chaplain, Major Larry Fankhauser of The Salvation Army. Representative Croft moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Lord, each of us in our own way would take a moment to lift a prayer seeking Your watchful care over our military personnel. They are fathers, mothers, brothers, and sisters, and we would ask for their safe and quick return.

Thank You for this day and the opportunities to serve that it presents. As one nation under God, we would seek wisdom, insight, and direction from Your hand.

At the end of this day, may each Representative here gathered rest in knowing they have done all they could for the better of those they serve. Amen.

The Pledge of Allegiance was led by Representative Ogg.

### **CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the 58th, 59th, 60th, 61st, and 62nd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Kerttula introduced Erin Walker, Guest Page, from Juneau.

### **MESSAGES FROM THE GOVERNOR**

A letter dated March 21, 2003, was read stating that, in accordance with Article III, section 25 of the Alaska Constitution, the Governor submits the following name for legislative confirmation of appointment to the position set out below.

The following appointment was referred to the Resources Committee:

#### **Commissioner - Department of Fish and Game**

Kevin Duffy

Appointed: 03/19/2003

A resume for the appointment is on file in the Chief Clerk's office.

### **COMMUNICATIONS**

The following Monetary Terms of Agreements between the State and employee organizations were received from the Department of Administration, Office of the Commissioner, as required by AS 23.40.215, and the Speaker referred them to the Finance Committee:

Alyeska Central Education Association

March 17, 2003

March 24, 2003

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Public Safety Employees Association on  
Behalf of the Correctional Officers  
March 17, 2003

Public Safety Employees Association on  
Behalf of the State Troopers  
March 17, 2003

Teachers' Education Association of  
Mt. Edgecumbe  
March 17, 2003

Public Employees Local 71 on  
Behalf of the Labor, Trades and Crafts Unit  
March 17, 2003

Alaska Vocational Technical Education  
Center Teachers' Association  
March 18, 2003

Alaska Public Employees Association  
Representing the Confidential Unit  
March 20, 2003

Alaska Public Employees Association  
Representing the Supervisory Bargaining Unit  
March 20, 2003

Alaska State Employees Association on  
Behalf of the General Government Unit  
March 21, 2003

Inlandboatmen's Union of the Pacific  
March 21, 2003

Dept. of Community & Economic Development  
Alaska Aerospace Development Corporation  
Ten Years, 1992-2002  
2002 Annual Report

### REPORTS OF STANDING COMMITTEES

#### **HB 49**

The Judiciary Committee has considered:

HOUSE BILL NO. 49

"An Act relating to the DNA identification registration system;  
and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 49(JUD)

"An Act relating to the deoxyribonucleic acid (DNA)  
identification registration system and testing; and providing for an  
effective date."

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

Do pass (6): Gara, Holm, Samuels, Anderson, Gruenberg, McGuire

No recommendation (1): Coghill

The following fiscal note(s) apply to CSHB 49(JUD):

1. Zero, Dept. of Public Safety
2. Zero, Dept. of Law
3. Indeterminate, Dept. of Administration

HB 49 was referred to the Finance Committee.

#### **HB 114**

The Judiciary Committee has considered:

## HOUSE BILL NO. 114

"An Act relating to the issuance of a search warrant."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 114(JUD)

(same title)

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

Do pass (5): Holm, Ogg, Gruenberg, Samuels, McGuire

No recommendation (1): Gara

The following fiscal note(s) apply to CSHB 114(JUD):

1. Zero, Dept. of Corrections
2. Zero, Alaska Court System
3. Zero, Dept. of Law
4. Zero, Dept. of Public Safety

HB 114 was referred to the Rules Committee for placement on the calendar.

### REPORTS OF SPECIAL COMMITTEES

#### HCR 11

The House Special Committee on Fisheries has considered:

HOUSE CONCURRENT RESOLUTION NO. 11

Relating to Alaska Salmon Day.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 11(FSH)

Relating to Alaska Wild Salmon Day.

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

Do pass (4): Berkowitz, Wilson, Samuels, Seaton

The following fiscal note(s) apply to CSHCR 11(FSH):

1. Zero, Legislative Agency

HCR 11 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 - Donna A. Peterson, Superintendent of the Year  
By Representative Chenault; Senator Wagoner

Honoring - Juneau-Douglas High School Home Designers  
By Senator Elton; Representatives Weyhrauch, Kerttula

Honoring - Peters Creek Christian Center, Finding the Lost  
By Senator Dyson

In Memoriam - James Hesterberg  
By Senator Green

In Memoriam - Paul Helmar  
By Senator Elton; Representatives Kerttula, Weyhrauch

In Memoriam - Thomas Patrick O'Hara  
By Senator Dyson

In Memoriam - Roy Lee Henderson  
By Senator Davis

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF HOUSE RESOLUTIONS****HJR 18**

HOUSE JOINT RESOLUTION NO. 18 by Representatives Lynn, Dahlstrom, Anderson, Kohring, Harris, Wilson, and Heinze:

Supporting the men and women of the United States armed forces in the military action to free Iraq and to protect the world from Saddam Hussein.

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

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF HOUSE BILLS****HB 207**

HOUSE BILL NO. 207 by Representative Gatto, entitled:

"An Act relating to taxes regarding certain commercial passenger vessels operating in the state; and providing for an effective date."

was read the first time and referred to the House Special Committee on Economic Development, International Trade, & Tourism and the Transportation and Finance Committees.

**HB 208**

HOUSE BILL NO. 208 by Representative Fate, entitled:

"An Act relating to hunting on the same day airborne; and providing for an effective date."

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

**HB 209**

HOUSE BILL NO. 209 by Representatives Chenault and Kohring, entitled:

"An Act relating to municipal property tax adjustments for property affected by a disaster."

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

**HB 210**

HOUSE BILL NO. 210 by Representative Coghill, entitled:

"An Act relating to the Chitina dip net fishery; and providing for an effective date."

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

**HB 211**

HOUSE BILL NO. 211 by Representative Wilson, entitled:

"An Act relating to a student loan repayment program for nurses, and amending the duties of the Board of Nursing that relate to this program; and providing for an effective date."

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

**HB 212**

HOUSE BILL NO. 212 by Representative McGuire, entitled:

"An Act relating to trusts, including trust protectors, trustee advisors, transfers of property in trust, and transfers of trust interests, and to creditors' claims against property subject to a power of appointment."

was read the first time and referred to the Labor & Commerce, Judiciary, and Finance Committees.



**CONSIDERATION OF THE DAILY CALENDAR****SECOND READING OF SENATE BILLS****SB 51**

The following was read the second time:

## SENATE BILL NO. 51

"An Act relating to revenue bonds issued by the Alaska Municipal Bond Bank Authority and the total amount of bonds and notes outstanding of that authority; and providing for an effective date."

with the:	Journal Page
CRA RPT 5DP	509
FN1: ZERO(REV)	509
FN2: ZERO(CED)	509
FIN RPT 6DP 2NR	581
FN1: ZERO(REV)	582
FN2: ZERO(CED)	582

Representative Coghill moved and asked unanimous consent that SB 51 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 51 was read the third time.

The question being: "Shall SB 51 pass the House?" The roll was taken with the following result:

SB 51

Third Reading

Final Passage

**YEAS: 32 NAYS: 0 EXCUSED: 8 ABSENT: 0**

Yeas: Berkowitz, Chenault, Cissna, Coghill, Croft, Dahlstrom, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lynn, Meyer, Morgan, Ogg, Rokeberg, Samuels, Stoltze, Weyhrauch, Whitaker, Williams, Wilson

Excused: Anderson, Crawford, Fate, Masek, McGuire, Moses, Seaton, Wolf

And so, SB 51 passed the House.

Representative Coghill 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.

SB 51 was signed by the Speaker and Chief Clerk and returned to the Senate.

### **SB 78**

The following was read the second time:

SENATE BILL NO. 78

"An Act relating to an optional group of persons eligible for medical assistance who require treatment for breast and cervical cancer; relating to cost sharing by those recipients under the medical assistance program; and providing for an effective date."

with the:	Journal Page
FIN RPT 3DP 4NR 1AM	582
FN1: (HSS)	583

The Speaker stated that, without objection, SB 78 would be returned to the Rules Committee; and so, SB 78 was returned to the Rules Committee.

### **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:

Honoring - Randall P. Burns

By Representatives Weyhrauch, Gara, Kott, Anderson, Berkowitz, Chenault, Cissna, Croft, Dahlstrom, Foster, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Masek, McGuire, Meyer, Rokeberg, Seaton, Williams, Wilson, Wolf

Honoring - Ivan Parker-Diaz and Tyler Crenshaw

By Representatives Croft, Kott, Anderson, Berkowitz, Chenault, Cissna, Dahlstrom, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Masek, McGuire, Meyer, Rokeberg, Seaton, Williams, Wilson, Wolf

In Memoriam - Wayne E. Bender

By Representatives Weyhrauch, Kerttula, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Croft, Dahlstrom, Foster, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Masek, McGuire, Meyer, Rokeberg, Seaton, Williams, Wilson, Wolf; Senator Elton

In Memoriam - Earl A. Greene

By Senator Davis; Representatives Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Croft, Dahlstrom, Foster, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Masek, McGuire, Meyer, Rokeberg, Seaton, Williams, Wilson, Wolf

In Memoriam - Wes Coyner

By Senator Elton; Representatives Kerttula, Weyhrauch, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Croft, Dahlstrom, Foster, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Masek, McGuire, Meyer, Rokeberg, Seaton, Stoltze, Williams, Wilson, Wolf

### UNFINISHED BUSINESS

#### **SB 77**

The Speaker again referred the following bill, which had been waived to the Rules Committee (page 591), to the Transportation Committee:

SENATE BILL NO. 77

"An Act naming the William Ransom Wood Centennial Bridge in Fairbanks."

SB 77 was removed from the Rules Committee and referred to the Transportation Committee.

**HB 92**

The Speaker removed the Health, Education & Social Services Committee referral and added a Judiciary Committee referral to follow the State Affairs Committee referral for the following:

## HOUSE BILL NO. 92

"An Act relating to reports by members of the clergy and custodians of clerical records who have reasonable cause to suspect that a child has suffered harm as a result of child abuse or neglect."

HB 92 is in the State Affairs Committee.

**HB 208**

The Speaker reversed the Committee referrals for the following:

## HOUSE BILL NO. 208

"An Act relating to hunting on the same day airborne; and providing for an effective date."

HB 208 was removed from the Community & Regional Affairs Committee and referred to the Resources Committee.

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 Holm - from 7:00 p.m., March 28 to morning plane time, March 31, 2003

Representative Fate - from 7:00 p.m., March 28 to 10:00 p.m., March 30, 2003

Representative Gruenberg - from 4:00 p.m., March 30 to 4:30 p.m., April 1, 2003

Representative Wolf - from morning plane time, March 25 to morning plane time, March 26, 2003

March 24, 2003

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Representative Gruenberg - from 2:30 p.m. to 5:00 p.m.,  
March 25, 2003

**HB 177**

Representative Gatto added his name as cosponsor to:

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

**SB 78**

Representative Wilson added her name as cross sponsor to:

SENATE BILL NO. 78  
"An Act relating to an optional group of persons eligible for  
medical assistance who require treatment for breast and cervical  
cancer; relating to cost sharing by those recipients under the  
medical assistance program; and providing for an effective date."

**EXECUTIVE ORDERS**

**EO 104**

The House did not disapprove the following executive order within 60  
days and it was transmitted to the Office of the Governor at  
12:05 p.m., March 24, 2003:

EXECUTIVE ORDER NO. 104  
Transferring the functions of the Office of Equal Employment  
Opportunity from the Office of the Governor to the Division of  
Personnel in the Department of Administration.

**EO 105**

The House did not disapprove the following executive order within 60  
days and it was transmitted to the Office of the Governor at  
12:05 p.m., March 24, 2003:

**EXECUTIVE ORDER NO. 105**

Transferring the Alaska Seismic Hazards Safety Commission from the Office of the Governor to the Department of Natural Resources.

**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., March 26, 2003. There being no objection, the House adjourned at 2:56 p.m.

Suzi Lowell  
Chief Clerk