

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Monday

March 15, 2004

#### Sixty-fourth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 2:04 p.m.

Roll call showed 32 members present. Representatives Joule, Lynn, and Moses had been previously excused from a call of the House today. Representative Rokeberg had been previously excused from a call of the House today and his presence was noted later. Representatives Croft and Gatto were absent and their presence was noted later. Representative Heinze was absent.

Representative Coghill moved and asked unanimous consent that Representative Berkowitz be excused from a call of the House from today to 2:00 p.m., March 16, 2004. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Pastor Tom Matthews of Douglas Island Bible Church. Representative Fate moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

As we prepare to pray, I realize the varied religious beliefs represented here today. With respect for those, I do ask that you would join me in prayer. Let us pray.

Dear Lord,

What a privilege it is to come before You in prayer. We have a group of people here, Lord, the Alaska State House of Representatives, who have gathered to discuss and make

decisions about the affairs of the great state of Alaska. We pray for wisdom, for clarity of mind as issues are discussed. These legislators have been in session for some time now, and I'm sure they look forward to being able to return to their homes and various businesses. We pray that You would give them the strength and commitment to persevere to the end of the legislative sessions.

Lord, I pray today that we would remember that You are concerned about the affairs of man. Each person here has been appointed by You for the positions that they fill. We acknowledge that You are the sovereign Lord of our nation. I pray that You would lead and guide in the decisions to be made. I pray for Your will, and Your direction in these proceedings.

And so, Lord, as I conclude our prayer, I just want to thank You that You make it possible to commune directly with You. In the name of Jesus Christ, Your beloved son, I do lift this prayer. Amen.

The Pledge of Allegiance was led by Representative Wilson.

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

Representative Coghill moved and asked unanimous consent to rescind action in approving certification of the journal for the 57th legislative day. There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that the journal with the following correction for the 57th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

#### **SB 283**

Page 2896, Amendment No. 10:

Under Sec. 2, University of Alaska, Statewide Services the allocation should read: "37,403,900"

Representative Coghill moved and asked unanimous consent that the journal for the 58th, 59th, 60th, 61st, 62nd, and 63rd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### COMMUNICATIONS

The following were received:

Alaska Marine Highway Visitor Profiles  
January 2004

Dept. of Health & Social Services  
Division of Juvenile Justice  
Alaska Juvenile Justice Advisory Committee  
Report to the Governor, January 2004

### REPORTS OF STANDING COMMITTEES

#### **HB 297**

The State Affairs Committee has considered:

HOUSE BILL NO. 297

"An Act relating to wildfires and other natural disasters."

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

Do pass (1): Lynn

No recommendation (1): Gruenberg

Amend (4): Seaton, Holm, Berkowitz, Weyhrauch

The following fiscal note(s) apply:

1. Zero, Dept. of Corrections
2. Zero, Dept. of Military & Veterans' Affairs
3. Zero, Dept. of Natural Resources
4. Zero, Dept. of Public Safety
5. Indeterminate, Dept. of Administration
6. Indeterminate, Dept. of Law

The committee recommends an additional referral to the Judiciary Committee.

HB 297 was referred to the Resources Committee.

**HB 417**

The Resources Committee has considered:

HOUSE BILL NO. 417

"An Act amending the definition of 'project' in the Act establishing the Alaska Natural Gas Development Authority; and providing for an effective date."

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

Do pass (4): Stepovich, Guttenberg, Kerttula, Wolf

No recommendation (2): Masek, Dahlstrom

The following fiscal note(s) apply:

1. Indeterminate, Dept. of Revenue

HB 417 was referred to the Finance Committee.

**SJR 27**

The Resources Committee has considered:

SENATE JOINT RESOLUTION NO. 27

Relating to the resolution of submerged land title disputes.

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

Do pass (5): Stepovich, Wolf, Guttenberg, Dahlstrom, Masek

The following fiscal note(s) apply:

1. Zero, Dept. of Natural Resources

SJR 27 was referred to the Rules Committee for placement on the calendar.

**SB 265**

The Resources Committee has considered:

CS FOR SENATE BILL NO. 265(RES)

"An Act relating to the schedule of proposed oil and gas lease sales and to a related report to the legislature; and providing for an effective date."

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

Do pass (5): Stepovich, Kerttula, Guttenberg, Wolf, Masek

No recommendation (1): Dahlstrom

The following fiscal note(s) apply:

1. Zero, Dept. of Natural Resources

CSSB 265(RES) is on today's first supplemental calendar.

**SB 266**

The Resources Committee has considered:

SENATE BILL NO. 266

"An Act approving an interim classification by the commissioner of natural resources closing certain land within the area of the proposed Bristol Bay (Alaska Peninsula) competitive oil and gas

areawide lease sale to oil and gas exploration licensing and shallow natural gas leasing; and providing for an effective date."

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

Do pass (5): Stepovich, Wolf, Kerttula, Guttenberg, Masek

No recommendation (1): Dahlstrom

A Resources Committee letter of intent signed by Representatives Masek and Dahlstrom, Co-chairs, follows:

"It is the intent of the Legislature that, if the State deems that an Alaska Peninsula Oil and Gas Lease Sale is in the State's best interest and a sale occurs, companies only be allowed to access offshore prospects from onshore drill sites, utilizing directional drilling technology."

The following fiscal note(s) apply:

1. Zero, Dept. of Natural Resources

SB 266 is on today's first supplemental calendar.

## REPORTS OF SPECIAL COMMITTEES

### SCR 19

The House Special Committee on Fisheries has considered:

#### SENATE CONCURRENT RESOLUTION NO. 19

Relating to the support of fisheries education, training, and research and encouraging collaborative efforts between the state, the University of Alaska, and other educational institutions to provide fisheries education programs.

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

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

No recommendation (1): Guttenberg

The following fiscal note(s) apply:

1. Zero, Senate Health, Education & Social Services Committee/  
Legislative Agency
2. Zero, Dept. of Fish & Game

SCR 19 was referred to the Health, Education & Social Services Committee.

### INTRODUCTION OF CITATIONS

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

Honoring - Michael Odell, Winner of the 2003 Hershey's Track and Field Youth Softball Throw  
By Representative Ogg

Honoring - Alice and Reverend Lincoln Snow  
By Senator Davis

In Memoriam - Peggy Kelliher  
By Representative Foster

In Memoriam - Harold David Bell  
By Representative Foster

In Memoriam - Withers V. Tolbert Sr.  
By Representatives Samuels, Moses

In Memoriam - Sam "Specks" Paul  
By Senator Elton; Representatives Kerttula, Weyhrauch

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

**HB 536**

HOUSE BILL NO. 536 by the House Rules Committee by request of the House Special Committee on Economic Development, International Trade, and Tourism, entitled:

"An Act relating to applications for permanent fund dividends by certain individuals serving in the armed forces; and providing for an effective date."

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

**CONSIDERATION OF THE DAILY CALENDAR**

**SECOND READING OF HOUSE BILLS**

**HB 341**

The following was read the second time:

HOUSE BILL NO. 341

"An Act relating to the dive fishery management assessment."

with the:	Journal Page
FSH RPT 6DP 1NR	2482
FN1: ZERO(REV)	2482
RES RPT 8DP 1DNP	2737
FN1: ZERO(REV)	2738

Representative Coghill moved and asked unanimous consent that HB 341 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 341 was read the third time.



Representative Weyhrauch moved and asked unanimous consent that he be allowed to abstain from voting because of a conflict of interest. Objection was heard, and Representative Weyhrauch was required to vote.

The question being: "Shall HB 341 pass the House?" The roll was taken with the following result:

HB 341  
Third Reading  
Final Passage

**YEAS: 31 NAYS: 1 EXCUSED: 5 ABSENT: 3**

Yeas: Anderson, Chenault, Cissna, Coghil, Crawford, Dahlstrom, Fate, Foster, Gara, Gruenberg, Guttenberg, Harris, Hawker, Holm, Kapsner, Kerttula, Kookesh, Kott, Masek, McGuire, Meyer, Morgan, Ogg, Samuels, Seaton, Stepovich, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Nays: Kohring

Excused: Berkowitz, Joule, Lynn, Moses, Rokeberg

Absent: Croft, Gatto, Heinze

And so, HB 341 passed the House and was referred to the Chief Clerk for engrossment.

The Speaker stated that, without objection, the House would recess to a call of the Chair; and so, the House recessed at 2:25 p.m.

#### **AFTER RECESS**

The Speaker called the House back to order at 3:14 p.m.

\*\*The presence of Representatives Croft, Gatto, and Rokeberg was noted.

**UNFINISHED BUSINESS****HB 297**

The Speaker added a Finance Committee referral to follow the Resources Committee referral for the following:

HOUSE BILL NO. 297

"An Act relating to wildfires and other natural disasters."

HB 297 is in the Resources Committee.

**CONSIDERATION OF THE FIRST SUPPLEMENTAL CALENDAR**

Representative Coghill moved and asked unanimous consent that the House adopt the First Supplemental Calendar. There being no objection, the following was adopted:

SB 265 OIL & GAS LEASE SALE SCHEDULE/NOTIFICATION  
SB 266 BRISTOL BAY OIL & GAS LEASE SALE CLOSURE

**SECOND READING OF SENATE BILLS****SB 265**

The following was read the second time:

CS FOR SENATE BILL NO. 265(RES)

"An Act relating to the schedule of proposed oil and gas lease sales and to a related report to the legislature; and providing for an effective date."

with the:

Journal Page

O&G RPT 5DP	2936
FN1: ZERO(DNR)	2936
RES RPT 5DP 1NR	2949
FN1: ZERO(DNR)	2949

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Representative Coghill moved and asked unanimous consent that CSSB 265(RES) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Kerttula objected.

CSSB 265(RES) will advance to third reading on tomorrow's calendar.

**SB 266**

The following was read the second time:

SENATE BILL NO. 266

"An Act approving an interim classification by the commissioner of natural resources closing certain land within the area of the proposed Bristol Bay (Alaska Peninsula) competitive oil and gas areawide lease sale to oil and gas exploration licensing and shallow natural gas leasing; and providing for an effective date."

with the:	Journal Page
O&G RPT 1DP 3NR 1AM	2937
FN1: ZERO(DNR)	2937
RES RPT 5DP 1NR	2949
LETTER OF INTENT WITH H. RES REPORT	2950
FN1: ZERO(DNR)	2950

Representative Coghill moved and asked unanimous consent that SB 266 be considered engrossed, advanced to third reading, and placed on final passage.

Representative Kerttula objected.

SB 266 will advance to third reading on tomorrow's calendar.

**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:

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Representative Morgan - from 5:00 p.m., March 15 to 10:00 a.m., plane time, March 18, 2004

Representative Stepovich - from 7:00 p.m., March 18 to 10:00 a.m., plane time, March 22, 2004

**HB 194**

Representative Kohring removed his name as cosponsor to:

CS FOR HOUSE BILL NO. 194(L&C)

"An Act creating a tax credit under the Alaska Net Income Tax Act for contributions to regional development organizations; and providing for an effective date."

**ENGROSSMENT**

**HB 341**

HB 341 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.

The following meeting today has been changed as indicated:

Labor & Commerce Committee

CHANGED TO:

3:30 p.m., 3/15

**ADJOURNMENT**

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., March 16, 2004. There being no objection, the House adjourned at 3:22 p.m.

Suzi Lowell  
Chief Clerk