

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Friday

January 26, 2001

Nineteenth Day

Pursuant to adjournment the House was called to order by Speaker Porter at 11:02 a.m.

Roll call showed 31 members present. Representatives Fate, Kohring, Kott, McGuire, Moses, and Ogan had been previously excused from a call of the House today. Representative Kerttula was absent and her presence was noted later.

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 Williams - from today to 1:20 p.m., January 29, 2001

Representative Davies - from 7:21 p.m., January 25 to 9:30 a.m., January 29, 2001 (amended from page 159)

The invocation was offered by Lay Reader Connie Munro of the Juneau Unitarian Universalist Fellowship. Representative Croft moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

May we reflect, each in our own way, from the words of
Ralph Waldo Emerson, American poet and essayist:

To laugh often and love much; to win the respect of intelligent persons and the affection of children; to earn the respect of honest citizens and endure the betrayal of false friends; to appreciate beauty; to find the best in others; to give of one's self; to leave the world a bit better, whether by a healthy child, a garden patch, or a redeemed social condition; to have

played and laughed with enthusiasm and sung with exultation;
to know even one life has breathed easier because you have
lived--this is to have succeeded.

The Pledge of Allegiance was led by Representative Joule.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 17th and 18th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative James introduced Allison Magby, Guest Page, from Anchorage.

MESSAGES FROM THE SENATE

A message dated January 25, 2001, was read stating the Senate has accepted the invitation to meet in joint session in the House Chamber at 11:00 a.m., February 21 to hear an address by the Honorable Frank Murkowski, U.S. Senator.

A message dated January 25, 2001, was read stating the Senate has passed the following, and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE RESOLUTIONS

SCR 1

CS FOR SENATE CONCURRENT RESOLUTION NO. 1(RLS) by
the Senate Rules Committee:

Relating to Avalanche Awareness Month.

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

SJR 5

CS FOR SENATE JOINT RESOLUTION NO. 5(RLS) by the Senate Rules Committee:

Relating to supporting the Great Alaska Shootout, the Top of the World Classic, and similar preseason basketball tournaments, and requesting that the National Collegiate Athletic Association reject legislative proposal No. 2000-106.

was read the first time and referred to the Rules Committee for placement on the calendar.

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 10

SENATE BILL NO. 10 by Senator Therriault, entitled:

"An Act extending the termination date of the Board of Public Accountancy."

was read the first time and referred to the Labor & Commerce Committee.

COMMUNICATIONS

The following reports were received:

Dept. of Community & Economic Development
Alaska Industrial Development and Export Authority
Annual Review of Assets
(as required by AS 44.88.205)

Dept. of Health & Social Services
Division of Medical Assistance
Annual Report FY 2000

The following audit reports were received from:

Division of Legislative Audit
Legislative Budget and Audit Committee
www.legis.state.ak.us/legaud/web/default.htm
(as required by AS 24.20.311)

Dept. of Community & Economic Development
Board of Dental Examiners
Sunset Review
November 12, 2000

Dept. of Fish & Game, Dept. of Natural Resources,
Office of the Governor, Division of
Governmental Coordination
Mariculture Development and Aquatic Farm Act
October 23, 2000

Dept. of Health & Social Services
Divisions of Medical Assistance and
Mental Health and Developmental Disabilities,
Community Mental Health Center Program, Follow-up
December 1, 2000

Dept. of Revenue
Child Support Enforcement Division
Selected Issues
November 28, 2000

REPORTS OF STANDING COMMITTEES

HJR 6

The Resources Committee has considered:

HOUSE JOINT RESOLUTION NO. 6
Relating to opposition to the inclusion of national forests in
Alaska within President Clinton's Roadless Area Conservation
rule and supporting the overturning of this inclusion by litigation,
by congressional action, or by action of President-elect Bush.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 6(RES)

Relating to opposition to the inclusion of national forests in Alaska within former President Clinton's Roadless Area Conservation rule and supporting the overturning of this inclusion by litigation, by congressional action, or by action of President Bush.

The report was signed by Representative Masek, Co-chair, with the following individual recommendations:

Do pass (6): Fate, McGuire, Green, Chenault, Stevens, Masek

No recommendation (1): Kerttula

The following fiscal note(s) apply to CSHJR 6(RES):

1. Zero, House Transportation Committee

HJR 6 was referred to the Rules Committee for placement on the calendar.

HB 48

The Resources Committee has considered:

HOUSE BILL NO. 48

"An Act eliminating a requirement that a social security number be provided by an applicant for a hunting or sport fishing license or tag; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 48(RES)

"An Act eliminating a requirement that a social security number be provided by an applicant for certain hunting or sport fishing licenses, tags, and permits; eliminating a requirement that applications for certain licenses and tags be sworn to by the applicants before an officer authorized to administer oaths; and providing for an effective date."

The report was signed by Representative Masek, Co-chair, with the following individual recommendations:

Do pass (7): Stevens, Chenault, Green, Fate, Kapsner, Kerttula, Masek

The following fiscal note(s) apply to CSHB 48(RES):

1. Zero, Dept. of Fish & Game
2. Zero, Dept. of Revenue

HB 48 was referred to the Judiciary Committee.

INTRODUCTION OF CITATIONS

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

Honoring - Van Nguyen
By Representative Foster

Honoring - Alaska's Air National Guard, 176th Wing Celebrates
35 Year Safety Record
By Representatives Murkowski, Rokeberg

Honoring - Lieutenant Colonel David L. Anderson
By Representative Mulder

Honoring - Ben Stevens, Alaska Special Olympics
By Senator Ward; Representative McGuire

In Memoriam - Robin E. "Bob" Pennington
By Representatives Chenault, Lancaster; Senator Ward

In Memoriam - Martha Bacon
By Representative Berkowitz

In Memoriam - CTACS Mark K. Marcott
By Representatives Mulder, Kott; Senator Leman

In Memoriam - Charles and Beverley Karges
By Representative Lancaster

In Memoriam - Chief Fred John Sr.
By Representative Morgan; Senator Lincoln

In Memoriam - Major General Edward G. Pagano
By Representatives Stevens, Murkowski; Senator Austerman

In Memoriam - Hoyt Palmer "Pappy" Moss
By Senator Halford

**The presence of Representative Kerttula was noted.

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 92

HOUSE BILL NO. 92 by Representatives Meyer and Cissna, entitled:

"An Act relating to sales of alcoholic beverages near a school or church."

was read the first time and referred to the Labor & Commerce Committee.

HB 93

HOUSE BILL NO. 93 by Representative Lancaster, entitled:

"An Act establishing the permit fee for the personal use dip net fisheries for the Kenai River and the Kasilof River; 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.

HB 94

HOUSE BILL NO. 94 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to initiatives for quality schools; relating to pupil competency testing and the issuance of secondary school diplomas; relating to certain reports regarding academic performance of schools; and providing for an effective date."

was read the first time and referred to the House Special Committee on Education and the Health, Education & Social Services Committee.

The following fiscal note(s) apply:

1. Zero, Dept. of Education & Early Development

The Governor's transmittal letter dated January 24, 2001, appears below:

"Dear Speaker Porter:

As the next step in continuing the progress of the Quality Schools Initiative, which calls for higher academic standards and improved student achievement in Alaska, I am transmitting this bill relating to fair and responsible timelines for the high school graduation qualifying exam.

A date change from current law, which sets the effective date of the graduation exam at January 1, 2002, is necessary for several reasons. School districts need to make sure their lesson plans teach the standards being tested. Students need more time to learn those standards and to get help if they are not on track for a diploma. Proper resources must be in place to provide that help. In short, any final decision to deny a high school diploma must be made fairly, thoughtfully, compassionately and legally.

Under this bill, the effective date of the statutory provision requiring high school students to pass the graduation exam in order to receive a diploma would be changed to January 1, 2006. That means the class of 2006 - today's seventh graders - will have the benefit of two benchmark exams before taking the graduation exam. They took benchmark tests in reading, writing and math last year as sixth graders. They'll take them again next year as eighth graders. Then, as

sophomores three years from now, they'll take the high school graduation exam for the first time.

This will allow parents and teachers the time to help students who need it well before the graduation exam. This is not the case with the current effective date, or for the students who are now in high school and will be denied diplomas next year if the law does not change. To recognize the unique needs of our special education students, the bill provides for those students' graduation requirements to be developed by the state Board of Education and Early Development.

The bill also requires regular reports from the Department of Education and Early Development to the Legislature on the progress each school is making in helping students achieve high academic performance. The state Board of Education and Early Development will use these reports to recommend to the Legislature whether a different effective date should be used to implement the graduation exams.

Finally, the bill makes it clear the graduation qualifying test will be given, scored and counted in the interim between 2002 and 2006. Diplomas will be awarded to those students who complete their coursework but do not pass the test. However, the test results will appear on transcripts so that teachers, prospective employers and colleges can review students' proficiency in reading, writing, and math.

I urge your prompt and favorable action on this measure.

Sincerely,

/s/

Tony Knowles
Governor"

HB 95

HOUSE BILL NO. 95 by Representative Ogan, entitled:

"An Act relating to control of space in the state capitol and other buildings occupied by the legislature and its agencies; and providing for an effective date."

was read the first time and referred to the State Affairs and Finance Committees.

HB 96

HOUSE BILL NO. 96 by Representative Lancaster, entitled:

"An Act relating to acquisition and development of the Jesse Lee Home; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF SENATE RESOLUTIONS****SJR 5**

The following was read the second time:

CS FOR SENATE JOINT RESOLUTION NO. 5(RLS)

Relating to supporting the Great Alaska Shootout, the Top of the World Classic, and similar preseason basketball tournaments, and requesting that the National Collegiate Athletic Association reject legislative proposal No. 2000-106.

Representative James moved and asked unanimous consent that CSSJR 5(RLS) be considered engrossed, advanced to third reading and placed on final passage. There being no objection, it was so ordered.

CSSJR 5(RLS) was read the third time.

The question being: "Shall CSSJR 5(RLS) pass the House?" The roll was taken with the following result:

CSSJR 5(RLS)

Third Reading

Final Passage

YEAS: 31 NAYS: 0 EXCUSED: 8 ABSENT: 1

Yeas: Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dyson, Foster, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kookesh, Lancaster, Masek, Meyer, Morgan, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Wilson

Excused: Davies, Fate, Kohring, Kott, McGuire, Moses, Ogan, Williams

Absent: Bunde

And so, CSSJR 5(RLS) passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

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 - Joe Sadlier, Bringing Home a Warship

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

In Memoriam - Alice P. Abbott

By Representatives Berkowitz, Porter, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Mulder, Murkowski, 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 Crawford - from 7:21 p.m., plane time, January 29 to 9:35 p.m., plane time, January 30, 2001

Representative Masek - from 5:00 p.m., plane time, February 2 to 9:30 a.m., plane time, February 5, 2001

Representative Bunde - from 7:21 p.m., plane time, February 7 to 9:35 p.m., plane time, February 8, 2001

Representative Rokeberg - from 7:00 a.m., plane time, February 8 to 9:30 p.m., plane time, February 11, 2001

Representative Kohring - from 9:57 a.m., plane time, February 16 to 1:45 p.m., plane time, February 19, 2001

Representative Murkowski - from 7:21 p.m., February 2 to 9:35 p.m., February 4, 2001

Representative Berkowitz - from 2:15 p.m., February 23 to 9:45 p.m., February 26, 2001

Representative Dyson - from 1:30 p.m., February 16 to 9:27 a.m., February 19, 2001

Representative Cissna - from 7:14 a.m., January 28 to 9:35 p.m., January 29, 2001

The Speaker appointed the following member to the Joint Armed Services Committee (AS 24.20.650):

Representative Hudson, Alternate

HJR 6

Representative Green added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 6

Relating to opposition to the inclusion of national forests in Alaska within President Clinton's Roadless Area Conservation

rule and supporting the overturning of this inclusion by litigation, by congressional action, or by action of President-elect Bush.

HB 18

Representative Guess added her name as cosponsor to:

HOUSE BILL NO. 18

"An Act making an appropriation to the Department of Community and Economic Development for renters' tax equivalency payments; and providing for an effective date."

SJR 5

Representatives Hayes and Croft added their names as cross sponsors to:

CS FOR SENATE JOINT RESOLUTION NO. 5(RLS)

Relating to supporting the Great Alaska Shootout, the Top of the World Classic, and similar preseason basketball tournaments, and requesting that the National Collegiate Athletic Association reject legislative proposal No. 2000-106.

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

Finance Subcommittee

Health, Education & Social

Services

Capitol 519

4:00 p.m., 1/26

ADJOURNMENT

Representative James moved and asked unanimous consent that the House adjourn until 11:00 a.m., January 29, 2001. There being no objection, the House adjourned at 11:34 a.m.

Suzi Lowell
Chief Clerk