

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Friday

February 9, 2001

Thirty-third Day

Pursuant to adjournment the House was called to order by Speaker Porter at 10:05 a.m.

Roll call showed 35 members present. Representatives Croft and Rokeberg had been previously excused from a call of the House today. Representative Kohring was absent and his 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 Davies - from today to 9:22 a.m., plane time, February 12, 2001

Representative Halcro - from today to 9:32 a.m., plane time, February 12, 2001 (amended from page 226)

The invocation was offered by the Reverend Kathleen Wakefield of St. Brendan's Episcopal Church. Representative Green moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

Gracious God, we give You thanks for this new day. We lift up to You all those in need of prayer and healing, those known to us and those unknown, especially the families of former Senator Fred Zharoff and former Representative Marcus Jensen. As we come to the end of another week, keep us energized by Your life-giving Spirit for the work ahead. Help us have open hearts and open minds, ready to do the work You have called us to, and help us be receptive to the amazing power of Your love at work in our lives. Amen.

The Pledge of Allegiance was led by Representative Green.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 31st and 32nd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

A message dated February 8, 2001, was read stating the Senate has passed the following, and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE RESOLUTIONS

SCR 2

CS FOR SENATE CONCURRENT RESOLUTION NO. 2(HES) by the Senate Health, Education & Social Services Committee:

Relating to declaring March 2001 as Sobriety Awareness Month.

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

SJR 9

SENATE JOINT RESOLUTION NO. 9 by Senators Leman, Donley, Taylor, Wilken, Ward, and Austerman:

Relating to the development and deployment of the National Missile Defense System.

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

SJR 12

SENATE JOINT RESOLUTION NO. 12(title am) by Senators Leman, Wilken, Taylor, Kelly, Green, Ward, Pearce, Cowdery, Austerman, Hoffman, Halford, and Donley:

Urging the United States Congress to amend the tax code to eliminate the marriage penalty.

was read the first time and referred to the State Affairs Committee.

COMMUNICATIONS

The following were received:

Dept. of Community & Economic Development
Division of Community and Business Development
Annual Report
January 2001

National Petroleum Reserve - Alaska
Impact Mitigation Program
Fiscal Year 2000 - 2001
(as required by AS 37.05.530)

**The presence of Representative Kohring was noted.

Dept. of Labor & Workforce Development
Alaska Human Resource Investment Council
Resolutions and a report pertaining to the
performance and evaluation of training
programs in the state
February 5, 2001
(as required by AS 23.15.580)

Dept. of Public Safety
Council on Domestic Violence
and Sexual Assault
FY 2000 Annual Report

REPORTS OF STANDING COMMITTEES

HJR 7

The Resources Committee has considered:

HOUSE JOINT RESOLUTION NO. 7

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, Alaska, to oil and gas exploration, development, and production.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 7(RES)
(same title)

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

Do pass (5): Chenault, Green, McGuire, Masek, Scalzi

No recommendation (1): Kerttula

The following fiscal note(s) apply to CSHJR 7(RES):

1. Zero, House Special Committee on Oil & Gas

HJR 7 was referred to the Rules Committee for placement on the calendar.

SCR 1

The Resources Committee has considered:

CS FOR SENATE CONCURRENT RESOLUTION NO. 1(RLS)
Relating to Avalanche Awareness Month.

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE CONCURRENT
RESOLUTION NO. 1(RES)
(same title)

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

Do pass (6): Kerttula, Kapsner, McGuire, Chenault, Masek, Scalzi

No recommendation (1): Green

The following fiscal note(s) apply to HCS CSSCR 1(RES):

1. Zero, Senate Resources Committee

CSSCR 1(RLS) was referred to the Rules Committee for placement on the calendar.

REPORTS OF SPECIAL COMMITTEES

HB 37

The House Special Committee on Education has considered:

HOUSE BILL NO. 37

"An Act relating to reimbursement of certain student loans; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 37(EDU)

"An Act relating to forgiveness of certain student loans; and providing for an effective date."

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

Do pass (3): Porter, Wilson, Stevens

No recommendation (4): Green, Guess, Joule, Bunde

The following fiscal note(s) apply to CSHB 37(EDU):

1. Fiscal, Dept. of Education & Early Development

HB 37 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 - Governor William J. Sheffield
By Representative Berkowitz

Honoring - Secretary of Veterans Affairs, Anthony J. Principi
By Representative Murkowski

Honoring - General Patrick Gamble
By Representative Masek

Honoring - Steve Frank & Linda Anderson
By Senators Wilken, Pearce

In Memoriam - Sally Jane (Riley) Echola
By Representative Masek

In Memoriam - Senator Fred F. Zharoff
By Senator Austerman; Representative Stevens

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE RESOLUTIONS****HCR 4**

HOUSE CONCURRENT RESOLUTION NO. 4 by Representative Dyson:

Declaring February 2001 to be African-American Citizen Recognition Month.

was read the first time and referred to the State Affairs Committee.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 119**

HOUSE BILL NO. 119 by Representatives Wilson, Davies, Harris, Joule, Lancaster, Morgan, Stevens, Williams, and Hudson, entitled:

"An Act exempting joint action agencies from regulation by the state or municipalities; relating to the relationship between a joint action agency and the public utilities that form the joint action agency; relating to powers and immunities of a joint action agency; requiring filing of the joint action agency agreement; relating to the financial affairs of a joint action agency; declaring certain joint action agencies to be political subdivisions for certain purposes; relating to liability and indemnification of officers, employees, and agents of joint action agencies; and defining 'agency agreement' as used with reference to joint action agencies."

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

HB 120

HOUSE BILL NO. 120 by Representative Coghill, entitled:

"An Act adopting the National Crime Prevention and Privacy Compact; making criminal justice information available to interested persons and criminal history record information available to the public; providing for the use of criminal justice information and records by the Alcoholic Beverage Control Board; making certain conforming amendments; and providing for an effective date."

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

HB 121

HOUSE BILL NO. 121 by Representatives Murkowski, Lancaster, and Harris, entitled:

"An Act relating to the issuance of qualified charitable gift annuities."

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

HB 122

HOUSE BILL NO. 122 by Representative Green, entitled:

"An Act relating to electric and telephone cooperatives, including expansion activities and political activities of electric and telephone cooperatives; and providing for an effective date."

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

HB 123

HOUSE BILL NO. 123 by Representative Halcro, entitled:

"An Act relating to the use of frequent flyer miles or another bonus earned on travel paid for by the state."

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

HB 124

HOUSE BILL NO. 124 by Representatives Halcro and Hayes, entitled:

"An Act prohibiting nursing facilities and assisted living homes from employing or allowing access by persons with certain criminal backgrounds, with exceptions."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 100**

The following was read the second time:

HOUSE BILL NO. 100

"An Act establishing the third Saturday of each June as Juneteenth Day."

with the:	Journal Page
STA RPT 7DP	260
FN1: ZERO(H.STA)	260

Representative James moved and asked unanimous consent that HB 100 be considered engrossed, advanced to third reading and placed on final passage. There being no objection, it was so ordered.

HB 100 was read the third time.

The question being: "Shall HB 100 pass the House?" The roll was taken with the following result:

HB 100

Third Reading

Final Passage

YEAS: 36 NAYS: 0 EXCUSED: 4 ABSENT: 0

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Dyson, Fate, Foster, Green, Guess, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kookesh, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Ogan, Porter, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Croft, Davies, Halcro, Rokeberg

And so, HB 100 passed the House and was referred to the Chief Clerk for engrossment.

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 - Representative Ramona Barnes

By Representatives Ogan, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Honoring - Ryan M. Welch, Eagle Scout

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

Honoring - Nate Foerster, Eagle Scout

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

Honoring - Curtis Engebretson, Eagle Scout

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

Honoring - Paul Mandsager, Eagle Scout

By Senator Cowdery; Representatives Bunde, Porter, Berkowitz, Chenault, Cissna, Coghill, Crawford, Davies, Dyson, Fate, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kohring, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Ogan, Rokeberg, 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 Cissna - from 7:15 a.m., plane time, February 11 to 9:34 p.m., plane time, February 13, 2001

Representative Halcro - from 7:00 p.m., plane time, February 16 to 9:32 a.m., plane time, February 19; and from noon, plane time, February 22 to 10:00 p.m., plane time, February 27, 2001

Representative Kohring - from 9:57 a.m., plane time, February 22 to 9:34 p.m., plane time, February 25, 2001

Representative Kott - from 7:20 p.m., plane time, February 9 to 9:30 p.m., plane time, February 11, 2001

Representative Masek - from noon February 9 to 9:30 a.m., plane time, February 12, 2001

Representative McGuire - from 1:35 p.m., plane time, February 9 to 9:27 a.m., plane time, February 14, 2001 (amended from page 268)

Representative Meyer - from 7:14 p.m., plane time, February 16 to 9:27 a.m., plane time, February 19; and from 7:14 p.m., plane time, March 1 to 1:45 p.m., plane time, March 6, 2001

Representative Porter - from 7:05 a.m., plane time, March 3 to 9:20 a.m., plane time, March 8, 2001

Representative Whitaker - from 7:15 p.m., plane time, February 14 to 1:00 p.m., plane time, February 19, 2001

Representative Williams - from 2:30 p.m., plane time, February 9 to 9:44 p.m., plane time, February 11, 2001

* * * * *

Representative Kapsner introduced Peter Evon, Guest Page from Akiachak.

UNFINISHED BUSINESS

HJR 7

Representative Green added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 7

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, Alaska, to oil and gas exploration, development, and production.

HB 31

Representative Guess added her name as cosponsor to:

HOUSE BILL NO. 31

"An Act relating to criminal sexual inducement of a minor and to criminal sentencing."

HB 32

Representatives McGuire and Guess added their names as cosponsors to:

HOUSE BILL NO. 32

"An Act relating to the forfeiture of property used to possess or distribute child pornography, to commit indecent viewing or photography, to commit a sex offense, or to solicit the commission of, attempt to commit, or conspire to commit possession or distribution of child pornography, indecent viewing or photography, or a sexual offense."

HB 36

Representative Guess added her name as cosponsor to:

HOUSE BILL NO. 36

"An Act relating to enterprise zones."

HB 100

Representatives Halcro, Murkowski, Meyer, Dyson, James, and Cissna added their names as cosponsors to:

HOUSE BILL NO. 100

"An Act establishing the third Saturday of each June as Juneteenth Day."

HB 105

Representative Hayes added his name as cosponsor to:

HOUSE BILL NO. 105

"An Act relating to the base student allocation used in the formula for state funding of public education; and providing for an effective date."

SJR 12

Representative Ogan added his name as cross sponsor to:

SENATE JOINT RESOLUTION NO. 12(title am)

Urging the United States Congress to amend the tax code to eliminate the marriage penalty.

ENGROSSMENT

HB 100

HB 100 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.

Majority Caucus Speaker's Chamber upon adj., 2/9

ADJOURNMENT

Representative James moved and asked unanimous consent that the House adjourn until 11:00 a.m., February 12, 2001. There being no objection, the House adjourned at 10:43 a.m.

Suzi Lowell
Chief Clerk