

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Monday

February 26, 2001

Fiftieth Day

Pursuant to adjournment the House was called to order by Speaker Porter at 11:05 a.m.

Roll call showed 35 members present. Representatives Berkowitz, Guess, Halcro, and Mulder had been previously excused from a call of the House today.

Representative James moved and asked unanimous consent that Representative Williams' previously excused absence (page 423) be extended until 1:00 p.m., plane time, today. There being no objection, it was so ordered.

The invocation was offered by the Chaplain Sam Dalin of the River of Glory Church. Representative Green moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

Dear Father, Son, and Holy Spirit, we thank You this day for the city of Juneau, Southeast Alaska, and the great state of Alaska. This is the place we live, work, and play. We thank You, Lord, for each of these leaders who are called and appointed to serve the people of Alaska. We ask that You would grant them divine wisdom and understanding of the problems and the solutions as they work.

The Word of God says, "Love one another." I pray that "love" would be the guiding light over Alaska this day. I pray that Your face would shine upon us as we set this time aside to pray for these leaders and the state of Alaska. Please let them hear what You are saying. We thank You for the opportunity to serve.

In the name of God the Father, God the Son, and God the Holy Spirit, Amen.

The Pledge of Allegiance was led by Representative Kerttula.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 47th, 48th, and 49th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

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Representative Hudson introduced Italian exchange student and Guest Page, Simone Casali.

REPORTS OF STANDING COMMITTEES

HB 34

The Judiciary Committee has considered:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 34

"An Act relating to the statutory rule against perpetuities, to nonvested property interests and trusts, and to the suspension of the power of alienation of property; and providing for an effective date."

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

Do pass (4): Meyer, Coghill, Ogan, Rokeberg

The following fiscal note(s) apply:

1. Zero, Alaska Court System
2. Zero, Dept. of Law

SSHB 34 was referred to the Rules Committee for placement on the calendar.

HB 41

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 41

"An Act repealing the termination date of changes made by ch. 87, SLA 1997 and ch. 132, SLA 1998 regarding child support enforcement and related programs; repealing the nonseverability provision of ch. 132, SLA 1998; repealing certain requirements for applicants for hunting and sport fishing licenses or tags, and for certain hunting permits, to provide social security numbers for child support enforcement purposes; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 41(HES)

"An Act relating to federal child support enforcement requirements regarding social security number information, employer reports about employees, and certain kinds of automated data matching with financial institutions; relating to child support payments; repealing the termination date of changes made by ch. 87, SLA 1997, and ch. 132, SLA 1998, regarding child support enforcement and related programs; repealing the nonseverability provision of ch. 132, SLA 1998; repealing uncodified laws relating to ch. 87, SLA 1997, and ch. 132, SLA 1998; and providing for an effective date."

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

Do pass (4) Wilson, Cissna, Stevens, Dyson

No recommendation (1): Coghill

The following fiscal note(s) apply to CSHB 41(HES):

1. Zero, Dept. of Revenue

HB 41 was referred to the Judiciary Committee.

HB 101

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 101

"An Act relating to charter schools; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 101(HES)
(same title)

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

Do pass (4): Coghill, Cissna, Stevens, Dyson

No recommendation (1): Wilson

The following fiscal note(s) apply to CSHB 101(HES):

1. Fiscal, Dept. of Education & Early Development
2. Fiscal, Dept. of Education & Early Development

HB 101 was referred to the Finance Committee.

HB 127

The Transportation Committee has considered:

HOUSE BILL NO. 127

"An Act relating to emergency equipment to be carried on aircraft."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 127(TRA)
(same title)

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

Do pass (6): Kapsner, Ogan, Scalzi, Wilson, Kookesh, Masek

The following fiscal note(s) apply to CSHB 127(TRA):

1. Zero, Dept. of Transportation & Public Facilities

HB 127 was referred to the Rules Committee for placement on the calendar.

SCR 2

The Health, Education & Social Services Committee has considered:

CS FOR SENATE CONCURRENT RESOLUTION NO. 2(HES)
Relating to declaring March 2001 as Sobriety Awareness Month.

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

Do pass (5): Coghill, Wilson, Cissna, Stevens, Dyson

The following fiscal note(s) apply:

1. Zero, Senate Health, Education & Social Services Committee

CSSCR 2(HES) was referred to the Rules Committee for placement on the calendar.

SB 53

The Finance Committee has considered:

SENATE BILL NO. 53
"An Act extending the termination date of the Board of Barbers and Hairdressers."

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

Do pass (9): Bunde, Whitaker, Harris, Davies, Moses, Lancaster, Hudson, Foster, Williams

The following fiscal note(s) apply:

2. Fiscal, Dept. of Community & Economic Development

SB 53 was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

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

Honoring - Kikkan Randall, World Ski Championships
By Representative Crawford

Commemorating - 2001 International Women's Day Celebration
By Representative Meyer

Honoring - Wendy M. Redman
By Senator Wilken

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS

HJR 18

HOUSE JOINT RESOLUTION NO. 18 by Representative Scalzi:

Proposing amendments to the Constitution of the State of Alaska relating to certain municipal annexations."

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

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 147**

HOUSE BILL NO. 147 by Representative Crawford, entitled:

"An Act amending a definition of 'wages' for purposes of Title 36 of the Alaska Statutes to include payments for travel expenses and per diem."

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

HB 148

HOUSE BILL NO. 148 by Representative Chenault, entitled:

"An Act establishing a moratorium on the foreclosure of certain loans; making the moratorium retroactive; requiring the reversal of certain foreclosures and the return of certain property interests; 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 149

HOUSE BILL NO. 149 by Representative Chenault, entitled:

"An Act relating to correctional facility space and to authorizing the Department of Corrections to enter into an agreement to lease facilities for the confinement and care of prisoners within the Kenai Peninsula Borough."

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

HB 150

HOUSE BILL NO. 150 by the House Labor & Commerce Committee by request, entitled:

"An Act relating to insurance premiums for rental motor vehicles."

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

HB 151

HOUSE BILL NO. 151 by Representatives Whitaker, Fate, James, and Murkowski, entitled:

"An Act naming the Bill Wood Fairbanks International Airport; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 24

The following was read the second time:

HOUSE BILL NO. 24

"An Act relating to use of certain borough revenues for a tourism marketing campaign."

with the:

Journal Page

EDT RPT CS(EDT) NT 4DP 3NR	296
FN1: ZERO(CED)	296
CRA RPT CS(EDT) NT 7DP	400
FN1: ZERO(CED)	400

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

CS FOR HOUSE BILL NO. 24(EDT)

"An Act relating to use of borough revenues from a sales tax levied upon room rentals for a tourism marketing campaign."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 24(EDT) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 24(EDT) was read the third time.

The question being: "Shall CSHB 24(EDT) pass the House?" The roll was taken with the following result:

CSHB 24(EDT)
Third Reading
Final Passage

YEAS: 35 NAYS: 0 EXCUSED: 5 ABSENT: 0

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

Excused: Berkowitz, Guess, Halcro, Mulder, Williams

And so, CSHB 24(EDT) passed the House and was referred to the Chief Clerk for engrossment.

HB 118

The following was read the second time:

HOUSE BILL NO. 118

"An Act relating to a mandatory exemption from municipal taxes on certain residences; and providing for an effective date."

with the:

Journal Page

CRA RPT 6DP

402

FN1: ZERO(CED)

403

Amendment No. 1 was offered by Representatives Guess and Kerttula:

Page 1, following line 3:

Insert a new bill section to read:

****Section 1.** The uncodified law of the State of Alaska is amended by adding a new section to read:

LEGISLATIVE INTENT. For fiscal year 2002 and for fiscal years thereafter, the legislature intends to fully fund the program under AS 29.45.030(g) for reimbursing municipal revenues lost by the operation of the mandatory tax exemption for residences of certain seniors, disabled veterans, and widows or widowers."

Page 1, line 4:

Delete **** Section 1.**"

Insert **** Sec. 2.**"

Renumber the following bill section accordingly.

Representative Kerttula moved and asked unanimous consent that Amendment No. 1 be adopted.

Representative Whitaker objected.

Representative Hudson declared a conflict of interest and was required to vote. Additional conflicts of interest were heard, and the Speaker stated that all members would be required to vote.

The question being: "Shall Amendment No. 1 be adopted?" The roll was taken with the following result:

HB 118

Second Reading

Amendment No. 1

YEAS: 10 NAYS: 25 EXCUSED: 5 ABSENT: 0

Yeas: Cissna, Crawford, Croft, Davies, Hayes, Joule, Kapsner, Kerttula, Kookesh, Moses

Nays: Bunde, Chenault, Coghill, Dyson, Fate, Foster, Green, Harris, Hudson, James, Kohring, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Murkowski, Ogan, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Wilson

Excused: Berkowitz, Guess, Halcro, Mulder, Williams

And so, Amendment No. 1 was not adopted.

Representative James moved and asked unanimous consent that HB 118 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 118 was read the third time.

The question being: "Shall HB 118 pass the House?" The roll was taken with the following result:

HB 118

Third Reading

Final Passage

YEAS: 35 NAYS: 0 EXCUSED: 5 ABSENT: 0

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

Excused: Berkowitz, Guess, Halcro, Mulder, Williams

And so, HB 118 passed the House.

Representative James 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.

HB 118 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 - Kari Wise, Justin Gonka, Jacob Fuller

By Representatives Porter, Guess, Rokeberg, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Harris, Hudson, James, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Ogan, Stevens, Williams, Wilson; Senators Donley, Ellis, Pearce

Honoring - 2000 Eagle Scouts, Christopher Michael Thomas, Brian Scott Fairchild, Daniel Christian Peterson

By Representatives Hudson, Kerttula, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Green, Harris, James, Kapsner, Kohring, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Ogan, Rokeberg, Stevens, Williams, Wilson; Senator Elton

Honoring - Southeast Alaska Eagle Scouts

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

Honoring - Bob & Betty Allen

By Senator Taylor; Representatives Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Harris, Hudson, James, Kapsner, Kerttula, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Ogan, Rokeberg, Stevens, Williams, Wilson

Honoring - Dr. Paul Eneboe, Homer Chamber of Commerce, 2000 Citizen of the Year

By Senator Torgerson; Representatives Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Green, Harris, Hudson, James, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Ogan, Rokeberg, Scalzi, Stevens, Williams, Wilson

Honoring - Maritime Helicopters, Homer Chamber of Commerce, Outstanding Business of the Year 2000

By Senator Torgerson; Representatives Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Green, Harris, Hudson, James, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Ogan, Rokeberg, Scalzi, Stevens, Williams, Wilson

Commemorating - Women in History Month

By Senator Davis; Representatives Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Green, Harris, Hudson, James, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, 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 Chenault - from 7:15 a.m., plane time, February 28 to 9:35 p.m., plane time, March 6, 2001

Representative Davies - from 1:35 p.m., plane time, March 1 to 9:45 p.m., plane time, March 9, 2001

Representative Kohring - from 9:57 a.m., plane time, March 16 to 9:34 p.m., plane time, March 18, 2001

Representative McGuire - from 7:15 a.m., plane time, March 1 to 9:27 a.m., plane time, March 7, 2001

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Representative Fate requested that the members stand for a moment of silence to honor the life of former University of Alaska President, Dr. William Ransom Wood.

HB 24

Representative Hayes added his name as cosponsor to:

CS FOR HOUSE BILL NO. 24(EDT)

"An Act relating to use of borough revenues from a sales tax levied upon room rentals for a tourism marketing campaign."

HB 118

Representatives Hayes, Rokeberg, Crawford, and Croft added their names as cosponsors to:

HOUSE BILL NO. 118

"An Act relating to a mandatory exemption from municipal taxes on certain residences; and providing for an effective date."

HB 125

Representative Dyson added his name as cosponsor to:

HOUSE BILL NO. 125

"An Act relating to unlawful and indecent viewing and photography and to civil damages and penalties for that viewing and photography."

ENGROSSMENT**HB 24**

CSHB 24(EDT) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 118

HB 118 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.

Joint Session

State of the Judiciary

11:00 a.m., 2/28

The following meetings today have been changed as indicated:

Finance Subcommittee

Dept. of Health &

Social Services

Capitol 124

4:00 p.m., 2/26

Finance Committee

1:30 p.m., 2/26 meeting RESCHEDULED TO:

2:00 p.m., 2/26

ADJOURNMENT

Representative James moved and asked unanimous consent that the House adjourn until 10:00 a.m., February 28, 2001. There being no objection, the House adjourned at 11:54 a.m.

Suzi Lowell
Chief Clerk