

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Wednesday

March 7, 2001

#### Fifty-ninth Day

Pursuant to adjournment and in the absence of Speaker Porter, Representative James assumed the Chair as Speaker Pro Tempore under Rule 4 of the Uniform Rules and called the House to order at 1:01 p.m.

Roll call showed 31 members present. Representatives Davies, Mulder, and Porter had been previously excused from a call of the House today. Representative Green was excused from a call of the House today due to illness.

Representative Foster, Acting Majority Leader, 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 9:44 p.m., plane time, March 7, 2001

Representative Joule - from today to 8:00 a.m., plane time, March 9, 2001

Representative Crawford - from 2:00 p.m., plane time, today to 9:30 p.m., plane time, March 8, 2001

Representative Kott - from 7:20 p.m., plane time, February 28 to 9:30 a.m., plane time, March 8, 2001 (amended from page 422)

Representative Masek - from 5:00 p.m., plane time, February 28 to 9:30 a.m., plane time, March 19, 2001 (amended from page 303)

The invocation was offered by the Chaplain Father Michael Nash of the Cathedral of the Nativity. Representative Hudson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

Loving God, we praise You for the boundless kindness You have lavished on Your people. Among the gifts You have given us are those of freedom and self-determination. We, in Alaska, have bound ourselves into a political community, and will travel into the future together.

Here in these chambers of the Alaska House of Representatives, may the hopes and dreams of each Alaskan, from the smallest to the greatest, be valued and cherished. May the laws enacted in this legislature reflect the tradition of sharing and caring that has been so much a part of the history of this land. And, in the ancient and honorable tradition of politics, may it be the goal of each member of this body to advance the common good. We pray You this gracious Lord. Amen.

The Pledge of Allegiance was led by Representative Dyson.

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

Representative Foster moved and asked unanimous consent that the journal for the 52nd, 53rd, 54th, 55th, 56th, 57th, and 58th legislative days and House & Senate Joint Journal Supplement No. 5 be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

\* \* \* \* \*

Representative Halcro introduced his daughter and Guest Page, Alyssa Robinson, from Anchorage.

Representative Rokeberg introduced Katrina Amon, Guest Page, from Anchorage.

Representative Foster introduced Ross Wortman, Guest Page, from Eagle River.

### MESSAGES FROM THE GOVERNOR

#### HCR 2

A message dated March 7, 2001, was read stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

##### HOUSE CONCURRENT RESOLUTION NO. 2

Authorizing two recesses by the Senate and House of Representatives, each for a period of more than three days.

Legislative Resolve No. 1

#### HJR 7

A message dated February 28, 2001, was read stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

##### CS FOR HOUSE JOINT RESOLUTION NO. 7(RES) am

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.

Legislative Resolve No. 5

#### SCR 1

A message dated March 7, 2001, was read stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

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

Relating to Avalanche Awareness Month.

Legislative Resolve No. 3

**COMMUNICATIONS**

The following audit report was received:

Division of Legislative Audit  
Legislative Budget & Audit Committee  
(as required by AS 24.20.311)

Department of Corrections  
Board of Parole  
Sunset Review  
December 26, 2000

**REPORTS OF STANDING COMMITTEES**

The Labor & Commerce Committee has reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

Dr. Michael P. Moriarty

as a member of the Board of Dental Examiners,

Ms. Ann M. Bezona  
Mr. Larry E. Harper

as members of the Board of Dispensing Opticians,

Ms. Ann W. Swift

as a member of the Board of Marital and Family Therapy,

Dr. Martha Tillion Cotten  
Ms. Constance E. Livsey

as members of the State Medical Board,

Dr. William D. Faulkner

as a member of the Board of Examiners in Optometry,

Mr. Mark D. Bohrer  
Ms. Cindy Bueler

as members of the Board of Pharmacy,

Ms. Jo Anne Bell-Graves

as a member of the State Physical Therapy and Occupational Therapy Board,

Mr. David F. Leonard

as a member of the Board of Professional Counselors,

Ms. Cathy W. Biggerstaff

as a member of the Board of Psychologist and Psychological Associate Examiners,

Ms. Diane M. DiSanto

as a member of the Board of Social Work Examiners.

The reports were signed by Representative Murkowski, Chair; and Representatives Meyer, Rokeberg, Halcro, Crawford, and Hayes.

Pursuant to AS 39.05.053, the Labor & Commerce Committee changed the month and day of expiration for members' terms to March 1.

**HCR 1**

The Labor & Commerce Committee has considered:

HOUSE CONCURRENT RESOLUTION NO. 1  
Relating to establishing a Task Force on a Statewide Comprehensive Energy Plan.

and recommends it be replaced with:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 1(L&C)  
(same title)

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

Do pass (4): Halcro, Crawford, Hayes, Murkowski

No recommendation (2): Meyer, Rokeberg

The following fiscal note(s) apply to CSHCR 1(L&C):

1. Zero, House Community & Regional Affairs Committee

HCR 1 was referred to the Rules Committee for placement on the calendar.

#### **HB 72**

The Finance Committee has considered:

HOUSE BILL NO. 72

"An Act relating to an assistant adjutant general for national missile defense in the Department of Military and Veterans' Affairs."

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

Do pass (10): Whitaker, Harris, Croft, Davies, Moses, Lancaster, Hudson, Foster, Mulder, Williams

No recommendation (1): Bunde

The following fiscal note(s) apply:

1. Fiscal, Dept. of Military & Veterans' Affairs

HB 72 was referred to the Rules Committee for placement on the calendar.

**HB 81**

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 81

"An Act extending the termination date of the Board of Dental Examiners."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 81(L&C)

"An Act extending the termination date of the Board of Dental Examiners; relating to the Board of Dental Examiners and regulation of the practice of dentistry; and relating to dental hygienists and dental assistants."

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

Do pass (5): Crawford, Hayes, Meyer, Rokeberg, Murkowski

No recommendation (1): Halcro

The following fiscal note(s) apply to CSHB 81(L&C):

1. Zero, Dept. of Community & Economic Development

HB 81 was referred to the Finance Committee.

**HB 91**

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 91

"An Act relating to the membership and quorum requirements of the State Medical Board."

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

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Community & Economic Development

HB 91 was referred to the Finance Committee.

**HB 113**

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 113

"An Act relating to health care insurance payments for hospital or medical services; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 113(L&C)  
(same title)

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

Do pass (3): Crawford, Hayes, Meyer

No recommendation (2): Halcro, Murkowski

Amend (1): Rokeberg

The following fiscal note(s) apply to CSHB 113(L&C):

1. Zero, Dept. of Community & Economic Development
2. Indeterminate, Dept. of Administration

HB 113 was referred to the Health, Education & Social Services Committee.

**SB 16**

The Finance Committee has considered:



## CS FOR SENATE BILL NO. 16(RLS)

"An Act regarding oil discharge prevention and cleanup involving self-propelled nontank vessels exceeding 400 gross registered tonnage and railroad tank cars and related facilities and operations and requiring preparation and implementation of oil discharge contingency plans for those nontank vessels and railroad tank cars; amending the definition of 'response action' that relates to releases or threatened releases of oil and thereby amending the duties and liabilities of response action contractors; authorizing compliance verification for nontank vessels and for trains and related facilities and operations; and providing for an effective date."

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

Do pass (4): Whitaker, Croft, Davies, Hudson

Do not pass (1): Foster

No recommendation (6): Bunde, Harris, Moses, Lancaster, Mulder, Williams

The following fiscal note(s) apply:

1. Fiscal, Dept. of Transportation & Public Facilities
2. Fiscal, Dept. of Environmental Conservation

CSSB 16(RLS) was referred to the Rules Committee for placement on the calendar.

### REPORTS OF SPECIAL COMMITTEES

**HB 137**

The House Special Committee on Military & Veterans' Affairs has considered:

## HOUSE BILL NO. 137

"An Act relating to records of veterans of the armed forces; and providing for an effective date."

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

Do pass (6): Hayes, Green, Kott, Masek, Cissna, Chenault

The following fiscal note(s) apply:

1. Zero, Dept. of Natural Resources

HB 137 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 - Alaska Air National Guard's 168th Aerial Refueling Wing  
By Senators Therriault, Wilken, Kelly; Representatives Hayes, James, Fate, Coghill, Davies, Whitaker

In Memoriam - Evan Michael Alexie  
By Representative Morgan

In Memoriam - Philip Alexie  
By Representative Morgan

### **CONSIDERATION OF THE DAILY CALENDAR**

#### **LEGISLATIVE CITATIONS**

Representative Foster 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 - Irene Aukongak  
By Representatives Foster, Porter, Berkowitz, Bunde, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kookesh, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Ogan, Rokeberg, Stevens, Williams, Wilson; Senator Olson

## Honoring - Willa Ashenfelter

By Representatives Foster, Porter, Berkowitz, Bunde, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kookesh, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Ogan, Rokeberg, Stevens, Williams, Wilson; Senator Olson

## In Memoriam - George S. Henniger

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

## In Memoriam - William L. Hagar

By Senators Taylor, Kelly, Therriault, Wilken; Representatives Fate, Coghill, James, Porter, Berkowitz, Bunde, Cissna, Crawford, Croft, Davies, Dyson, Foster, Halcro, Harris, Hayes, Hudson, Joule, Kapsner, Kerttula, Kookesh, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Ogan, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

**UNFINISHED BUSINESS**

Representative Foster 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 Dyson - from 1:30 p.m., plane time, March 16 to 9:27 a.m., plane time, March 19; and from 1:30 p.m., plane time, April 6 to 9:27 a.m., plane time, April 9, 2001

Representative Rokeberg - from 7:00 p.m., plane time, March 16 to 9:30 a.m., plane time, March 19, 2001

Representative Green - from 2:00 p.m., plane time, April 4 to 9:30 a.m., plane time, April 8, 2001 (amended from page 422)

**HB 41**

The Health, Education & Social Services Committee submitted a corrected committee substitute for their report (page 433). The following bill is being reprinted today:

## 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."

HB 41 is in the Judiciary Committee.

**HB 91**

Representatives Wilson, Dyson, Cissna, and Coghill added their names as cosponsors to:

## HOUSE BILL NO. 91

"An Act relating to the membership and quorum requirements of the State Medical Board."

**HB 92**

Representative Croft added his name as cosponsor to:

## HOUSE BILL NO. 92

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

**HB 99**

Representative Dyson added his name as cosponsor to:

HOUSE BILL NO. 99

"An Act relating to school discipline and safety programs; and providing for an effective date."

**HB 111**

Representative James added her name as cosponsor to:

HOUSE BILL NO. 111

"An Act relating to civil liability for injuries or death resulting from livestock activities."

**HB 114**

Representatives Fate and Dyson added their names as cosponsors to:

HOUSE BILL NO. 114

"An Act relating to abuse of inhalants."

**HB 115**

Representative Dyson added his name as cosponsor to:

HOUSE BILL NO. 115

"An Act allowing a physician assistant or advanced nurse practitioner to certify the need for emergency treatment as a result of intoxication."

**HB 124**

Representative Dyson added his name as cosponsor to:

HOUSE BILL NO. 124

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

**HB 158**

Representatives Dyson, Fate, and Rokeberg added their names as cosponsors to:

HOUSE BILL NO. 158

"An Act relating to the criteria for the adoption of regulations and to the relationship between a regulation and its enabling statute; and providing for an effective date."

**ANNOUNCEMENTS**

House committee schedules are published daily under separate cover.

**ADJOURNMENT**

Representative Foster moved and asked unanimous consent that the House adjourn until 10:00 a.m., March 9, 2001. There being no objection, the House adjourned at 1:39 p.m.

Suzi Lowell  
Chief Clerk