

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Tuesday

March 20, 2001

Seventy-second Day

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

Roll call showed 33 members present. Representatives Halcro and Joule had been previously excused from a call of the House today. Representative Kookesh had been previously excused from a call of the House until 10:15 a.m., plane time, today. Representative Ogan was excused from a call of the House today due to illness. Representatives Kott, Masek, and Mulder were absent and their presence was noted later.

The invocation was offered by the Reverend Paul D. Beran of Resurrection Lutheran Church. Representative Green moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

Gracious Father, Your love and patience with us is more than we can fathom: the gift of life for a new day, the responsibilities of this House that summon our best, forgiveness in Jesus Christ for the many times we have woefully fallen short, and the opportunities for good that beckon us now.

Lord, oft-times we face subtle pressures. We want to be responsible, respected, even liked. Save us from the delusion of doing nothing that we might agree with everyone. We desire to give right leadership. Yet so often the glass is clouded, the issues mixed, our vision limited.

We ask Your Spirit to grant us what we need. Give us wisdom and courage to separate need from greed, reality from

words, and faces of real people You have made from statistical numbers. Help us that we might be Your faithful servants this day. In the Name of Him Who came not to be served, but to serve, Jesus the Christ. Amen.

The Pledge of Allegiance was led by Representative Cissna.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 71st legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

**The presence of Representative Kott was noted.

MESSAGES FROM THE SENATE

A message dated March 19, 2001, was read stating the Senate has passed the following and it is transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 77

SENATE BILL NO. 77 by Senator Torgerson, entitled:

"An Act repealing the exception that applies to collection and payment of interest of \$150 or less on royalty or net profit share underpayments and overpayments; and providing for an effective date."

was read the first time and referred to the Resources and Finance Committees.

REPORTS OF STANDING COMMITTEES

HB 137

The Resources Committee 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 Scalzi, Co-chair, with the following individual recommendations:

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

The following fiscal note(s) apply:

1. Zero, Dept. of Natural Resources

HB 137 was referred to the Rules Committee for placement on the calendar.

HB 145

The Community & Regional Affairs Committee has considered:

HOUSE BILL NO. 145

"An Act making a civil remedy available to the state or a municipality against persons who make false claims for, or certain misrepresentations regarding, state or municipal money or other property; and providing for an effective date."

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

Do pass (1): Kerttula

No recommendation (5): Guess, Scalzi, Murkowski, Meyer, Morgan

The following fiscal note(s) apply:

1. Zero, Dept. of Law

HB 145 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:

In Memoriam - William Ransom Wood
By Representatives Fate, Coghill; Senators Wilken, Kelly, Therriault

In Memoriam - Mary Ann Dineen
By Representative Harris; Senator Lincoln

The following citation was introduced and taken up later as a Special Order of Business:

Honoring - Marc Langland
By Representative Bunde

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE RESOLUTIONS****HCR 9**

HOUSE CONCURRENT RESOLUTION NO. 9 by Representative Kott:

Encouraging the Matanuska Electric Association to reverse its plan to pursue deregulation.

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

HJR 23

HOUSE JOINT RESOLUTION NO. 23 by the House State Affairs Committee:

Advocating the retention of the electoral college system in its present form.

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

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

HB 201

HOUSE BILL NO. 201 by Representative Meyer, entitled:

"An Act prohibiting certain persons who sell or serve alcohol from consuming alcoholic beverages during hours of employment."

was read the first time and referred to the Judiciary and Finance Committees.

**The presence of Representative Masek was noted.

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Representative Williams introduced Ty Gass, Guest Page, from Ketchikan.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF SENATE RESOLUTIONS

SJR 6

The following was read the second time:

CS FOR SENATE JOINT RESOLUTION NO. 6(FIN)
Urging the Congress of the United States to provide federal education funds as a block grant to the state.

| | |
|----------------------|--------------|
| with the: | Journal Page |
| FIN RPT HCS(FIN) 9DP | 404 |
| FN1: ZERO(S.FIN/EED) | 405 |

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

HOUSE CS FOR CS FOR SENATE JOINT RESOLUTION NO.
6(FIN)
(same title)

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that HCS CSSJR 6(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSJR 6(FIN) was read the third time.

The question being: "Shall HCS CSSJR 6(FIN) pass the House?" The roll was taken with the following result:

HCS CSSJR 6(FIN)
Third Reading
Final Passage

YEAS: 34 NAYS: 0 EXCUSED: 4 ABSENT: 2

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

Excused: Halcro, Joule, Kookesh, Ogan

Absent: Kapsner, Mulder

And so, HCS CSSJR 6(FIN) passed the House and was referred to the Chief Clerk for engrossment.

SJR 7

The following was read the second time:

CS FOR SENATE JOINT RESOLUTION NO. 7(RES)
Supporting reinstatement of the United States Department of the Interior directive exempting the United States Bureau of Land Management in Alaska from the mandatory wilderness review process.

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665

with the:

Journal Page

RES RPT 5DP 1NR
 FN1: ZERO(S.RES)

512
 512

Representative James moved and asked unanimous consent that CSSJR 7(RES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSJR 7(RES) was read the third time.

**The presence of Representative Mulder was noted.

The question being: "Shall CSSJR 7(RES) pass the House?" The roll was taken with the following result:

CSSJR 7(RES)
 Third Reading
 Final Passage

YEAS: 32 NAYS: 3 EXCUSED: 4 ABSENT: 1

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

Nays: Cissna, Davies, Kerttula

Excused: Halcro, Joule, Kookesh, Ogan

Absent: Kapsner

And so, CSSJR 7(RES) passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

SJR 12

The following was read the second time:

SENATE JOINT RESOLUTION NO. 12(title am)
 Urging the United States Congress to amend the tax code to
 eliminate the marriage penalty.

| with the: | Journal Page |
|------------------|--------------|
| STA RPT 7DP | 384 |
| FN1: ZERO(S.STA) | 384 |

Representative James moved and asked unanimous consent that SJR 12(title am) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SJR 12(title am) was read the third time.

The question being: "Shall SJR 12(title am) pass the House?" The roll was taken with the following result:

SJR 12(title am)
 Third Reading
 Final Passage

YEAS: 35 NAYS: 0 EXCUSED: 4 ABSENT: 1

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

Excused: Halcro, Joule, Kookesh, Ogan

Absent: Kapsner

And so, SJR 12(title am) 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:

Commemorating - Law Enforcement Memorial Day, May 11, 2001
By Representatives Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Green, Guess, Harris, Hayes, Hudson, James, Kapsner, Kerttula, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Rokeberg, Scalzi, Stevens, Williams, Wilson

In Memoriam - Carl Henderson
By Senator Davis; Representatives Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Guess, Harris, Hayes, Hudson, James, Kapsner, Kerttula, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Rokeberg, Scalzi, Stevens, Williams, Wilson

In Memoriam - Edmund G. Lord
By Senator Lincoln; Representatives Morgan, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Guess, Harris, Hayes, Hudson, James, Kapsner, Kerttula, Kott, Lancaster, McGuire, Meyer, Mulder, Murkowski, Rokeberg, Scalzi, Stevens, Williams, Wilson

In Memoriam - Oklahoma State University, Men's Basketball Program
By Senator Leman; Representatives Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Green, Guess, Harris, Hayes, Hudson, James, Kapsner, Kerttula, Kohring, Kott, Lancaster, 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 Harris - from 1:00 p.m., plane time, April 12 to 9:30 a.m., plane time, April 17, 2001

Representative Lancaster - from 6:00 p.m., plane time, April 12 to 9:30 p.m., plane time, April 16, 2001

Representative Moses - from 7:10 a.m., plane time, March 23 to 9:25 p.m., plane time, March 26, 2001

Representative Murkowski - from 7:05 a.m., plane time, March 23 to 6:34 p.m., plane time, March 26, 2001 (amended from page 527)

Representative Mulder - from 8:30 a.m., plane time, to 5:30 p.m., plane time, March 21, 2001

Representative Whitaker - from 7:13 a.m., plane time, March 21 to 8:30 a.m., plane time, March 24, 2001

Representative Wilson - from 8:30 a.m. to 11:00 a.m., March 23, 2001

HB 99

The Speaker waived the House Special Committee on Education referral for the following at the request of Representative Bunde, Chair:

HOUSE BILL NO. 99

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

HB 99 was removed from the House Special Committee on Education and referred to the Health, Education & Social Services Committee.

SPECIAL ORDER OF BUSINESS

Representative Bunde moved and asked unanimous consent that the citation, Honoring - Marc Langland, be taken up as a Special Order of Business at this time. There being no objection, it was so ordered.

Representative Bunde moved and asked unanimous consent that the House approve the citation. There being no objection, the following citation was approved and sent to enrolling:

Honoring - Marc Langland

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

UNFINISHED BUSINESS

HB 20

Representative Davies added his name as cosponsor to:

HOUSE BILL NO. 20

"An Act relating to state aid to municipalities and certain other recipients, and for the village public safety officer program; relating to municipal dividends; relating to the public safety foundation program; and providing for an effective date."

HB 32

Representative Kohring added his name as cosponsor 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 82

Representative Dyson added his name as cosponsor to:

HOUSE BILL NO. 82

"An Act relating to agricultural facilities and operations as private nuisances; and to disclosures in transfers of real property located within one mile of an agricultural facility or an agricultural operation."

SJR 12

Representatives Dyson, Meyer, and Croft added their names as cross sponsors to:

SENATE JOINT RESOLUTION NO. 12(title am)

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

ENGROSSMENT

SJR 6

HCS CSSJR 6(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

ENROLLMENT

HCR 6

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 10:05 a.m., March 20, 2001:

SENATE CS FOR CS FOR HOUSE CONCURRENT
RESOLUTION NO. 6(STA)

Requesting the Governor to declare March 18 - 24, 2001, to be Inhalants and Poisons Awareness Week and August 26 - September 1, 2001, to be Inhalant Awareness Week.

HB 117

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 10:05 a.m., March 20, 2001:

SENATE CS FOR CS FOR HOUSE BILL NO. 117(FIN)

"An Act making supplemental and other appropriations; and providing for an effective date."

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

ADJOURNMENT

Representative James moved and asked unanimous consent that the House adjourn until 10:00 a.m., March 22, 2001. There being no objection, the House adjourned at 10:55 a.m.

Suzi Lowell
Chief Clerk