

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Wednesday

April 4, 2001

Eighty-seventh Day

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

Roll call showed 32 members present. Representatives Berkowitz, Green, and Ogan had been previously excused from a call of the House today. Representative Kookesh was excused from a call of the House today due to illness. Representative Mulder was absent and his presence was noted later. Representatives Croft and Kohring were absent.

Representative James moved and asked unanimous consent that Representative Kapsner be excused from a call of the House from today to 9:32 p.m., plane time, April 8, 2001. There being no objection, it was so ordered.

A moment of silence in respect for the family and crew members of the fishing vessel Arctic Rose and the personnel involved in the military plane incident in China along with the invocation were offered by Major Larry Fankhauser of The Salvation Army. Representative Coghill moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

This is the day the Lord has made, let us rejoice and be glad in it. Dear God, we thank You for today and each representative who with care and thoughtfulness seeks to serve this state and its peoples.

We realize we must look to a higher power than ourselves, and so as a nation under God we look to You for keen minds, clear thoughts, and purposeful direction. There are many

voices, opinions, and agendas, but as we seek Your insight and wisdom, we rest assured that right decisions will be made.

We thank You for all that You have done and continue to do for us as we seek to serve. Amen.

The Pledge of Allegiance was led by Representative Wilson.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 86th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

HCR 5

A message dated April 3, 2001, was read stating the Senate has passed HCR 5(title am) with the following amendment and it is transmitted for consideration:

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

Proposing amendments to Uniform Rules 20(a), 37, and 49(a)(4) of the Alaska State Legislature.

HCR 5(title am) is under Unfinished Business.

A message dated April 3, 2001, was read stating the Senate has passed the following and it is transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 156

CS FOR SENATE BILL NO. 156(RES) by the Senate Resources Committee, entitled:

"An Act amending the Alaska Land Act to clarify the requirement of a single written best interest finding required for the sale, lease, or other disposal of state land or resources or an interest in them, and relating to certain disposals involving multiphased development; and providing for an effective date."

was read the first time and referred to the House Special Committee on Oil & Gas and the Resources Committee.

REPORTS OF STANDING COMMITTEES

HB 96

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 96

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 96(HES)
(same title)

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

Do pass (7): Kohring, Coghill, Wilson, Cissna, Joule, Stevens, Dyson

The following fiscal note(s) apply to CSHB 96(HES):

1. Indeterminate, House Health, Education & Social Services Committee/Dept. of Natural Resources

HB 96 was referred to the Finance Committee.

HB 99

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 99

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 99(HES)
(same title)

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

Do pass (6): Coghill, Kohring, Wilson, Cissna, Stevens, Dyson

No recommendation (1): Joule

The following fiscal note(s) apply to CSHB 99(HES):

1. Zero, House Health, Education & Social Services Committee/Dept. of Education & Early Development

HB 99 was referred to the Finance Committee.

HB 160

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 160

"An Act requiring the reporting of induced terminations of pregnancies."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 160(HES)
(same title)

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

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

No recommendation (1): Joule

Amend (1): Dyson

The following fiscal note(s) apply to CSHB 160(HES):

1. Zero, House Health, Education & Social Services Committee/Dept. of Health & Social Services

HB 160 was referred to the Judiciary Committee.

HB 193

The State Affairs Committee has considered:

HOUSE BILL NO. 193

"An Act relating to the primary election; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 193(STA)
(same title)

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

Do pass (3): James, Fate, Coghill

Do not pass (2): Crawford, Hayes

No recommendation (2): Wilson, Stevens

The following fiscal note(s) apply to CSHB 193(STA):

1. Fiscal, Office of the Governor

HB 193 was referred to the Judiciary Committee.

SB 93

The State Affairs Committee has considered:

CS FOR SENATE BILL NO. 93(FIN)

"An Act relating to the Arctic Winter Games Team Alaska trust; and providing for an effective date."

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

Do pass (6): Fate, Hayes, Stevens, Crawford, Wilson, Coghill

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue

CSSB 93(FIN) was referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES**HB 204**

The House Special Committee on Education has considered:

HOUSE BILL NO. 204

"An Act relating to the Alaska Commission on Postsecondary Education and the Alaska Student Loan Corporation; relating to student financial aid programs and the financing of those programs; establishing the Alaska Advantage Loan Program and the Alaska Supplemental Education Loan Program; increasing the bonding authorization of the Alaska Student Loan Corporation; providing for liens resulting from a default under AS 14.43 or AS 14.44; relating to the duties of the recorder regarding those liens; relating to defaults under the Western Regional Higher Education Compact; relating to the prohibition on discrimination regarding programs under AS 14.43; relating to fees for the review of certain postsecondary institutions; making conforming amendments; and providing for an effective date."

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

Do pass (5): Porter, Stevens, Joule, Guess, Bunde

The following fiscal note(s) apply:

2. Fiscal, Dept. of Education & Early Development

HB 204 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 - Erik Oliver Dawson, Eagle Scout
By Representative Berkowitz

Honoring - City of Nome, 100th Anniversary
By Representative Foster; Senator Olson

Honoring - Janet Tobuk
By Representative Foster; Senator Olson

Honoring - Matanuska-Susitna Borough School District, Career Pathways
By Representative Ogan

Honoring - UAF Women's Basketball Team
By Representatives Hayes, Davies; Senator Wilken

Honoring - Allen Kemplen
By Senator Ellis; Representative Guess

Honoring - Sean Seaver
By Senator Taylor

Honoring - Bob Byron, Marriage Savers
By Senator Green

In Memoriam - Vern V. Hirsch, Jr.
By Representatives Kerttula, Hudson; Senator Elton

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

HB 230

HOUSE BILL NO. 230 by the House Labor & Commerce Committee,
entitled:

"An Act relating to wage and hour protections for employees of
the Alaska Railroad Corporation; and providing for an effective
date."

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

HB 231

HOUSE BILL NO. 231 by Representative Berkowitz, entitled:

"An Act eliminating the primary election, relating to the general
election, and eliminating state recognition of political parties."

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF SENATE BILLS

SB 112

The following was read the second time:

CS FOR SENATE BILL NO. 112(FIN)

"An Act placing certain employees of the Alaska Mental Health
Trust Authority in the exempt service; establishing a minimum
salary for the long term care ombudsman; and providing for an
effective date."

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with the:

Journal Page

HES RPT 5DP 1NR	756
FN1: ZERO(REV)	757
FIN RPT 7DP 1NR	826
FN1: ZERO(REV)	826

Representative James moved and asked unanimous consent that CSSB 112(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 112(FIN) was read the third time.

The question being: "Shall CSSB 112(FIN) pass the House?" The roll was taken with the following result:

CSSB 112(FIN)
Third Reading
Final Passage

YEAS: 32 NAYS: 0 EXCUSED: 5 ABSENT: 3

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

Excused: Berkowitz, Green, Kapsner, Kookesh, Ogan

Absent: Croft, Kohring, Mulder

And so, CSSB 112(FIN) 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.

CSSB 112(FIN) 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 - Jolene Clark, Alaskan Special Olympian

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

Honoring - Shaunti Irene Johnson, Alaskan Special Olympian

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

Honoring - Ivan Meganack, Alaskan Special Olympian

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

Honoring - Chugiak High School Mustangs, Mock Trial Law Championships

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

CONCUR IN SENATE AMENDMENTS**HCR 5**

Representative James moved and asked unanimous consent that the House consider the Senate message (page 836) on the following at this time:

HOUSE CONCURRENT RESOLUTION NO. 5(title am)
Proposing amendments to Uniform Rules 20(a), 37, and 49(a)(4)
of the Alaska State Legislature.

and

SENATE CS FOR HOUSE CONCURRENT RESOLUTION NO.
5(STA)
(same title)

There being no objection, it was so ordered.

Representative James moved that the House concur in the Senate amendment to HCR 5(title am), thus adopting SCS HCR 5(STA), and recommended that the members vote yes.

**The presence of Representative Mulder was noted.

The question being: "Shall the House concur in the Senate amendment to HCR 5(title am)?" The roll was taken with the following result:

SCS HCR 5(STA)
Concur

YEAS: 33 NAYS: 0 EXCUSED: 5 ABSENT: 2

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

Excused: Berkowitz, Green, Kapsner, Kookesh, Ogan

Absent: Croft, Kohring

And so, the House concurred in the Senate amendment, thus adopting SCS HCR 5(STA).

The Chief Clerk was instructed to so notify the Senate.

SCS HCR 5(STA) was referred to the Chief Clerk for enrollment.

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 Guess - from 7:15 p.m., plane time, April 6 to 1:30 p.m., plane time, April 8, 2001

Representative Harris - from 9:45 a.m., plane time, April 6 to 9:45 a.m., plane time, April 9, 2001

SJR 14

The Speaker waived the State Affairs Committee referral for the following at the request of Representative Coghill, Chair:

CS FOR SENATE JOINT RESOLUTION NO. 14(STA)

Urging President Bush, the United States Department of State, and the United States Congress to intervene and negotiate with the government of Canada to reconsider the imposition of a fee to transport firearms through Canada.

(similar to HJR 16)

SJR 14 was removed from the State Affairs Committee and referred to the Rules Committee for placement on the calendar.

HB 36

Representative Halcro added his name as cosponsor to:

HOUSE BILL NO. 36
"An Act relating to enterprise zones."

HB 101

Representatives Kookesh and Kerttula added their names as cosponsors to:

HOUSE BILL NO. 101
"An Act relating to charter schools; and providing for an effective date."

HB 149

Representative Green removed his name as cosponsor to:

HOUSE BILL NO. 149
"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."

HB 160

Representative Stevens added his name as cosponsor to:

HOUSE BILL NO. 160
"An Act requiring the reporting of induced terminations of pregnancies."

HB 164

Representatives Wilson and Stevens added their names as cosponsors to:

HOUSE BILL NO. 164
"An Act prescribing the rights of grandparents related to child-in-need-of-aid hearings; and amending Rules 3, 7, 10, 15, and 19, Alaska Child in Need of Aid Rules."

HB 187

Representative Wilson added her name as cosponsor to:

HOUSE BILL NO. 187

"An Act relating to the destruction, desecration, and vandalism of cemeteries and graves."

ENGROSSMENT

HCR 1

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 1(RLS)
am
Relating to establishing a Task Force on a Statewide
Comprehensive Energy Plan.

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., April 5, 2001. There being no objection, the House adjourned at 10:41 a.m.

Suzi Lowell
Chief Clerk