

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Saturday

April 21, 2001

#### One Hundred Fourth Day

Pursuant to adjournment the House was called to order by Speaker Porter at 12:40 p.m.

Roll call showed the following members present for the technical session: Representatives Porter, James, and Berkowitz.

#### REPORTS OF STANDING COMMITTEES

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

Ms. Ethel L. Staton

as a member of the Commission on Judicial Conduct;

Ms. Eleanor Andrews

as a member of the Alaska Judicial Council; and

Dr. Colleen M. Murphy

as a member of the Violent Crimes Compensation Board.

The reports were signed by Representative Rokeberg, Chair; and Representatives James, Coghill, and Meyer.

Pursuant to AS 39.05.053 the Judiciary Committee changed the month and day of the expiration for members' terms to March 1.

#### **HJR 26**

The Resources Committee has considered:

## HOUSE JOINT RESOLUTION NO. 26

Requesting the National Marine Fisheries Service to relocate the Alaska Fisheries Science Center Steller sea lion research team to Alaska.

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

Do pass (8): Chenault, Stevens, Fate, Green, McGuire, Kerttula, Masek, Scalzi

The following fiscal note(s) apply:

1. Zero, House Resources Committee

HJR 26 was referred to the Rules Committee for placement on the calendar.

**HB 22**

The Resources Committee has considered:

## SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 22

"An Act relating to certain passenger vessels operating in the marine waters of the state; and providing for an effective date."

and recommends it be replaced with a forthcoming committee substitute.

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

Do pass (6): Chenault, Stevens, Fate, Kerttula, McGuire, Scalzi

No recommendation (1): Masek

The following fiscal note(s) apply to CSSSHB 22(RES):

2. Fiscal, Dept. of Environmental Conservation

SSHB 22 was referred to the Finance Committee.

**HB 40**

The Finance Committee has considered:

## HOUSE BILL NO. 40

"An Act providing for the revocation of driving privileges by a court for a driver convicted of a violation of traffic laws in connection with a fatal motor vehicle or commercial motor vehicle accident; amending Rules 43 and 43.1, Alaska Rules of Administration; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 40(FIN)  
(same title)

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

Do pass (11): Whitaker, Bunde, Harris, Croft, Davies, Moses, Lancaster, Hudson, Foster, Mulder, Williams

The following fiscal note(s) apply to CSHB 40(FIN):

1. Fiscal, Dept. of Administration
2. Zero, Dept. of Administration
3. Zero, Dept. of Law

HB 40 was referred to the Rules Committee for placement on the calendar.

**HB 49**

The Judiciary Committee has considered:

## HOUSE BILL NO. 49

"An Act extending the termination date of the Board of Parole; and providing for an effective date."

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

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

No recommendation (1): Berkowitz

The following fiscal note(s) apply:

1. Zero, Dept. of Corrections

HB 49 was referred to the Finance Committee.

**HB 52**

The Finance Committee has considered:

HOUSE BILL NO. 52

"An Act relating to the Interstate Compact for Adult Offender Supervision and the State Council for Interstate Adult Offender Supervision; amending Rules 4 and 24, Alaska Rules of Civil Procedure; and providing for an effective date."

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

Do pass (7): Whitaker, Croft, Davies, Lancaster, Harris, Hudson, Williams

The following fiscal note(s) apply:

1. Fiscal, Dept. of Corrections
2. Fiscal, Dept. of Corrections

HB 52 was referred to the Rules Committee for placement on the calendar.

**HB 76**

The Finance Committee has considered:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 76

"An Act authorizing the commissioner of health and social services to provide for the design and construction of psychiatric

treatment facilities to replace the facilities of the Alaska Psychiatric Institute."

and recommends it be replaced with:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 76(FIN)

"An Act providing for and relating to the issuance of certificates of participation to finance construction of a new facility to be known as the Alaska Psychiatric Institute; giving notice of and approving the entry into and the issuance of certificates of participation in a lease-purchase agreement for construction of a new facility to be known as the Alaska Psychiatric Institute; giving notice of the intent and approval to retain investment income from pertinent appropriations to be applied to the cost of construction of a new facility to be known as the Alaska Psychiatric Institute; relating to the construction of a facility to be known as the Alaska Psychiatric Institute; and providing for an effective date."

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

Do pass (8): Bunde, Whitaker, Harris, Croft, Davies, Lancaster, Mulder, Williams

No recommendation (1): Hudson

The following fiscal note(s) apply to CSSSHB 76(FIN):

1. Zero, House Health, Education & Social Services Committee
2. Fiscal, Dept. of Transportation & Public Facilities

SSHB 76 was referred to the Rules Committee for placement on the calendar.

### **HB 85**

The Health, Education & Social Services Committee has considered:

## HOUSE BILL NO. 85

"An Act relating to conduct directed at a school employee as an aggravating factor for criminal sentencing purposes."

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:

1. Zero, Dept. of Corrections
2. Zero, Dept. of Law

HB 85 was referred to the Judiciary Committee.

**HB 132**

The Finance Committee has considered:

## HOUSE BILL NO. 132

"An Act relating to the possession or distribution of alcohol in a local option area; requiring liquor license applicants to submit fingerprints for the purpose of conducting a criminal history background check, and relating to the use of criminal justice information by the Alcoholic Beverage Control Board; providing for a review of alcohol server education courses by the Alcoholic Beverage Control Board every two years; and providing for an effective date."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 132(FIN)

"An Act relating to the possession, distribution, importation, and transportation of alcohol in a local option area; requiring liquor license applicants to submit fingerprints for the purpose of conducting a criminal history background check, and relating to the use of criminal justice information by the Alcoholic Beverage Control Board; and providing for an effective date."

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

Do pass (7): Bunde, Harris, Croft, Lancaster, Hudson, Mulder, Williams

No recommendation (1): Moses

A Finance Committee letter of intent for CSHB 132(FIN), signed by Representatives Mulder and Williams, Co-chairs, appears below:

"It is the intent of the legislature that any general fund money that goes into the operation of this program must have a 50 percent local match."

The following fiscal note(s) apply to CSHB 132(FIN):

1. Zero, Dept. of Revenue
2. Indeterminate, Dept. of Law
3. Fiscal, Dept. of Corrections
4. Fiscal, Dept. of Administration
5. Zero, Alaska Court System

HB 132 was referred to the Rules Committee for placement on the calendar.

#### **HB 164**

The Judiciary Committee has considered:

##### 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."

and recommends it be replaced with:

##### CS FOR HOUSE BILL NO. 164(JUD)

"An Act prescribing the rights of grandparents related to child-in-need-of-aid hearings; and amending Rules 3, 7, 10, 15, 17, and 19, Alaska Child in Need of Aid Rules of Procedure."

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

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

Amend (1): Berkowitz

The following fiscal note(s) apply to CSHB 164(JUD):

1. Zero, Dept. of Health & Social Services

HB 164 was referred to the Finance Committee.

**HB 173**

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 173

"An Act relating to establishing a screening, tracking, and intervention program related to the hearing ability of newborns and infants; providing an exemption to licensure as an audiologist for certain persons performing hearing screening tests; relating to insurance coverage for newborn and infant hearing screening; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 173(HES)  
(same title)

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

Do pass (4): Wilson, Cissna, Joule, Stevens

No recommendation (3): Coghill, Kohring, Dyson

The following fiscal note(s) apply to CSHB 173(HES):

1. Fiscal, Dept. of Health & Social Services



HB 173 was referred to the Finance Committee.

**HB 174**

The Judiciary Committee has considered:

HOUSE BILL NO. 174

"An Act relating to mental health information and records; and providing for an effective date."

and recommends it be replaced with a forthcoming committee substitute.

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

Do pass (1): Meyer

No recommendation (3): Berkowitz, Coghill, Rokeberg

The following fiscal note(s) apply to CSHB 174(JUD):

1. Zero, Dept. of Health & Social Services

HB 174 was referred to the Rules Committee for placement on the calendar.

**HB 181**

The Judiciary Committee has considered:

HOUSE BILL NO. 181

"An Act relating to the obligations of spouses, to insurance policies of spouses, to the nonprobate transfer of property on death to a community property trust, to the division of the community property of spouses at death, and to the Alaska Community Property Act; and providing for an effective date."

and recommends it be replaced with a forthcoming committee substitute.

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

Do pass (3): Meyer, James, Rokeberg

No recommendation (2): Berkowitz, Coghill

The following fiscal note(s) apply to CSHB 181(JUD):

1. Zero, Dept. of Law

HB 181 was referred to the Rules Committee for placement on the calendar.

**HB 189**

The Judiciary Committee has considered:

HOUSE BILL NO. 189

"An Act repealing statutory provisions relating to term limits and term limit pledges."

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

Do pass (3): Coghill, James, Rokeberg

No recommendation (2): Berkowitz, Meyer

The following fiscal note(s) apply:

1. Zero, Office of the Governor

HB 189 was referred to the Rules Committee for placement on the calendar.

**HB 212**

The Labor & Commerce Committee has considered:

## HOUSE BILL NO. 212

"An Act relating to an employer's liability for providing workers' compensation coverage."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 212(L&amp;C)

"An Act requiring a subcontractor to obtain workers' compensation insurance covering the subcontractor and the subcontractor's employees and establishing responsibility of a contractor for obtaining workers' compensation coverage for the subcontractor and the subcontractor's employees if the subcontractor fails to obtain workers' compensation coverage; and providing for an effective date."

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

Do pass (4): Meyer, Rokeberg, Crawford, Hayes

No recommendation (2): Halcro, Murkowski

The following fiscal note(s) apply to CSHB 212(L&C):

1. Zero, Dept. of Labor & Workforce Development

HB 212 was referred to the Rules Committee for placement on the calendar.

**HB 236**

The Finance Committee has considered:

## HOUSE BILL NO. 236

"An Act relating to the contracting and financing authority of the Alaska Industrial Development and Export Authority; authorizing the authority to issue bonds in a principal amount not to exceed \$76,000,000 to finance the acquisition, design, construction, inventory, and operation of natural gas, propane air, or manufactured gas public utility facilities; and providing for an effective date."

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

Do pass (11): Whitaker, Bunde, Harris, Croft, Davies, Moses, Lancaster, Hudson, Foster, Mulder, Williams

The following fiscal note(s) apply:

1. Zero, Dept. of Community & Economic Development

HB 236 was referred to the Rules Committee for placement on the calendar.

**SJR 21**

The Finance Committee has considered:

CS FOR SENATE JOINT RESOLUTION NO. 21(HES)

Urging the United States Congress to extend the authorization date for supplemental block grants to the State of Alaska under the Federal Temporary Assistance to Needy Families Program.

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

Do pass (8): Whitaker, Harris, Croft, Davies, Lancaster, Moses, Hudson, Williams

No recommendation (1): Bunde

The following fiscal note(s) apply:

1. Zero, Dept. of Health & Social Services

CSSJR 21(HES) was referred to the Rules Committee for placement on the calendar.

**SB 81**

The Judiciary Committee has considered:

## SENATE BILL NO. 81

"An Act relating to the nonademption of property transfers; and providing for an effective date."

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

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

No recommendation (1): Berkowitz

The following fiscal note(s) apply:

1. Zero, Dept. of Law

SB 81 was referred to the Rules Committee for placement on the calendar.

**SB 82**

The Judiciary Committee has considered:

## CS FOR SENATE BILL NO. 82(STA)

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

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

Do pass (3): Meyer, James, Rokeberg

No recommendation (2): Berkowitz, Coghill

The following fiscal note(s) apply:

1. Zero, Senate State Affairs Committee

CSSB 82(STA) was referred to the Rules Committee for placement on the calendar.

**SB 103**

The Rules Committee has considered:

HOUSE CS FOR CS FOR SENATE BILL NO. 103(FIN)  
"An Act relating to election campaigns and legislative ethics."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 103(RLS)  
(same title)

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

Do pass (4): Porter, Morgan, McGuire, Kott

Amend (1): Berkowitz

The following fiscal note(s) apply to HCS CSSB 103(RLS):

2. Fiscal, Dept. of Administration

HCS CSSB 103(FIN) was returned to the Rules Committee for placement on the calendar.

**SB 105**

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 105(FIN)  
"An Act relating to victims' rights; relating to establishing an office of victims' rights; relating to the authority of litigants and the court to comment on the crime victim's choice to appear or testify in a criminal case; relating to compensation of victims of violent crimes; relating to eligibility for a permanent fund dividend for persons convicted of and incarcerated for certain offenses; relating to notice of appropriations concerning victims' rights; amending Rules 16 and 30, Alaska Rules of Criminal Procedure, Rule 9, Alaska Delinquency Rules, and Rule 501, Alaska Rules of Evidence; and providing for an effective date."

and recommends it be replaced with the following committee substitute, pending authorization by a concurrent resolution:

HOUSE CS FOR CS FOR SENATE BILL NO. 105(JUD)

"An Act relating to victims' rights; relating to establishing an office of victims' rights; relating to the crime victim's choice to appear or testify in a criminal case; relating to compensation of victims of violent crimes; relating to eligibility for a permanent fund dividend for persons convicted of and incarcerated for certain offenses; relating to notice of appropriations concerning victims' rights; relating to restitution for criminal and delinquency acts; authorizing the state to collect restitution on behalf of victims of crime and delinquent acts and the release of certain information related to that collection; relating to the forfeiture of certain cash and other security for payment of other restitution; relating to access by the Violent Crimes Compensation Board to certain records regarding delinquency acts to award compensation to victims; relating to immunity for damages related to certain collections of restitution; amending Rule 82, Alaska Rules of Civil Procedure, Rule 16, Alaska Rules of Criminal Procedure, Rule 9, Alaska Delinquency Rules, and Rules 402 and 501, Alaska Rules of Evidence; and providing for an effective date."

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

Do pass (3): Meyer, James, Rokeberg

No recommendation (2): Berkowitz, Coghill

The following fiscal note(s) apply to HCS CSSB 105(JUD):

1. Fiscal, Dept. of Corrections
2. Indeterminate, Dept. of Law
3. Zero, Dept. of Revenue
4. Fiscal, Legislative Affairs Agency

CSSB 105(FIN) was referred to the Finance Committee.

**SB 121**

The Resources Committee has considered:

CS FOR SENATE BILL NO. 121(RES)

"An Act adding, for purposes of the Alaska Right-of-Way Leasing Act, a definition of 'substantial change' as applied to an amended right-of-way lease application; and providing for an effective date."

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

Do pass (7): McGuire, Green, Fate, Stevens, Chenault, Masek, Scalzi

No recommendation (2): Kerttula, Kapsner

The following fiscal note(s) apply:

1. Zero, Dept. of Natural Resources

CSSB 121(RES) was referred to the Rules Committee for placement on the calendar.

**SB 154**

The Finance Committee has considered:

SENATE BILL NO. 154

"An Act relating to mental health treatment facilities; repealing the termination date of the mental health treatment assistance program; and providing for an effective date."

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

Do pass (6): Whitaker, Croft, Davies, Lancaster, Foster, Williams

No recommendation (5): Bunde, Harris, Moses, Hudson, Mulder

The following fiscal note(s) apply:



1. Fiscal, Dept. of Health & Social Services

SB 154 was referred to the Rules Committee for placement on the calendar.

**SB 158**

The Resources Committee has considered:

CS FOR SENATE BILL NO. 158(RES) am

"An Act directing the commissioner of revenue to prepare a report to the legislature relating to the state's participation in owning or financing a gas pipeline project; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 158(O&G)  
(same title)

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

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

No recommendation (1): Masek

Amend (1): Green

The following fiscal note(s) apply to HCS CSSB 158(O&G):

1. Fiscal, Dept. of Revenue

CSSB 158(RES) am was referred to the Finance Committee.

**UNFINISHED BUSINESS**

**HB 85**

Representative Stevens added his name as cosponsor to:

HOUSE BILL NO. 85

"An Act relating to conduct directed at a school employee as an aggravating factor for criminal sentencing purposes."

**HB 164**

Representatives James, Rokeberg, and Meyer 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."

**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 23, 2001. There being no objection, the House adjourned at 12:52 p.m.

Suzi Lowell  
Chief Clerk