

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SECOND LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Saturday

April 28, 2001

#### One Hundred Eleventh Day

Pursuant to adjournment the House was called to order by Speaker Porter at 11:15 a.m.

Roll call showed 26 members present. Representatives Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Hayes, Joule, Kapsner, Kerttula, Moses, Ogan, and Stevens were absent and their presence was noted later.

Representative James moved and asked unanimous consent that the following member be excused from a call of the House. There being no objection, the member was excused as noted:

Representative Kookesh - from today to 7:00 a.m., plane time, April 30, 2001

The invocation was offered by the Chaplain Designee, Representative Green. Representative Coghill moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

O God, You are our loving Heavenly Father, Creator of all that was, all that is, and all that ever will be. We pause in our hectic, often disorganized, even disillusioned lives, to now, briefly, show our respect to You.

In our fast-paced impatient existence, we often place too much importance on our measure of time and forget that it is nothing but the turning of a tiny globe in Your vast creation. Yet while our concept of time means nothing to You, our individual actions are very important to You. So important that You sent Your only begotten Son to us to show us how

You would have us behave; and to ultimately die for us, even though we fall so far short of Your glory.

Lord, we meet today to try to do the work of the people who elected us; and toward that end, dear God, please make our products pleasing to You. Guide us in our deliberations Lord; and while we are about our earthly tasks, keep us ever mindful of Your commandment to love our neighbors as ourselves. That while opinions may differ, we should express them to each other with respect; for each one of us, after all, was created uniquely different by You.

Thank You, Heavenly Father, for this opportunity to collectively seek Your guidance in our deliberations this day and for the remainder of session. Amen.

The Pledge of Allegiance was led by Representative Harris.

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

Representative James moved and asked unanimous consent that the journal for the 110th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

#### **MESSAGES FROM THE GOVERNOR**

##### **HB 34**

A message dated April 27, 2001, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

##### **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."

Chapter No. 17, SLA 2001  
Effective Date: See Chapter

**HB 156**

A message dated April 27, 2001, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE BILL NO. 156

"An Act relating to municipal debt for development and redevelopment projects."

Chapter No. 20, SLA 2001

Effective Date: July 26, 2001

**SJR 14**

A message dated April 27, 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 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.

Legislative Resolve No. 18

**SB 58**

A message dated April 27, 2001, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE BILL NO. 58

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

Chapter No. 16, SLA 2001

Effective Date: July 26, 2001

**SB 76**

A message dated April 27, 2001, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

## SPONSOR SUBSTITUTE FOR SENATE BILL NO. 76

"An Act relating to the Alaska Right-of-Way Leasing Act; and providing for an effective date."

Chapter No. 18, SLA 2001  
Effective Date: April 28, 2001

**SB 78**

A message dated April 27, 2001, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

## CS FOR SENATE BILL NO. 78(CRA)

"An Act relating to municipal regulation of radio antennas."

Chapter No. 19, SLA 2001  
Effective Date: July 26, 2001

**SB 112**

A message dated April 27, 2001, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

## 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."

Chapter No. 15, SLA 2001  
Effective Date: April 28, 2001

**MESSAGES FROM THE SENATE****HJR 19**

A message dated April 27, 2001, was read stating the Senate has passed:

## HOUSE JOINT RESOLUTION NO. 19

Urging the United States Congress to pass legislation to fund the acquisition of high-resolution digital orthoimagery and digital elevation data for the entire state of Alaska.

HJR 19 was referred to the Chief Clerk for enrollment.

**HB 72**

A message dated April 27, 2001, was read stating the Senate has passed:

## HOUSE BILL NO. 72 am

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

with the following amendment and it is transmitted for consideration:

## SENATE CS FOR HOUSE BILL NO. 72(RLS)

"An Act relating to an assistant adjutant general for space and missile defense in the Department of Military and Veterans' Affairs; and providing for an effective date."

(technical title change)

HB 72 am is under Unfinished Business.

\*\*The presence of Representatives Davies and Joule was noted.

A message dated April 27, 2001, was read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE BILLS**

**SB 135**

CS FOR SENATE BILL NO. 135(JUD) by the Senate Judiciary Committee, entitled:

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

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

\*\*The presence of Representatives Moses and Cissna was noted.

**SB 152**

SENATE BILL NO. 152 by Senator Cowdery, entitled:

"An Act relating to the handling of and interest on contract controversies involving the Department of Transportation and Public Facilities or state agencies to whom the Department of Transportation and Public Facilities delegates the responsibility for handling the controversies."

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

\*\*The presence of Representatives Berkowitz and Guess was noted.

**SB 183**

SENATE BILL NO. 183 by the Senate Finance Committee, entitled:

"An Act relating to public interest litigants and to attorney fees; and amending Rule 82, Alaska Rules of Civil Procedure."

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

**COMMUNICATIONS**

The following was received:

Office of the Governor  
Office of Equal Employment Opportunity  
Workforce Underutilization Report  
April 15, 2001  
(as required by AS 44.19.451)

\*\*The presence of Representatives Crawford and Croft was noted.

**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:

Mr. Duane S. Udland

as a member of the Alcoholic Beverage Control Board; and

Ms. Rena L. Anderson  
Dr. Patricia Bergdahl  
Dr. James Blasingame

as members of the Board of Dental Examiners; and

Dr. David Head  
Ms. Sheila Means

as members of the State Medical Board; and

Ms. Sharon Evans

as a member of the Board of Certified Direct-Entry Midwives; and

Ms. Mary S. (Sue) Nikodym

as a member of the Board of Nursing; and

The Honorable Cliff Davidson

as a member of the Occupational Safety and Health Review Board.

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

\*\*The presence of Representative Kapsner was noted.

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

Mr. Pat Pourchot

as Commissioner of the Department of Natural Resources; and

Ms. Julie M. Heusser

as a member of the Alaska Oil and Gas Conservation Commission; and

Dr. Julie Maier

as a member of the Board of Game.

The reports were signed by Representative Scalzi, Co-chair; and Representatives Fate, Chenault, McGuire, Stevens, and Kapsner.

The Honorable Ben Grussendorf

as a member of the Board of Game.

The report was signed by Representative Scalzi, Co-chair; and Representatives Chenault, Stevens, and Kapsner.



Mr. William (Chip) H. Dennerlein

as a member of the Board of Game.

The report was signed by Representatives Chenault, Stevens, and Kapsner.

\*\*The presence of Representatives Kerttula and Ogan was noted.

**HJR 17**

The Judiciary Committee has considered:

HOUSE JOINT RESOLUTION NO. 17

Urging the President of the United States and the Congress to act to ensure that federal agencies do not retain records relating to lawful purchase or ownership of firearms gathered through the Brady Handgun Bill instant check system.

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

Do pass (5): Coghill, James, Kookesh, Meyer, Rokeberg

No recommendation (2): Berkowitz, Ogan

The following fiscal note(s) apply:

1. Zero, House Judiciary Committee/All Depts.

HJR 17 was referred to the Rules Committee for placement on the calendar.

**HB 4**

The Finance Committee has considered:

HOUSE BILL NO. 4

"An Act relating to offenses involving operating a motor vehicle, aircraft, or watercraft while under the influence of an alcoholic beverage or controlled substance; relating to implied consent to

take a chemical test; relating to registration of motor vehicles; relating to presumptions arising from the amount of alcohol in a person's breath or blood; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 4(FIN)

"An Act relating to motor vehicles and to operating a motor vehicle, aircraft, or watercraft; and providing for an effective date."

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

Do pass (4): Bunde, Lancaster, Hudson, Foster

No recommendation (4): Harris, Davies, Moses, Williams

Amend (1): Whitaker

The following fiscal note(s) apply to CSHB 4(FIN):

5. Fiscal, Dept. of Health & Social Services
6. Fiscal, Dept. of Health & Social Services
11. Zero, Dept. of Health & Social Services
12. Zero, Dept. of Health & Social Services
16. Fiscal, Alaska Court System
19. Fiscal, Dept. of Administration
20. Fiscal, Dept. of Administration
21. Fiscal, Dept. of Corrections
22. Fiscal, Dept. of Law
23. Fiscal, Dept. of Public Safety

HB 4 was referred to the Rules Committee for placement on the calendar.

**HB 42**

The State Affairs Committee has considered:

## HOUSE BILL NO. 42

"An Act relating to the consumption, purchase, furnishing, delivery, offer for sale, and sale of alcoholic beverages and to driver's licenses and identification cards used to purchase alcoholic beverages."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 42(STA)  
(same title)

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

Do pass (1): Fate

Do not pass (1): Coghill

No recommendation (3): Crawford, Hayes, James

Amend (1): Wilson

The following fiscal note(s) apply to CSHB 42(STA):

1. Fiscal, Dept. of Administration
2. Fiscal, Dept. of Administration
3. Fiscal, Dept. of Corrections
4. Fiscal, Dept. of Law

HB 42 was referred to the Judiciary Committee.

\*\*The presence of Representative Hayes was noted.

**HB 51**

The Finance Committee has considered:

## HOUSE BILL NO. 51

"An Act giving notice of and approving the entry into, and the issuance of certificates of participation for, a lease-purchase

agreement for a seafood and food safety laboratory facility; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 51(FIN)

"An Act giving notice of and approving the entry into and the issuance of certificates of participation for a lease-purchase agreement for a seafood and food safety laboratory facility; relating to the use of certain investment income for certain construction costs; 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): Bunde, Croft, Davies, Moses, Lancaster, Williams

No recommendation (4): Harris, Foster, Hudson, Mulder

The following fiscal note(s) apply to CSHB 51(FIN):

1. Fiscal, Dept. of Administration
2. Fiscal, Dept. of Environmental Conservation
4. Fiscal, Dept. of Revenue

HB 51 was referred to the Rules Committee for placement on the calendar.

**HB 53**

The Finance Committee has considered:

HOUSE BILL NO. 53

"An Act establishing the Alaska Seismic Hazards Safety Commission."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 53(STA)  
(same title)

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

Do pass (8): Whitaker, Harris, Croft, Lancaster, Hudson, Foster, Mulder, Williams

No recommendation (1): Bunde

The following fiscal note(s) apply to CSHB 53(STA):

1. Fiscal, Office of the Governor
2. Fiscal, Dept. of Natural Resources

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

**HB 86**

The Judiciary Committee has considered:

HOUSE BILL NO. 86

"An Act relating to civil liability for certain false or improper allegations in a civil pleading or for certain improper acts relating to a civil action."

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

Do pass (1): Rokeberg

Do not pass (1): Berkowitz

No recommendation (4): Coghill, James, Kookesh, Meyer

Amend (1): Ogan

The following fiscal note(s) apply:

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

HB 86 was referred to the Finance Committee.

**HB 160**

The Judiciary 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(JUD)  
(same title)

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

Do pass (5): Coghill, Ogan, James, Kookesh, Meyer

No recommendation (2): Berkowitz, Rokeberg

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

2. Fiscal, Dept. of Health & Social Services

HB 160 was referred to the Finance Committee.

**HB 198**

The Finance Committee has considered:

HOUSE BILL NO. 198

"An Act relating to a post-retirement pension adjustment and cost-of-living allowance for persons receiving benefits under the Elected Public Officers Retirement System; and increasing the compensation of the governor."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 198(FIN)

"An Act relating to a post-retirement pension adjustment for certain persons receiving benefits under the Elected Public Officers Retirement System."

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

Do pass (4): Davies, Hudson, Foster, Williams

Do not pass (1): Whitaker

No recommendation (5): Bunde, Harris, Croft, Lancaster, Mulder

The following fiscal note(s) apply to CSHB 198(FIN):

1. Fiscal, Dept. of Administration
2. Zero, Office of the Governor

HB 198 was referred to the Rules Committee for placement on the calendar.

**HB 207**

The Judiciary Committee has considered:

## HOUSE BILL NO. 207

"An Act relating to the judicial districts of the state."

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

Do pass (6): Berkowitz, Coghill, James, Kookesh, Meyer, Rokeberg

No recommendation (1): Ogan

The following fiscal note(s) apply:

1. Zero, Alaska Court System

HB 207 was referred to the Finance Committee.

**HB 239**

The Finance Committee has considered:

HOUSE BILL NO. 239

"An Act establishing a pilot program for a regional learning center."

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

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Education & Early Development

HB 239 was referred to the Rules Committee for placement on the calendar.

**HB 241**

The Resources Committee has considered:

HOUSE BILL NO. 241

"An Act relating to a railroad utility corridor for extension of the Alaska Railroad to Canada and to extension of the Alaska Railroad to Whitehorse, Yukon Territory, Canada."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 241(RES)

"An Act relating to a railroad utility corridor for extension of the Alaska Railroad to Canada and to extension of the Alaska Railroad to Whitehorse, Yukon, Canada."

The report was signed by Representative Scalzi, Co-chair, and Representative Fate, Vice Chair, with the following individual recommendations:



Do pass (4): Chenault, McGuire, Fate, Scalzi

Amend (1): Green

The following fiscal note(s) apply to CSHB 241(RES):

1. Zero, Dept. of Community & Economic Development

HB 241 was referred to the Rules Committee for placement on the calendar.

**SB 149**

The Health, Education & Social Services Committee has considered:

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO.  
149(HES)

"An Act relating to reemployment of retired teachers, to eligibility for major medical insurance coverage for beneficiaries of the teachers' retirement system, and to teacher certificates; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SS FOR SENATE BILL NO.  
149(HES)  
(same title)

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

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

Amend (1): Kohring

The following fiscal note(s) apply to HCS CSSSSB 149(HES):

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

CSSSSB 149(HES) was referred to the Finance Committee.

\*\*The presence of Representative Stevens was noted.

**SB 187**

The State Affairs Committee has considered:

CS FOR SENATE BILL NO. 187(FIN)

"An Act relating to absentee and special needs voting."

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

Do pass (3): Wilson, James, Fate

No recommendation (2): Hayes, Coghill

Amend (1): Crawford

The following fiscal note(s) apply:

1. Zero, Office of the Governor

CSSB 187(FIN) was referred to the Rules Committee for placement on the calendar.

**HB 164**

The Speaker waived the Finance Committee referral for the following at the request of Representative Williams, Co-chair:

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 164 was removed from the Finance Committee and is on today's calendar.

**INTRODUCTION OF CITATIONS**

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

Honoring - Karl Schleich, Alaska's National Distinguished Principal  
By Representatives Kohring, Masek; Senator Green

Honoring - Bessie Francis  
By Representative Kapsner

Honoring - Skye Rubadeau  
By Representative Halcro

Honoring - Bill Hartman, 45 Years of Service  
By Senator Olson; Representative Foster

Commemorating - The National Day of Prayer and Alaska Day of Prayer, May 3, 2001  
By Senator Leman

In Memoriam - Laurie Angell  
By Representative Kohring

In Memoriam - Geraldine Fantazzi  
By Representative Whitaker

In Memoriam - Thomas Edward Stack, Sr.  
By Senator Taylor

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF HOUSE BILLS****HB 253**

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 253 by  
Representatives James and Kerttula, entitled:

"An Act relating to retirement contributions and benefits under the public employees' retirement system of certain state employees

who are employed as social workers or who supervise social workers."

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

**HB 261**

HOUSE BILL NO. 261 by Representative Coghill, entitled:

"An Act relating to the standards that must be used for terminating parental rights; and amending Rule 18(c), Alaska Child in Need of Aid Rules of Procedure."

was read the first time and referred to the Health, Education & Social Services and Judiciary Committees.

**HB 262**

HOUSE BILL NO. 262 by the House Labor & Commerce Committee by request, entitled:

"An Act relating to accounting for and appropriations of receipts from fees collected by the Department of Labor and Workforce Development for certain inspections and for certain plumbing and electrical worker certificates of fitness; establishing a building safety account; and providing for an effective date."

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

**HB 263**

HOUSE BILL NO. 263 by Representative Fate, entitled:

"An Act relating to water quality standards applicable to flow-through hot springs pools."

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

**CONSIDERATION OF THE DAILY CALENDAR****SECOND READING OF HOUSE BILLS****HB 164**

The following was read the second time:

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."

with the:	Journal Page
HES RPT CS(HES) NT 7DP	855
FN1: ZERO(HSS)	855
JUD RPT CS(JUD) NT 4DP 1AM	1113
FN1: ZERO(HSS)	1114
FIN REFERRAL WAIVED	1308

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. 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."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 164(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 164(JUD) was read the third time.

The question being: "Shall CSHB 164(JUD) pass the House?" The roll was taken with the following result:

CSHB 164(JUD)

Third Reading

Final Passage

**YEAS: 39 NAYS: 0 EXCUSED: 1 ABSENT: 0**

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

Excused: Kookesh

And so, CSHB 164(JUD) 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 court rule change. There being no objection, it was so ordered.

CSHB 164(JUD) was referred to the Chief Clerk for engrossment.

### **HB 179**

The following was read the second time:

HOUSE BILL NO. 179

"An Act relating to underage drinking and drug offenses; and providing for an effective date."

with the:

Journal Page

JUD RPT CS(JUD) 3DP 3NR	1090
FN1: (ADM)	1090
FN2: INDETERMINATE(COR)	1090
FN3: (CRT); FN4: (HSS)	1090
FN5: (HSS); FN6: (HSS); FN7: (LAW)	1090
FIN RPT CS(FIN) 9DP 1NR	1195
FN2: INDETERMINATE(COR)	1196
FN5: (HSS); FN6: (HSS); FN8: (ADM)	1196
FN9: (CRT); FN10:(HSS); FN11: (LAW)	1196

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. 179(FIN)  
(same title)

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 179(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 179(FIN) was read the third time.

The question being: "Shall CSHB 179(FIN) pass the House?" The roll was taken with the following result:

CSHB 179(FIN)  
Third Reading  
Final Passage

**YEAS: 37 NAYS: 2 EXCUSED: 1 ABSENT: 0**

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

Nays: Davies, Scalzi

Excused: Kookesh

And so, CSHB 179(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.

Representative Kerttula gave notice of reconsideration of her vote on CSHB 179(FIN).

**HB 181**

The following was read the second time:

## 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."

with the:

Journal Page

JUD RPT FORTHCOMING CS(JUD) 3DP 2NR	1115
FN1: ZERO(LAW)	1116
CS(JUD) NT RECEIVED	1150

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. 181(JUD)

"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; amending Rule 301, Alaska Rules of Evidence; and providing for an effective date."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 181(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 181(JUD) was read the third time.

The question being: "Shall CSHB 181(JUD) pass the House?" The roll was taken with the following result:



CSHB 181(JUD)  
Third Reading  
Final Passage

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

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

Excused: Kookesh

Absent: Bunde, Croft, Halcro, Kohring

And so, CSHB 181(JUD) 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 court rule change. There being no objection, it was so ordered.

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.

CSHB 181(JUD) was referred to the Chief Clerk for engrossment.

**HB 191**

The following was read the second time:

HOUSE BILL NO. 191

"An Act authorizing financing for certain public transportation projects; giving notice of and approving the entry into, and the issuance of revenue obligations that provide participation in, lease-financing agreements for those transportation projects; and providing for an effective date."

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with the:

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FIN RPT CS(FIN) 7DP 1NR 2AM  
FN1: (REV)

1267  
1268

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. 191(FIN)  
(same title)

There being no objection, it was so ordered.

Amendment No. 1 (technical) was offered by Representative Williams:

Page 2, line 24:

Delete "52"  
Insert "352"

Representative Williams moved and asked unanimous consent that Amendment No. 1 be adopted. There being no objection, it was so ordered.

Amendment No. 2 was offered by Representative Guess:

Page 3, lines 16 - 17:

Delete all material.

Insert new projects:

"(26) Fast Ferries	35,000,000
(27) Fairbanks: Fairbanks North Star Borough Area Roads and Trails	6,900,000
(28) Rural: Chief Eddie Hoffman Highway Rural Village Road Surfacing	2,830,000 5,757,000
(29) Matanuska-Susitna: Wasilla Local Gravel-to-Asphalt	1,000,000
Bogard Road Extension East	6,530,000"

Renumber the following projects accordingly.

Representative Guess moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Mulder objected.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

CSHB 191(FIN) am  
Second Reading  
Amendment No. 2

**YEAS: 12 NAYS: 27 EXCUSED: 1 ABSENT: 0**

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Halcro, Hayes, Joule, Kapsner, Kerttula, Moses

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

Excused: Kookesh

And so, Amendment No. 2 was not adopted.

Amendment No. 3 was offered by Representative Joule:

Page 4, following line 30:

Insert a new project to read:

"(57) Barrow: Road Surface Treatments                      5,000,000"

Representative Joule moved and asked unanimous consent that Amendment No. 3 be adopted.

Representative Williams objected.

The question being: "Shall Amendment No. 3 be adopted?" The roll was taken with the following result:

CSHB 191(FIN) am  
Second Reading  
Amendment No. 3

**YEAS: 12 NAYS: 24 EXCUSED: 1 ABSENT: 3**

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Hayes, Joule, Kapsner, Kerttula, Moses, Rokeberg

Nays: Bunde, Coghill, Dyson, Fate, Foster, Green, Halcro, Harris, Hudson, James, Kohring, Kott, Lancaster, Meyer, Morgan, Mulder, Murkowski, Ogan, Porter, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Kookesh

Absent: Chenault, Masek, McGuire

And so, Amendment No. 3 was not adopted.

Amendment No. 4 was offered by Representative Kapsner:

Page 2, following line 23:

Insert a new project to read:

"(14) Bethel Area Roads 3,000,000"

Renumber the following projects accordingly.

Representative Kapsner moved and asked unanimous consent that Amendment No. 4 be adopted.

Representative Williams objected.

The question being: "Shall Amendment No. 4 be adopted?" The roll was taken with the following result:

CSHB 191(FIN) am  
Second Reading  
Amendment No. 4

**YEAS: 14 NAYS: 23 EXCUSED: 1 ABSENT: 2**

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Hayes, Joule, Kapsner, Kerttula, Kohring, Morgan, Moses, Murkowski

Nays: Bunde, Chenault, Coghill, Dyson, Fate, Foster, Green, Halcro, Harris, Hudson, James, Kott, Lancaster, Masek, McGuire, Meyer, Mulder, Ogan, Porter, Rokeberg, Scalzi, Stevens, Williams

Excused: Kookesh

Absent: Whitaker, Wilson

And so, Amendment No. 4 was not adopted.

Representative James moved and asked unanimous consent that CSHB 191(FIN) am be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected and withdrew the objection. There being no further objection, CSHB 191(FIN) am was advanced to third reading.

CSHB 191(FIN) am was read the third time.

The question being: "Shall CSHB 191(FIN) am pass the House?" The roll was taken with the following result:

CSHB 191(FIN) am

Third Reading

Final Passage

**YEAS: 37 NAYS: 1 EXCUSED: 1 ABSENT: 1**

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

Nays: Guess

Excused: Kookesh

Absent: Moses

And so, CSHB 191(FIN) am 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.

CSHB 191(FIN) am was referred to the Chief Clerk for engrossment.

### **HB 204**

The following was read the second time:

#### 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."

with the:

Journal Page

EDU RPT 5DP	840
FN2: (EED)	841
HES REFERRAL WAIVED	868
FIN RPT 9DP 1AM	1029
FN2: (EED)	1030

Representative James moved and asked unanimous consent that HB 204 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 204 was read the third time.

The question being: "Shall HB 204 pass the House?" The roll was taken with the following result:

HB 204  
Third Reading  
Final Passage

**YEAS: 38 NAYS: 0 EXCUSED: 1 ABSENT: 1**

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

Excused: Kookesh

Absent: Foster

And so, HB 204 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 204 was referred to the Chief Clerk for engrossment.

Representative Cissna later declared a conflict of interest.

### **HB 234**

The Speaker stated that, without objection, the following would be moved down the calendar to before citations:

HOUSE BILL NO. 234

"An Act relating to the financing of construction and renovation of certain public facilities; and providing for an effective date."

## **SECOND READING OF SENATE BILLS**

### **SB 77**

The following was read the second time:

## SENATE BILL NO. 77

"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."

with the:	Journal Page
RES RPT 7DP	857
FN1: ZERO(DNR)	857
FIN RPT 8DP	1095
FN1: ZERO(DNR)	1095

Representative James moved and asked unanimous consent that SB 77 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 77 was read the third time.

The question being: "Shall SB 77 pass the House?" The roll was taken with the following result:

SB 77  
Third Reading  
Final Passage

**YEAS: 36 NAYS: 0 EXCUSED: 1 ABSENT: 3**

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

Excused: Kookesh

Absent: Bunde, McGuire, Rokeberg

And so, SB 77 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.

SB 77 was signed by the Speaker and Chief Clerk and returned to the Senate.

### SENATE BILLS IN SECOND READING

#### SB 103

The following, which was held in second reading and returned to the Rules Committee (page 993), was again before the House:

HOUSE CS FOR CS FOR SENATE BILL NO. 103(FIN)

"An Act relating to election campaigns and legislative ethics."

Representative James moved and asked unanimous consent that the House rescind previous action in adopting HCS CSSB 103(FIN) (page 964). There being no objection, it was so ordered.

CSSB 103(FIN) which had been read a second time (page 963) was again before the House.

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

HOUSE CS FOR CS FOR SENATE BILL NO. 103(2d RLS)  
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Halcro:

Page 9, line 24, following "others;":

Insert "or"

Page 9, line 25, through page 10, line 1:

Delete "; or"

**(G) reasonable use of governmental resources by a legislator or legislative employee to support or oppose a proposed amendment to the state or federal constitution; a legislator or legislative employee may support or oppose a proposed constitutional amendment; however, a legislator or legislative employee may not use governmental resources to solicit or receive contributions for a proposed constitutional amendment"**

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

Representative Bunde objected.

The Speaker stated that, without objection, the House would recess to 2:30 p.m.; and so, the House recessed at 1:46 p.m.

#### AFTER RECESS

The Speaker called the House back to order at 2:40 p.m.

#### SENATE BILLS IN SECOND READING

(continued)

#### SB 103

The following was again before the House with Amendment No. 1 moved and pending:

HOUSE CS FOR CS FOR SENATE BILL NO. 103(2d RLS)  
"An Act relating to election campaigns and legislative ethics."

Representative Halcro moved and asked unanimous consent to withdraw Amendment No. 1. There being no objection, it was so ordered.

New Amendment No. 1 was offered by Representative Halcro:

Page 9, line 26:

Delete "**reasonable**"

Insert "**incidental**"

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Page 9, line 27:

Delete "or legislative employee"

Page 9, line 28 - 29:

Delete "or legislative employee"

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

Objection was heard.

Representative Davies moved and asked unanimous consent that the question be divided.

The Speaker ruled the question was divisible.

There being no objection, New Amendment No. 1 was divided.

New Amendment No. 1 - Part A:

Page 9, line 26:

Delete "reasonable"Insert "incidental"

Representative Berkowitz placed a call of the House.

The call was satisfied.

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

HCS CSSB 103(2d RLS)

Second Reading

New Amendment No. 1 - Part A

**YEAS: 22 NAYS: 17 EXCUSED: 1 ABSENT: 0**

Yeas: Berkowitz, Bunde, Cissna, Crawford, Croft, Davies, Dyson, Green, Guess, Halcro, Harris, Hayes, Hudson, Joule, Kapsner, Kerttula, Kohring, Meyer, Morgan, Moses, Murkowski, Stevens

Nays: Chenault, Coghill, Fate, Foster, James, Kott, Lancaster, Masek, McGuire, Mulder, Ogan, Porter, Rokeberg, Scalzi, Whitaker, Williams, Wilson

Excused: Kookesh

And so, New Amendment No. 1 - Part A was adopted.

New Amendment No. 1 - Part B:

Page 9, line 27:

Delete "**or legislative employee**"

Page 9, line 28 - 29:

Delete "**or legislative employee**"

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

HCS CSSB 103(2d RLS) am H

Second Reading

New Amendment No. 1 - Part B

**YEAS: 11 NAYS: 28 EXCUSED: 1 ABSENT: 0**

Yeas: Berkowitz, Cissna, Crawford, Croft, Guess, Halcro, Kapsner, Kerttula, Kohring, Meyer, Murkowski

Nays: Bunde, Chenault, Coghill, Davies, Dyson, Fate, Foster, Green, Harris, Hayes, Hudson, James, Joule, Kott, Lancaster, Masek, McGuire, Morgan, Moses, Mulder, Ogan, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Kookesh

And so, New Amendment No. 1 - Part B was not adopted.

Amendment No. 2 was offered by Representative James:

Page 2, lines 8 through 11, following "section.":

Delete all material.

Representative James moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Davies objected.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

HCS CSSB 103(2d RLS) am H  
Second Reading  
Amendment No. 2

**YEAS: 7 NAYS: 29 EXCUSED: 1 ABSENT: 3**

Yeas: Coghill, James, Masek, Meyer, Moses, Porter, Wilson

Nays: Berkowitz, Chenault, Cissna, Crawford, Croft, Davies, Dyson, Fate, Green, Guess, Halcro, Harris, Hayes, Hudson, Joule, Kapsner, Kerttula, Kohring, Kott, McGuire, Morgan, Mulder, Murkowski, Ogan, Rokeberg, Scalzi, Stevens, Whitaker, Williams

Excused: Kookesh

Absent: Bunde, Foster, Lancaster

And so, Amendment No. 2 was not adopted.

Representative James moved and asked unanimous consent that HCS CSSB 103(2d RLS) am H be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that HCS CSSB 103(2d RLS) am H will advance to third reading on the April 29, 2001, calendar.

### **THIRD READING OF HOUSE BILLS**

#### **HB 52**

The following, which was advanced to third reading from the April 27, 2001, calendar (page 1274), was read the third time:

## 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."

Representative Ogan moved and asked unanimous consent that HB 52 be returned to second reading for the specific purpose of considering Amendment No. 1.

Objection was heard and withdrawn. There being no further objection, HB 52 was returned to second reading.

Amendment No. 1 was offered by Representatives Ogan and Coghill:

Page 20, line 9:

Delete "The"

Insert "Subject to confirmation by the legislature, the"

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

Representative Rokeberg objected.

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

HB 52

Second Reading

Amendment No. 1

**YEAS: 5 NAYS: 34 EXCUSED: 1 ABSENT: 0**

Yeas: Coghill, Fate, Kohring, Masek, Ogan

Nays: Berkowitz, Bunde, Chenault, Cissna, Crawford, Croft, Davies, Dyson, Foster, Green, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kott, Lancaster, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Kookesh

And so, Amendment No. 1 was not adopted.

Representative Coghill moved and asked unanimous consent that HB 52 be returned to second reading for the specific purpose of considering Amendment No. 2. There being no objection, it was so ordered.

Amendment No. 2 was offered by Representatives Rokeberg and Coghill:

Page 22, following line 19:

Insert a new bill section to read:

**\* Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to read:

LEGISLATIVE REVIEW OF RULES. The compact administrator shall annually, not later than January 31, provide any rules that have been adopted by the Interstate Commission during the previous calendar year to the legislature. The legislature shall review the rules to determine if the compact should be repealed, amended, or permitted to continue. In this section, "compact," "compact administrator," and "Interstate Commission," have the meanings given in AS 33.36.110, repealed and reenacted by sec. 2 of this Act."

Renumber the following bill sections accordingly.

Representative Coghill moved and asked unanimous consent that Amendment No. 2 be adopted.

Objection was heard.

Amendment to Amendment No. 2 was offered by Representative Davies:

Add to the amendment following "January 31, provide":  
"a report on"

Representative Davies moved and asked unanimous consent that Amendment to Amendment No. 2 be adopted. There being no objection, it was so ordered.

The question being: "Shall Amendment No. 2 as amended be adopted?" The roll was taken with the following result:

HB 52

Second Reading

Amendment No. 2 as amended

**YEAS: 37 NAYS: 1 EXCUSED: 1 ABSENT: 1**

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

Nays: Berkowitz

Excused: Kookesh

Absent: Masek

And so, Amendment No. 2 as amended was adopted.

The question being: "Shall HB 52 am pass the House?" The roll was taken with the following result:

HB 52 am

Third Reading

Final Passage

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

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

Nays: Coghill, Kohring, Masek, Ogan



Excused: Kookesh

And so, HB 52 am 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 court rule change. There being no objection, it was so ordered.

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 52 am was referred to the Chief Clerk for engrossment.

### SECOND READING OF SENATE RESOLUTIONS

#### **SJR 15**

The following was read the second time:

CS FOR SENATE JOINT RESOLUTION NO. 15(RLS)  
Relating to imports of salmon from Chile.

with the:	Journal Page
FSH RPT 7DP	927
FN1: ZERO(S.RES)	927

Representative James moved and asked unanimous consent that CSSJR 15(RLS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSJR 15(RLS) was read the third time.

The question being: "Shall CSSJR 15(RLS) pass the House?" The roll was taken with the following result:

CSSJR 15(RLS)  
 Third Reading  
 Final Passage

**YEAS: 38 NAYS: 1 EXCUSED: 1 ABSENT: 0**

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

Nays: Kohring

Excused: Kookesh

And so, CSSJR 15(RLS) passed the House, was signed by the Speaker and Chief Clerk, and returned to the Senate.

### THIRD READING OF SENATE RESOLUTIONS

#### **SJR 17**

The following, which was advanced to third reading from the April 27, 2001, calendar (page 1283), was read the third time:

#### CS FOR SENATE JOINT RESOLUTION NO. 17(STA)

Relating to requesting that President Bush renounce and reverse Clinton Administration anti-gun-ownership policies and reorient the United States Department of Justice towards policies that accurately reflect the intent of the Second Amendment to the United States Constitution to grant individual Americans the right to keep and bear arms.

The question being: "Shall CSSJR 17(STA) pass the House?" The roll was taken with the following result:

CSSJR 17(STA)  
 Third Reading  
 Final Passage

**YEAS: 35 NAYS: 2 EXCUSED: 1 ABSENT: 2**

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

Nays: Cissna, Davies

Excused: Kookesh

Absent: Chenault, Morgan

And so, CSSJR 17(STA) passed the House.

Representative Berkowitz gave notice of reconsideration of his vote on CSSJR 17(STA).

**SECOND READING OF HOUSE BILLS**

(continued)

**HB 234**

The following, which was moved to the bottom of the calendar (page 1321), was read the second time:

HOUSE BILL NO. 234

"An Act relating to the financing of construction and renovation of certain public facilities; and providing for an effective date."

with the:	Journal Page
FIN RPT CS(FIN) NT 7DP 1NR 2AM	1268
FN1: (REV)	1269

The following corrected fiscal note was submitted by the Finance Committee:

1. Fiscal, Dept. of Revenue

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. 234(FIN)

"An Act relating to subsidiaries of the Alaska Housing Finance Corporation; relating to the smoking education and cessation account and to smoking education and cessation programs; relating to funding the smoking education and cessation account; relating to financing of construction and major maintenance of public school facilities, facilities for the University of Alaska, and facilities for ports and harbors; authorizing the commissioner of revenue to sell the right to receive a portion of the anticipated revenue from a tobacco litigation settlement to the Northern Tobacco Securitization Corporation; relating to the deposit of certain anticipated revenue from a tobacco litigation settlement; authorizing the issuance of bonds by the Northern Tobacco Securitization Corporation with proceeds to fund the smoking education and cessation account and to finance public school construction and major maintenance, facilities for the University of Alaska, and facilities for ports and harbors; and providing for an effective date."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Croft and Joule:

Page 4, following line 20:

Insert a new project to read:

"Bering Strait - Koyuk School	
K-12 Replacement	11,660,343
Yuppiit - Tuluksak School Improvement	18,393,931"

Page 5, line 6:

Delete "7,000,000"

Insert "9,097,138"

Page 5, following line 7:

Insert projects new to read:

"Southwest Region - Ekwok, Koliganek, Togiak Schools Heating System Upgrade	122,256
Hoonah City - Hoonah Swimming Pool Sprinkler System	220,476
Galena - High School Remodel	167,846
Kenai Peninsula - McNeil Canyon Replace Septic System	171,500
Kake City - Kake High School Ren. Phase II	175,065
Chatham - Angoon High School Major Maintenance	1,730,507
North Slope Borough - Tikigaq School Renovation	3,675,502
Tanana City - Tanana Kitchen Renovation	438,539
Wrangell City - Wrangell Elementary Schools Renovation	1,129,238
Lower Yukon - Emmonak Mechanical System Upgrade	574,885
Lower Yukon - Alakanuk Mechanical System Upgrade	899,740
Iditarod Area - Takotna Community School Water Project	192,374
Anchorage - Service High School Phase I Renovation	4,998,000
Kenai Peninsula - Seward Middle School Gym Reroof	278,275
Iditarod Area - Innoko River School Bathroom, Shower & Underfloor Damage Repairs	46,746
Iditarod Area - McGrath School Heating Design, Boiler Replacement & Repairs	235,200
Kenai Peninsula - Kenai Central High School Reinsulate Exterior Walls	385,610
Alaska Gateway - Tok Multipurpose Rec. Complex Renovation Project	961,612
Delta/Greely - Fort Greely Utility Conversion	2,054,852

Iditarod Area - Holy Cross School Bathroom & Shower Deterioration	47,530
Wrangell City - Wrangell Middle School Renovation	164,522
Sitka City Borough - Blatchley Domestic Water System Upgrade	667,356
Skagway City - Skagway Roof Replacement	174,613
Mat-Su Borough - Fire Alarm Systems, 5 Schools	638,647
Fairbanks - Districtwide Fire Protection System Upgrade	1,193,832
Yakutat City - Yakutat High School Gymnasium Structural Repair	70,981
Yukon - Koyukuk - Kaltag School Renovation	2,418,052
Mat-Su Borough - Septic System Upgrade Colony High School	164,039
Wrangell City - Wrangell Elementary School & High School Roof & Exterior Repairs	101,216
Northwest Arctic - Shungnak Improvements Phase II	2,740,522
Dillingham City - Elementary School Weatherization	105,418
Kuspuk - Chuathbaluk Crow Village Sam School Sewage System Replacement	375,661"

Page 5, lines 9 through 20:  
Delete all material.

Renumber the following projects accordingly.

Page 5, line 21 through page 6, line 8:  
Delete all material.

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

Representative Mulder objected.

Representative Fate moved and asked unanimous consent that he be allowed to abstain from voting due to a conflict of interest. Objection was heard, and Representative Fate was required to vote.

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

CSHB 234(FIN)  
Second Reading  
Amendment No. 1

**YEAS: 11 NAYS: 24 EXCUSED: 1 ABSENT: 4**

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Hudson, Joule, Kapsner, Kerttula, Moses

Nays: Bunde, Chenault, Dyson, Fate, Foster, Green, Halcro, Harris, James, Kohring, Kott, Lancaster, Masek, McGuire, Meyer, Mulder, Murkowski, Ogan, Porter, Rokeberg, Stevens, Whitaker, Williams, Wilson

Excused: Kookesh

Absent: Coghill, Hayes, Morgan, Scalzi

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representatives Lancaster and Bunde:

Page 1, line 2, following **"the"** (title amendment):

Delete **"smoking"**  
Insert **"tobacco use"**

Page 1, line 2, following **"to"**:

Delete **"smoking"**  
Insert **"tobacco use"**

Page 1, line 3:

Delete **"smoking"**  
Insert **"tobacco use"**

Page 1, lines 10 - 11:

Delete **"to fund the smoking education and cessation account and"**

Page 2, lines 17 - 29:

Delete all material.

ReNUMBER the following bill sections accordingly.

Page 3, line 1:

Delete **"Smoking education and cessation account"**  
Insert **"Tobacco education and cessation fund"**

Page 3, line 2:

Delete "Northern Tobacco Securitization Corporation the smoking education and cessation account"

Insert "general fund, the tobacco use education and cessation fund into which shall be deposited 20 percent annually of the revenue derived from the settlement of the State of Alaska v. Philip Morris, Incorporated, et al, No. 1JU-97-915 CI (Alaska Super. 1997)"

Page 3, lines 6 - 8:

Delete all material.

Insert a new subsection to read:

"(b) Subject to annual appropriation, the purpose of the tobacco use education and cessation fund is to provide a source to finance the comprehensive smoking education, tobacco use prevention, and tobacco control program authorized by AS 44.29.020(a)(15)."

Page 3, line 9, following "section":

Delete "creates a dedicated fund"

Insert "exempts money deposited in the tobacco use education and cessation fund from the requirements of AS 37.07 (Executive Budget Act) or dedicates that money for a special purpose"

Page 6, line 12 through Page 7, line 9:

Delete all material.

ReNUMBER the following bill sections accordingly.



Representative Bunde moved and asked unanimous consent that Amendment No. 2 be adopted.

Objection was heard and withdrawn. There being no further objection, Amendment No. 2 was adopted and the new title appears below:

CS FOR HOUSE BILL NO. 234(FIN) am

"An Act relating to subsidiaries of the Alaska Housing Finance Corporation; relating to the tobacco use education and cessation account and to tobacco use education and cessation programs; relating to funding the tobacco use education and cessation account; relating to financing of construction and major maintenance of public school facilities, facilities for the University of Alaska, and facilities for ports and harbors; authorizing the commissioner of revenue to sell the right to receive a portion of the anticipated revenue from a tobacco litigation settlement to the Northern Tobacco Securitization Corporation; relating to the deposit of certain anticipated revenue from a tobacco litigation settlement; authorizing the issuance of bonds by the Northern Tobacco Securitization Corporation with proceeds to finance public school construction and major maintenance, facilities for the University of Alaska, and facilities for ports and harbors; and providing for an effective date."

Amendment No. 3 was offered by Representative Davies:

Page 7, following line 10:

Insert a new bill section to read:

**\*\*Sec. 9.** AS 37.05.580 enacted in sec. 3 of this Act is repealed on the date that the Alaska Supreme Court decides that the sale or transfer of a part of the annual revenue derived from the settlement of State of Alaska v. Philip Morris, Incorporated, et al, No. 1JU-97-915 CI (Alaska Super. 1997) authorized in sec. 9, ch. 130 SLA 2000 is invalid."

Renumber the following bill section accordingly.

Representative Davies moved and asked unanimous consent that Amendment No. 3 be adopted.

Objection was heard.

Representative Davies moved and asked unanimous consent to withdraw Amendment No. 3. There being no objection, it was so ordered.

Amendment No. 4 (technical) was offered by Representative Mulder:

Page 5, line 16:

Delete "University Center"

Representative Mulder moved and asked unanimous consent that Amendment No. 4 be adopted. There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 234(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 234(FIN) am was read the third time.

The question being: "Shall CSHB 234(FIN) am pass the House?" The roll was taken with the following result:

CSHB 234(FIN) am  
Third Reading  
Final Passage

**YEAS: 31 NAYS: 6 EXCUSED: 1 ABSENT: 2**

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

Nays: Berkowitz, Cissna, Joule, Kapsner, Kerttula, Masek

Excused: Kookesh

Absent: Halcro, Ogan

And so, CSHB 234(FIN) am 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.

Representative Berkowitz objected.

The question being: "Shall the effective date clause be adopted?" The roll was taken with the following result:

CSHB 234(FIN) am  
Third Reading  
Effective Date

**YEAS: 37 NAYS: 0 EXCUSED: 1 ABSENT: 2**

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

Excused: Kookesh

Absent: Halcro, Ogan

And so, the effective date clause was adopted.

Representative Bunde gave notice of reconsideration of his vote on CSHB 234(FIN) am.

#### 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 - David "Dave" Cottrell

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

## Honoring - Chapel by the Lake's 50th Anniversary

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

## Honoring - Captain Ervin L. Hagerup

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

## Honoring - Kenneth Young, Special Olympian

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

## In Memoriam - Terry Wills

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

In Memoriam - Kris Alan Geldaker

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

In Memoriam - Ralph D. Jones

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

### UNFINISHED BUSINESS

Representative James moved and asked unanimous consent that the following member be excused from a call of the House. There being no objection, the member was excused as noted:

Representative Murkowski - from 7:30 p.m., plane time, today to 9:30 p.m., plane time, April 29, 2001

#### **HB 192**

The Speaker waived the Finance Committee referral for the following at the request of Representative Williams, Co-chair:

HOUSE BILL NO. 192

"An Act relating to the Bristol Bay Salmon Classic; and providing for an effective date."

HB 192 was removed from the Finance Committee and referred to the Rules Committee for placement on the calendar.

#### **HB 207**

The Speaker waived the Finance Committee referral for the following at the request of Representative Williams, Co-chair:

HOUSE BILL NO. 207

"An Act relating to the judicial districts of the state."

HB 207 was removed from the Finance Committee and referred to the Rules Committee for placement on the calendar.

**HB 53**

Representative Foster added his name as cosponsor to:

HOUSE BILL NO. 53

"An Act establishing the Alaska Seismic Hazards Safety Commission."

**HB 164**

Representatives Green and McGuire added their names as cosponsors to:

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."

**HB 181**

Representative Wilson added her name as cosponsor to:

CS FOR HOUSE BILL NO. 181(JUD)

"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; amending Rule 301, Alaska Rules of Evidence; and providing for an effective date."

**HB 239**

Representative Davies added his name as cosponsor to:

HOUSE BILL NO. 239

"An Act establishing a pilot program for a regional learning center."

**HB 241**

Representative Fate added his name as cosponsor to:

HOUSE BILL NO. 241

"An Act relating to a railroad utility corridor for extension of the Alaska Railroad to Canada and to extension of the Alaska Railroad to Whitehorse, Yukon Territory, Canada."

**HB 244**

Representative Coghill added his name as cosponsor to:

HOUSE BILL NO. 244

"An Act relating to a grant of state land to the Denali Borough for a railroad and utility corridor and a railroad development project; repealing provisions relating to a grant of a right-of-way of land for a railroad and utility corridor to the Alaska Industrial Development and Export Authority; and providing for an effective date."

**HB 257**

Representative Dyson added his name as cosponsor to:

HOUSE BILL NO. 257

"An Act relating to preventing harassment, intimidation, or bullying in public schools; and providing for an effective date."

**SJR 15**

Representative Harris added his name as cross sponsor to:

CS FOR SENATE JOINT RESOLUTION NO. 15(RLS)  
Relating to imports of salmon from Chile.

**SJR 17**

Representative Masek added her name as cross sponsor to:

CS FOR SENATE JOINT RESOLUTION NO. 17(STA)  
Relating to requesting that President Bush renounce and reverse Clinton Administration anti-gun-ownership policies and reorient the United States Department of Justice towards policies that accurately reflect the intent of the Second Amendment to the

United States Constitution to grant individual Americans the right to keep and bear arms.

**SB 156**

Reconsideration of the following was not taken up on this legislative day. It was signed by the Speaker and Chief Clerk and returned to the Senate:

CS FOR SENATE BILL NO. 156(RES)

"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."

**ENGROSSMENT****HB 52**

HB 52 am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 164**

CSHB 164(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 181**

CSHB 181(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 191**

CSHB 191(FIN) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 204**

HB 204 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.

The following meetings today have been changed as indicated:

Judiciary Committee  
POSTPONED TO: 4:45 p.m.

Finance Committee  
CONTINUED: 4:45 p.m.

**ADJOURNMENT**

Representative James moved and asked unanimous consent that the House adjourn until 1:00 p.m., April 29, 2001. There being no objection, the House adjourned at 4:34 p.m.

Suzi Lowell  
Chief Clerk