

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Wednesday

January 30, 2002

Seventeenth Day

Pursuant to adjournment the House was called to order by Speaker Porter at 10:06 a.m.

Roll call showed 40 members present.

The invocation was offered by Pastor Gary Waterhouse of the Juneau and Sitka Seventh-day Adventist Churches. Representative Ogan moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

O God, You hear us when we cry out to You. As our president stated last night, ". . . many have discovered again that even in tragedy -- especially in tragedy -- God is near." You are certainly not indifferent to our needs, Lord. You will not let us go even if family, friends, colleagues should turn against us. You will sustain us and keep us on course even amongst all of the dangers and pitfalls of this life.

You are not only a refuge to whom we must fly, but You are our strength and You are our courage to enable us to stand up to the storms and conflicts that assail us.

In these tumultuous times and uncertain times let us take courage, step out in faith, and scorn the consequences. We pray in Thy Name. Amen.

The Pledge of Allegiance was led by Representative Stevens.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 15th and 16th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

A message dated January 28, 2002, was read stating the Senate has confirmed the reappointment of H. Conner Thomas and the appointment of Bonnie L. Mehner as public members of the Select Committee on Legislative Ethics.

The House confirmed reappointment and appointment of the public members (page 2011).

HCR 4

A message dated January 28, 2002, was read stating the Senate has passed:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 4(STA)
am
Declaring February 2002 to be African-American Citizen
Recognition Month.

CSHCR 4(STA) am was referred to the Chief Clerk for enrollment.

COMMUNICATIONS

Letters of disclosure, as required by AS 24.60, were published today in House Journal Supplement No. 6 and House & Senate Joint Journal Supplement No. 11.

The following were received:

Dept. of Natural Resources
Division of Oil and Gas
Five-Year Oil and Gas Leasing Program
January 2002
(as required by AS 38.05.180)

Office of the Ombudsman
Matrix of Ombudsman Investigations
January 25, 2002
(as required by AS 24.55.230)

REPORTS OF STANDING COMMITTEES

HJR 35

The State Affairs Committee has considered:

HOUSE JOINT RESOLUTION NO. 35
Relating to urging the United States Congress to amend the tax code to permanently repeal the death tax.

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

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

Do not pass (1): Crawford

The following fiscal note(s) apply:

1. Zero, House State Affairs Committee/Legislative Affairs Agency

HJR 35 was referred to the Rules Committee for placement on the calendar.

HB 263

The Resources Committee has considered:

HOUSE BILL NO. 263
"An Act relating to water quality standards applicable to flow-through hot springs pools."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 263(RES)
"An Act relating to water quality standards applicable to flow-through hot springs."

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

Do pass (5): Fate, Stevens, McGuire, Kerttula, Scalzi

The following fiscal note(s) apply to CSHB 263(RES):

1. Zero, Dept. of Environmental Conservation

HB 263 was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

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

Honoring - Suzanne "Sue" Linford
By Representative Croft; Senator Ellis

Honoring - Loren Lounsbury
By Representative Croft; Senator Ellis

Honoring - Billy W. Harris
By Representative Chenault; Senator Ward

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 321

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 321 by Representatives Guess and Meyer, entitled:

"An Act relating to the purpose for crime victims' compensation; and limiting the factors that may be considered in making a crime victims' compensation award in cases of sexual assault or sexual abuse of a minor."

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

HB 364

HOUSE BILL NO. 364 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to capital projects for deferred maintenance, replacement, modification, and expansion of state facilities; relating to leases to secure financing for those projects; relating to the issuance of certificates of participation to finance those projects for certain capital facilities owned by the state; giving notice of and approving the entry into, and the issuance of certificates of participation in, lease-financing agreements for those projects; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Revenue

The Governor's transmittal letter dated January 28, 2002, appears below:

"Dear Speaker Porter:

I am transmitting to you a bill authorizing a \$136 million financing plan to address the highest priority deferred maintenance needs for state facilities, including Pioneers' Homes, prisons, and office buildings. It takes a major step toward addressing the concerns raised in 1998 by the Legislative Deferred Maintenance Task Force.

Budget cuts to building operation and maintenance budgets since the mid-1980's, combined with inadequate capital funding for major maintenance and renovation projects, have led to continued deterioration of state buildings. These facilities are in serious need of repair, major maintenance, and in some cases, replacement to maintain and extend their useful lives, to comply with the Americans with Disabilities Act, and to protect the safety of employees and the public.

Some state buildings have deteriorated to the point of endangering the safety and health of employees and the public. For example, areas of the Juneau State Office Building lobby were recently roped off because concrete roof pieces were falling to the floor. In Anchorage, both the Pioneers' Home and the Boney Court Building have electrical and fire code violations that create a safety hazard to building occupants. The Fairbanks Pioneers' Home also has similar electrical and fire code violations.

In 1998, the Legislative Deferred Maintenance Task Force determined that deferred maintenance on state owned buildings, not including the University of Alaska, totaled over \$169 million. Because of budget constraints, little funding has been provided in the last several years to address deferred maintenance in state owned buildings except for the University. With the lack of funding, facilities have continued to deteriorate, increasing the deferred maintenance total to over \$200 million. The legislative task force recommended that necessary deferred maintenance projects be financed through debt financing.

The magnitude of the expenditures required to accomplish these essential facility repairs is too great to accommodate in a single year's capital budget. This legislation uses certificates of participation, which are available now at extremely low interest rates that are among the lowest in the last twenty years. Annual debt service on these bonds will be approximately \$12.8 million per year over a term of 15 years. This investment will be a major step toward eliminating the deferred maintenance backlog.

This bill also finances the replacement or expansion of several key facilities. The Juneau National Guard Armory needs to be relocated; funding is provided in this bill to construct a combined armory and University of Alaska facility. The bill also provides funding for a badly needed renovation and expansion of the Nome Youth Detention Facility. The bill would authorize partial funding, to be matched with federal monies, for construction of housing for Alaska veterans requiring an assisted living situation that cannot be provided by a Pioneers' Home. A Veterans Housing and Health Needs Survey, previously requested, would determine the population to be served, the level of care, and facility requirements.

The introduction of this deferred maintenance legislation, combined with general obligation bonds for school construction and major maintenance, revenue bonds for accelerated construction of transportation projects (GARVEE's), and amendments to the harbor bonds bill from last year, completes my agenda for debt financing of capital construction projects.

I encourage your support of this important legislation, which implements a responsible plan for funding essential deferred maintenance projects for state facilities.

Sincerely,
/s/
Tony Knowles
Governor"

HB 365

HOUSE BILL NO. 365 by the House Rules Committee by request of the Governor, entitled:

"An Act making capital appropriations and a special appropriation for the purpose of performing deferred maintenance, replacement, modification, and expansion of capital facilities owned by the state; and providing for an effective date."

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

The Governor's transmittal letter dated January 28, 2002, appears below:

"Dear Speaker Porter:

I am transmitting to you today an appropriation bill which is the companion to the bill authorizing \$136 million in certificates of participation for deferred maintenance repairs to state facilities. This bill appropriates the proceeds of the certificates of participation to the appropriate departments for completion of the highest priority deferred maintenance projects.

I encourage your support of this financing package to address the significant deferred maintenance backlog.

Sincerely,
/s/
Tony Knowles
Governor"

HB 366

HOUSE BILL NO. 366 by Representatives Coghill and James, entitled:

"An Act relating to assisted living homes; and providing for an effective date."

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

HB 367

HOUSE BILL NO. 367 by Representative Coghill, entitled:

"An Act relating to coverage of children and pregnant women under the medical assistance program; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR

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 - Wanda Fields, 80th Birthday

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

In Memoriam - Barrow Morgan

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

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 Cissna - from 7:00 a.m., February 2 to 9:31 a.m., plane time, February 7, 2002

Representative James - from 10:45 a.m. to 1:00 p.m., February 6; and from 7:09 a.m., February 21 to 12:55 p.m., plane time, February 22, 2002

Representative McGuire - from 7:00 a.m., January 31 to 9:30 p.m., plane time, February 4, 2002

Representative Murkowski - from 7:20 a.m., February 2 to 9:31 a.m., plane time, February 4, 2002

HJR 35

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

HOUSE JOINT RESOLUTION NO. 35

Relating to urging the United States Congress to amend the tax code to permanently repeal the death tax.

HB 277

Representative Dyson added his name as cosponsor to:

HOUSE BILL NO. 277

"An Act relating to liens by owners of self-storage facilities; distinguishing self-storage facility liens from another type of storage lien; and excluding self-storage liens from the treatment of certain unclaimed property."

HB 283

Representative Fate added his name as cosponsor to:

HOUSE BILL NO. 283

"An Act relating to appointments to the Board of Fisheries and to the ex officio secretary of the Board of Fisheries."

HB 284

Representative Fate added his name as cosponsor to:

HOUSE BILL NO. 284

"An Act relating to participation in matters before the Board of Fisheries by members of the board; and providing for an effective date."

HB 286

Representative Fate added his name as cosponsor to:

HOUSE BILL NO. 286

"An Act allowing a person to hold more than one commercial fishing entry permit for a fishery; relating to the power of the Board of Fisheries to establish fishing periods and areas for subgroups of commercial fishing permits and commercial fishing permit holders and to establish limits on the amount of fishing gear that may be used by certain commercial fishing permit holders; and providing for an effective date."

HB 287

Representative Fate added his name as cosponsor to:

HOUSE BILL NO. 287

"An Act relating to the exemption of commercial fishing entry permits from claims of creditors, to loans to satisfy past due federal tax obligations of commercial fishing entry permit holders, and to loan origination charges for loans made by the commercial fishing loan program to refinance a debt obligation; and providing for an effective date."

HB 288

Representative Fate added his name as cosponsor to:

HOUSE BILL NO. 288

"An Act relating to commercial fisheries limited entry permit buy-back programs."

HB 309

Representative Dyson added his name as cosponsor to:

HOUSE BILL NO. 309

"An Act relating to the Interstate Compact on Placement of Children."

HB 320

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 320

"An Act relating to the use of electronic ballots."

HB 348

Representative Dyson added his name as cosponsor to:

HOUSE BILL NO. 348

"An Act relating to violations of domestic violence protective orders."

HB 349

Representative Ogan added his name as cosponsor to:

HOUSE BILL NO. 349

"An Act relating to agency programs and financial plans."

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

Joint Caucus Capitol 203-205 5:00 p.m., 1/30

ADJOURNMENT

Representative James moved and asked unanimous consent that the House adjourn until 10:00 a.m., February 1, 2002. There being no objection, the House adjourned at 10:38 a.m.

Suzi Lowell
Chief Clerk