

**HOUSE JOURNAL**  
**ALASKA STATE LEGISLATURE**  
**TWENTY-SECOND LEGISLATURE -- SECOND SESSION**

**Juneau, Alaska**

**Monday**

**March 4, 2002**

**Fiftieth Day**

Pursuant to adjournment the House was called to order by Speaker Porter at 11:08 a.m.

Roll call showed 37 members present. Representatives Dyson and Whitaker had been previously excused from a call of the House today. Representative Masek was excused from a call of the House because of medical reasons.

The invocation was offered by the Reverend Greg Lindsay of Northern Light United Church. Representative Hudson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it appears below:

Respecting one another's spiritual lives, I invite you to spend a few moments in prayer and reflection. Let us pray.

Gracious and loving Creator, we thank You for this day and for the opportunities it holds for service. Shape the thoughts of our minds and the passions of our hearts that we might see the way that You see - with eyes fixed on those who have no voice.

Focus our attention today on what it means to be a servant. Keep us from spending the most time on the immediate, and help us be creative with what's most important - the care of this great state and its people.

May we seek to dissolve our differences. May each voice we hear today be heard with deepest respect. Draw us together on issues of justice, that those with no voice or power might receive the very best that we have to offer today. Help us to care, O God, like You care. Amen.

The Pledge of Allegiance was led by Representative Kerttula.

### **CERTIFICATION OF THE JOURNAL**

Representative James moved and asked unanimous consent that the journal for the 47th, 48th, and 49th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE GOVERNOR**

A letter dated March 1, 2002, was read stating that, in accordance with AS 39.05.080, the Governor submits the following name for legislative confirmation of appointment to the board noted. The Speaker referred the following to the Labor & Commerce Committee:

#### **Board of Social Work Examiners**

Sammye Pokryfki - Wasilla

Appointed: 03/01/2002 Term Expires: 03/01/2006

A resume for the appointment is on file in the Chief Clerk's office.

### **MESSAGES FROM THE SENATE**

#### **HCR 12**

A message dated March 1, 2002, was read stating the Senate has passed:

#### HOUSE CONCURRENT RESOLUTION NO. 12

Relating to the preservation of employment opportunities for United States longshoremen with respect to unloading and loading of foreign vessels.

HCR 12 was referred to the Chief Clerk for enrollment.

A message dated March 1, 2002, was read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE BILLS**

**SB 206**

CS FOR SENATE BILL NO. 206(TRA) by the Senate Transportation Committee, entitled:

"An Act relating to registration plates and parking permits for persons with disabilities and to illegal use of parking spaces for persons with disabilities."

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

**SB 242**

SENATE BILL NO. 242 by Senator Taylor, entitled:

"An Act relating to concealed handgun permittees."

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

**SB 255**

CS FOR SENATE BILL NO. 255(RES) by the Senate Resources Committee, entitled:

"An Act approving an exchange of land between the state and Gold Cord Development Corporation; and providing for an effective date."

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

**SB 260**

SENATE BILL NO. 260 by Senator Phillips, entitled:

"An Act relating to historic and antique motor vehicles; and providing for an effective date."

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

## REPORTS OF STANDING COMMITTEES

### **HB 368**

The Resources Committee has considered:

#### HOUSE BILL NO. 368

"An Act authorizing the commissioner of community and economic development to refinance and extend the term of a fishery enhancement loan."

and recommends it be replaced with:

#### CS FOR HOUSE BILL NO. 368(FSH) (same title)

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

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

The following fiscal note(s) apply to CSHB 368(FSH):

1. Fiscal, Dept. of Community & Economic Development

HB 368 was referred to the Finance Committee.

## INTRODUCTION OF CITATIONS

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

Honoring - Audrey Breed  
By Representative Lancaster

In Memoriam - Thomas "Skip" Woodford  
By Representative Lancaster

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

Honoring - The People of Yukon Territory, Canada  
By Senators Wilken, Phillips

### **CONSIDERATION OF THE DAILY CALENDAR**

### **SECOND READING OF HOUSE BILLS**

#### **HB 254**

The following was read the second time:

#### SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 254

"An Act relating to the teachers' retirement system, the judicial retirement system, and the public employees' retirement system and to the tax qualification under the Internal Revenue Code of those systems; amending the definition of 'actuarial adjustment' in the teachers' retirement system and the public employees' retirement system; repealing certain provisions of the teachers' retirement system and the public employees' retirement system; and providing for an effective date."

with the:

Journal Page

STA RPT 6DP	2358
FN1: ZERO(ADM)	2358
FIN RPT CS(FIN) NT 10DP 1NR	2430
FN1: ZERO(ADM)	2431

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

#### CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 254(FIN)

"An Act relating to the teachers' retirement system, the judicial retirement system, and the public employees' retirement system and to the tax qualification under the Internal Revenue Code of those systems; amending the definition of 'actuarial adjustment' in

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the teachers' retirement system and the public employees' retirement system; repealing certain provisions of the teachers' retirement system and the public employees' retirement system; amending the statutory limitation on payment of warrants to make an exception for warrants making benefit payments or refunds under various state retirement and benefit programs; and providing for an effective date."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSSSHB 254(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSSHB 254(FIN) was read the third time.

Representatives Stevens, Bunde, Hudson, and Davies moved and asked unanimous consent that they be allowed to abstain from voting due to a conflict of interest. Objection was heard, and the members were required to vote.

The question being: "Shall CSSSHB 254(FIN) pass the House?" The roll was taken with the following result:

CSSSHB 254(FIN)  
Third Reading  
Final Passage

**YEAS: 37 NAYS: 0 EXCUSED: 3 ABSENT: 0**

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

Excused: Dyson, Masek, Whitaker

And so, CSSSHB 254(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.

CSSSHB 254(FIN) was referred to the Chief Clerk for engrossment.

**HB 276**

The following was read the second time:

HOUSE BILL NO. 276  
"An Act relating to nursing, nurses, and nurse aides."

with the:

Journal Page

L&C RPT CS(L&C) NT 5DP 1NR	2359
FN1: ZERO(CED)	2359
HES RPT CS(L&C) NT 7DP	2400
FN1: ZERO(CED)	2401

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. 276(L&C)  
"An Act relating to temporary permits and licenses by endorsement issued by the Board of Nursing; and relating to the delegation of nursing duties."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 276(L&C) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 276(L&C) was read the third time.

Representatives Ogan and Wilson moved and asked unanimous consent that they be allowed to abstain from voting due to a conflict of interest. Objection was heard, and the members were required to vote.

The question being: "Shall CSHB 276(L&C) pass the House?" The roll was taken with the following result:

CSHB 276(L&C)  
Third Reading  
Final Passage

**YEAS: 37 NAYS: 0 EXCUSED: 3 ABSENT: 0**

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

Excused: Dyson, Masek, Whitaker

And so, CSHB 276(L&C) passed the House and was referred to the Chief Clerk for engrossment.

**HB 281**

The following was read the second time:

HOUSE BILL NO. 281

"An Act relating to civil liability for providing alcoholic beverages to a person under 21 years of age; and providing for an effective date."

with the:	Journal Page
L&C RPT 5DP 1NR	2222
FN1: ZERO(H.L&C)	2222
JUD RPT CS(JUD) 3DP 3NR	2379
FN1: ZERO(H.L&C)	2379

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. 281(JUD)  
(same title)

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 281(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 281(JUD) was read the third time.

The question being: "Shall CSHB 281(JUD) pass the House?" The roll was taken with the following result:

CSHB 281(JUD)

Third Reading

Final Passage

**YEAS: 37 NAYS: 0 EXCUSED: 3 ABSENT: 0**

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

Excused: Dyson, Masek, Whitaker

And so, CSHB 281(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 effective date clause. There being no objection, it was so ordered.

CSHB 281(JUD) was referred to the Chief Clerk for engrossment.

### **HB 306**

The following was read the second time:

HOUSE BILL NO. 306

"An Act authorizing the Department of Community and Economic Development to issue permits to certain agencies to purchase, possess, and use certain drugs for euthanizing domestic animals."

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with the: Journal Page

L&C RPT CS(L&C) 1DP 5NR	2223
FN1: ZERO(CED)	2223

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. 306(L&C)  
(same title)

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 306(L&C) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 306(L&C) was read the third time.

The question being: "Shall CSHB 306(L&C) pass the House?" The roll was taken with the following result:

CSHB 306(L&C)  
Third Reading  
Final Passage

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

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

Nays: Ogan

Excused: Dyson, Masek, Whitaker

And so, CSHB 306(L&C) passed the House and was referred to the Chief Clerk for engrossment.

**SECOND READING OF SENATE RESOLUTIONS****SCR 27**

The following was read the second time:

## SENATE CONCURRENT RESOLUTION NO. 27

Authorizing a recess by the Senate for a period of more than three days.

The question being: "Shall SCR 27 pass the House?" The roll was taken with the following result:

SCR 27  
Second Reading  
Final Passage

**YEAS: 34 NAYS: 2 EXCUSED: 3 ABSENT: 1**

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

Nay: Berkowitz, Croft

Excused: Dyson, Masek, Whitaker

Absent: McGuire

And so, SCR 27 passed the House and was returned to the Senate.

**LEGISLATIVE CITATIONS**

Representative James moved and asked unanimous consent that the House approve the citations on the calendar. There being no objection, the following citations were approved and sent to enrolling:

Honoring - Mark R. Hamilton  
By Representatives Davies, Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Dyson, Fate, Foster, Guess, Halcro, Harris, Hayes, Hudson, James, Joule, Kapsner, Kerttula, Kookesh, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Mulder, Murkowski, Rokeberg, Stevens, Whitaker, Williams, Wilson

## In Memoriam - Daniel A. Brusich

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

**UNFINISHED BUSINESS**

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

Representative Bunde - from 2:00 p.m., March 7 to 9:35 p.m., plane time, March 12, 2002

Representative Chenault - from 1:05 p.m., March 6 to 1:00 p.m., plane time, March 13, 2002 (amended from page 2348)

**SPECIAL ORDER OF BUSINESS**

Representative James moved and asked unanimous consent that the citation, Honoring - The People of Yukon Territory, Canada, be taken up as a Special Order of Business at this time. There being no objection, it was so ordered.

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

## Honoring - The People of Yukon Territory, Canada

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

**UNFINISHED BUSINESS****HJR 33**

Representative Hudson added his name as cosponsor to:

CS FOR HOUSE JOINT RESOLUTION NO. 33(MLV) am  
Expressing gratitude to President George W. Bush, to the President's cabinet, to the men and women of the United States armed forces, and to the United States Congress and declaring support for the war on terrorism and for the President's effort to support democracies and promote peace worldwide.

**HB 281**

Representative Murkowski added her name as cosponsor to:

CS FOR HOUSE BILL NO. 281(JUD)  
"An Act relating to civil liability for providing alcoholic beverages to a person under 21 years of age; and providing for an effective date."

**HB 306**

Representative Foster added his name as cosponsor to:

CS FOR HOUSE BILL NO. 306(L&C)  
"An Act authorizing the Department of Community and Economic Development to issue permits to certain agencies to purchase, possess, and use certain drugs for euthanizing domestic animals."

**HB 407**

Representative James added her name as cosponsor to:

HOUSE BILL NO. 407  
"An Act relating to the certificate of need program."

**HB 492**

Representative Lancaster added his name as cosponsor to:

HOUSE BILL NO. 492  
"An Act relating to powers of the Alaska Energy Authority, increasing the maximum amount of loans from the bulk fuel

revolving loan fund operated by the authority, and providing immunity for the authority for technical assistance; and providing for an effective date."

### **ENGROSSMENT**

#### **HB 254**

CSSSHB 254(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

#### **HB 276**

CSHB 276(L&C) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

#### **HB 281**

CSHB 281(JUD) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

#### **HB 306**

CSHB 306(L&C) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

### **ENROLLMENT**

#### **HB 320**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 10:55 a.m., March 4, 2002:

HOUSE BILL NO. 320 am

"An Act relating to the use of electronic balloting equipment."

### **ANNOUNCEMENTS**

House committee schedules are published daily under separate cover.

**ADJOURNMENT**

Representative James moved and asked unanimous consent that the House adjourn until 10:00 a.m., March 6, 2002. There being no objection, the House adjourned at 12:01 p.m.

Suzi Lowell  
Chief Clerk