

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

Juneau, Alaska **Wednesday** **April 10, 2002**

Eighty-seventh Day

Pursuant to adjournment the House was called to order by Speaker Porter at 10:09 a.m.

Roll call showed 36 members present. Representatives Foster, Green, and Ogan had been previously excused from a call of the House today.

Representative James moved and asked unanimous consent that Representative Kapsner be excused from a call of the House today. There being no objection, it was so ordered. The presence of Representative Kapsner was noted later.

The invocation was offered by the Reverend Mike Powers of Church of the Nazarene. Representative Davies moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Father in Heaven, we come today in humility and awe at the privilege of coming before You, the Creator of all things. We do this not out of fear, but in thankfulness because You show us that You love us in so many ways - Your beautiful world, Your image stamped on us, Your people, and Your presence with us here today - just to name a few.

Father, Your Word tells us to pray for our leaders, so today I lift them to You. Protect them, guide them, give them a heart that desires to hear Your voice and follow after You. Provide for their needs so they can be a blessing to others. And as they serve the citizens of Alaska here today, I pray that Your hand of blessing and peace would rest on them.

Thank You, Lord, for hearing us and answering. We pray for these things so that Your kingdom and our state's welfare would be advanced. Amen.

The Pledge of Allegiance was led by Representative Wilson.

CERTIFICATION OF THE JOURNAL

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

MESSAGES FROM THE GOVERNOR

A Declaration of Disaster Emergency dated April 2, 2002, with an accompanying letter was received and is on file in the Chief Clerk's office. The Declaration and letter had been copied to the Finance Committee.

MESSAGES FROM THE SENATE

HCR 20

A message dated April 9, 2002, was read stating the Senate has passed CSHCR 20 (MLV) with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE CONCURRENT
RESOLUTION NO. 20(STA)
Relating to declaring September 11, 2002, as a Day of
Remembrance.

CSHCR 20 (MLV) is under Unfinished Business.

HJR 44

A message dated April 9, 2002, was read stating the Senate has passed CSHJR 44(RES) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 44(RES) am S

Strongly urging the President of the United States, the United States Congress, and appropriate federal officials to support the construction and operation of the Alaska Highway Natural Gas Pipeline route.

CSHJR 44(RES) am is under Unfinished Business.

A message dated April 9, 2002, was read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS**

SJR 37

SENATE JOINT RESOLUTION NO. 37 by Senator Kelly:

Proposing an amendment to the Constitution of the State of Alaska relating to officers and employees of the executive branch.

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

SJR 38

SENATE JOINT RESOLUTION NO. 38 by Senators Kelly, Donley, and Leman:

Proposing amendments to the Constitution of the State of Alaska relating to information regarding proposed expenditures.

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

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 291

CS FOR SENATE BILL NO. 291(RLS) by the Senate Rules Committee, entitled:

"An Act making supplemental and other appropriations; amending appropriations; and providing for an effective date."

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

SB 338

CS FOR SENATE BILL NO. 338(FIN) by the Senate Finance Committee, entitled:

"An Act making certain individuals convicted of crimes ineligible for permanent fund dividends; relating to appropriations from the dividend fund; to certain payments of compensation from the crime victim compensation fund; to state aid for certain obligees with child support arrearages; and providing for an effective date."

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

COMMUNICATIONS

The following audit report was received from:

Division of Legislative Audit
Legislative Budget & Audit Committee
(as required by AS 24.20.311)

Dept. of Labor & Workforce Development
State Training and Education Program
March 6, 2002

REPORTS OF STANDING COMMITTEES

The State Affairs Committee has reviewed the qualifications of:

Sheila Gallagher
Alaska Public Offices Commission (APOC)

Kathy K. Wisthoff
State Commission for Human Rights

and recommends the following:

Confirm: Wilson, Crawford, Stevens, James, Fate, Hayes, Coghill

The reports were signed by Representative Coghill, Chair.

SCR 29

The State Affairs Committee has considered:

SENATE CONCURRENT RESOLUTION NO. 29
Relating to urging the Governor to institute a hiring freeze on state government.

and recommends it be replaced with:

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

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

Do pass (4): Stevens, James, Fate, Coghill

No recommendation (1): Hayes

Amend (2): Wilson, Crawford

SCR 29 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 - David W. Marquez
By Representative Bunde

Honoring - Dave Harbour along with the Volunteers and
Public Service Sponsors of Northern Gas Pipelines
By Representative Lancaster

Honoring - Valdez High School 2002 Buccaneers, Class 3A Boys
State Basketball Champions
By Representative Harris

Honoring - Arctic Knights '88 Girls Soccer Team
By Representative James

Honoring - Alaska Tanker Company, LLC
By Representative Harris

Honoring - William Seward
By Representative Dyson

In Memoriam - Dominick "Nick" Colombo
By Representative Harris

In Memoriam - Dawn Marie Shoemaker
By Representatives Lancaster, Chenault

In Memoriam - David Glen Hardage
By Representative Ogan

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 397**

The following, which was on the April 8, 2002, calendar and returned to the Rules Committee (page 2836), was read the second time:

HOUSE BILL NO. 397

"An Act exempting a person driving a snowmobile from driver licensing requirements."

with the:

Journal Page

TRA RPT CS(TRA) NT 6DP	2381
FN1: ZERO(CRT)	2381
FN2: ZERO(DPS)	2381
STA RPT CS(STA) NT 2DP 4NR	2736
FN1: ZERO(CRT)	2737
FN2: ZERO(DPS)	2737

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. 397(STA)

"An Act exempting a person driving certain motor vehicles, aircraft, or watercraft from driver licensing requirements; and providing for an effective date."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 397(STA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 397(STA) was read the third time.

**The presence of Representative Kapsner was noted.

The question being: "Shall CSHB 397(STA) pass the House?" The roll was taken with the following result:

CSHB 397(STA)
Third Reading
Final Passage

YEAS: 34 NAYS: 3 EXCUSED: 3 ABSENT: 0

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

Nay: Bunde, Cissna, Davies

Excused: Foster, Green, Ogan

And so, CSHB 397(STA) 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 Berkowitz gave notice of reconsideration of the vote on CSHB 397(STA).

HB 506

The following was read the second time:

HOUSE BILL NO. 506
"An Act relating to legislative immunity."

with the:

Journal Page

JUD RPT 5DP 1DNP
FN1: ZERO(LAA)

2753
2753

Amendment No. 1 was offered by Representative Berkowitz:

Page 1, line 7, following "constituents":

Delete ", and investigatory activities on matters of legislative concern"

Insert "under AS 24.60.060 or actions directly related to those communications"

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

Representative Coghill objected.

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

HB 506

Second Reading

Amendment No. 1

YEAS: 16 NAYS: 21 EXCUSED: 3 ABSENT: 0

Yea: Berkowitz, Bunde, Crawford, Croft, Dyson, Guess, Hayes, Hudson, Joule, Kapsner, Kerttula, Kookesh, Masek, Moses, Murkowski, Wilson

Nay: Chenault, Cissna, Coghill, Davies, Fate, Halcro, Harris, James, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams

Excused: Foster, Green, Ogan

And so, Amendment No. 1 was not adopted.

Representative James moved and asked unanimous consent that HB 506 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 506 was read the third time.

The Speaker stated that, without objection, HB 506 would be held in third reading to tomorrow's calendar.

The Speaker stated that, without objection, the House would revert to:

MESSAGES FROM THE SENATE**HJR 44**

A message dated April 10, 2002, was read stating the Senate respectfully requests the return of the following resolution:

CS FOR HOUSE JOINT RESOLUTION NO. 44(RES) am

Strongly urging the President of the United States, the United States Congress, and appropriate federal officials to support the construction and operation of the Alaska Highway Natural Gas Pipeline route.

and

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 44(RES) am S
(same title)

CSHJR 44(RES) am and SCS CSHJR 44(RES) am S were returned to the Senate.

CONSIDERATION OF THE DAILY CALENDAR
(continued)**SECOND READING OF HOUSE RESOLUTIONS****HJR 48**

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 48
Relating to federal land withdrawals.

with the:

Journal Page

RES RPT 7DP	2844
FN1: ZERO(H.RES)	2845

Representative James moved and asked unanimous consent that HJR 48 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HJR 48 was read the third time.

The question being: "Shall HJR 48 pass the House?" The roll was taken with the following result:

HJR 48
Third Reading
Final Passage

YEAS: 34 NAYS: 0 EXCUSED: 3 ABSENT: 3

Yea: Bunde, Chenault, Cissna, Coghill, Crawford, Davies, Dyson, Fate, Guess, Halcro, 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: Foster, Green, Ogan

Absent: Berkowitz, Croft, Kookesh

And so, HJR 48 passed the House and was referred to the Chief Clerk for engrossment.

CONCUR IN SENATE AMENDMENTS

HCR 20

Representative James moved and asked unanimous consent that the House consider the Senate message (page 2860) on the following at this time:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 20(MLV)
Relating to declaring September 11, 2002, as a Day of Remembrance.

and

SENATE CS FOR CS FOR HOUSE CONCURRENT
RESOLUTION NO. 20(STA)
(same title)

There being no objection, it was so ordered.

Representative James moved that the House concur in the Senate amendment to CSHCR 20(MLV), thus adopting SCS CSHCR 20(STA), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHCR 20(MLV)?" The roll was taken with the following result:

SCS CSHCR 20(STA)
Concur

YEAS: 35 NAYS: 0 EXCUSED: 3 ABSENT: 2

Yea: Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Guess, Halcro, 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: Foster, Green, Ogan

Absent: Bunde, Kookesh

And so, the House concurred in the Senate amendment, thus adopting SCS CSHCR 20(STA).

The Chief Clerk was instructed to so notify the Senate.

SCS CSHCR 20(STA) was referred to the Chief Clerk for enrollment.

UNFINISHED BUSINESS

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

Representative Berkowitz - from 2:05 p.m., April 12 to 6:26 p.m., plane time, April 14, 2002

Representative Bunde - from 6:56 p.m., April 26 to 10:04 a.m., plane time, April 29, 2002

HB 343

Representative Murkowski moved and asked unanimous consent that the House adopt the House Labor & Commerce Committee letter of intent (page 2139) and that it apply to the following:

SENATE CS FOR CS FOR HOUSE BILL NO. 343(RLS)

"An Act extending the termination date of the Board of Professional Counselors; and relating to licensing of professional counselors."

There being no objection, it was so ordered.

The House adopted SCS CSHB 343(RLS) (page 2853).

HCR 20

Representative Dyson added his name as cosponsor to:

SENATE CS FOR CS FOR HOUSE CONCURRENT
RESOLUTION NO. 20(STA)

Relating to declaring September 11, 2002, as a Day of Remembrance.

HB 315

Representative Dyson added his name as cosponsor to:

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 315

"An Act allowing employers that are small businesses, small nonprofit organizations, or small associations for insurance purposes to join state employee insurance coverage as a group; and providing for an effective date."

HB 483

Representative Dyson added his name as cosponsor to:

HOUSE BILL NO. 483

"An Act authorizing state procurement of group insurance for employees of child care facilities, entities licensed as residential child care facilities, child placement agencies, foster homes, and maternity houses, and certain adult residential and day services providers, and for employees of certain nonprofit entities;

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repealing a provision of the state group insurance procurement law relating to payment of dividends and clarifying a provision of that law relating to part-time employees; authorizing the commissioner of administration to adopt regulations regarding state procurement of group insurance; and providing for an effective date."

HB 493

Representative Dyson added his name as cosponsor to:

HOUSE BILL NO. 493

"An Act relating to assignments of permanent fund dividends; and providing for an effective date."

ENGROSSMENT

HJR 48

HJR 48 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.

Majority Caucus Speaker's Chamber 4:30 p.m., 4/10

The following meeting today had been changed as indicated:

Finance Committee
POSTPONED TO: 2:00 p.m., 4/10

ADJOURNMENT

Representative James moved and asked unanimous consent that the House adjourn until 10:00 a.m., April 11, 2002. There being no objection, the House adjourned at 12:08 p.m.

Suzi Lowell
Chief Clerk