

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Wednesday

April 24, 2002

#### One Hundred First Day

Pursuant to adjournment the House was called to order by Speaker Porter at 10:07 a.m.

Roll call showed 28 members present. Representative Ogan had been previously excused from a call of the House today. Representative Croft was excused from a call of the House today because of illness. Representatives Davies, Dyson, Fate, Kerttula, Kott, McGuire, Moses, Mulder, Murkowski, and Williams were absent and their presence was noted later.

The invocation was offered by the Reverend Michael Nash of the Cathedral of the Nativity. Representative Green moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Let us pray,

Blessed are You, Lord, God of all creation, for You created in the human family a need to come together in community for mutual support. The community of this state has been blest to have a dedicated and hard working legislature. We praise You for the commitment of our legislators and their staffs. Grant them wisdom as they endeavor to balance competing needs and scarce resources. May they be people of integrity and may their decisions always advance the common good of the people of this state. We pray You, gracious God. Amen.

The Pledge of Allegiance was led by Representative Hudson.

**CERTIFICATION OF THE JOURNAL**

Representative James moved and asked unanimous consent that the journal for the 100th legislative day be approved as certified by the Assistant Chief Clerk. There being no objection, it was so ordered.

**MESSAGES FROM THE SENATE****HCR 26**

A message dated April 23, 2002, was read stating the Senate has passed:

CS FOR HOUSE CONCURRENT RESOLUTION NO. 26(STA)  
Supporting increased use of the house arrest program/electronic monitoring with sobriety monitoring as a means of preventing crime and reducing the high costs of imprisonment in Alaska.

CSHCR 26(STA) was referred to the Chief Clerk for enrollment.

**HB 411**

A message dated April 23, 2002, was read stating the Senate has passed:

**HOUSE BILL NO. 411**

"An Act relating to physician assistants; providing that a physician assistant is a health care provider covered by certain laws relating to medical malpractice actions; adding physician assistants to the list of providers against whom unfair discrimination relating to health care insurance is prohibited and to the list of providers who can provide proof of disablement or handicap for the purpose of motor vehicle registration or for the purpose of obtaining a special license plate or a special parking permit; and providing for an effective date."

HB 411 was referred to the Chief Clerk for enrollment.

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

**REPORTS OF STANDING COMMITTEES****HCR 23**

The Finance Committee has considered:

## HOUSE CONCURRENT RESOLUTION NO. 23

Proposing amendments to Uniform Rule 20 of the Alaska State Legislature; and providing for an effective date for the amendments.

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

Do pass (6): Bunde, Harris, Lancaster, Foster, Mulder, Williams

No recommendation (1): Whitaker

The following fiscal note(s) apply:

3. Zero, Legislative Affairs Agency

HCR 23 was referred to the Rules Committee for placement on the calendar.

**HB 517**

The State Affairs Committee has considered:

## HOUSE BILL NO. 517

"An Act relating to the disposition of surplus and obsolete state property."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 517(STA)

"An Act relating to the disposition of obsolete or surplus state property."

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

Do pass (3): Wilson, Fate, Coghill

No recommendation (4): Crawford, Stevens, James, Hayes

The following fiscal note(s) apply to CSHB 517(STA):

1. Zero, Dept. of Administration

HB 517 was referred to the Rules Committee for placement on the calendar.

**HB 519**

The Resources Committee has considered:

HOUSE BILL NO. 519

"An Act authorizing priority treatment under the Right-of-Way Leasing Act for an Alaska North Slope natural gas project; expanding the scope for the kinds of gas development projects that may become qualified projects under the Alaska Stranded Gas Development Act; extending the deadline for submitting applications under the Alaska Stranded Gas Development Act; exempting an Alaska North Slope natural gas project from state property tax and all municipal taxes during construction; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 519(RES)

"An Act authorizing priority treatment under the Right-of-Way Leasing Act for an Alaska North Slope natural gas project; expanding the scope for the kinds of gas development projects that may become qualified projects under the Alaska Stranded Gas Development Act to natural gas projects, including an Alaska North Slope natural gas pipeline and any spurs; extending the deadline for submitting applications under the Alaska Stranded Gas Development Act; exempting an Alaska North Slope natural gas project from state and municipal property taxes during construction; and providing for an effective date."

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

Do pass (5): Stevens, McGuire, Fate, Chenault, Masek

Do not pass (1): Kerttula

Amend (3): Green, Kapsner, Scalzi

The following fiscal note(s) apply to CSHB 519(RES):

1. Fiscal, Dept. of Natural Resources
2. Fiscal, Dept. of Revenue

HB 519 was referred to the Finance Committee.

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

### **HB 523**

The Transportation Committee has considered:

HOUSE BILL NO. 523

"An Act naming the state airport at Dutch Harbor the Charles Thomas Madsen, Sr., Airport."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 523(TRA)

"An Act naming the state airport at the City of Unalaska the Tom Madsen Airport."

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

Do pass (6): Masek, Kookesh, Kapsner, Wilson, Scalzi, Kohring

The following fiscal note(s) apply to CSHB 523(TRA):

1. Zero, Dept. of Transportation & Public Facilities

HB 523 was referred to the Rules Committee for placement on the calendar.

**SB 345**

The Health, Education & Social Services Committee has considered:

## SENATE BILL NO. 345

"An Act relating to medical assistance for rehabilitative services for certain children with disabilities; relating to agreements to pay medical assistance for covered services paid for or furnished to eligible children with disabilities by a school district; and providing for an effective date."

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

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

No recommendation (3): Coghill, Kohring, Stevens

The following fiscal note(s) apply:

1. Fiscal, Dept. of Health & Social Services
2. Fiscal, Dept. of Health & Social Services

SB 345 was referred to the Finance Committee.

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

**SB 358**

The Transportation Committee has considered:

## SENATE BILL NO. 358

"An Act naming state ferries."

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

Do pass (6): Masek, Kookesh, Kapsner, Scalzi, Wilson, Kohring

The following fiscal note(s) apply:

1. Zero, Dept. of Transportation & Public Facilities

SB 358 was referred to the Rules Committee for placement on the calendar.

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

### **INTRODUCTION OF CITATIONS**

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

Honoring - The UAF Hockey Team  
By Representative Hayes; Senator Wilken

Honoring - Chugiak High School Mock Trial Law Team  
By Senator Phillips

In Memoriam - Costa Alton  
By Senator Elton

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

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

##### **HB 246**

The following was read the second time:

HOUSE BILL NO. 246

"An Act relating to confidentiality of records and to cease and desist orders of the division of insurance, to insurance company investments, to unauthorized insurers, to surplus lines insurance, to health insurance, to life insurance, to annuity insurance, to consumer credit insurance, to title insurance, and to hospital and medical service corporations; and providing for an effective date."

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with the:	Journal Page
L&C RPT CS(L&C) NT 5DP 1NR	2967
FN1: ZERO(CED)	2968
JUD RPT CS(JUD) NT 1DP 4NR	3088
FN1: ZERO(CED)	3089

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

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. 246(JUD)

"An Act relating to regulation of a person providing insurance for the cost of medical care, to confidentiality of insurance records, to insurance hearings, to insurance fees, to annual and quarterly statements by insurers, to managed care insurance, to taxes on insurance, to insurer certificates of authority, to risk based capital for insurers, to unauthorized and nonadmitted insurers, to surplus lines insurance, to health insurance, to life insurance, to annuity insurance, to consumer credit insurance, to insurer liquidation, to multiple employer welfare arrangements, to the Alaska Insurance Guaranty Association, to hospital and medical service corporations, and to regulation of insurance producers, agents, brokers, managers, and adjusters; and providing for an effective date."

There being no objection, it was so ordered.

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

Representative James moved and asked unanimous consent that CSHB 246(JUD) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that CSHB 246(JUD) will be in third reading on tomorrow's calendar.



**HB 471**

The following was read the second time:

HOUSE BILL NO. 471

"An Act relating to the definitions of 'net income' and 'unrestricted net income' for purposes of determining the amount of the Alaska Industrial Development and Export Authority's dividend to the state; relating to communities within which rural development loans may be made by the authority; and providing for an effective date."

with the:	Journal Page
CRA RPT CS(CRA) NT 6DP	2701
FN1: ZERO(CED)	2701
L&C RPT CS(L&C) NT 4DP 1NR	2924
FN1: ZERO(CED)	2925

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. 471(CRA)

"An Act increasing the maximum amount of loans from the bulk fuel revolving loan fund operated by the Alaska Energy Authority; relating to the definitions of 'net income' and 'unrestricted net income' for purposes of determining the amount of the Alaska Industrial Development and Export Authority's dividend to the state; relating to communities within which rural development loans may be made by the Alaska Industrial Development and Export Authority; and providing for an effective date."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 471(CRA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 471(CRA) was read the third time.

\*\*The presence of Representatives Mulder, McGuire, Kott, and Dyson was noted.

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

The question being: "Shall CSHB 471(CRA) pass the House?" The roll was taken with the following result:

CSHB 471(CRA)

Third Reading

Final Passage

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

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

Excused: Croft, Ogan

Absent: Moses

And so, CSHB 471(CRA) 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 Mulder gave notice of reconsideration of the vote on CSHB 471(CRA).

### **HB 521**

The following was read the second time:

HOUSE BILL NO. 521

"An Act relating to municipal improvement areas."

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with the:

Journal Page

CRA RPT CS(CRA) 3DP 3NR  
FN1: ZERO(CED)

3101  
3101

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. 521(CRA)  
(same title)

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 521(CRA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 521(CRA) was read the third time.

The question being: "Shall CSHB 521(CRA) pass the House?" The roll was taken with the following result:

CSHB 521(CRA)  
Third Reading  
Final Passage

**YEAS: 36 NAYS: 0 EXCUSED: 2 ABSENT: 2**

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

Excused: Croft, Ogan

Absent: Moses, Mulder

And so, CSHB 521(CRA) passed the House and was referred to the Chief Clerk for engrossment.

**SECOND READING OF SENATE BILLS****SB 269**

The following was read the second time:

SENATE BILL NO. 269

"An Act naming bridge number 1121, across the Knik River, the Sergeant James Bondsteel Bridge of Honor; and providing for an effective date."

with the:	Journal Page
RLS RPT 4DP	2951
FN1: ZERO(DOT)	2951

Representative James moved and asked unanimous consent that SB 269 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

SB 269 was read the third time.

The question being: "Shall SB 269 pass the House?" The roll was taken with the following result:

SB 269  
Third Reading  
Final Passage

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

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

Excused: Croft, Ogan

Absent: Moses

And so, SB 269 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 269 was signed by the Speaker and Acting Chief Clerk and returned to the Senate.

### 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 Kerttula - from 7:30 a.m. to 9:30 a.m., April 25, 2002

### HB 464

Representative Wilson added her name as cosponsor to:

HOUSE BILL NO. 464

"An Act relating to statewide school district correspondence study programs."

### ENGROSSMENT

### HB 521

CSHB 521(CRA) was engrossed, signed by the Speaker and Acting 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., 4/24

**ADJOURNMENT**

Representative James moved and asked unanimous consent that the House adjourn until 10:00 a.m., April 25, 2002. There being no objection, the House adjourned at 10:57 a.m.

Solyra Sepulveda  
Assistant Chief Clerk