

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Wednesday

May 1, 2002

One Hundred Eighth Day

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

Roll call showed 32 members present. Representative Ogan had been previously excused from a call of the House today. Representatives Croft, Guess, Kapsner, Kott, Masek, Mulder, and Rokeberg were absent and their presence was noted later.

The invocation was offered by the Reverend Ron Covey of Douglas Community United Methodist Church. Representative Hudson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Mr. Speaker, Honorable Representatives and staff, distinguished guests and visitors, this prayer is offered with acknowledgement of, and the deepest respect for, the rich mosaic of faith traditions in Alaska. Let us pray.

Creator Spirit, You have spread the sky as the eagle spreads his wings. You have raised the mountains and set the boundaries of the sea. You called forth the creatures of the sea and the creatures of the forest and the birds of the air and gave to each their form and their manner. Rain and sun, trees and healing plants, You have given freely.

Grant us the wisdom to enjoy Your abundance without exterminating it. Grant us a spirit of cooperation that all may share in Your blessings, that our youth may be taught and encouraged, and that even the powerless with no voice may be

protected. Lead us as we represent not only the people of this great state, but the land itself; for we would seek the good of both. Amen.

The Pledge of Allegiance was led by Representative Meyer.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 107th legislative day be approved as certified by the Assistant Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

A message dated April 30, 2002, was read stating the Senate has passed the following and they are transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE RESOLUTIONS

SJR 44

CS FOR SENATE JOINT RESOLUTION NO. 44(L&C) by the Senate Labor & Commerce Committee:

Relating to preparation of a joint state-federal research and development plan.

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

FIRST READING AND REFERENCE OF SENATE BILLS

SB 238

CS FOR SENATE BILL NO. 238(RLS) by the Senate Rules Committee, entitled:

"An Act exempting from the category of public records certain records and information relating to state safety plans, programs, and procedures, and to systems, facilities, and infrastructure in the state; and providing for an effective date."

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

REPORTS OF STANDING COMMITTEES

HJR 50

The Health, Education & Social Services Committee has considered:

HOUSE JOINT RESOLUTION NO. 50

Supporting the participation of Taiwan in the annual summit of the World Health Assembly.

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

Do pass (6): Coghill, Wilson, Cissna, Joule, Stevens, Dyson

The following fiscal note(s) apply:

1. Zero, House Health, Education & Social Services Committee

HJR 50 was referred to the Rules Committee for placement on the calendar.

HB 315

The Finance Committee has considered:

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."

and recommends it be replaced with:

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO.
315(FIN)

"An Act amending the definition of group health insurance, and allowing the Department of Administration to obtain a policy or policies of group health care insurance for employers that are small businesses, nonprofit organizations, special services organizations, or small associations for insurance purposes; and providing for an effective date."

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

Do pass (8): Bunde, Whitaker, Harris, Davies, Moses, Lancaster, Mulder, Williams

No recommendation (1): Hudson

The following fiscal note(s) apply to CSSSHB 315(FIN):

2. Fiscal, Dept. of Administration

SSHB 315 was referred to the Rules Committee for placement on the calendar.

HB 370

The Finance Committee has considered:

HOUSE BILL NO. 370

"An Act relating to the issuance of state-guaranteed revenue bonds by the Alaska Housing Finance Corporation to finance mortgages for qualifying veterans; 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): Davies, Lancaster, Foster, Moses, Mulder, Williams

The following fiscal note(s) apply:

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

HB 370 was referred to the Rules Committee for placement on the calendar.

HB 464

The Finance Committee has considered:

HOUSE BILL NO. 464

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 464(EDU)

"An Act relating to statewide school district correspondence study and to centralized correspondence study."

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

Do pass (7): Whitaker, Harris, Davies, Lancaster, Foster, Mulder, Williams

No recommendation (3): Bunde, Moses, Hudson

The following fiscal note(s) apply to CSHB 464(EDU):

2. Fiscal, Dept. of Education & Early Development

HB 464 was referred to the Rules Committee for placement on the calendar.

HB 489

The Finance Committee has considered:

HOUSE BILL NO. 489

"An Act relating to cruelty to animals."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 489(JUD)
(same title)

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

Do pass (9): Bunde, Whitaker, Harris, Davies, Lancaster, Hudson, Foster, Mulder, Williams

No recommendation (2): Croft, Moses

The following fiscal note(s) apply to CSHB 489(JUD):

1. Indeterminate, Dept. of Corrections
2. Indeterminate, Dept. of Law

HB 489 was referred to the Rules Committee for placement on the calendar.

SB 342

The Health, Education & Social Services Committee has considered:

CS FOR SENATE BILL NO. 342(HES)
"An Act relating to the long term care ombudsman."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 342(HES)
(same title)

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

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

The following fiscal note(s) apply to HCS CSSB 342(HES):

1. Zero, Dept. of Administration

CSSB 342(HES) was referred to the Rules Committee for placement on the calendar.

**The presence of Representatives Kapsner and Guess was noted.

REPORTS OF SPECIAL COMMITTEES

In accordance with AS 24.55.020, the Ombudsman Selection Committee has selected the name of:

Linda Lord-Jenkins

to be submitted to the Legislature for confirmation as State Ombudsman.

The report was signed by Representatives Kott (Co-chair), Berkowitz, McGuire; and Senators Phillips (Co-chair), Ellis, Stevens.

**The presence of Representative Rokeberg was noted.

HB 390

The Conference Committee considering:

HOUSE BILL NO. 390

"An Act extending the termination dates of certain activities and salmon marketing programs of the Alaska Seafood Marketing Institute and of the salmon marketing tax; expanding the allowable use of that tax for the salmon marketing programs of the Alaska Seafood Marketing Institute; relating to the Alaska Seafood Marketing Institute's salmon marketing committee; and providing for an effective date."

and

SENATE CS FOR HOUSE BILL NO. 390(RLS)

"An Act delaying the repeal of the salmon marketing tax; expanding the allowable use of that tax for the salmon marketing

programs of the Alaska Seafood Marketing Institute; relating to the Alaska Seafood Marketing Institute's salmon marketing committee; and providing for an effective date."

(title change pending authorization by SCR 32)

recommends that SCS HB 390(RLS) be adopted.

The report was signed by Representatives McGuire (Chair), Scalzi, Kerttula; and Senators Stevens (Chair), Austerman, Elton.

The following fiscal note(s) apply to SCS HB 390(RLS):

1. Fiscal, Dept. of Community & Economic Development

Representative James moved that the House adopt the Conference Committee report, thus adopting SCS HB 390(RLS).

The question being: "Shall the House adopt the Conference Committee report?" The roll was taken with the following result:

SCS HB 390(RLS)

Adopt Conference Committee Report

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

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

Excused: Ogan

Absent: Croft, Kott, Masek, Mulder

And so, the House adopted the Conference Committee report, thus adopting SCS HB 390(RLS).

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.

The Chief Clerk was instructed to so notify the Senate.

SCS HB 390(RLS) was referred to the Chief Clerk for enrollment.

**The presence of Representatives Masek and Croft was noted.

INTRODUCTION OF CITATIONS

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

Honoring - Ron M. Crawford
By Representative Bunde

Honoring - WebWeavers, LLC
By Representative Hayes

Honoring - Mount Edgecumbe Lady Braves, 2001-2002 Basketball Team
By Representative Wilson; Senator Taylor

Honoring - Colonel Richard M. Blunt Upon His Retirement
By Senator Stevens

Honoring - William G. Stroecker
By Senator Wilken

**The presence of Representative Kott was noted.

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 495

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 495 by Representatives Kapsner, Foster, and Morgan, entitled:

"An Act relating to financing school construction; relating to the public school trust fund; establishing the Education Facilities Financing Authority; and providing for an effective date."

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

HB 529

HOUSE BILL NO. 529 by the House State Affairs Committee, entitled:

"An Act exempting the use of munitions in certain areas from a waste disposal permit requirement of the Department of Environmental Conservation."

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF SENATE BILLS****SB 255**

The following was read the second time:

CS FOR SENATE BILL NO. 255(RES)

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

with the:

Journal Page

RES RPT 8DP

2667

FN1: ZERO(DNR)

2667

Representative James moved and asked unanimous consent that CSSB 255(RES) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSSB 255(RES) was read the third time.

The question being: "Shall CSSB 255(RES) pass the House?" The roll was taken with the following result:

CSSB 255(RES)
 Third Reading
 Final Passage

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

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

Excused: Ogan

Absent: Mulder

And so, CSSB 255(RES) 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.

CSSB 255(RES) was signed by the Speaker and Acting Chief Clerk and returned to the Senate.

SB 274

The following was read the second time:

CS FOR SENATE BILL NO. 274(L&C)

"An Act relating to issuance of a locum tenens permit for a physician or osteopath; and providing for an effective date."

with the:

Journal Page

L&C RPT HCS(L&C) 3DP 1NR 1AM

3235

FN1: ZERO(CED)

3236

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. 274(L&C)

(same title)

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that HCS CSSB 274(L&C) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HCS CSSB 274(L&C) was read the third time.

**The presence of Representative Mulder was noted.

The question being: "Shall HCS CSSB 274(L&C) pass the House?"
The roll was taken with the following result:

HCS CSSB 274(L&C)
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, Kookesh, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Ogan

And so, HCS CSSB 274(L&C) 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.

HCS CSSB 274(L&C) was referred to the Chief Clerk for engrossment.

SB 331

The following was read the second time:

May 1, 2002

3263

SENATE BILL NO. 331

"An Act relating to the jurisdiction of district courts."

with the: Journal Page

JUD RPT 4DP 1AM 3236

FN1: ZERO(CRT) 3236

Representative James moved and asked unanimous consent that SB 331 be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that SB 331 will be in third reading on tomorrow's calendar.

THIRD READING OF SENATE BILLS

SB 337

The following, which was advanced to third reading from the April 30, 2002, calendar (page 3243), was read the third time:

HOUSE CS FOR SENATE BILL NO. 337(CRA)

"An Act relating to eligibility for an exemption from municipal property taxes for certain seniors and disabled veterans."

Representatives Kerttula and James 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 HCS SB 337(CRA) pass the House?" The roll was taken with the following result:

HCS SB 337(CRA)

Third Reading

Final Passage

YEAS: 26 NAYS: 12 EXCUSED: 1 ABSENT: 1

Yeas: Bunde, Chenault, Coghill, Dyson, Fate, Foster, Green, Halcro, Harris, Hudson, James, Joule, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Whitaker, Williams, Wilson

Nays: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Hayes, Kapsner, Kerttula, Kohring, Kookesh, Stevens

Excused: Ogan

Absent: Moses

And so, HCS SB 337(CRA) passed the House.

Representative Guess gave notice of reconsideration of the vote on HCS SB 337(CRA).

SENATE RESOLUTIONS IN SECOND READING

SCR 32

The following, which had been read a second time (page 3043) and returned to the Rules Committee (page 3045), was again before the House in final passage:

SENATE CONCURRENT RESOLUTION NO. 32

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 390, relating to the Alaska Seafood Marketing Institute and the salmon marketing tax.

The question being: "Shall SCR 32 pass the House?" The roll was taken with the following result:

SCR 32

Second Reading

Final Passage

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

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, 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: Ogan

Absent: Moses

And so, SCR 32 passed the House, was signed by the Speaker and Acting Chief Clerk and 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 - Kotzebue Electric Association

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

In Memoriam - Pauline L. Bonham Olson

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

In Memoriam - George O. Grant

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

UNFINISHED BUSINESS

HB 519

The Finance Committee has submitted the forthcoming fiscal notes to accompany their report (page 3235):

4. Fiscal, Dept. of Community & Economic Development
5. Fiscal, Dept. of Natural Resources

for the following:

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."

HB 519 is in the Rules Committee.

HB 464

Representative Meyer added his name as cosponsor to:

HOUSE BILL NO. 464

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

HB 489

Representatives Guess and Dyson added their names as cosponsors to:

HOUSE BILL NO. 489

"An Act relating to cruelty to animals."

SB 274

Representative McGuire added her name as cross sponsor to:

HOUSE CS FOR CS FOR SENATE BILL NO. 274(L&C)

"An Act relating to issuance of a locum tenens permit for a physician or osteopath; and providing for an effective date."

ENGROSSMENT**HCR 30**

The following, which passed the House on April 29, 2002, (page 3223), was engrossed, signed by the Speaker and Acting Chief Clerk and transmitted to the Senate for consideration:

HOUSE CONCURRENT RESOLUTION NO. 30

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 11, relating to required school attendance.

SB 11

Reconsideration of the following was not taken up on this legislative day. It was engrossed, signed by the Speaker and Acting Chief Clerk and transmitted to the Senate for consideration:

CS FOR SENATE BILL NO. 11(FIN) am H

"An Act relating to required school attendance and relating to a curriculum for Alaska history; and providing for an effective date."

SB 274

HCS CSSB 274(L&C) 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 5:00 p.m., 5/1

ADJOURNMENT

Representative James moved and asked unanimous consent that the House adjourn until 10:00 a.m., May 2, 2002. There being no objection, the House adjourned at 11:22 a.m.

Solyra Sepulveda
Assistant Chief Clerk