

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Friday

May 3, 2002

One Hundred Tenth Day

Pursuant to adjournment the House was called to order by Speaker Porter at 10:11 a.m.

Roll call showed 21 members present. Representative Ogan had been previously excused from a call of the House today. Representatives Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Halcro, Hayes, Hudson, Joule, Kapsner, Kerttula, Kookesh, Kott, Masek, Moses, Mulder, and Williams were absent and their presence was noted later.

The invocation was offered by the Reverend Ron Covey of Douglas Community United Methodist Church. Representative Bunde 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, members of the staff, distinguished guests and visitors, with deepest respect for the religious beliefs of all Alaskans, may we take this moment of prayer. Let us pray.

Lord, there's not a person on this House floor that would claim perfection. These are ordinary men and women, but special because we have chosen them for this task of leadership. They feel the pain of sharp words and barbed remarks just like anyone else. They know disappointment just like anyone else. They know the nagging of hindsight which shows what should have been said or done, but now cannot. They have times of temper, and times of weariness, and times when they feel like chucking it all and going home. But they don't. They stick with it and they do their job. We thank You

so much for their caring and for their dedication. Too rarely do they receive appreciation for doing a task that the great majority of us choose not to do.

Bless them and be with them in these closing days. Grant them wisdom, strength, patience, and a spirit of unity. And when the session ends, and the armchair politicians begin to carp and complain and criticize, sustain these, our leaders, Lord, with the knowledge that You know their hearts and You and they know they have done their best. Amen.

The Pledge of Allegiance was led by Representative Morgan.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 109th legislative day be approved as certified by the Assistant Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

HB 439

A message dated May 2, 2002, was read stating the Senate has passed:

CS FOR HOUSE BILL NO. 439(RES)(title am)

"An Act removing provisions providing an opportunity to petition for review of proposed or final consistency determinations under the Alaska coastal zone management program; and limiting the authority of the Alaska Coastal Policy Council to order a coastal resource district or a state agency to take action with respect to a proposed or final consistency determination."

with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 439(FIN)

"An Act relating to compliance with and implementation of district coastal management programs; removing the opportunity

to petition for review of proposed or final consistency determinations under the Alaska coastal zone management program; and limiting the authority of the Alaska Coastal Policy Council to order a coastal resource district or a state agency to take action with respect to a proposed or final consistency determination; and providing for an effective date."

(SCR 34 - title change resolution)

CSHB 439(RES)(title am) is under Unfinished Business.

SB 11

A message dated May 2, 2002, was read stating the Senate has failed to concur in the House amendment to:

CS FOR SENATE BILL NO. 11(FIN)

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

namely,

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."

(HCR 30 - title change resolution)

and respectfully requests the House to recede from its amendment.

**The presence of Representatives Cissna and Kookesh was noted.

Representative James moved that the House recede from its amendment to CSSB 11(FIN) and recommended that the members vote no.

The question being: "Shall the House recede from its amendment to CSSB 11(FIN)?" The roll was taken with the following result:

CSSB 11(FIN) am H
Recede

YEAS: 0 NAYS: 23 EXCUSED: 1 ABSENT: 16

Nays: Bunde, Chenault, Cissna, Coghill, Dyson, Fate, Foster, Green, Harris, James, Kohring, Kookesh, Lancaster, McGuire, Meyer, Morgan, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Wilson

Excused: Ogan

Absent: Berkowitz, Crawford, Croft, Davies, Guess, Halcro, Hayes, Hudson, Joule, Kapsner, Kerttula, Kott, Masek, Moses, Mulder, Williams

And so, the House failed to recede.

Pursuant to Uniform Rule 42(a), the Speaker appointed the following members to a Conference Committee to meet with the like committee from the Senate to consider the above bills:

Representative Stevens
Representative Coghill
Representative Kapsner

The Chief Clerk was instructed to so notify the Senate.

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

HB 403

A message dated May 2, 2002, was read stating the President has granted limited powers of free conference to the Senate members of the Conference Committee considering:

CS FOR HOUSE BILL NO. 403(FIN) am(brf sup maj fld)(efd fld)

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 403(FIN) am
S(brf sup maj fld S)

"An Act making appropriations for the operating and loan
program expenses of state government, for certain programs, and
to capitalize funds; and providing for an effective date."

(technical title change)

The Speaker had previously granted the limited powers of free
conference on the specific points requested (page 3282).

**The presence of Representative Berkowitz was noted.

HB 404

A message dated May 2, 2002, was read stating the President has
granted limited powers of free conference to the Senate members of
the Conference Committee considering:

CS FOR HOUSE BILL NO. 404(FIN)

"An Act making appropriations for the operating and capital
expenses of the state's integrated comprehensive mental health
program; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 404(FIN)
(same title)

The Speaker had previously granted the limited powers of free
conference on the specific points requested (page 3305).

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

**FIRST READING AND REFERENCE
OF SENATE RESOLUTIONS****SCR 34**

SENATE CONCURRENT RESOLUTION NO. 34 by the Senate Finance Committee:

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 439, relating to removing provisions providing an opportunity to petition for review of proposed or final consistency determinations under the Alaska coastal zone management program; and limiting the authority of the Alaska Coastal Policy Council to order a coastal resource district or a state agency to take action with respect to a proposed or final consistency determination.

was read the first time and is on today's calendar.

REPORTS OF STANDING COMMITTEES**HB 175**

The Finance Committee has considered:

HOUSE BILL NO. 175

"An Act making an appropriation to the Alaska Industrial Development and Export Authority for power projects; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 175(2d FIN)

"An Act making an appropriation to the Alaska Energy Authority to secure repayment of bonds for power and intertie projects; and providing for an effective date."

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

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

No recommendation (1): Bunde

HB 175 is on today's calendar.

HB 524

The Finance Committee has considered:

HOUSE BILL NO. 524

"An Act relating to the issuance of general obligation bonds for the purpose of paying the cost of design, construction, and maintenance of schools and state facilities; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 524(FIN)

"An Act relating to the issuance of general obligation bonds for the purpose of paying the cost of design, construction, and major maintenance of educational and museum facilities; 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): Harris, Davies, Moses, Lancaster, Hudson, Foster, Mulder, Williams

No recommendation (2): Bunde, Whitaker

The following fiscal note(s) apply to CSHB 524(FIN):

1. Fiscal, Dept. of Revenue

HB 524 is on today's calendar.

**The presence of Representatives Hayes and Crawford was noted.

HB 525

The Finance Committee has considered:

HOUSE BILL NO. 525

"An Act relating to the issuance of general obligation bonds for the purpose of paying the cost of deferred maintenance of public facilities; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 525(FIN)
(same title)

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

Do pass (8): Harris, Davies, Moses, Lancaster, Hudson, Foster, Mulder, Williams

No recommendation (2): Bunde, Whitaker

The following fiscal note(s) apply to CSHB 525(FIN):

1. Fiscal, Dept. of Revenue

HB 525 is on today's calendar.

**The presence of Representatives Joule and Mulder was noted.

HB 528

The Finance Committee has considered:

HOUSE BILL NO. 528

"An Act relating to programs of state reimbursement for debt payments for certain capital projects; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 528(FIN)
(same title)

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

Do pass (6): Davies, Lancaster, Hudson, Foster, Mulder, Williams

No recommendation (4): Bunde, Whitaker, Harris, Croft

HB 528 is on today's calendar.

REPORTS OF SPECIAL COMMITTEES

HB 527

The House Special Committee on Oil & Gas has considered:

HOUSE BILL NO. 527

"An Act relating to entry into the Minto Flats State Game Refuge for purposes of exploration and development of oil and gas resources."

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

Do pass (4): Kohring, Dyson, Chenault, Fate

No recommendation (1): Guess

The following fiscal note(s) apply:

1. Zero, Dept. of Natural Resources

HB 527 was referred to the Resources Committee.

**The presence of Representative Halcro was noted.

INTRODUCTION OF CITATIONS

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

Honoring - Dan Eide, Valdez High School Varsity Basketball Coach
By Representative Harris

Honoring - Kaitlin Vadla
By Senator Ward

Honoring - William A. Oefelein, Alaska's First Astronaut
By Senator Leman

Honoring - National Correctional Officers' Week, May 5 - 11, 2002
By Senator Torgerson

Honoring - Ninilchik Wolverines Girls Basketball Team, 2001 - 02
Class 2A - 3Peat State Champions and Ninilchik Wolverines Boys
Basketball Team
By Senators Torgerson, Leman

Honoring - University of Alaska Anchorage Speech and Debate Team,
2002 Parliamentary Debate National Champions
By Senators Leman, Ellis; Representative Crawford

Honoring - Don and Jan Stump
By Senator Leman

In Memoriam - Robert Simon
By Representatives Kerttula, Hudson; Senator Elton

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

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 175**

The following was read the second time:

HOUSE BILL NO. 175

"An Act making an appropriation to the Alaska Industrial Development and Export Authority for power projects; and providing for an effective date."

with the:	Journal Page
L&C RPT CS(L&C) NT 2DP 1DNP 1NR 3AM	922
FIN RPT CS(FIN) NT 6DP 4NR	1267
FIN RPT CS(2D FIN) NT 9DP 1NR	3344

**The presence of Representatives Kerttula, Masek, Kott, and Hudson 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. 175(2d FIN)

"An Act making an appropriation to the Alaska Energy Authority to secure repayment of bonds for power and intertie projects; and providing for an effective date."

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 175(2d FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 175(2d FIN) was read the third time.

**The presence of Representative Kapsner was noted.

The question being: "Shall CSHB 175(2d FIN) pass the House?" The roll was taken with the following result:

CSHB 175(2d FIN)

Third Reading

Final Passage

YEAS: 36 NAYS: 1 EXCUSED: 1 ABSENT: 2

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

Nays: Kohring

Excused: Ogan

Absent: Croft, Williams

And so, CSHB 175(2d 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.

CSHB 175(2d FIN) was referred to the Chief Clerk for engrossment.

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Representative Kerttula introduced Congressman Marcos Afonso, Representative for the State of Acre, Brazil, and Lou Riggio, State Department interpreter.

HB 464

The following was read the second time:

HOUSE BILL NO. 464

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

with the:

Journal Page

HES RPT CS(HES) NT 5DP	2924
FN1: ZERO(H.HES/EED)	2924
EDU RPT CS(EDU) NT 3DP 3NR	3132
FN2: (EED)	3132
FIN RPT CS(EDU) NT 7DP 3NR	3255

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FN2: (EED)	3255
RLS RPT CS(RLS) NT 3DP 3NR	3278
FN2: (EED)	3278

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. 464(RLS)
"An Act relating to statewide school district correspondence study
and to centralized correspondence study."

There being no objection, it was so ordered.

**The presence of Representative Croft was noted.

Representative James moved and asked unanimous consent that CSHB 464(RLS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 464(RLS) was read the third time.

**The presence of Representative Williams was noted.

The question being: "Shall CSHB 464(RLS) pass the House?" The roll was taken with the following result:

CSHB 464(RLS)
Third Reading
Final Passage

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

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

Excused: Ogan

Absent: Halcro, Kott

And so, CSHB 464(RLS) passed the House and was referred to the Chief Clerk for engrossment.

HB 489

The following was read the second time:

HOUSE BILL NO. 489

"An Act relating to cruelty to animals."

with the:

Journal Page

JUD RPT CS(JUD) 3DP 3NR	3091
FN1: INDETERMINATE(COR)	3091
FN2: INDETERMINATE(LAW)	3091
FIN RPT CS(JUD) 9DP 2NR	3255
FN1: INDETERMINATE(COR)	3256
FN2: INDETERMINATE(LAW)	3256

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. 489(JUD)
(same title)

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 489(JUD) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 489(JUD) was read the third time.

The question being: "Shall CSHB 489(JUD) pass the House?" The roll was taken with the following result:

CSHB 489(JUD)

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, Kookesh, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Ogan

Absent: Kohring

And so, CSHB 489(JUD) passed the House and was referred to the Chief Clerk for engrossment.

HB 524

The following was read the second time:

HOUSE BILL NO. 524

"An Act relating to the issuance of general obligation bonds for the purpose of paying the cost of design, construction, and maintenance of schools and state facilities; and providing for an effective date."

with the:

Journal Page

FIN RPT CS(FIN) NT 8DP 2NR

3345

FN1: (REV)

3345

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. 524(FIN)

"An Act relating to the issuance of general obligation bonds for the purpose of paying the cost of design, construction, and major maintenance of educational and museum facilities; and providing for an effective date."

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representative Kapsner:

Page 2, line 20:

Insert "(3) Akiachak school improvement Yupiit 19,099,094"

Renumber accordingly.

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

Representative Mulder objected.

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

Representative Kookesh placed a call of the House and lifted the call.

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

CSHB 524(FIN)
Second Reading
Amendment No. 1

YEAS: 15 NAYS: 23 EXCUSED: 1 ABSENT: 1

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Fate, Guess, Halcro, Hayes, Joule, Kapsner, Kerttula, Kookesh, Morgan, Moses

Nays: Bunde, Chenault, Coghill, Dyson, Foster, Green, Harris, Hudson, James, Kott, Lancaster, Masek, McGuire, Meyer, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Ogan

Absent: Kohring

And so, Amendment No. 1 was not adopted.

Amendment No. 2 was offered by Representatives Hayes and Croft:

Page 1, line 2, following "**educational**" (title amendment):

Delete "**and museum**"

Insert "**, museum, and veterans housing**"

Insert a new section authorizing the following expenditure.

Page 2, line 30:

Delete all material.

Insert "(10) Administration - Veterans Housing 4,000,000"

Page 4, lines 28 and 30:

Delete "152,914,583"

Insert "148,584,583"

Representative Hayes moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Mulder objected.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

CSHB 524(FIN)

Second Reading

Amendment No. 2

YEAS: 15 NAYS: 24 EXCUSED: 1 ABSENT: 0

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Green, Guess, Halcro, Hayes, Joule, Kapsner, Kerttula, Kookesh, Masek, Moses

Nays: Bunde, Chenault, Coghill, Dyson, Fate, Foster, Harris, Hudson, James, Kohring, Kott, Lancaster, McGuire, Meyer, Morgan, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Ogan

And so, Amendment No. 2 was not adopted.

Representative James moved and asked unanimous consent that CSHB 524(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 524(FIN) was read the third time.

The question being: "Shall CSHB 524(FIN) pass the House?" The roll was taken with the following result:

CSHB 524(FIN)

Third Reading

Final Passage

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

Yeas: Berkowitz, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Green, Guess, 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

Absent: Foster, Halcro

And so, CSHB 524(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.

CSHB 524(FIN) was referred to the Chief Clerk for engrossment.

HB 525

The following was read the second time:

HOUSE BILL NO. 525

"An Act relating to the issuance of general obligation bonds for the purpose of paying the cost of deferred maintenance of public facilities; and providing for an effective date."

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with the:

Journal Page

FIN RPT CS(FIN) 8DP 2NR

3346

FN1: (REV)

3346

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. 525(FIN)
(same title)

There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Mulder and Davies:

Page 1, line 9:

Delete "199,317,717"

Insert "199,455,263"

Page 2, line 10:

Delete "113,370,217"

Insert "113,507,763"

Page 6, lines 16 - 17:

Delete all material.

Insert "(79) District-wide Lake and Peninsula 1,118,582
mechanical heating/
waste heat upgrade"

Page 10, line 4:

Delete "697,612"

Insert "698,093"

Page 10, line 30:

Delete "199,317,717"

Insert "199,455,263"

Page 11, line 1:

Delete "199,317,717"

Insert "199,455,263"

Representative Mulder moved and asked unanimous consent that Amendment No. 1 be adopted. There being no objection, it was so ordered.

Amendment No. 2 was offered by Representative Kerttula:

Page 8, line 18:

Delete "48,500,000"

Insert "54,600,000"

Page 8, line 26:

Delete "6,000,000"

Insert "12,100,000"

Representative Kerttula moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Mulder objected.

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

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

CSHB 525(FIN) am

Second Reading

Amendment No. 2

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

Yeas: Berkowitz, Cissna, Crawford, Croft, Davies, Guess, Hayes, Joule, Kapsner, Kerttula, Kookesh, Moses

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

Excused: Ogan

Absent: Masek

And so, Amendment No. 2 was not adopted.

Representative James moved and asked unanimous consent that CSHB 525(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 525(FIN) am was read the third time.

The question being: "Shall CSHB 525(FIN) am pass the House?" The roll was taken with the following result:

CSHB 525(FIN) am

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, Lancaster, Masek, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Ogan

Absent: Kott

And so, CSHB 525(FIN) am 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 525(FIN) am was referred to the Chief Clerk for engrossment.

HB 528

The following was read the second time:

HOUSE BILL NO. 528

"An Act relating to programs of state reimbursement for debt payments for certain capital projects; and providing for an effective date."

with the:

Journal Page

FIN RPT CS(FIN) 6DP 4NR

3346

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. 528(FIN)
(same title)

There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that CSHB 528(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 528(FIN) was read the third time.

The question being: "Shall CSHB 528(FIN) pass the House?" The roll was taken with the following result:

CSHB 528(FIN)

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, CSHB 528(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.

CSHB 528(FIN) was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE RESOLUTIONS

SCR 34

The following was read the second time:

SENATE CONCURRENT RESOLUTION NO. 34

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 439, relating to removing provisions providing an opportunity to petition for review of proposed or final consistency determinations under the Alaska coastal zone management program; and limiting the authority of the Alaska Coastal Policy Council to order a coastal resource district or a state agency to take action with respect to a proposed or final consistency determination.

The question being: "Shall SCR 34 pass the House?" The roll was taken with the following result:

SCR 34

Second 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, SCR 34 passed the House.

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 - Connie Bensler

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

Honoring - Thomas L. Moses, Jr., P.E., Whittier Access Project

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

Honoring - The Angoon Eagles, Angoon Boys and Girls "Mixed Six" Volleyball Team

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

Honoring - The Hoonah Braves, Hoonah Girls Volleyball Team

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

Honoring - The Craig Panthers, Craig Boys Basketball Team

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

Honoring - Hydaburg Boys Basketball Team, The Warriors

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

Honoring - Klawock Boys Wrestling Team

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

Honoring - Valdez High School Academic Decathlon

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

Honoring - Department of Transportation and Public Facilities

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

Honoring - Brian J. Borkowski, Federal Employee of the Year

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

Honoring - Joe Malatesta, Sr.

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

In Memoriam - James M. Messick

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

CONCUR IN SENATE AMENDMENTS

HB 470

Representative James moved and asked unanimous consent that the House consider the Senate message (page 3273) on the following at this time:

CS FOR HOUSE BILL NO. 470(L&C)(title am)

"An Act relating to public offering statements required under the Uniform Common Interest Ownership Act; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 470(RLS)
(same title)

There being no objection, it was so ordered.

Representative James moved that the House concur in the Senate amendment to CSHB 470(L&C)(title am), thus adopting SCS CSHB 470(RLS), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 470(L&C)(title am)?" The roll was taken with the following result:

SCS CSHB 470(RLS)

Concur

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, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Ogan

Absent: Kookesh

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 470(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 CSHB 470(RLS) was referred to the Chief Clerk for enrollment.

HB 298

Representative James moved and asked unanimous consent that the House consider the Senate message (page 3273) on the following at this time:

CS FOR HOUSE BILL NO. 298(L&C)

"An Act relating to authorizing the Alaska Railroad Corporation to lease land for a period of up to 55 years."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 298(FIN)

"An Act relating to authorizing the Alaska Railroad Corporation to lease land for a period of up to 55 years; and providing for an effective date."

(technical title change)

There being no objection, it was so ordered.

Representative James moved that the House concur in the Senate amendment to CSHB 298(L&C), thus adopting SCS CSHB 298(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 298(L&C)?" The roll was taken with the following result:

SCS CSHB 298(FIN)

Concur

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, the House concurred in the Senate amendment, thus adopting SCS CSHB 298(FIN).

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 CSHB 298(FIN) was referred to the Chief Clerk for enrollment.

HJR 46

Representative James moved and asked unanimous consent that the House consider the Senate message (page 3272) on the following at this time:

CS FOR HOUSE JOINT RESOLUTION NO. 46(RES)
Relating to the moratorium on fish farming in British Columbia.

and

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO.
46(RLS)
(same title)

There being no objection, it was so ordered.

Representative James moved that the House concur in the Senate amendment to CSHJR 46(RES), thus adopting SCS CSHJR 46(RLS), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHJR 46(RES)?" The roll was taken with the following result:

SCS CSHJR 46(RLS)
Concur

YEAS: 31 NAYS: 8 EXCUSED: 1 ABSENT: 0

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

Nays: Croft, Davies, Hayes, Kapsner, Kohring, Kookesh, Mulder, Porter

Excused: Ogan

Porter changed from "Yea" to "Nay".

Hayes changed from "Yea" to "Nay".

And so, the House concurred in the Senate amendment, thus adopting SCS CSHJR 46(RLS).

The Chief Clerk was instructed to so notify the Senate.

SCS CSHJR 46(RLS) was referred to the Chief Clerk for enrollment.

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 Davies - from 7:00 p.m., today to 9:45 p.m., plane time, May 5, 2002

HB 315

Representative Croft 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 464

Representatives Stevens and Rokeberg added their names as cosponsors to:

CS FOR HOUSE BILL NO. 464(RLS)

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

HB 489

Representatives Kerttula, Crawford, and Hayes added their names as cosponsors to:

CS FOR HOUSE BILL NO. 489(JUD)
"An Act relating to cruelty to animals."

ENGROSSMENT

HB 175

CSHB 175(2d FIN) was engrossed, signed by the Speaker and Acting Chief Clerk and transmitted to the Senate for consideration.

HB 464

CSHB 464(RLS) was engrossed, signed by the Speaker and Acting Chief Clerk and transmitted to the Senate for consideration.

HB 489

CSHB 489(JUD) was engrossed, signed by the Speaker and Acting Chief Clerk and transmitted to the Senate for consideration.

HB 524

CSHB 524(FIN) was engrossed, signed by the Speaker and Acting Chief Clerk and transmitted to the Senate for consideration.

HB 525

CSHB 525(FIN) am was engrossed, signed by the Speaker and Acting Chief Clerk and transmitted to the Senate for consideration.

HB 528

CSHB 528(FIN) 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.

ADJOURNMENT

Representative James moved and asked unanimous consent that the House adjourn until 11:00 a.m., May 6, 2002. There being no objection, the House adjourned at 12:09 p.m.

Solyra Sepulveda
Assistant Chief Clerk