

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Monday

May 6, 2002

One Hundred Thirteenth Day

Pursuant to adjournment the House was called to order by Speaker Porter at 11:30 a.m.

Roll call showed 37 members present. Representative Kookesh had been previously excused from a call of the House today. Representatives Kott and Moses were absent and their presence was noted later.

The invocation was offered and a song was performed by Dave Stancliff, vocalist. Representative Green moved and asked unanimous consent that the invocation and song be spread on the journal. There being no objection, it was so ordered.

As we bow our heads, Lord, we give thanks to our Creator for our blessings as Americans, for our families, loved ones, friends and neighbors across this great nation.

Lord, let us remember those who have lost loved ones on September 11 and in the days since. Let us remember, beyond our comfortable everyday freedoms, there is someone's daughter or son--a soldier, whose life is on the line. We ask Thy blessings to be with them and their families as we give thanks for their sacrifice and courage. As they protect us, may we honor them.

Lord, let us resolve that those departed Americans not be victims of terror, but an inspiration for even greater love. Not the reason to hate, but the reason we shall overcome hate. Not a fall into fear, but a rising up to a greater courage.

As we close, let us in song reach out to those who have lost loved ones with healing in our hearts and our voices. Lord, let them know we share in their sorrow and will not forget. Let them know we will rise up and be a better nation as we honor their loved ones. Let us comfort them as we remind ourselves this life is but a short passage, that in God's great circle, love and life are without end.

We're thankful to have Representative Ogan here today.

We pray these things and sing this song in the spirit of Jesus.
Amen.

We Shall Rise
by David R. Stancliff

Here we are, left behind, when our loved ones had to go.
Here we are, left to fill lonely spaces here below.
But we shall rise, we shall rise, past mighty towers tall.
We shall rise, we shall rise, we shall rise up from the fall.

Along our streets, we miss their daily smiles.
Along our streets, we'll be lifted from our trials,
Along our streets, with our memories great and small,
We will rise up from the fall.

We shall rise, rise up from the fall.
We shall rise, on the wings they've given us all.
We shall rise, over every hateful wall.
We shall rise up from the fall.

With their lives, we'll be taken to new heights.
With their lives, we'll turn darkness into light,
With their lives, they have touched us one and all,
And we shall rise up from the fall.

We shall rise, rise up from the fall.
We shall rise, on the wings they've given us all.
We shall rise, over every hateful wall.
We shall rise up from the fall.

They'll all be waiting just up around the bend.
They'll all be waiting, the circle never ends.
They'll all be waiting, and when we hear them call,
We will rise up from the fall.

We shall rise, rise up from the fall.
We shall rise, on the wings they've given us all.
We shall rise, over every hateful wall.
We shall rise, we shall rise, we shall rise.

The Pledge of Allegiance was led by Representative Masek.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 110th, 111th, and 112th legislative days be approved as certified by the Assistant Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

SB 242

The following letter, dated May 3, 2002, was received:

"Dear Speaker Porter:

Under the authority of art. II, sec. 17, of the Alaska Constitution, I am allowing the following bill passed by the second session of the Twenty-second Alaska State Legislature to become law without my signature and am transmitting the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE BILL NO. 242 am H
"An Act relating to concealed handgun permittees."

Chapter No. 17, SLA 2002
[Effective Date: August 1, 2002]

I have allowed this bill to become law without my signature because while it does little to benefit Alaskans, its impact is minimal. Some concerns regarding this bill were raised during the legislative process by state agencies and the Alaska Peace Officers Association. However, the case made on behalf of Alaska's concealed handgun permit holders by Lt. Governor Fran Ulmer and Democratic legislators Harry Crawford, Eric Croft, John Davies, Gretchen Guess, and Joe Hayes persuaded me otherwise.

Generally, Alaska's current concealed handgun permit law has worked well. Further revisions to it, such as these, may have little or no practical effect. For these reasons, I have decided to let this bill become law without my signature.

Sincerely,
/s/
Tony Knowles
Governor"

**The presence of Representative Moses was noted.

HCR 19

A message dated May 3, 2002, was received stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

HOUSE CONCURRENT RESOLUTION NO. 19

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning Senate Bill No. 176; prohibiting certain coercive activity by distributors, relating to certain required distributor payments and purchases; prohibiting distributors from requiring certain contract terms as a condition for certain acts related to distributorship and ancillary agreements; allowing dealers to bring certain court actions against distributors for certain relief; and exempting from the provisions of the Act franchises regulated by the federal Petroleum Marketing Practices Act, situations regulated by the Alaska Gasoline Products Leasing Act, and distributorship agreements relating to motor vehicles required to be registered under AS 28.10.

Legislative Resolve No. 54

HCR 26

A message dated May 3, 2002, was received stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

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.

Legislative Resolve No. 55

SCR 21

A message dated May 3, 2002, was received stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

CS FOR SENATE CONCURRENT RESOLUTION NO.
21(HES)
Supporting the development of adequate in-state treatment capacity for severely disturbed children.

Legislative Resolve No. 51

SCR 28

A message dated May 3, 2002, was received stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

HOUSE CS FOR CS FOR SENATE CONCURRENT
RESOLUTION NO. 28(FIN)
Establishing the Joint Legislative Salmon Industry Task Force.

Legislative Resolve No. 53

SCR 31

A message dated May 3, 2002, was received stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

SENATE CONCURRENT RESOLUTION NO. 31

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 297, regarding aggravating factors at sentencing.

Legislative Resolve No. 56

SJR 31

A message dated May 3, 2002, was received stating the Governor is transmitting the engrossed and enrolled copies of the following resolution to the Lieutenant Governor's office for permanent filing:

CS FOR SENATE JOINT RESOLUTION NO. 31(STA)

Urging the United States Congress to permit the use of tax exempt bonds to fund loans for veterans who served after 1976.

Legislative Resolve No. 52

**The presence of Representative Kott was noted.

SB 176

A message dated May 3, 2002, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

HOUSE CS FOR CS FOR SENATE BILL NO. 176(RLS)

"An Act prohibiting certain coercive activity by distributors; relating to certain required distributor payments and purchases; prohibiting distributors from requiring certain contract terms as a condition for certain acts related to distributorship and ancillary agreements; allowing dealers to bring certain court actions against distributors for certain relief; and making exemptions that relate to the federal Petroleum Marketing Practices Act, situations regulated by the Alaska Gasoline Products Leasing Act, distributorship agreements relating to motor vehicles required to be registered under AS 28.10, activities and agreements by persons licensed under AS 04, contracts between persons licensed under AS 04 and out-of-state persons in the alcoholic beverage industry, distributorship agreements involving cigarettes, food, drink, or components of food or drink, manufacturers with 50 or

fewer employees, suppliers, manufacturers, importers, and wholesalers of alcoholic beverages."

Chapter No. 15, SLA 2002
Effective Date: August 1, 2002

SB 244

A message dated May 3, 2002, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

CS FOR SENATE BILL NO. 244(RLS)
"An Act extending the termination date of the Board of Examiners in Optometry; and relating to optometrists."

Chapter No. 16, SLA 2002
Effective Date: August 1, 2002

SB 328

A message dated May 3, 2002, was read stating the Governor has signed the following bill and is transmitting the engrossed and enrolled copies to the Lieutenant Governor's office for permanent filing:

SENATE BILL NO. 328
"An Act requiring that a nonresident big game hunter be accompanied by a big game guide who is providing big game hunting services to the nonresident under a contract with the nonresident or who is employed by a big game guide who has a contract to provide big game hunting services to the nonresident."

Chapter No. 14, SLA 2002
Effective Date: August 1, 2002

MESSAGES FROM THE SENATE**SB 274**

A message dated May 3, 2002, was read stating the Senate has concurred in the House amendment to CSSB 274(L&C), thus adopting:

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."

SB 337

A message dated May 3, 2002, was read stating the Senate has concurred in the House amendment to SB 337, thus adopting:

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."

SB 11

A message dated May 3, 2002, was read stating the President has appointed the following members to a Conference Committee:

Senator Therriault, Chair
Senator Wilken
Senator Olson

to meet with the like committee from the House to consider:

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

CS FOR SENATE BILL NO. 11(FIN)
"An Act relating to required school attendance; and providing for an effective date."

The House members of the Conference Committee are Representatives Stevens, Coghill, and Kapsner (page 3342).

A message dated May 3, 2002, was read stating the Senate has passed the following and they are transmitted for consideration:

**FIRST READING AND REFERENCE
OF SENATE BILLS**

SB 181

CS FOR SENATE BILL NO. 181(FIN) am by the Senate Finance Committee, entitled:

"An Act relating to and increasing the interest rate on that portion of a loan for a single-family house or owner-occupied duplex that exceeds \$200,000 where the loan is for a house or duplex in a small community with a population of 6,500 or less that is not connected by road or rail to Anchorage or Fairbanks, or with a population of 1,600 or less that is connected by road or rail to Anchorage or Fairbanks for purposes of the small community housing program of the Alaska Housing Finance Corporation; relating to loans for teacher housing in which each unit that is not vacant is occupied by at least one individual who is employed as a certificated teacher in a public elementary or secondary school in a small community with a population of 6,500 or less that is not connected by road or rail to Anchorage or Fairbanks, or with a population of 1,600 or less that is connected by road or rail to Anchorage or Fairbanks, and increasing the interest rate on the loans if this occupancy requirement is not complied with; and providing for an effective date."

was read the first time and referred to the Community & Regional Affairs and Finance Committees.

SB 326

CS FOR SENATE BILL NO. 326(FIN) by the Senate Finance Committee, entitled:

"An Act relating to evaluating state assumption of the wastewater discharge program under the federal Clean Water Act; and providing for an effective date."

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

REPORTS OF STANDING COMMITTEES

The Resources Committee has reviewed the qualifications of:

Bruce Baker
Board of Game

and recommends the following:

Confirm (3): Stevens, Kerttula, Scalzi

No recommendation (5): Green, McGuire, Fate, Kapsner, Masek

George Matz
Board of Game

and recommends the following:

Confirm (6): Stevens, Green, McGuire, Kerttula, Masek, Scalzi

No recommendation (2): Fate, Kapsner

Dana Pruhs
Board of Game

and recommends the following:

Confirm (8): Stevens, Green, McGuire, Fate, Kapsner, Kerttula, Masek, Scalzi

Caleb Pungowiyi
Board of Game

and recommends the following:

Confirm (6): Stevens, Green, Fate, Kapsner, Kerttula, Scalzi

No recommendation (2): McGuire, Masek

Michelle Sparck
Board of Game

and recommends the following:

Confirm (6): Stevens, McGuire, Fate, Kapsner, Kerttula, Scalzi

No recommendation (2): Green, Masek

The reports were signed by Representatives Masek and Scalzi, Co-chairs.

The Labor & Commerce Committee has reviewed the qualifications of:

Ellen L. Ganley
Alcoholic Beverage Control Board

and recommends the following:

Confirm (5): Halcro, Crawford, Meyer, Hayes, Murkowski

No recommendation (1): Rokeberg

Marjorie J. Kaiser
Steven R. Tarola
Sandra R. Wilson
Alaska State Board of Public Accountancy

Linda Cyra-Korsgaard
Donald J. Iverson
Scott McLane
Patricia Peirsol
State Board of Registration for Architects, Engineers, and Land
Surveyors

William (Randy) R. Graf
Board of Barbers and Hairdressers

Dr. Gregory M. Culbert
Dr. Carol J. Davis
Dr. R. Clark Davis
Board of Chiropractic Examiners

Dr. Robert J. Allen
Dr. William L. Gerace
Dr. Rebecca Neslund
Board of Dental Examiners

David Matthews, Jr.
James Rothmeyer
Cindy Tidd
Board of Dispensing Opticians

Roberta Demoski
Aaron T. Isaacs
David D. Rasley
Raymond P. Smith
Alaska Labor Relations Agency

Jack G. Poulson
Board of Marine Pilots

Larry Holman
Bill Platte
Board of Marital and Family Therapy

Dr. Allan G. Schlicht
Thomas H. Wilson
State Medical Board

Martha J. Falkar Linden
Board of Certified Direct-Entry Midwives

Barbara Berner
Dr. Nancy L. Sanders
Board of Nursing

Dr. Erik D. Christianson
Board of Examiners in Optometry

Gerry Knasiak
Laura Lee Nelson
Margaret Soden
Board of Pharmacy

Sundi M. Hondl
Laura McDonough
Linda Newman
Dr. George D. Rhyneer
State Physical Therapy and Occupational Therapy Board

Janet McGillivray
Dr. Allan A. Morotti
Board of Professional Counselors

Dr. Carey S. Edney
Board of Psychologist and Psychological Associate Examiners

Judy Kemplen
Stephen F. Turner
Board of Certified Real Estate Appraisers

Lowell (Tom) T. Freeman
Jeannie Johnson
Susan Rainey
Real Estate Commission

Will Abbott
Regulatory Commission of Alaska (RCA)

Lorraine M. Jaeger-Kirsch
Denny Patella
Sammye Pokryfki
Board of Social Work Examiners

Dorothy Bradshaw
John Giuchici
Stephen T. Hagedorn
James (Jay) N. Rhodes
Philip E. Ulmer
Alaska Workers' Compensation Board

and recommends the following:

Confirm (6): Halcro, Crawford, Meyer, Hayes, Rokeberg, Murkowski

The reports were signed by Representative Murkowski, Chair.

HB 519

The Rules 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(RLS)

"An Act authorizing priority treatment under the Right-of-Way Leasing Act for an Alaska North Slope natural gas project and limiting judicial review of action under that Act relating to that project; authorizing the Alaska Railroad Corporation to provide financing for the acquisition, construction, improvement, maintenance, equipping, or operation of facilities for the transportation by others of natural gas resources within and outside the state and to issue its bonds to finance those facilities; exempting an Alaska North Slope natural gas project from state and municipal property taxes during construction and initial operation, eliminating the authority of a municipality to levy a sales or use tax on property or services used or to be used on the project, and defining the scope of that project; providing, through the Department of Community and Economic Development, emergency financial assistance for municipalities affected by

natural gas development; expanding the scope for the kinds of gas development projects that may become qualified projects under the Alaska Stranded Gas Development Act, amending the definitions of 'qualified sponsor' and 'qualified sponsor group' under that Act, extending the deadline for submitting applications under that Act, and modifying the conditions under which an application made under that Act may be considered; and providing for an effective date."

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

Do pass (3): Kohring, Porter, Kott

No recommendation (1): McGuire

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

3. Fiscal, Dept. of Revenue
4. Fiscal, Dept. of Community & Economic Development
5. Fiscal, Dept. of Natural Resources
6. Fiscal, Dept. of Labor & Workforce Development

HB 519 is on today's calendar.

HB 527

The Resources Committee 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 Representatives Masek and Scalzi, Co-chairs, with the following individual recommendations:

Do pass (4): Green, Fate, Masek, Scalzi

Do not pass (2): Kerttula, Kapsner

No recommendation (2): Stevens, McGuire

The following fiscal note(s) apply:

1. Zero, Dept. of Natural Resources

HB 527 was referred to the Rules Committee for placement on the calendar.

HB 529

The Resources Committee has considered:

HOUSE BILL NO. 529

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

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 529(RES)
(same title)

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

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

Do not pass (2): Kerttula, Kapsner

The following fiscal note(s) apply to CSHB 529(RES):

1. Zero, Dept. of Environmental Conservation

HB 529 was referred to the Rules Committee for placement on the calendar.

SJR 37

The Judiciary Committee has considered:

SENATE JOINT RESOLUTION NO. 37

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

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

Do pass (1): Rokeberg

No recommendation (3): Meyer, Coghill, James

The following fiscal note(s) apply:

1. Fiscal, Office of the Governor

SJR 37 was referred to the Finance Committee.

SJR 38

The Judiciary Committee has considered:

SENATE JOINT RESOLUTION NO. 38

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

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

Do pass (1): Rokeberg

No recommendation (3): Meyer, Coghill, James

The following fiscal note(s) apply:

1. Fiscal, Office of the Governor

SJR 38 was referred to the Finance Committee.

SJR 44

The Labor & Commerce Committee has considered:

CS FOR SENATE JOINT RESOLUTION NO. 44(L&C)
Relating to preparation of a joint state-federal research and development plan.

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE JOINT RESOLUTION NO.
44(L&C)
(same title)

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

Do pass (2): Kott, Murkowski

No recommendation (3): Rokeberg, Hayes, Crawford

The following fiscal note(s) apply to HCS CSSJR 44(L&C):

1. Zero, Senate Labor & Commerce Committee

CSSJR 44(L&C) was referred to the Rules Committee for placement on the calendar.

SB 6

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 6(FIN)
"An Act relating to required notice of eviction to mobile home park dwellers and tenants before redevelopment of the park."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 6(JUD)
(same title)

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

Do pass (1): Rokeberg

No recommendation (3): Meyer, Coghill, Kookesh

Amend (1): Berkowitz

The following fiscal note(s) apply to HCS CSSB 6(JUD):

2. Zero, Dept. of Law

CSSB 6(FIN) was referred to the Rules Committee for placement on the calendar.

SB 100

The Judiciary Committee has considered:

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO.
100(RLS)(title am)

"An Act relating to regulation and operation of personal motor vehicles."

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

Do pass (3): Meyer, Coghill, Rokeberg

No recommendation (2): Berkowitz, Kookesh

The following fiscal note(s) apply:

1. Zero, Senate Transportation Committee

CSSSSB 100(RLS)(title am) was referred to the Rules Committee for placement on the calendar.

SB 238

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 238(RLS)

"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."

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

Do pass (3): Meyer, Coghill, Rokeberg

No recommendation (1): Berkowitz

The following fiscal note(s) apply:

1. Zero, Dept. of Transportation & Public Facilities

CSSB 238(RLS) was referred to the Rules Committee for placement on the calendar.

SB 278

The Judiciary Committee has considered:

CS FOR SENATE BILL NO. 278(FIN)

"An Act requiring a good faith effort to purchase property before that property is taken through eminent domain; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 278(JUD)
(same title)

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

Do pass (3): Kookesh, Coghill, Rokeberg

No recommendation (2): Berkowitz, Meyer

The following fiscal note(s) apply to HCS CSSB 278(JUD):

1. Zero, Alaska Court System
4. Fiscal, Dept. of Transportation & Public Facilities

CSSB 278(FIN) was referred to the Finance Committee.

SB 295

The Judiciary Committee has considered:

SENATE BILL NO. 295

"An Act relating to the disclosure of information regarding delinquent minors to certain licensing agencies; and providing for an effective date."

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

Do pass (1): Meyer

No recommendation (4): Berkowitz, Coghill, Kookesh, Rokeberg

The following fiscal note(s) apply:

1. Zero, Dept. of Health & Social Services

SB 295 was referred to the Rules Committee for placement on the calendar.

SB 339

The Judiciary Committee has considered:

SENATE BILL NO. 339

"An Act increasing fines for certain criminal offenses."

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

Do pass (2): Meyer, Rokeberg

No recommendation (3): Berkowitz, Coghill, Kookesh

The following fiscal note(s) apply:

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

SB 339 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 - Koahnic Broadcast Corporation
By Representative Morgan

Honoring - Sheila Gaddis
By Representative Cissna; Senator Davis

Honoring - Alaska Resources Library & Information Services (ARLIS)
By Representatives Kerttula, Porter, Hudson; Senator Elton

Honoring - Glenn and Florence Sachs, 60th Wedding Anniversary
By Senator Elton; Representatives Kerttula, Hudson

Honoring - Holy Cross Elementary School, Best School Participation, September Campbell, Morgan Turner, Peter Demientieff, Best Alternative to Drinking Posters
By Senator Lincoln

Honoring - Ann M. Tremarello
By Senator Wilken; Representative Hayes

In Memoriam - Terry Pegues
By Representatives Kerttula, Hudson; Senator Elton

In Memoriam - Professor David M. Hopkins, Ph.D.
By Representatives Kerttula, Davies, Hudson; Senator Elton

In Memoriam - Ms. Lenora Weaver
By Representative Croft; Senator Ellis

In Memoriam - Marsha Marie Melton
By Representatives Ogan, Kerttula; Senator Green

In Memoriam - Esther Pinon
By Representative Croft; Senator Ellis

In Memoriam - Eleanor June Smith
By Representative Chenault

In Memoriam - Herman T. Jackson
By Senator Lincoln

In Memoriam - Doris B. Charles
By Senator Lincoln

In Memoriam - Robert "Bob" Resoff
By Senator Leman

In Memoriam - Ferdinand "Fred" Chiei, Jr.
By Senator Leman

In Memoriam - Teddy Walter Northway
By Senator Lincoln

CONCUR IN SENATE AMENDMENTS

HB 439

Representative James moved and asked unanimous consent that the House consider the Senate message (page 3340) on the following at this time:

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."

and

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)

There being no objection, it was so ordered.

Representative James moved that the House concur in the Senate amendment to CSHB 439(RES)(title am), thus adopting SCS CSHB 439(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 439(RES)(title am)?" The roll was taken with the following result:

SCS CSHB 439(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, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Ogan, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Kookesh

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 439(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 439(FIN) was referred to the Chief Clerk for enrollment.

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 530

HOUSE BILL NO. 530 by the House Rules Committee, entitled:

"An Act levying and collecting a tax on certain North Slope natural gas in place if certain requirements relating to its sale and delivery are not met, and imposing a limit on the Department of Natural Resources that relates to the issuance or extension of oil and gas leases containing natural gas that is capable of production in paying quantities; and providing for an effective date."

was read the first time and referred to the House Special Committee on Oil & Gas and the Resources and Finance Committees.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 519

The Speaker stated that, without objection, the following bill would be returned to the Rules Committee:

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."

SECOND READING OF SENATE BILLS

SB 153

The following was read the second time:

CS FOR SENATE BILL NO. 153(FIN)

"An Act replacing the storage tank assistance fund with the underground storage tank revolving loan fund and relating to that revolving loan fund; repealing the tank cleanup program and the tank upgrading and closure program; and providing for an effective date."

with the:

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RES RPT 5DP 3NR	2580
FN2: ZERO(DEC)	2580
FIN RPT 10DP	3279
FN2: ZERO(DEC)	3280

Representative James moved and asked unanimous consent that CSSB 153(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that CSSB 153(FIN) will be in third reading on tomorrow's calendar.

SB 243

The following was read the second time:

CS FOR SENATE BILL NO. 243(FIN)

"An Act extending the termination date of the Board of Chiropractic Examiners; and relating to chiropractors."

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with the:

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L&C RPT 6DP	2832
FN1: (CED)	2832
FIN RPT 11DP	3281
FN1: (CED)	3281

Representative James moved and asked unanimous consent that CSSB 243(FIN) be considered engrossed, advanced to third reading, and placed on final passage.

Representative Berkowitz objected.

The Speaker stated that CSSB 243(FIN) will be in third reading on tomorrow's calendar.

SECOND READING OF SENATE RESOLUTIONS

SCR 30

The following was read the second time:

CS FOR SENATE CONCURRENT RESOLUTION NO.
30(RES)
Relating to Alaska Salmon Day.

with the:

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RES RPT 8DP	3278
FN1: ZERO(S.STA)	3279

The question being: "Shall CSSCR 30(RES) pass the House?" The roll was taken with the following result:

CSSCR 30(RES)
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, Kott, Lancaster, Masek, Meyer, Morgan, Moses, Mulder, Murkowski, Ogan, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Kookesh

Absent: McGuire

And so, CSSCR 30(RES) passed the House.

Representative McGuire later gave notice of reconsideration of the vote on CSSCR 30(RES), and the reconsideration was taken up then.

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 - Dan Eide, Valdez High School Varsity Basketball Coach
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, Whitaker, Williams, Wilson

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

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

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

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

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

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

By Senators Torgerson, Leman; 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, Scalzi, Stevens, Williams,

Honoring - University of Alaska Anchorage Speech and Debate Team, 2002 Parliamentary Debate National Champions

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

Honoring - Don and Jan Stump

By Senator Leman; Representatives Porter, Berkowitz, Bunde, Chenault, Cissna, Coghill, 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

In Memoriam - Robert Simon

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

RECONSIDERATION

SCR 30

Representative McGuire gave notice of reconsideration of the vote on CSSCR 30(RES) (page 3401).

Representative McGuire moved and asked unanimous consent that the reconsideration of CSSCR 30(RES) be taken up on the same day. There being no objection, it was so ordered.

The following was again before the House in second reading:

CS FOR SENATE CONCURRENT RESOLUTION NO.
30(RES)
Relating to Alaska Salmon Day.

The question to be reconsidered: "Shall CSSCR 30(RES) pass the House?" The roll was taken with the following result:

CSSCR 30(RES)--RECONSIDERATION

Second Reading

Final Passage

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

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

Excused: Kookesh

Absent: Croft, Kott, Ogan

And so, CSSCR 30(RES) passed the House on reconsideration, was signed by the Speaker and Chief Clerk and returned to the Senate.

CONCUR IN SENATE AMENDMENTS

HB 157

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 BILL NO. 157(JUD) am

"An Act relating to trust companies and providers of fiduciary services; amending Rules 6 and 12, Alaska Rules of Civil Procedure, Rule 40, Alaska Rules of Criminal Procedure, Rules 204, 403, 502, 602, and 611, Alaska Rules of Appellate Procedure, and Rules 7.2 and 7.3, Alaska Rules of Professional Conduct; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 157(JUD)
(same title)

There being no objection, it was so ordered.

Representative James moved that the House concur in the Senate amendment to CSHB 157(JUD) am, thus adopting SCS CSHB 157(JUD), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 157(JUD) am?" The roll was taken with the following result:

SCS CSHB 157(JUD)

Concur

YEAS: 35 NAYS: 1 EXCUSED: 1 ABSENT: 3

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

Nays: Berkowitz

Excused: Kookesh

Absent: Croft, Kott, Ogan

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 157(JUD).

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the court rules change(s). There being no objection, it was so ordered

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 157(JUD) was referred to the Chief Clerk for enrollment.

HB 106

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 BILL NO. 106(L&C) am

"An Act relating to the authorizations for certain state financial institutions of certain powers and limitations; relating to confidential records of depositors and customers of certain financial institutions; relating to the examination of certain institutions subject to AS 06; relating to the Alaska Banking Code, Mutual Savings Bank Act, Alaska Small Loans Act, and Alaska

Credit Union Act; amending Rule 45, Alaska Rules of Civil Procedure, Rules 17 and 37, Alaska Rules of Criminal Procedure, and Rule 24, Alaska Bar Rules; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 106(FIN)
(same title)

Representative James moved that the House concur in the Senate amendment to CSHB 106(L&C) am, thus adopting SCS CSHB 106(FIN), and recommended that the members vote yes.

The question being: "Shall the House concur in the Senate amendment to CSHB 106(L&C) am?" The roll was taken with the following result:

SCS CSHB 106(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, Kott, Lancaster, Masek, McGuire, Meyer, Morgan, Moses, Mulder, Murkowski, Ogan, Porter, Rokeberg, Scalzi, Stevens, Whitaker, Williams, Wilson

Excused: Kookesh

And so, the House concurred in the Senate amendment, thus adopting SCS CSHB 106(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.

Representative James moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the court rules change(s). There being no objection, it was so ordered

The Chief Clerk was instructed to so notify the Senate.

SCS CSHB 106(FIN) was referred to the Chief Clerk for enrollment.

UNFINISHED BUSINESS

SCR 34

The following, which passed the House on May 3, 2002 (page 3361), was signed by the Speaker and Acting Chief Clerk and returned to the Senate:

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.

SB 308

The following, which passed the House on April 29, 2002 (page 3221), was signed by the Speaker and Acting Chief Clerk and returned to the Senate:

CS FOR SENATE BILL NO. 308(FIN)

"An Act relating to the Alaska coastal management program and the responsibilities of the Alaska Coastal Policy Council; and providing for an effective date."

HB 248

Representative Croft added his name as cosponsor to:

HOUSE BILL NO. 248

"An Act relating to retirement contributions and benefits under the public employees' retirement system of certain juvenile detention employees and juvenile correctional institution employees."

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

The following meeting today has been changed as indicated:

Resources Committee

CANCELED:

1:00 p.m., 5/6

ADJOURNMENT

Representative James moved and asked unanimous consent that the House adjourn until 10:00 a.m., May 7, 2002. There being no objection, the House adjourned at 12:20 p.m.

Suzi Lowell
Chief Clerk

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