

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

Juneau, Alaska

Friday

May 17, 2002

First Day

Under the authority of Article II, Section 9, of the Constitution of the State of Alaska, the Second Special Session of the Twenty-Second Alaska State Legislature was convened. The House was called to order by Speaker Porter at 1:48 p.m.

The Speaker stated that under AS 24.05.100, at approximately 12:30 a.m., May 17, 2002, the members of the Legislature were polled on the question of whether to call a special session to begin at 11:00 a.m. on May 17, 2002. The following 27 members of the House of Representatives voted affirmatively:

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

The Speaker stated that he had been informed that 14 Senate members also voted affirmatively on the question of convening a special session at 11:00 a.m. on May 17, 2002.

The Speaker stated that Uniform Rule 23(d), concerning the 24-hour rule for noticing meetings, and Uniform Rule 44, concerning introduction of legislation, are in effect.

Roll call showed 36 members present. Representative Davies was excused from a call of the House today because of illness. Representatives Guess, Meyer, and Ogan were absent.

The invocation was offered by Representative Stevens, Chaplain Designee. Representative Hudson moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

God be in my head and in my understanding
God be in my eyes and in my seeing
God be in my mouth and in my speaking
God be in my heart and in my thinking
God be at mine end and at my departing.

(A prayer from the 1540's)

The Pledge of Allegiance was led by Representative Kott.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the journal for the 120th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

INTRODUCTION OF CITATIONS

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

Honoring - Billie Jo Chavez, Alaska's Young Mothers Representative 2002

By Representative Kapsner

Honoring - Michael Stickler

By Representative Hayes

Honoring - Sergeant David Hanlon

By Representative Coghill

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE RESOLUTIONS****HJR 201**

HOUSE JOINT RESOLUTION NO. 201 by the House Rules Committee by request of the Governor, entitled:

Proposing an amendment to the Constitution of the State of Alaska relating to providing for priorities for and among subsistence uses in the allocation of fish, wildlife, and other renewable resources.

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

The following fiscal note(s) apply:

1. Fiscal, Office of the Governor

The Governor's transmittal letter dated May 17, 2002, follows:

"Dear Speaker Porter:

Today I am presenting the subsistence joint resolution that I introduced in February during the regular session. That joint resolution, HJR 41, received a hearing in the House Resources Committee but did not progress any further. The Senate version, SJR 36, received no hearings. That is unfortunate because the citizens of Alaska clearly want to vote on this issue.

Over 70 percent of the Anchorage voters who voted in a municipal election this spring favored putting a constitutional amendment concerning subsistence on the ballot. Business leaders have testified that the state's inability to resolve this issue will hinder resource development. Religious leaders have urged that we take this action in order to bridge the growing urban-rural divide in Alaska. Native leaders say that this may be the last time that Alaska Natives will support a return to state management of our fish and game. Nevertheless, some legislators have turned a deaf ear to those voices.

While those legislators have ignored their constituents, the federal government has continued to strengthen its grip on subsistence management. That management is diverging more and more from the way state boards deal with our fish and game. Dual management confuses the public, upsets historic patterns of allocation, and will ultimately jeopardize the health of our resources.

Time is drawing short for Alaskans to solve this problem. I urge you to work with me to unify our state and to regain our right to manage all uses of Alaska's resources.

Sincerely,
/s/
Tony Knowles
Governor"

INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS

HB 2001

HOUSE BILL NO. 2001 by the House Rules Committee by request of the Governor, entitled:

"An Act setting timelines for issuance of final orders by the Regulatory Commission of Alaska, amending the authority of the commission to enter compromise settlement orders, and extending the commission's termination date to June 30, 2006; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Community & Economic Development

The Governor's transmittal letter dated May 17, 2002, follows:

"Dear Speaker Porter:

I am transmitting this bill to the special session extending the "sunset" date of the Regulatory Commission of Alaska for four years, to June 30, 2006.

The commission began regulating utilities and pipelines in the state on July 1, 1999 as a replacement for the Alaska Public Utilities Commission. Utility regulation has been a function of state government since statehood. The commission's mission to protect the public interest remains important today.

I urge your prompt and favorable action on this measure during the special session.

Sincerely,
/s/
Tony Knowles
Governor"

HB 2002

HOUSE BILL NO. 2002 by the House Finance Committee, entitled:

"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."

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

HB 2003

HOUSE BILL NO. 2003 by the House Finance Committee, entitled:

"An Act relating to municipal bond reimbursement for school construction; and providing for an effective date."

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

HB 2004

HOUSE BILL NO. 2004 by the House Rules Committee by request of the Governor, entitled:

"An Act changing the name of the Alaska Pioneers' Home to the Alaska Pioneers' and Veterans' Home and of the Alaska Pioneers' Homes Advisory Board to the Alaska Pioneers' and Veterans' Home Advisory Board; relating to housing and services for veterans; relating to the advisory board for the home; making other amendments to the statutes relating to the home; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Administration

The Governor's transmittal letter dated May 17, 2002, follows:

"Dear Speaker Porter:

I am transmitting this bill to this special session changing the name of the Alaska Pioneers' Home to the Alaska Pioneers' and Veterans' Home and reserving a certain number of beds in the homes for eligible veterans.

In 1992, the Legislature authorized the Department of Administration to apply for federal assistance to establish and operate state veterans' home facilities to provide domiciliary care. In 1998, that statute was amended to include the provision of nursing home care with related medical services for veterans in those facilities. Financing for such facilities has not been available. However, the Pioneers' Home has vacant beds that could be used to provide the long-term care for veterans that the 1992 and 1998 laws contemplated. Accordingly, I am proposing that the law be changed so that the Pioneers' Home can provide this service.

The bill would provide that a certain number of beds be reserved in the home for veterans who meet the other eligibility requirements for admission, including being at least 65 years old, being an Alaska resident for at least one year, and needing the services that the home provides. The number of beds to be reserved for veterans would be determined by the department by regulation. The bill defines "veteran" as anyone who has 181 days or more of active service in the armed services of the United States, including the Alaska National Guard or the Alaska Territorial Guard.

In addition, the bill would make two changes in the statutes imposing residency requirements for admission into the home. First, the bill recognizes in statute a court decision concerning the residency requirement for the home. The 15-year requirement for admission was ruled unconstitutional by the Alaska courts in the early 1990s; the home has been using a one-year requirement since then under Department of Law advice that that is the longest requirement that could withstand a constitutional challenge. Thus, this bill would simply amend the relevant statute to bring it in line with constitutional requirements and current practice. The bill also would repeal a statute, closely tied to the 15-year residency requirement, that provides that an applicant does not have to meet the 15-year requirement if the applicant has 30 years' total residency in Alaska. Given the elimination of the 15-year requirement, the statute proposed for repeal would no longer be relevant. Moreover, even though there is no court decision on point, the Department of Law has advised that this 30-year residency statute also would likely be invalidated if it were challenged.

The bill amends the statutes regarding the Alaska Pioneers' Homes Advisory Board to reflect the new name of the home and to provide that at least two of the seven members appointed by the governor must be veterans. A second, separate amendment to the membership provision would replace one of those two veterans with the chair of the Alaska Veterans Advisory Council, contingent on enactment into law of a bill I am introducing to establish that council. The bill makes or provides for conforming changes to other statutes and to the Alaska Administrative Code.

This important legislation was presented during the regular session, but did not pass. I urge your prompt and favorable action on this

measure during the special session. It is urgent to our veterans that the legislation pass now in special session. Our veterans have served our state well. It is now our time to recognize these efforts and to provide these essential services.

Sincerely,
/s/
Tony Knowles
Governor"

HB 2005

HOUSE BILL NO. 2005 by the House Rules Committee by request of the Governor, entitled:

"An Act establishing the Alaska Veterans Advisory Council; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Fiscal, Dept. of Military & Veterans' Affairs

The Governor's transmittal letter dated May 17, 2002, follows:

"Dear Speaker Porter:

I am transmitting this bill to the special session establishing the Alaska Veterans Advisory Council. The council initially was established by Administrative Order No. 164, dated July 3, 1996. This bill would establish the council in statute as an entity within the Department of Military and Veterans' Affairs (DMVA).

As provided in Administrative Order No. 164 and under this bill, the purpose of the council is to advise the DMVA on ways to better address the needs and concerns of Alaska's veterans, their dependents, and their survivors. The council's duties include making

recommendations concerning veterans' priority service needs, developing public and private partnerships to meet those needs, and providing coordination of information regarding veterans' benefits and services around the state.

This bill maintains the present 20-member structure and responsibilities of the council. The council's membership would continue to include one or more persons affiliated with a veterans organization, one or more persons from a state agency that manages programs affecting veterans, and one or more members of the general public familiar with veterans' issues. Council members would continue to serve without compensation other than per diem and travel expenses.

While this bill was introduced during the regular session, the House failed to act on this important legislation. I urge your prompt and favorable action now on this measure.

Sincerely,
/s/

Tony Knowles
Governor"

HB 2006

HOUSE BILL NO. 2006 by the House Rules Committee by request, entitled:

"An Act relating to the base student allocation used in the formula for state funding of public education; and providing for an effective date."

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

HB 2007

HOUSE BILL NO. 2007 by the House Finance Committee, entitled:

"An Act making an appropriation to reverse the effect of art. IX, sec. 17(d), Constitution of the State of Alaska; making an appropriation to balance revenue and general fund appropriations; making an appropriation to the Department of Revenue for management of the constitutional budget reserve fund; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

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

HB 2008

HOUSE BILL NO. 2008 by the House Finance Committee, entitled:

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

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

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

Finance Committee

Call of the Chair, 5/17

The Speaker stated that, without objection, the House would recess to a call of the Chair; and so, the House recessed at 2:05 p.m.

AFTER RECESS

The Speaker called the House back to order at 5:07 p.m.

ADJOURNMENT

Representative James moved and asked unanimous consent that the House adjourn until 11:00 a.m., May 18, 2002. There being no objection, the House adjourned at 5:07 p.m.

Suzi Lowell
Chief Clerk

