

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

Juneau, Alaska

Tuesday

June 25, 2002

Second Day

Pursuant to adjournment the House was called to order by Speaker Porter at 10:05 a.m.

Roll call showed 35 members present. Representatives Berkowitz and Green had been previously excused from a call of the House today. Representatives Crawford, Croft, and Williams were absent and their presence was noted later.

The invocation was offered by Representative Coghill, 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.

Our Father in heaven,

Our people have chosen us to represent them in this place, and we are grateful for their trust. We look to You today for guidance both in our minds and our spirits.

For people in court rooms today, those in state offices - delivering or receiving services - for policy makers in the administration, and for us in our decisions, we ask for Your help in serving our people well.

We enjoy the beauty of Your creation and the vastness of this land you have given us to protect and govern.

Help us in honoring one another as we try to figure out the best way to do things. In the Name of our Savior, Jesus Christ, we pray. Amen.

The Pledge of Allegiance was led by Representative Wilson.

CERTIFICATION OF THE JOURNAL

Representative James moved and asked unanimous consent that the First Supplemental journal with the following correction, House Journal Supplement No. 9, and the journal for the first legislative day of the Third Special Session be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

SB 363

At the top of page 3996 in the Governor's transmittal letter:

Delete "sleazy,"

MESSAGES FROM THE GOVERNOR

The following letter, dated June 24, 2002, was received:

"Dear President Halford and Speaker Porter:

Pursuant to Alaska Statute 24.55.020, I hereby approve the appointment of Linda Lord-Jenkins as ombudsman for the State of Alaska, effective June 24, 2002.

Sincerely,

/s/

Tony Knowles
Governor"

MESSAGES FROM THE SENATE

A message dated June 24, 2002, was read stating the Senate has accepted an invitation to meet in joint session in the House Chamber at 3:00 p.m., June 25, to consider the Governor's vetoes.

**The presence of Representative Crawford was noted.

REPORTS OF STANDING COMMITTEES

HB 3001

The Finance Committee has considered:

HOUSE BILL NO. 3001

"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."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 3001(FIN)

"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, extending the commission's termination date to June 30, 2004, requiring the commission to hold monthly meetings to allow discussion of the commission's process and procedures; and directing the establishment of an advisory committee; 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): Bunde, Whitaker, Harris, Davies, Hudson, Lancaster, Foster, Mulder, Williams

The following fiscal note(s) apply to CSHB 3001(FIN):

1. Fiscal, Dept. of Community & Economic Development

HB 3001 is on today's calendar.

**The presence of Representative Croft was noted.

INTRODUCTION OF CITATIONS

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

Honoring - Amy Finn, Outstanding Volunteer
By Senator Austerman; Representative Stevens

In Memoriam - William K. "Bill" Blessington
By Representative Kohring

In Memoriam - James J. Hurley
By Senator Austerman

The following citation was introduced and taken up later as a Special Order of Business:

In Memoriam - Donald G. Hilligas
By Representative Rokeberg

The Speaker stated that the House would stand at ease for a Majority Caucus and a Minority Caucus; and so, the House stood at ease at 10:16 a.m.

AFTER AT EASE

The Speaker called the House back to order at 11:06 a.m.

**The presence of Representative Williams was noted.

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 3001**

The following was read the second time:

HOUSE BILL NO. 3001

"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."

with the:

Journal Page

FIN RPT CS(FIN) NT 9DP
FN1: (CED)

4031
4031

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. 3001(FIN)

"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, extending the commission's termination date to June 30, 2004, requiring the commission to hold monthly meetings to allow discussion of the commission's process and procedures; and directing the establishment of an advisory committee; and providing for an effective date."

There being no objection, it was so ordered.

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

Page 3, lines 26 - 28:

Delete all material.

Insert "APPLICATION OF TIMELINES TO NEW AND EXISTING DOCKETS. The timelines provided in AS 42.05.175, added by sec. 1 of this Act, apply to all new dockets of the Regulatory Commission of Alaska filed on or after July 1, 2002. For dockets commenced before July 1, 2002, the date of July 1, 2002, shall be used as the date of filing for the purpose of applying the timelines in AS 42.05.175."

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

Representative James moved and asked unanimous consent that CSHB 3001(FIN) am be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 3001(FIN) am was read the third time.

Representative Croft placed a call of the House.

The Speaker stated the call was satisfied.

Representatives Guess and Meyer moved and asked unanimous consent that they be allowed to abstain from voting due to a conflict of interest. Objection was heard, and the members were required to vote.

The question being: "Shall CSHB 3001(FIN) am pass the House?"
The roll was taken with the following result:

CSHB 3001(FIN) am

Third Reading

Final Passage

YEAS: 34 NAYS: 4 EXCUSED: 2 ABSENT: 0

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

Nays: Dyson, Kohring, Masek, Ogan

Excused: Berkowitz, Green

And so, CSHB 3001(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.

Representative James gave notice of reconsideration of the vote on CSHB 3001(FIN) am.

RECONSIDERATION**HB 3001**

Representative James moved and asked unanimous consent that the reconsideration of CSHB 3001(FIN) am (page 4034) be taken up on the same day.

There being no objection, it was so ordered.

The following was again before the House in third reading:

CS FOR HOUSE BILL NO. 3001(FIN) am

"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, extending the commission's termination date to June 30, 2004, requiring the commission to hold monthly meetings to allow discussion of the commission's process and procedures; and directing the establishment of an advisory committee; and providing for an effective date."

The question to be reconsidered: "Shall CSHB 3001(FIN) am pass the House?" The roll was taken with the following result:

CSHB 3001(FIN) am--RECONSIDERATION

Third Reading

Final Passage

YEAS: 34 NAYS: 4 EXCUSED: 2 ABSENT: 0

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

Nays: Dyson, Kohring, Masek, Ogan

Excused: Berkowitz, Green

And so, CSHB 3001(FIN) am passed the House on reconsideration.

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 3001(FIN) am was referred to the Chief Clerk for engrossment.

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 - Tony Caligiuri

By Representatives Bunde, Porter, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Guess, Hayes, Hudson, James, Joule, Kerttula, Kott, Lancaster, Masek, McGuire, Morgan, Mulder, Murkowski, Ogan, Rokeberg, Stevens, Williams, Wilson

Honoring - Kathie Lynn Cook

By Senator Wilken; Representatives Porter, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Guess, Hayes, Hudson, James, Joule, Kerttula, Kott, Lancaster, Masek, McGuire, Morgan, Mulder, Murkowski, Ogan, Rokeberg, Stevens, Williams, Wilson

Honoring - The 2002 Juneau Douglas High School Crimson Bears Softball Team

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

Honoring - The 2002 Juneau Douglas High School Crimson Bears Baseball Team

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

Honoring - Avalanche Awareness Advocacy

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

In Memoriam - Juan Manuel Cutino MacFarlane

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

In Memoriam - Mary Lou Briggs

By Senators Phillips, Halford; Representatives Dyson, Porter, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Fate, Foster, Guess, Hayes, Hudson, James, Joule, Kerttula, Kohring, Kott, Lancaster, Masek, McGuire, Morgan, Mulder, Murkowski, Ogan, Rokeberg, Stevens, Williams, Wilson

In Memoriam - Harvey C. Baskin

By Senators Green, Halford; Representatives Ogan, Porter, Bunde, Chenault, Cissna, Coghill, Crawford, Croft, Davies, Dyson, Fate, Foster, Guess, Hayes, Hudson, James, Joule, Kerttula, Kohring, Kott, Lancaster, Masek, McGuire, Morgan, Mulder, Murkowski, Rokeberg, Stevens, Williams, Wilson

UNFINISHED BUSINESS**HB 3002**

Representative Hayes moved and asked unanimous consent that the following be discharged from the Finance Committee.

HOUSE BILL NO. 3002

"An Act making appropriations to the Department of Administration, division of Alaska longevity programs, to enable the division to make available additional beds in the Alaska Pioneers' and Veterans' Home; and providing for an effective date."

Objection was heard.

Representative Hayes placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall HB 3002 be discharged from the Finance Committee?" The roll was taken with the following result:

HB 3002

Discharge from Finance Committee

YEAS: 11 NAYS: 27 EXCUSED: 2 ABSENT: 0

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

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

Excused: Berkowitz, Green

And so, the motion failed.

SPECIAL ORDER OF BUSINESS

Representative James moved and asked unanimous consent that the citation, In Memoriam - Donald G. Hilligas, be taken up as a Special Order of Business at this time. There being no objection, it was so ordered.

Representative James moved and asked unanimous consent that the House approve the citation. There being no objection, the following citation was approved and sent to enrolling:

In Memoriam - Donald G. Hilligas

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

UNFINISHED BUSINESS

Representative James moved and asked unanimous consent that the following members be excused from a call of the House. There being no objection, the members were excused as noted:

Representative Croft - from a.m., June 27 to a.m., June 30, 2002

Representative Rokeberg - from tonight to 9:27 p.m., plane time, June 26, 2002

Representative Stevens - from 2:00 p.m., plane time, June 27 to 5:00 p.m., plane time, July 5, 2002

The Speaker stated that, without objection, the House would recess until 3:00 p.m.; and so, the House recessed at 12:26 p.m.

AFTER RECESS

The Speaker called the House back to order at 3:12 p.m.

JOINT SESSION IN THE HOUSE

In accordance with Uniform Rule 51, Speaker Porter turned the gavel over to President Halford who called the joint session to order at 3:13 p.m.

The purpose of the joint session was to consider the Governor's veto of the following bill:

SB 363 CAMPAIGN FINANCE PROVISIONS

A roll call of the Senate showed 18 members present. Senator Davis had been previously excused from a call today. Senator Kelly was absent.

A roll call of the House showed 38 members present. Representatives Berkowitz and Green had been previously excused from a call today.

**The presence of Senator Kelly was noted.

SB 363

Senator Leman moved that:

CONFERENCE CS FOR SENATE BILL NO. 363

"An Act relating to communications and elections, to reporting of contributions and expenditures, and to campaign misconduct in the second degree; relating to disclosure by individuals of contributions to candidates; and providing for an effective date."

become law notwithstanding the Governor's veto.

The question being: "Shall CCS SB 363 become law notwithstanding the Governor's veto?" The roll of the House was taken with the following result:

CCS SB 363

Override Veto

HOUSE

YEAS: 27 NAYS: 11 EXCUSED: 2 ABSENT: 0

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

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

Excused: Berkowitz, Green

The roll of the Senate was called with the following result:

CCS SB 363

Override Veto

SENATE

YEAS: 14 NAYS: 5 EXCUSED: 1 ABSENT: 0

Yeas: Green, Kelly, Leman, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken, Austerman, Cowdery, Donley, Halford

Nays: Hoffman, Lincoln, Olson, Ellis, Elton

Excused: Davis

TOTAL: YEAS: 41 NAYS: 16 EXCUSED: 3 ABSENT: 0

And so, the Governor's veto was overridden and the engrossed and enrolled copies of CCS SB 363 were returned to the Office of the Governor at 5:00 p.m., June 25, 2002.

Senator Leman moved and asked unanimous consent that the joint session adjourn. There being no objection, President Halford adjourned the joint session at 3:45 p.m.

The Speaker ordered the House at ease to allow members of the Senate to leave the Chamber.

IN THE HOUSE

The Speaker called the House back to order at 3:48 p.m.

ENGROSSMENT

HB 3001

CSHB 3001(FIN) am was engrossed, signed by the Speaker and 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 1:00 p.m., June 26, 2002. There being no objection, the House adjourned at 3:48 p.m.

Suzi Lowell
Chief Clerk