

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Friday

January 31, 2003

#### Eleventh Day

Pursuant to adjournment the House was called to order by Speaker Kott at 10:07 a.m.

Roll call showed 33 members present. Representatives Chenault, Fate, Holm, Kookesh, Meyer, and Wolf had been previously excused from a call of the House today.

Representative Coghill moved and asked unanimous consent that Representative Williams be excused from a call of the House from today to 10:00 p.m., plane time, February 2, 2003 (amended from page 87). There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Pastor Jimmie Woods of Glacier Valley Baptist Church. Representative Coghill moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

I recognize and realize the fact that we come from different religious backgrounds. I invite you to join me in a time of prayer.

I bow in prayer before the Father from whom every family in heaven and earth gets its name. I ask the Father in His great glory to give you power to be strong inwardly through His

Spirit. I pray that Christ will live in our hearts by faith and our lives will be strong in love and built on love. And I pray for Your wisdom for this legislative body today, Lord. I ask this in Jesus' name. Amen.

The Pledge of Allegiance was led by Representative Heinze.

#### **CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the ninth and tenth legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

#### **MESSAGES FROM THE GOVERNOR**

A Declaration of Disaster Emergency dated January 28, 2003, (Amendment to November 2, 2002 Declaration) with an accompanying letter and spreadsheet was received and is on file in the Chief Clerk's office.

#### **MESSAGES FROM THE SENATE**

A message dated January 27, 2003, was read stating the Senate has confirmed the following members to the Select Committee on Legislative Ethics:

Senator Stevens  
Senator Elton  
Senator Green (Alternate)  
Senator Davis (Alternate)

The House members of the committee are Representatives Rokeberg and Kapsner, and Representatives Heinze and Kerttula (Alternates) (page 62).

#### **COMMUNICATIONS**

The following was received January 30, 2003:

Dept. of Community & Economic Development  
Report of the Local Boundary Commission  
to the First Session of the Twenty-Third  
Alaska State Legislature  
January 30, 2003  
Available at [www.dced.state.ak.us/cbd/lbc/lbc.htm](http://www.dced.state.ak.us/cbd/lbc/lbc.htm)  
(as required by AS 29.06.040, AS 44.33.812, and  
art. X, sec. 12, Alaska Constitution)

The recommendations of the Local Boundary Commission will be published in House and Senate Joint Journal Supplement No. 2.

The Speaker referred the Commission's recommendations to the Community & Regional Affairs Committee.

The following were received:

Dept. of Community & Economic Development  
Alaska Industrial Development & Export Authority  
Annual Review of Assets  
January 10, 2003  
(as required by AS 44.88.205)

Dept. of Community & Economic Development  
Alaska Industrial Development & Export Authority  
Revolving Fund Financial Statements  
Independent Auditors' Report  
June 30, 2002  
(as required by AS 44.83.940)

Dept. of Community & Economic Development  
Alaska Industrial Development & Export Authority  
Annual Report 2002  
(as required by AS 44.88.210)

Dept. of Community & Economic Development  
Alaska Railroad Corporation  
Special Report to the Legislature  
and Administration, State of Alaska  
January 2003

Dept. of Corrections  
Division of Probation and Parole  
Interstate Commission Annual Report  
(as required by AS 33.36.110)

Alaska Court System  
Status of Surcharge Revenue  
FY 2003  
(as required by Chapter No. 56, SLA 1998)

### REPORTS OF STANDING COMMITTEES

The State Affairs Committee has reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Marc Antrim

as Commissioner of the Department of Corrections.

The report was signed by Representative Weyhrauch, Chair; and Representatives Holm, Lynn, Dahlstrom, Berkowitz, Seaton, Gruenberg.

The Finance Committee has reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

William A. Corbus

as Commissioner of the Department of Revenue.

The report was signed by Representatives Harris and Williams, Co-chairs; and Representatives Foster, Meyer, Hawker, Joule, Croft, Stoltze, Moses, Stevens, Whitaker.

### **HB 9**

The Labor & Commerce Committee has considered:

## HOUSE BILL NO. 9

"An Act relating to the registration of individuals who perform home inspections; relating to regulation of contractors; relating to registration fees for specialty contractors, home inspectors, and associate home inspectors; relating to home inspection requirements for residential loans purchased or approved by the Alaska Housing Finance Corporation; relating to civil actions by and against home inspectors and to civil actions arising from residential unit inspections; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 9(L&C)  
(same title)

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

Do pass (6): Lynn, Gatto, Crawford, Guttenberg, Rokeberg, Anderson

The following fiscal note(s) apply to CSHB 9(L&C):

1. Zero, Dept. of Revenue
2. Zero, Dept. of Law
3. Zero, Dept. of Labor & Workforce Development
4. Fiscal, Dept. of Community & Economic Development

HB 9 was referred to the Judiciary Committee.

**HB 45**

The Community & Regional Affairs Committee has considered:

## HOUSE BILL NO. 45

"An Act adding a second verse to the official Alaska state song."

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

Do pass (6): Kookesh, Cissna, Samuels, Anderson, Chenault, Morgan

The following fiscal note(s) apply:

1. Zero, University of Alaska

HB 45 was referred to the State Affairs Committee.

**HB 58**

The Community & Regional Affairs Committee has considered:

HOUSE BILL NO. 58

"An Act relating to the reinstatement of Native corporations; and providing for an effective date."

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

Do pass (6): Kookesh, Cissna, Samuels, Anderson, Chenault, Morgan

The following fiscal note(s) apply:

1. Zero, Dept. of Community & Economic Development

HB 58 was referred to the Labor & Commerce Committee.

**REPORTS OF SPECIAL COMMITTEES**

**HJR 6**

The House Special Committee on Oil & Gas has considered:

HOUSE JOINT RESOLUTION NO. 6

Urging the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, Alaska, to oil and gas exploration, development, and production.

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

Do pass (6): Fate, Crawford, Chenault, McGuire, Rokeberg, Kohring

Do not pass (1): Kerttula

The following fiscal note(s) apply:

1. Zero, Dept. of Natural Resources
2. Zero, Dept. of Revenue

HJR 6 was referred to the Resources Committee.

### **INTRODUCTION OF CITATIONS**

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

Commemorating - The Contributions by Asian/Pacific Americans to Alaska in Conjunction with Asian/Pacific American Heritage Month  
By Representative Stevens; Senator Austerman

Honoring - Kodiak Football League All-Star Team  
By Representative Stevens; Senator Austerman

Honoring - Dr. Don Hudson, Longenbaugh Memorial Award  
By Representative Moses

### **INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE RESOLUTIONS**

#### **HCR 4**

HOUSE CONCURRENT RESOLUTION NO. 4 by the House Rules Committee:

Authorizing a recess by the Senate and the House of Representatives for a period of more than three days.

was read the first time and taken up later as a Special Order of Business.

#### **HJR 8**

HOUSE JOINT RESOLUTION NO. 8 by Representatives Cissna, Gruenberg, and Kerttula:

Urging the President and the United States Congress to uphold Alaska's right to 90 percent of the royalties from oil, gas, and mineral leasing on federal lands in Alaska.

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

#### **HJR 9**

HOUSE JOINT RESOLUTION NO. 9 by Representatives Stoltze and Kohring:

Proposing amendments to the Constitution of the State of Alaska relating to an appropriation limit and a spending limit.

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

### **SPECIAL ORDER OF BUSINESS**

#### **HCR 4**

Representative Coghill moved and asked unanimous consent that the following be taken up as a Special Order of Business at this time:

HOUSE CONCURRENT RESOLUTION NO. 4

Authorizing a recess by the Senate and the House of Representatives for a period of more than three days.

Representative Berkowitz objected and withdrew the objection. There being no further objection, HCR 4 was before the House.

Title Amendment was offered by Representative Berkowitz:

Page 1, line 2, following "**days**":

Insert "**those days being April 18, 19, 20, and 21 of 2003**"

Representative Berkowitz moved and asked unanimous consent that the Title Amendment be adopted.

Objections were heard and withdrawn. There being no further objection, it was so ordered and the new title follows:



## HOUSE CONCURRENT RESOLUTION NO. 4(title am)

Authorizing a recess by the Senate and the House of Representatives for a period of more than three days, those days being April 18, 19, 20, and 21 of 2003.

The question being: "Shall HCR 4(title am) pass the House?" The roll was taken with the following result:

HCR 4(title am)  
Special Order of Business

**YEAS: 32 NAYS: 1 EXCUSED: 7 ABSENT: 0**

Yeas: Anderson, Berkowitz, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Joule, Kapsner, Kerttula, Kohring, Kott, Lynn, Masek, McGuire, Morgan, Moses, Rokeberg, Samuels, Seaton, Stevens, Stoltze, Weyhrauch, Whitaker, Wilson

Nays: Gara

Excused: Chenault, Fate, Holm, Kookesh, Meyer, Williams, Wolf

And so, HCR 4(title am) passed the House and was referred to the Chief Clerk for engrossment.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF HOUSE BILLS**

**HB 70**

HOUSE BILL NO. 70 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to revenue bonds issued by the Alaska Municipal Bond Bank Authority and the total amount of bonds and notes outstanding of that authority; and providing for an effective date."

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

The following fiscal note(s) apply:

1. Zero, Dept. of Revenue

The Governor's transmittal letter dated January 30, 2003, follows:

"Dear Speaker Kott:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to revenue bonds issued by the Alaska Municipal Bond Bank Authority and the total amount of bonds and notes outstanding of that authority.

The Alaska Municipal Bond Bank Authority (AMBBA) was created in 1975 to assist Alaskan municipalities issue bonds for local projects. The AMBBA is able to realize savings for municipalities by pooling bonds in large numbers and obtaining lower interest rates that result in reduced costs for bond issuance, and often better terms overall, that would not be obtainable by municipalities on their own. The purpose of this bill is to raise the limit on the amount of revenue bonds that the AMBBA may issue in any one fiscal year and to raise the limit on the total outstanding bond debt the AMBBA may carry at any one time. These limits have not been raised by the legislature since 1983 and 1984, respectively.

An increase in the annual bonding cap under AS 44.85.100(b) from \$50,000,000 to \$75,000,000, would enable the AMBBA to act on the applications it has already received from municipalities this fiscal year. Current fiscal year applications exceed \$56,000,000.

Further, an increase in the cap on the total outstanding bonds and notes from \$300,000,000 to \$500,000,000 under AS 44.85.180(c), would enable AMBBA to issue the bonds and notes already applied for as well as those that are anticipated, which may exceed \$70,000,000. Reaching the annual fiscal year limit or the outstanding limits would prevent municipalities from proceeding with projects or prevent municipalities from using the financially more attractive debt terms that could be made available if the bonds are issued by AMBBA.

An increase in the amount of the AMBBA's indebtedness limit will not have a fiscal impact on the state's general fund. Debt of the AMBBA is not a direct liability of the state. Additionally, municipalities that use the AMBBA to issue bonds pay all of the debt

service on the bonds. And the AMBBA has sufficient reserve capacity to continue financing capital projects up to the requested \$500,000,000 cap.

Finally, in order to accommodate current fiscal year applications received by the AMBBA, an immediate effective date is included in the bill.

I urge your prompt and favorable action on this measure.

Sincerely Yours,  
/s/  
Frank H. Murkowski  
Governor"

**HB 71**

HOUSE BILL NO. 71 by the House State Affairs Committee, entitled:

"An Act extending the termination date of the Board of Certified Direct-Entry Midwives."

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

**UNFINISHED BUSINESS**

Representative Coghill 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 McGuire - from 7:00 a.m. to 10:00 p.m.,  
February 3, 2003

Representative Kookesh - from 7:00 p.m., February 3 to 11:00 a.m.,  
February 6, 2003

Representative Croft - from 9:00 a.m. to 11:00 a.m.,  
February 12, 2003

Representative Rokeberg - from 6:30 p.m., February 13 to morning plane time, February 18, 2003

Representative Stevens - from 1:00 p.m., March 19 to 10:00 a.m., March 24, 2003

**HJR 7**

Representatives Anderson, Lynn, Coghill, and Dahlstrom added their names as cosponsors to:

HOUSE JOINT RESOLUTION NO. 7

Relating to urging the United States Congress to amend the tax code to permanently repeal the federal estate and generation-skipping transfer tax.

**HB 9**

Representative Hawker added his name as cosponsor to:

HOUSE BILL NO. 9

"An Act relating to the registration of individuals who perform home inspections; relating to regulation of contractors; relating to registration fees for specialty contractors, home inspectors, and associate home inspectors; relating to home inspection requirements for residential loans purchased or approved by the Alaska Housing Finance Corporation; relating to civil actions by and against home inspectors and to civil actions arising from residential unit inspections; and providing for an effective date."

**HB 40**

Representative Chenault added his name as cosponsor to:

HOUSE BILL NO. 40

"An Act relating to issuance of a driver's license."

**HB 45**

Representatives Anderson, Joule, Cissna, Kerttula, Stevens, and Seaton added their names as cosponsors to:

HOUSE BILL NO. 45

"An Act adding a second verse to the official Alaska state song."

**HB 49**

Representatives Holm and Samuels added their names as cosponsors to:

HOUSE BILL NO. 49

"An Act relating to the DNA identification registration system; and providing for an effective date."

**HB 52**

Representatives Kapsner, Stoltze, Cissna, and Weyhrauch added their names as cosponsors to:

HOUSE BILL NO. 52

"An Act relating to the forfeiture of property used to possess or distribute child pornography, to commit indecent viewing or photography, to commit a sex offense, or to solicit the commission of, attempt to commit, or conspire to commit possession or distribution of child pornography, indecent viewing or photography, or a sexual offense."

**HB 57**

Representative Whitaker added his name as cosponsor to:

HOUSE BILL NO. 57

"An Act amending the manner of determining the royalty received by the state on gas production as it relates to the manufacture of certain value-added products."

**HB 58**

Representative Anderson added his name as cosponsor to:

HOUSE BILL NO. 58

"An Act relating to the reinstatement of Native corporations; and providing for an effective date."

**HB 62**

Representative Holm added his name as cosponsor to:

HOUSE BILL NO. 62

"An Act relating to construction, plumbing, mechanical, electrical, fire safety, and other safety codes adopted by state agencies and municipalities; and providing for an effective date."

**HB 63**

Representatives Cissna and Kerttula added their names as cosponsors to:

HOUSE BILL NO. 63

"An Act relating to filling the vacancy in the office of United States Senator."

**HB 66**

Representative Heinze added her name as cosponsor to:

HOUSE BILL NO. 66

"An Act relating to certain persons who buy and sell secondhand articles, to certain persons who lend money on secondhand articles, and to certain persons who seek or receive loans on secondhand articles."

**HB 68**

Representatives Gara and Heinze added their names as cosponsors to:

HOUSE BILL NO. 68

"An Act relating to the office of victims' rights."

**HB 69**

Representative Heinze added her name as cosponsor to:

HOUSE BILL NO. 69

"An Act relating to regulation of shallow natural gas leasing and closely related energy projects; and providing for an effective date."

**SPECIAL ORDER OF BUSINESS**

Representative Rokeberg rose to a point of order stating that distribution of alleged humor is not in concurrence with rules regarding respect, motivations, and personalities of other members of the body.

The Speaker stated the point was so noted.

**ENGROSSMENT****HCR 4**

HCR 4(title 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 Coghill moved and asked unanimous consent that the House adjourn until 11:00 a.m., February 3, 2003. There being no objection, the House adjourned at 10:41 a.m.

Suzi Lowell  
Chief Clerk