

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Friday

February 14, 2003

Twenty-fifth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 10:08 a.m.

Roll call showed 27 members present. Representatives Berkowitz, Dahlstrom, Fate, Gatto, Kohring, Kookesh, Moses, Rokeberg, Williams, and Wolf had been previously excused from a call of the House today. Representative Joule was absent and his presence was noted later. Representative Chenault was absent and later excused.

Representative Coghill moved and asked unanimous consent that Representative Holm be excused from a call of the House from today to 11:00 a.m., February 18, 2003. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Father Anastasius Iwuoha of the Cathedral of the Nativity. Representative Coghill moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

I invite you to please join me in these prayers.

Almighty God, You are the ultimate lawmaker and supreme ruler of the world. We pray You to guide the proceedings and activities of the members of the Alaska Legislature this day. Assist them in figuring out ways of bringing joy, hope, and vigorous improvement to all parts of Alaska. Open our eyes to the needs of the people of Alaska and our hearts to their yearning for a better life. Lead us on with the vision of truth as we strive to bring justice and peace to all. Amen.

The Pledge of Allegiance was led by Representative Kerttula.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 23rd and 24th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

COMMUNICATIONS

Letters of disclosure, as required by AS 24.60, were published today in House Journal Supplement No. 1 and Senate and House Joint Journal Supplement No. 3.

REPORTS OF STANDING COMMITTEES

The Health, Education & Social Services Committee has reviewed the qualifications of the following and recommends the appointment be forwarded to a joint session for consideration:

Joel Gilbertson

as Commissioner of the Department of Health & Social Services.

The report was signed by Representative Wilson, Chair; and Representatives Heinze, Cissna, Seaton, Gatto, Kapsner.

**The presence of Representative Joule was noted.

The Health, Education & Social Services Committee has reviewed the qualifications of the following and recommends the appointments be forwarded to a joint session for consideration:

James C. Hayes
Cynthia Henry
Mary K. Hughes
Derek Miller
Michael Snowden

as members of the University of Alaska Board of Regents.

The reports were signed by Representative Wilson, Chair; and Representatives Gatto, Wolf, Heinze, Seaton, Kapsner.

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

Rupert Andrews
John E. Jensen
Melvan E. Morris, Jr.
Art Nelson

as members of the Board of Fisheries.

Michael R. Fleagle

as a member of the Board of Game.

The reports were signed by Representatives Fate and Chenault, Co-chairs; and Representatives Wolf, Masek, Kerttula, Gatto, Heinze, Guttenberg, Lynn.

HB 1

The Judiciary Committee has considered:

HOUSE BILL NO. 1

"An Act relating to stalking and to violating a protective order; and amending Rules 4 and 65, Alaska Rules of Civil Procedure, and Rule 9, Alaska Rules of Administration."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 1(JUD)
(same title)

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

Do pass (5): Holm, Anderson, Coghill, Gruenberg, McGuire

The following fiscal note(s) apply to CSHB 1(JUD):

1. Zero, Dept. of Law
2. Zero, Dept. of Public Safety
3. Indeterminate, Dept. of Administration
4. Indeterminate, Alaska Court System

HB 1 was referred to the Finance Committee.

HB 51

The Health, Education & Social Services Committee has considered:

HOUSE BILL NO. 51

"An Act requiring pharmacists to include generic drug information on containers in which brand-name prescription drug orders are dispensed."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 51(HES)
(same title)

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

Do pass (5): Heinze, Gatto, Seaton, Cissna, Wilson

The following fiscal note(s) apply to CSHB 51(HES):

1. Zero, Dept. of Community & Economic Development

HB 51 was referred to the Labor & Commerce Committee.

HB 82

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 82

"An Act making certain activities related to commercial electronic mail unlawful as unfair methods of competition or unfair or deceptive acts or practices under the Act enumerating unfair trade practices and consumer protections."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 82(L&C)

"An Act making certain activity related to commercial electronic mail unlawful and an unfair method of competition or an unfair or deceptive act or practice under the Act enumerating unfair trade practices and consumer protections."

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

Do pass (7): Lynn, Gatto, Crawford, Guttenberg, Dahlstrom, Rokeberg, Anderson

The following fiscal note(s) apply to CSHB 82(L&C):

1. Zero, Dept. of Law

HB 82 was referred to the Judiciary Committee.

INTRODUCTION OF CITATIONS

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

In Memoriam - James "J.P." Jones
By Representative Guttenberg

In Memoriam - Hannah Manuluk Newlin
By Representative Joule

**INTRODUCTION, FIRST READING, AND REFERENCE
OF HOUSE BILLS****HB 97**

HOUSE BILL NO. 97 by Representative Kohring, entitled:

"An Act authorizing a long-term lease of certain Alaska Railroad Corporation land at Anchorage; and providing for an effective date."

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

HB 98

HOUSE BILL NO. 98 by Representative Samuels, entitled:

"An Act relating to sport fishing seasons and areas for persons under 16 years of age."

was read the first time and referred to the House Special Committee on Fisheries and the Resources Committee.

HB 99

HOUSE BILL NO. 99 by Representative Heinze, entitled:

"An Act relating to insurance for and work on certain motor vehicle repairs; and providing for an effective date."

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

HOUSE BILL NO. 100 has been preassigned to the supplemental appropriations bill.

HB 101

HOUSE BILL NO. 101 by the House Finance Committee, entitled:

"An Act making a special appropriation for a grant to Arctic Power to promote the opening of the Arctic National Wildlife

Refuge for oil and gas exploration and development; and providing for an effective date."

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

HB 102

HOUSE BILL NO. 102 by Representatives Croft, Foster, Stoltze, and Crawford, entitled:

"An Act relating to concealed deadly weapons."

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

HB 103

HOUSE BILL NO. 103 by Representative Meyer, entitled:

"An Act limiting the factors that may be considered in making a crime victims' compensation award in cases of sexual assault or sexual abuse of a minor."

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

HB 104

HOUSE BILL NO. 104 by Representative Stevens, entitled:

"An Act relating to payment of the fisheries business tax and to security for collection of the fisheries business tax."

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

HB 105

HOUSE BILL NO. 105 by Representative Stevens, entitled:

"An Act relating to loans to satisfy past due federal tax obligations of commercial fishermen and to the commercial fishing loan program."

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

HB 106

HOUSE BILL NO. 106 by the House Judiciary Committee, entitled:

"An Act amending the definition of 'lobbyist' in the Regulation of Lobbying Act, and as it applies in the act setting standards of conduct for legislators and legislative employees, to define 'regular' and 'substantial' as those terms describe activities for which a person receives consideration for the purpose of influencing legislative or administrative action."

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

CONSIDERATION OF THE DAILY CALENDAR**LEGISLATIVE CITATIONS**

Representative Coghill 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 - Great Land Trust, Fish Creek Land Acquisition

By Representatives Berkowitz, Kott, Anderson, Chenault, Cissna, Crawford, Croft, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kohring, Masek, McGuire, Meyer, Morgan, Rokeberg, Seaton, Stevens, Stoltze, Williams, Wilson, Wolf

Honoring - Mano Frey, Executive President of the Alaska AFL-CIO

By Representatives Harris, Kott, Anderson, Berkowitz, Chenault, Cissna, Crawford, Coghill, Croft, Dahlstrom, Fate, Foster, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kohring, Masek, McGuire, Meyer, Morgan, Moses, Rokeberg, Samuels, Seaton, Stevens, Stoltze, Weyhrauch, Whitaker, Williams, Wilson, Wolf

Honoring - Bartlett High School Golden Bears Football Team

By Senator Davis; Representatives, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kohring, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stevens, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Honoring - Women in History Month

By Senator Davis; Representatives, Kott, Anderson, Berkowitz, Chenault, Cissna, Crawford, Croft, Dahlstrom, Fate, Gara, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kohring, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stevens, Stoltze, Weyhrauch, Williams, Wilson, Wolf

Honoring - Sharon Richards

By Senator Davis; Representatives, Kott, Anderson, Berkowitz, Chenault, Cissna, Crawford, Croft, Dahlstrom, Gara, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kohring, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stevens, Stoltze, Williams, Wilson, Wolf

In Memoriam - Emmitt L. Soldin

By Representatives Rokeberg, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kohring, Masek, McGuire, Meyer, Morgan, Samuels, Seaton, Stevens, Stoltze, Williams, Wilson, Wolf

In Memoriam - Alice E. Gross

By Senator Taylor; Representatives Wilson, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kohring, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stevens, Stoltze, Williams, Wolf

In Memoriam - Bill H. Chenault

By Senator Wagoner; Representatives Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Fate, Foster, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Heinze, Holm, Joule, Kapsner, Kerttula, Kohring, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Stevens, Stoltze, Whitaker, Williams, Wilson, Wolf

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 Chenault - today

Representative Crawford - from 7:00 a.m., February 15 to 3:00 p.m., February 18, 2003

Representative Stevens - from 7:00 a.m., February 15 to 3:00 p.m., February 19, 2003

Representative Lynn - from 7:00 p.m., February 20 to 11:00 a.m., plane time, February 24, 2003

Representative Kerttula - from 1:00 p.m., February 22 to 2:00 p.m., March 3, 2003

HB 8

Representative Gatto's name was removed as a cosponsor to the following:

HOUSE BILL NO. 8

"An Act relating to establishing a data base of residential telephone customers who do not wish to receive telephonic solicitations, providing that the data base be compiled at no cost to the customers, requiring paid telephonic sellers to purchase the data base, requiring telephonic sellers to identify themselves, and requiring telephonic solicitors who are otherwise exempt from registration as telephonic solicitors to file with the Department of Law and purchase the data base; and providing for an effective date."

His name was mistakenly added to the bill, and a corrected copy of the bill was reprinted February 12, 2003.

HB 10

Representative Moses added his name as cosponsor to:

HOUSE BILL NO. 10

"An Act amending the definition of group health insurance, and allowing the Department of Administration to obtain a policy or policies of group health care insurance for employers that are small businesses, nonprofit organizations, special services organizations, or small associations for insurance purposes; and providing for an effective date."

HB 12

Representative Holm added his name as cosponsor to:

HOUSE BILL NO. 12

"An Act relating to harassment."

HB 49

Representative Weyhrauch added his name as cosponsor to:

HOUSE BILL NO. 49

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

HB 87

Representative Crawford added his name as cosponsor to:

HOUSE BILL NO. 87

"An Act relating to mining."

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 18, 2003. There being no objection, the House adjourned at 10:35 a.m.

Suzi Lowell
Chief Clerk