

HOUSE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-THIRD LEGISLATURE -- FIRST SESSION

Juneau, Alaska

Monday

February 24, 2003

Thirty-fifth Day

Pursuant to adjournment the House was called to order by Speaker Kott at 11:07 a.m.

Roll call showed 38 members present. Representative Kerttula had been previously excused from a call of the House today. There was one vacancy.

The invocation was offered by the Chaplain, Pastor Patrick Brayton of Valley Chapel. Representative Fate moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

In deepest respect for the religious beliefs of each person here, I invite you into a time of prayer to God.

Heavenly Father, I come to You in Jesus' Name to pray for these, our representatives, and for the state of Alaska. Please grant them Your favor as they carry out the duties of their office. Give them Your wisdom so they will steer us in the way of Your blessings and give them Your humility so they will be able to place the good of the people above their personal gain. I pray, Lord, for Your blessings to come also into their personal lives. May they and their families enjoy health and prosperity from Your hands. Please watch over their loved ones and fill their homes with Your peace and love. May the natural stress that comes with political office be moderated by the sense of Your presence and Your guiding hand. Bless them, Father, and bless the people of Alaska through them. In Jesus' Name. Amen.

The Pledge of Allegiance was led by Representative Moses.

CERTIFICATION OF THE JOURNAL

Representative Coghill moved and asked unanimous consent that the journal for the 32nd, 33rd, and 34th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

A message dated February 21, 2003, was read stating the Senate has passed the following and it is transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE RESOLUTIONS

SCR 5

SENATE CONCURRENT RESOLUTION NO. 5 by Senators Ben Stevens, Ellis, Dyson, Lincoln, French, Wagoner, Davis, Elton, Taylor, Guess, Bunde, Wilken, Cowdery, Seekins, Ogan, Olson, and Gary Stevens:

Relating to declaring March 2003 as Sobriety Awareness Month.

was read the first time and is on today's calendar.

REPORTS OF STANDING COMMITTEES

HB 46

The State Affairs Committee has considered:

HOUSE BILL NO. 46
"An Act relating to ballots."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 46(STA)
"An Act relating to printing of ballot titles and propositions on primary election ballots."

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

Do pass (5): Seaton, Gruenberg, Holm, Lynn, Dahlstrom

No recommendation (2): Berkowitz, Weyhrauch

The following fiscal note(s) apply to CSHB 46(STA):

1. Zero, Office of the Governor

HB 46 was referred to the Rules Committee for placement on the calendar.

HB 64

The State Affairs Committee has considered:

HOUSE BILL NO. 64

"An Act relating to court approval of the purchase of structured settlements."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 64(STA)
(same title)

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

Do pass (5): Gruenberg, Holm, Lynn, Dahlstrom, Weyhrauch

No recommendation (1): Berkowitz

Amend (1): Seaton

The following fiscal note(s) apply to CSHB 64(STA):

1. Zero, Dept. of Community & Economic Development

HB 64 was referred to the Judiciary Committee.

HB 91

The Labor & Commerce Committee has considered:

HOUSE BILL NO. 91

"An Act relating to a cost-of-living allowance and medical benefits for retired peace officers after 20 years of credited service."

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

Do pass (4): Gatto, Crawford, Guttenberg, Anderson

No recommendation (1): Rokeberg

The following fiscal note(s) apply:

1. Indeterminate, Dept. of Administration

HB 91 was referred to the Finance Committee.

SJR 4

The Resources Committee has considered:

SENATE JOINT RESOLUTION NO. 4

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 Chenault, Co-chair, with the following individual recommendations:

Do pass (6): Gatto, Wolf, Masek, Heinze, Guttenberg, Chenault

The following fiscal note(s) apply:

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

SJR 4 was referred to the Rules Committee for placement on the calendar.

Representative Coghill moved and asked unanimous consent that the House recess for a meeting of the Committee on Committees. There being no objection, the House recessed at 11:30 a.m.

AFTER RECESS

The Speaker called the House back to order at 11:42 a.m.

REPORTS OF SPECIAL COMMITTEES

The following report of the Committee on Committees, dated February 24, 2003, was read:

The Committee on Committees has met and submits the name of Representative Chenault to serve on the Finance Committee replacing Representative Gary Stevens.

The report was signed by Representative Kott, Chair; and Representatives Coghill, Rokeberg, Harris, Williams, and Berkowitz.

Representative Coghill moved and asked unanimous consent that the House adopt the Committee on Committees report. 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 - Prudential Spirit of Community Awards, Latoya Barrett
By Senator French; Representative Croft

In Memoriam - Jeannie Ratchner
By Representative Rokeberg

In Memoriam - Norman Richard Bucy
By Representative Rokeberg

In Memoriam - Dorothy Mary Volkheimer "Doe-Doe"
By Representative Joule

In Memoriam - Larry L. Clendenen
By Representative Seaton

In Memoriam - Jonathan Bruce Perry
By Representative Seaton

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

Honoring - Representative Jeannette James
By Representative Coghill

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

HB 119

HOUSE BILL NO. 119 by Representative Coghill, entitled:

"An Act permitting grants to certain regulated public utilities for water quality enhancement projects and water supply and wastewater systems."

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

HB 120

HOUSE BILL NO. 120 by Representative Coghill, entitled:

"An Act excluding service contracts from regulation as insurance; and providing for an effective date."

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

HB 121

HOUSE BILL NO. 121 by Representative Moses by request, entitled:

"An Act relating to the removal of and access to certain recorded documents."

was read the first time and referred to the House Special Committee on Military & Veterans' Affairs and the State Affairs Committee.

HB 122

HOUSE BILL NO. 122 by Representative Moses by request, entitled:

"An Act relating to public school education programs on the abuse of alcohol and drugs."

was read the first time and referred to the House Special Committee on Education and the Health, Education & Social Services Committee.

HB 123

HOUSE BILL NO. 123 by Representative Moses, entitled:

"An Act relating to the allocation of money appropriated to the Alaska Human Resource Investment Council; and providing for an effective date."

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

HB 124

HOUSE BILL NO. 124 by Representative Holm, entitled:

"An Act relating to commercial motor vehicle drivers and their employers and to railroad-highway grade crossings; and providing for an effective date."

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

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 71

The following was read the second time:

HOUSE BILL NO. 71

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

with the:

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L&C RPT 7DP	182
FN1: (CED)	182
FIN RPT 8DP 1NR	267
FN1: (CED)	268

Representative Coghill moved and asked unanimous consent that HB 71 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 71 was read the third time.

The question being: "Shall HB 71 pass the House?" The roll was taken with the following result:

HB 71
Third Reading
Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 1 ABSENT: 1 VACANT: 1

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

Excused: Kerttula

Absent: Moses

And so, HB 71 passed the House and was referred to the Chief Clerk for engrossment.

SECOND READING OF SENATE RESOLUTIONS

SCR 5

The following was read the second time:

SENATE CONCURRENT RESOLUTION NO. 5

Relating to declaring March 2003 as Sobriety Awareness Month.

The question being: "Shall SCR 5 pass the House?" The roll was taken with the following result:

SCR 5
Second Reading
Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 1 ABSENT: 1 VACANT: 1

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

Excused: Kerttula

Absent: Moses

And so, SCR 5 passed the House, was signed by the Speaker and Chief Clerk and returned to the Senate.

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 - Juneau-Douglas High School Crimson Bears 2002 Men's State Swimming and Diving Champions

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

Honoring - Judge Thomas Jahnke

By Senator Taylor; Representatives Williams, Wilson, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gruenberg, Guttenberg, Hawker, Joule, Kerttula, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Weyhrauch, Wolf

Honoring - Sheldon Jackson College

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

In Memoriam - Devon' Earl Alexander

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

In Memoriam - Charles Madison Binkley "Captain Jim"

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

In Memoriam - Virginia B. Gross

By Senator Davis; Representatives Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gatto, Gruenberg, Guttenberg, Hawker, Joule, Kerttula, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, Williams, Wilson, Wolf

In Memoriam - David Chatfield Kepler

By Senators Ogan, Green; Representatives Gatto, Stoltze, Kott, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gruenberg, Guttenberg, Hawker, Joule, Kerttula, Kohring, Masek, McGuire, Meyer, Morgan, Rokeberg, Samuels, Seaton, 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 Kott - from 2:00 p.m., February 28 to evening plane time, March 2, 2003

Representative Lynn - from 2:00 p.m., February 28 to evening plane time, March 2, 2003

Representative Meyer - from 2:00 p.m., February 28 to evening plane time, March 2, 2003

Representative Weyhrauch - from 2:00 p.m., February 28 to evening plane time, March 2, 2003

Representative Gatto - from 7:00 p.m., February 27 to 11:00 p.m., February 28, 2003

Representative Coghill - from noon, February 28 to evening plane time, March 3, 2003

Representative Harris - from noon, February 28 to evening plane time, March 2, 2003

Representative Kohring - from noon, February 28 to evening plane time, March 2, 2003

SPECIAL ORDER OF BUSINESS

Representative Coghill moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - Representative Jeannette James, be taken up as a Special Order of Business at this time. There being no objection, it was so ordered.

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

Honoring - Representative Jeannette James

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

UNFINISHED BUSINESS

HJR 11

Representative Croft added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 11

Proposing an amendment to the Constitution of the State of Alaska relating to open meetings.

HB 82

Representative McGuire added her name as cosponsor to:

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."

HB 91

Representatives Crawford and Guttenberg added their names as cosponsors to:

HOUSE BILL NO. 91

"An Act relating to a cost-of-living allowance and medical benefits for retired peace officers after 20 years of credited service."

HB 115

Representatives Croft and Gara added their names as cosponsors to:

HOUSE BILL NO. 115

"An Act extending the termination date of the Alaska Minerals Commission."

SCR 5

Representatives Rokeberg, Lynn, Gruenberg, and Samuels added their names as cross sponsors to:

SENATE CONCURRENT RESOLUTION NO. 5

Relating to declaring March 2003 as Sobriety Awareness Month.

ENGROSSMENT**HB 71**

HB 71 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.

The following meeting today has been changed as indicated:

Resources Committee	1:00 p.m., 2/24
HB 86 HEARING CANCELED	

ADJOURNMENT

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., February 26, 2003. There being no objection, the House adjourned at 12:14 p.m.

Suzi Lowell
Chief Clerk